

# 貸金業法

## Money Lending Business Act

(昭和五十八年五月十三日法律第三十二号)  
(Act No. 32 of May 13, 1983)

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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、貸金業が我が国の経済社会において果たす役割にかんがみ、貸金業を営む者について登録制度を実施し、その事業に対し必要な規制を行うとともに、貸金業者の組織する団体を認可する制度を設け、その適正な活動を促進するほか、指定信用情報機関の制度を設けることにより、貸金業を営む者の業務の適正な運営の確保及び資金需要者等の利益の保護を図るとともに、国民経済の適切な運営に資することを目的とする。

Article 1 The purpose of this Act shall be, in light of the role of the money lending business in Japan's economy and society, to implement a system for registration of persons who engage in the money lending business and to enforce the necessary regulations on their business, and also to establish a system for authorization of associations organized by money lenders and to promote proper business activities thereby, as well as to establish a system for designated credit bureaus, thereby ensuring the proper management of business operations performed by persons who engage in the money lending business, so as to protect the interests of persons Seeking funds, etc. and contribute to the proper management of the national economy.

(定義)

(Definitions)

第二条 この法律において「貸金業」とは、金銭の貸付け又は金銭の貸借の媒介（手形の割引、売渡担保その他これらに類する方法によつてする金銭の交付又は当該方法によつてする金銭の授受の媒介を含む。以下これらを総称して単に「貸付け」という。）で業として行うものをいう。ただし、次に掲げるものを除く。

Article 2 (1) The term "the Money Lending Business" as used in this Act means the business of loaning money or acting as an intermediary for the lending or borrowing of money (including acting as an intermediary for delivering money

through discounts of negotiable instruments, mortgage by sale, or any other method similar thereto, or for providing or receiving money through such method; hereinafter collectively referred to as a "Loan(s)" on a regular basis; provided, however, that the following Loans shall be excluded:

一 国又は地方公共団体が行うもの

(i) Loans made by the State or by local public entities;

二 貸付けを業として行うにつき他の法律に特別の規定のある者が行うもの

(ii) Loans made by persons governed by special provisions of other Acts for making Loans on a regular basis;

三 物品の売買、運送、保管又は売買の媒介を業とする者がその取引に付随して行うもの

(iii) Loans made by persons engaged in the business of buying and selling, transporting, or storing goods, or who act as intermediaries in the buying and selling of goods, in the course of their transactions;

四 事業者がその従業者に対して行うもの

(iv) Loans made by employers to their workers; and

五 前各号に掲げるもののほか、資金需要者等の利益を損なうおそれがないと認められる貸付けを行う者で政令で定めるものを行うもの

(v) In addition to what is listed in the preceding items, Loans made by persons specified by a Cabinet Order who make Loans that are found to be unlikely to harm the interests of Persons Seeking Funds, etc.

2 この法律において「貸金業者」とは、次条第一項の登録を受けた者をいう。

(2) The term "Money Lender" as used in this Act means a person who has been registered under paragraph (1) of the following Article.

3 この法律において「貸付けの契約」とは、貸付けに係る契約又は当該契約に係る保証契約をいう。

(3) The term "Contract for a Loan" as used in this Act means a loan contract or a guarantee contract pertaining thereto.

4 この法律において「顧客等」とは、資金需要者である顧客又は保証人となる者とする者をいう。

(4) The term "Customer, etc." as used in this Act means a customer who is a person seeking funds or a person who intends to be a guarantor.

5 この法律において「債務者等」とは、債務者又は保証人をいう。

(5) The term "Obligor, etc." as used in this Act means an obligor or guarantor.

6 この法律において「資金需要者等」とは、顧客等又は債務者等をいう。

(6) The term "Person Seeking Funds, etc." as used in this Act means a Customer, etc. or Obligor, etc.

7 この法律において「極度方式基本契約」とは、貸付けに係る契約のうち、資金需要者である顧客によりあらかじめ定められた条件に従った返済が行われることを条件として、当該顧客の請求に応じ、極度額の限度内において貸付けを行うことを約するものをいう。

(7) The term "Basic Contract for a Revolving Credit Loan" as used in this Act means a loan contract which is based on a promise that Loans shall be made for a customer who is a person seeking funds upon his/her request, within the limit of the maximum amount, on the condition that the customer shall repay the Loans according to the predetermined terms.

8 この法律において「極度方式貸付け」とは、極度方式基本契約に基づく貸付けをいう。

(8) The term "Revolving Credit Loan" as used in this Act means a Loan made under a Basic Contract for a Revolving Credit Loan.

9 この法律において「極度方式保証契約」とは、極度方式基本契約に基づく不特定の債務を主たる債務とする保証契約をいう。

(9) The term "Contract for a Revolving Guarantee" as used in this Act means a guarantee contract, the principal obligation of which is one or more unidentified obligations under a Basic Contract for a Revolving Credit Loan.

10 この法律において「貸金業協会」とは、第三章第一節の規定に基づいて設立された法人をいう。

(10) The term "Money Lenders' Association" as used in this Act means a juridical person established under the provisions of Chapter III, Section 1.

11 この法律において「電磁的記録」とは、電子的方式、磁気的方式その他の知覚によつ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。

(11) The term "Electromagnetic Record" as used in this Act means a record in an electronic form, a magnetic form, or any other form not recognizable to human perception, which is used in information processing by computers and is specified by a Cabinet Office Ordinance.

12 この法律において「電磁的方法」とは、電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて内閣府令で定めるものをいう。

(12) The term "Electromagnetic Means" as used in this Act means a means of using an electronic data processing system or other means of using information and communications technology that is specified by a Cabinet Office Ordinance.

13 この法律において「信用情報」とは、資金需要者である顧客又は債務者の借入金の返済能力に関する情報をいう。

(13) The term "Credit Information" as used in this Act means information concerning the capacity of a customer who is a person seeking funds or of an obligor, to repay his/her borrowings.

14 この法律において「個人信用情報」とは、個人を相手方とする貸付けに係る契約（極度方式基本契約その他の内閣府令で定めるものを除く。）に係る第四十一条の三十五第一項各号に掲げる事項をいう。

(14) The term "Personal Credit Information" as used in this Act means matters listed in the items of Article 41-35, paragraph (1) with regard to a loan contract concluded with an individual (excluding Basic Contract for a Revolving Credit

Loan and any other contracts specified by a Cabinet Office Ordinance).

15 この法律において「信用情報提供等業務」とは、信用情報の収集及び貸金業者に対する信用情報の提供を行う業務をいう。

(15) The term "Credit Information Service" as used in this Act means a service to collect Credit Information and to provide it to Money Lenders.

16 この法律において「指定信用情報機関」とは、第四十一条の十三第一項の規定による指定を受けた者をいう。

(16) The term "Designated Credit Bureau" as used in this Act means an association designated under the provisions of Article 41-13, paragraph (1).

17 この法律において「住宅資金貸付契約」とは、住宅の建設若しくは購入に必要な資金（住宅の用に供する土地又は借地権の取得に必要な資金を含む。）又は住宅の改良に必要な資金の貸付に係る契約をいう。

(17) The term "Home Loan Contract" as used in this Act means a loan contract for the funds necessary for building or purchasing housing (including funds necessary for acquisition of lands for housing or for acquisition of lease-holding rights) or fund necessary for improvements to housing.

## 第二章 貸金業者

### Chapter II Money Lenders

#### 第一節 登録

##### Section 1 Registration

(登録)

(Registration)

第三条 貸金業を営もうとする者は、二以上の都道府県の区域内に営業所又は事務所を設置してその事業を営もうとする場合にあつては内閣総理大臣の、一の都道府県の区域内にのみ営業所又は事務所を設置してその事業を営もうとする場合にあつては当該営業所又は事務所の所在地を管轄する都道府県知事の登録を受けなければならない。

Article 3 (1) A person who intends to engage in the Money Lending Business shall, where the person intends to engage in business and establishes business offices or other offices within two or more prefectural areas, be registered by the Prime Minister, or where the person intends to engage in business and establishes a business office(s) or other office(s) within only one prefectural area, be registered by the prefectural governor who has jurisdiction over the locations of such business office(s) or other office(s).

2 前項の登録は、三年ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

(2) The registration set forth in the preceding paragraph shall, unless it is renewed every three years, cease to be effective upon the expiration of said period.

3 第一項の登録のうち内閣総理大臣の登録を受けようとする者は、登録免許税法（昭

和四十二年法律第三十五号)の定めるところにより登録免許税を、前項の登録の更新のうち内閣総理大臣の登録の更新を受けようとする者は、政令の定めるところにより手数料を、それぞれ納めなければならない。

- (3) A person who wishes to be registered by the Prime Minister under paragraph (1) shall pay registration and licensing taxes pursuant to the provisions of the Registration and Licensing Tax Act (Act No. 35 of 1967), and a person who wishes to have his/her registration renewed by the Prime Minister under the preceding paragraph shall pay the necessary fees pursuant to the provisions of a Cabinet Order.

(登録の申請)

(Application for Registration)

第四条 前条第一項の登録を受けようとする者は、二以上の都道府県の区域内に営業所又は事務所を設置してその事業を営もうとする場合にあつては内閣総理大臣に、一の都道府県の区域内にのみ営業所又は事務所を設置してその事業を営もうとする場合にあつては当該営業所又は事務所の所在地を管轄する都道府県知事に、次に掲げる事項を記載した登録申請書を提出しなければならない。

Article 4 (1) A person who wishes to be registered under paragraph (1) of the preceding Article shall, where the person intends to engage in business and establishes business offices or other offices within two or more prefectural areas, submit a written application for registration stating the following matters to the Prime Minister, or where the person intends to engage in business and establishes a business office(s) or other office(s) within only one prefectural area, submit such written application for registration to the prefectural governor who has jurisdiction over the locations of such business office or other office:

一 商号、名称又は氏名及び住所

(i) The trade name, name, and address;

二 法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含む。以下この節、第二十四条の六の六第一項第一号、第二十四条の二十七第一項第三号及び第三十一条第八号において同じ。）である場合においては、その役員（業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者をいい、いかなる名称を有する者であるかを問わず、法人に対し、これらの者と同等以上の支配力を有するものと認められる者として内閣府令で定めるものを含む。第二十四条の六の四第二項及び次章から第三章の二までを除き、以下同じ。）の氏名、商号又は名称及び政令で定める使用人があるときは、その者の氏名

(ii) In the case of a juridical person (including an association or foundation without juridical personality having a representative person or administrator; hereinafter the same shall apply in this Section, Article 24-6-6, paragraph (1), item (i), Article 24-27, paragraph (1), item (iii), and Article 31, item (viii)), the name of the juridical person's Officer (meaning a member

in charge of executing business, a director, an executive officer, a representative person, an administrator, or any other person equivalent thereto, and including a person specified by a Cabinet Office Ordinance who, irrespective of his/her title, is found to have control over the juridical person which is equivalent to or greater than that of any of those listed herein; the same shall apply hereinafter except for under Article 24-6-4, paragraph (2) and from the following Chapter to Chapter III-2), the Officer's name or trade name, and where the juridical person also has an employee specified by a Cabinet Order, such employee's name;

三 個人である場合において、政令で定める使用人があるときは、その者の氏名  
(iii) In the case of an individual who has an employee specified by a Cabinet Order, such employee's name;

四 未成年者である場合においては、その法定代理人の氏名  
(iv) In the case of a minor, the name of his/her statutory agent;

五 営業所又は事務所の名称及び所在地  
(v) The name and location of the business office or other office;

六 営業所又は事務所ごとに置かれる貸金業務取扱主任者（第二十四条の二十五第一項の登録を受けた貸金業務取扱主任者をいう。以下同じ。）の氏名及び登録番号

(vi) The name and registration number of the Chief of Money Lending Operations (meaning a chief of money lending operations who has been registered as prescribed in Article 24-25, paragraph (1); the same shall apply hereinafter) assigned to each business office or other office;

七 その業務に関して広告又は勧誘をする際に表示等をする営業所又は事務所の電話番号その他の連絡先等であつて内閣府令で定めるもの

(vii) The telephone number or other point of contact, etc. of the business office or other office that is to be indicated when conducting advertising or solicitation in relation to the applicant's business operations, which is specified by a Cabinet Office Ordinance;

八 業務の種類及び方法  
(viii) The type and method of the operations; and

九 他に事業を行つているときは、その事業の種類  
(ix) Where the applicant engages in any other business, the type of such business.

2 前項の申請書には、内閣府令で定めるところにより、次に掲げる書類を添付しなければならない。

(2) The following documents shall be attached to the written application set forth in the preceding paragraph as provided by a Cabinet Office Ordinance:

一 第六条第一項各号に該当しないことを誓約する書面

(i) A document pledging that the applicant does not fall under any of the items of Article 6, paragraph (1);

二 法人である場合においては、その役員及び政令で定める使用人に係る運転免許証、

- 旅券その他の本人確認に利用できるものとして内閣府令で定める書類の写し
- (ii) In the case of a juridical person, a copy of the driver's license, passport, or any other document specified by a Cabinet Office Ordinance as identification with regard to the juridical person's Officer and its employee specified by a Cabinet Order;
- 三 個人である場合においては、その者及び政令で定める使用人に係る運転免許証、旅券その他の本人確認に利用できるものとして内閣府令で定める書類の写し
- (iii) In the case of an individual, a copy of his/her driver's license, passport, or any other document specified by a Cabinet Office Ordinance as identification with regard to the individual and his/her employee specified by a Cabinet Order;
- 四 営業所又は事務所の所在地を証する書面又はその写し
- (iv) A document proving the location of the business office or other office, or a copy thereof; and
- 五 前各号に掲げるもののほか、内閣府令で定める書類
- (v) In addition to what is listed in the preceding items, any other document specified by a Cabinet Office Ordinance.

(登録の実施)

(Implementation of Registration)

第五条 内閣総理大臣又は都道府県知事は、第三条第一項の登録の申請があつた場合においては、次条第一項の規定により登録を拒否する場合を除くほか、次の各号に掲げる事項を貸金業者登録簿に登録しなければならない。

Article 5 (1) The Prime Minister or prefectural governor shall, where an application for registration has been filed under Article 3, paragraph (1), register the matters listed in the following items in a money lenders' registry, except in the case where registration is refused pursuant to the provisions of paragraph (1) of the following Article:

一 前条第一項各号に掲げる事項

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

二 登録年月日及び登録番号

(ii) The date of registration and the registration number.

2 内閣総理大臣又は都道府県知事は、前項の規定による登録をしたときは、遅滞なく、その旨を申請者に通知しなければならない。

(2) The Prime Minister or the prefectural governor shall, when he/she has carried out the registration under the provisions of the preceding paragraph, notify the applicant to that effect without delay.

(登録の拒否)

(Refusal of Registration)



第六条 内閣総理大臣又は都道府県知事は、第三条第一項の登録を受けようとする者が次の各号のいずれかに該当するとき、又は登録申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 6 (1) The Prime Minister or prefectural governor shall refuse to register a person who wishes to be registered under Article 3, paragraph (1) when said person falls under any of the following items, or when a written application for registration or the documents attached thereto contain any false statement about important matters or lack statements about material facts:

一 成年被後見人又は被保佐人

(i) An adult ward or a person under curatorship;

二 破産者で復権を得ないもの

(ii) A bankrupt person who has not had his/her rights restored;

三 第二十四条の六の四第一項、第二十四条の六の五第一項又は第二十四条の六の六第一項（第一号に係る部分に限る。）の規定により登録を取り消され、その取消の日から五年を経過しない者（当該登録を取り消された者が法人である場合においては、当該取消の日前三十日以内に当該法人の役員であつた者で当該取消の日から五年を経過しないものを含む。）

(iii) A person whose registration has been rescinded pursuant to the provisions of Article 24-6-4, paragraph (1), Article 24-6-5, paragraph (1), or Article 24-6-6, paragraph (1) (limited to the part concerning item (i)) and for whom five years have not elapsed since the date of rescission (in the case where the person whose registration has been rescinded is a juridical person, this shall also apply to a person who was the juridical person's Officer within 30 days prior to the date of rescission and for whom five years have not elapsed since the date of rescission);

四 禁錮（こ）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つた日から五年を経過しない者

(iv) A person who has been sentenced to imprisonment without work or a severer punishment and for whom five years have not elapsed since the day on which execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence;

五 この法律、出資の受入れ、預り金及び金利等の取締りに関する法律（昭和二十九年法律第百九十五号）、旧貸金業者の自主規制の助長に関する法律（昭和四十七年法律第百二号）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（同法第三十二条の二第七項の規定を除く。）に違反し、又は貸付けの契約の締結若しくは当該契約に基づく債権の取立てに当たり、物価統制令（昭和二十一年勅令第百十八号）第十二条の規定に違反し、若しくは刑法（明治四十年法律第四十五号）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）の罪を犯し、罰金の刑に処せられ、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つた日から五年を経過しない者

(v) A person who has been sentenced to a fine for having violated the provisions of this Act, the Act Regulating the Receipt of Contributions, Receipt of Deposits and Interest Rates (Act No. 195 of 1954), the Former Act on Facilitating Self-Regulation by Money Lenders (Act No. 102 of 1972), or the Act on the Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991) (excluding the provisions of Article 32-2, paragraph (7) of that Act), or having violated the provisions of Article 12 of the Price Control Ordinance (Imperial Ordinance No. 118 of 1946), or having committed a crime prescribed in the Penal Code (Act No. 45 of 1907) or the Act on Punishment of Violence and Other Acts (Act No. 60 of 1926) in the course of concluding a Contract for a Loan or collecting a claim under such contract, and for whom five years have not elapsed since the day on which execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence;

六 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（以下「暴力団員等」という。）

(vi) An organized crime group member as prescribed in Article 2, item (vi) of the Act on the Prevention of Unjust Acts by Organized Crime Group Members (hereinafter referred to as an "Organized Crime Group Member" in this item) or a person for whom five years have not elapsed since the day on which the person ceased to be an Organized Crime Group Member (hereinafter collectively referred to as an "Organized Crime Group Member, etc.");

七 貸金業に関し不正又は不誠実な行為をするおそれがあると認めるに足りる相当の理由がある者として内閣府令で定める者

(vii) A person specified by a Cabinet Office Ordinance as a person for whom there are reasonable grounds to find that he/she is likely to commit a wrongful or untrustworthy act in relation to the Money Lending Business;

八 営業に関し成年者と同一の行為能力を有しない未成年者でその法定代理人が前各号のいずれかに該当するもの

(viii) A minor who does not have the same legal capacity as an adult with regard to business and whose statutory agent falls under any category of the persons listed in the preceding items;

九 法人でその役員又は政令で定める使用人のうちに第一号から第七号までのいずれかに該当する者のあるもの

(ix) A juridical person whose Officers or employees specified by a Cabinet Order include a person who falls under any category of the persons listed in item (i) through item (vii);

十 個人で政令で定める使用人のうちに第一号から第七号までのいずれかに該当する者のあるもの

- (x) An individual whose employees specified by a Cabinet Order include a person who falls under any category of the persons listed in item (i) through item (vii);
- 十一 暴力団員等がその事業活動を支配する者
- (xi) A person whose business activities are controlled by an Organized Crime Group Member, etc.;
- 十二 暴力団員等とその業務に従事させ、又はその業務の補助者として使用するおそれのある者
- (xii) A person who is likely to engage an Organized Crime Group Member, etc. in his/her business operations or to use an Organized Crime Group Member, etc. as an assistant in those operations;
- 十三 営業所又は事務所について第十二条の三に規定する要件を欠く者
- (xiii) A person who fails to satisfy the requirements prescribed in Article 12-3 with regard to the business office or other office;
- 十四 純資産額が貸金業の業務を適正に実施するため必要かつ適当なものとして政令で定める金額に満たない者（資金需要者等の利益を損なうおそれがないものとして内閣府令で定める事由がある者を除く。）
- (xiv) A person whose amount of net assets is less than the amount specified by a Cabinet Order as those necessary and appropriate to properly operate in the Money Lending Business (excluding a person who is, for the grounds specified by a Cabinet Office Ordinance, regarded as being unlikely to harm the interests of Persons Seeking Funds, etc.);
- 十五 貸金業を的確に遂行するための必要な体制が整備されていると認められない者
- (xv) A person who is not found to have developed the infrastructure necessary for carrying out the Money Lending Business properly; or
- 十六 他に営む業務が公益に反すると認められる者
- (xvi) A person who also engages in another business that is found to be contrary to the public interest.
- 2 内閣総理大臣又は都道府県知事は、前項の規定により登録を拒否したときは、遅滞なく、その理由を示して、その旨を申請者に通知しなければならない。
- (2) The Prime Minister or prefectural governor shall, when he/she has refused registration pursuant to the provisions of the preceding paragraph, notify the applicant to that effect and indicate the reason therefor without delay.
- 3 第一項第十四号の政令で定める金額は、五千万円を下回ってはならない。
- (3) The amount specified by a Cabinet Order as set forth in item (xiv) of paragraph (1) shall not be less than 50 million yen.
- 4 第一項第十四号の純資産額は、内閣府令で定めるところにより計算するものとする。
- (4) The amount of net assets prescribed in item (xiv) of paragraph (1) shall be calculated pursuant to the provisions of a Cabinet Office Ordinance.

(登録換えの場合における従前の登録の効力)

(Effectiveness of Prior Registration in the Case of Transferred Registration)

第七条 貸金業者が第三条第一項の登録を受けた後、次の各号の一に該当して引き続き貸金業を営もうとする場合において、同項の規定により内閣総理大臣又は都道府県知事の登録を受けたときは、その者に係る従前の内閣総理大臣又は都道府県知事の登録は、その効力を失う。

Article 7 Where a Money Lender, after being registered under Article 3, paragraph (1), falls under any of the cases listed in the following items but intends to continue to engage in the Money Lending Business, and newly receives a registration from the Prime Minister or prefectural governor pursuant to the provisions of Article 3, paragraph (1), the registration pertaining to the Money Lender previously received from the Prime Minister or prefectural governor shall cease to be effective:

一 内閣総理大臣の登録を受けた者が一の都道府県の区域内にのみ営業所又は事務所を有することとなつたとき。

(i) Where a Money Lender who was previously registered by the Prime Minister has come to maintain business offices or other offices within only one prefectural area;

二 都道府県知事の登録を受けた者が当該都道府県の区域内における営業所又は事務所を廃止して、他の一の都道府県の区域内に営業所又は事務所を設置することとなつたとき。

(ii) Where a Money Lender who was previously registered by a prefectural governor has abolished the business office(s) or other office(s) within the relevant prefectural area and has established a business office(s) or other office(s) within another prefectural area; or

三 都道府県知事の登録を受けた者が二以上の都道府県の区域内に営業所又は事務所を有することとなつたとき。

(iii) Where a Money Lender who was previously registered by a prefectural governor has come to maintain business offices or other offices within two or more prefectural areas.

(変更の届出)

(Notification of Changes)

第八条 貸金業者は、第四条第一項各号（第五号及び第七号を除く。）に掲げる事項に変更があつたときは、その日から二週間以内に、同項第五号又は第七号に掲げる事項を変更しようとするとき（前条各号のいずれかに該当することとなる場合を除く。）は、あらかじめ、その旨をその登録をした内閣総理大臣又は都道府県知事に届け出なければならない。

Article 8 (1) A Money Lender shall, where there has been a change to any of the matters listed in the items of Article 4, paragraph (1) (excluding item (v) and item (vii)) or where the Money Lender intends to make a change to any of the matters listed Article 4, paragraph (1), item (v) or item (vii) (except in any of

the cases listed in the items of the preceding Article), notify the Prime Minister or prefectural governor who registered the Money Lender to that effect within two weeks from the day on which such change took place in the former case or before making a change in the latter case.

2 内閣総理大臣又は都道府県知事は、前項の規定による届出を受理したときは、当該届出に係る事項が第六条第一項第八号から第十号まで、第十三号又は第十六号のいずれかに該当する場合を除き、届出があつた事項を貸金業者登録簿に登録しなければならない。

(2) The Prime Minister or prefectural governor shall, when he/she has accepted the notification given under the provisions of the preceding paragraph, register the matters reported in the notification in a money lenders' registry, except in the case where the matters to which the notification pertains are any of the matters listed in Article 6, paragraph (1), item (viii) through item (x), item (xiii), or item (xvi).

3 第一項の規定による届出には、内閣府令で定める書類を添付しなければならない。

(3) The document specified by a Cabinet Office Ordinance shall be attached to the notification under the provisions of paragraph (1).

(貸金業者登録簿の閲覧)

(Inspection of the Money Lenders' Registry)

第九条 内閣総理大臣又は都道府県知事は、貸金業者登録簿を一般の閲覧に供しなければならない。

Article 9 The Prime Minister or prefectural governor shall make the money lenders' registry available for public inspection.

(廃業等の届出)

(Notification of Discontinuance of Business, etc)

第十条 貸金業者が次の各号のいずれかに該当することとなつた場合においては、当該各号に掲げる者は、その日（第一号の場合にあつては、その事実を知つた日）から三十日以内に、その旨をその登録をした内閣総理大臣又は都道府県知事に届け出なければならない。

Article 10 (1) Where a Money Lender has come to fall under any of the following items, the person prescribed in each item shall notify the Prime Minister or prefectural governor who registered the Money Lender to that effect within 30 days from the day on which the event set forth therein took place (or in the case of item (i), within 30 from the day on which the person became aware of the event):

一 貸金業者が死亡した場合 その相続人

(i) Where the Money Lender has died: His/her heir(s);

二 法人が合併（人格のない社団又は財団にあつては、合併に相当する行為。第四号において同じ。）により消滅した場合 その法人を代表する役員であつた者

(ii) Where the juridical person was extinguished due to a merger (in the case of an association or foundation without juridical personality, any other act equivalent to a merger; the same shall apply in item (iv)): The person who was an officer who represented the juridical person;

三 貸金業者について破産手続開始の決定があつた場合 その破産管財人

(iii) Where a ruling to commence bankruptcy proceedings was made in regard to the Money Lender: The bankruptcy trustee for the Money Lender;

四 法人が合併及び破産手続開始の決定以外の理由により解散（人格のない社団又は財団にあつては、解散に相当する行為）をした場合 その清算人（人格のない社団又は財団にあつては、その代表者又は管理人であつた者）

(iv) Where the juridical person was dissolved by a reason other than a merger or ruling to commence bankruptcy proceedings (in the case of an association or foundation without juridical personality, any other act equivalent to dissolution): The liquidator for the juridical person (in the case of an association or foundation without juridical personality, the person who was its representative person or administrator); or

五 貸金業を廃止した場合 貸金業者であつた個人又は貸金業者であつた法人を代表する役員

(v) Where the Money Lender has discontinued the Money Lending Business:

The individual who was the Money Lender or the officer who represented the juridical person that was the Money Lender.

2 貸金業者が前項各号の一に該当するに至つたときは、第三条第一項の登録は、その効力を失う。

(2) Where the Money Lender has come to fall under any of the items of the preceding paragraph, the registration under Article 3, paragraph (1) shall cease to be effective.

3 貸金業者が死亡した場合においては、相続人（相続人が二人以上ある場合において、その全員の同意により事業を承継すべき相続人を選定したときは、その者。以下この条において同じ。）は、被相続人の死亡後六十日間（当該期間内に第六条第一項の規定による登録の拒否の処分があつたときは、その日までの間）は、引き続き貸金業を営むことができる。相続人がその期間内に第三条第一項の登録の申請をした場合において、その期間を経過したときは、その申請について登録又は登録の拒否の処分があるまでの間も、同様とする。この場合において、これらの期間内の営業については、相続人を貸金業者とみなす。

(3) Where the Money Lender has died, his/her heir (where there are two or more heirs and where an heir to succeed to the business has been selected by the consent of all heirs, said person; hereinafter the same shall apply in this Article) may continue to conduct the Money Lending Business for 60 days after the death of the decedent (if registration has been refused pursuant to the provisions of Article 6, paragraph (1) within that period, the period up to the day when registration is refused). In the case where the heir has filed an

application for registration under Article 3, paragraph (1) within that period and when such a period has elapsed, the same shall apply to the period until the registration or the refusal of the registration with regard to said filing is determined. In this case, with regard to the business conducted during said period, the heir shall be deemed to be the Money Lender.

(無登録営業等の禁止)

(Prohibition of Unregistered Business Operation, etc.)

第十一条 第三条第一項の登録を受けない者は、貸金業を営んではならない。

Article 11 (1) A person who does is not registered under Article 3, paragraph (1) shall not engage in the Money Lending Business.

2 第三条第一項の登録を受けない者は、次に掲げる行為をしてはならない。

(2) A person who is not registered under Article 3, paragraph (1) shall not conduct the following acts:

一 貸金業を営む旨の表示又は広告をすること。

(i) Indicating or advertising to the effect that the person engages in the Money Lending Business; and

二 貸金業を営む目的をもつて、貸付けの契約の締結について勧誘をすること。

(ii) Soliciting to conclude Contracts Related to Loans for the purpose of engaging in the Money Lending Business.

3 貸金業者は、貸金業者登録簿に登録された営業所又は事務所以外の営業所又は事務所を設置して貸金業を営んではならない。

(3) A Money Lender shall not engage in the Money Lending Business having established a business office or office other than those registered in the money lenders' registry.

(名義貸しの禁止)

(Prohibition of Name Lending)

第十二条 第三条第一項の登録を受けた者は、自己の名義をもつて、他人に貸金業を営ませてはならない。

Article 12 A person who has been registered under Article 3, paragraph (1) shall not have another person engage in the Money Lending Business under the Money Lender's name.

## 第二節 業務

### Section 2 Operations

(業務運営に関する措置)

(Measures Concerning Operational Management)

第十二条の二 貸金業者は、内閣府令で定めるところにより、その貸金業の業務に関して取得した資金需要者等に関する情報の適正な取扱い、その貸金業の業務を第三者に

委託する場合における当該業務の的確な遂行その他の貸金業の業務の適切な運営を確保するための措置を講じなければならない。

Article 12-2 A Money Lender shall, pursuant to the provisions of a Cabinet Office Ordinance, take the necessary measures to ensure the appropriate handling of information pertaining to Persons Seeking Funds, etc. obtained in the course of its money lending operations, the appropriate execution of money lending operations by third parties in the case of entrustment thereof, and shall take other measures to ensure the appropriate management of money lending operations.

(貸金業務取扱主任者の設置)

(Placement of Chiefs of Money Lending Operations)

第十二条の三 貸金業者は、営業所又は事務所ごとに、内閣府令で定めるところにより、その貸金業の業務の規模等を考慮して内閣府令で定める数の貸金業務取扱主任者を置き、当該営業所又は事務所において貸金業の業務に従事する使用人その他の従業者に対する助言又は指導で、これらの者が貸金業に関する法令（条例を含む。第二十条の二において同じ。）の規定を遵守してその貸金業の業務を適正に実施するために必要なものを行わせなければならない。

Article 12-3 (1) A Money Lender shall, as provided by a Cabinet Office Ordinance, assign the number of Chiefs of Money Lending Operations specified by a Cabinet Office Ordinance, in consideration of the size and other matters of its money lending operations, and shall have them give the necessary advice or guidance to the Money Lender's employees and other workers who engage in money lending operations at the business office or other office so that these employees and workers carry out money lending operations properly in compliance with laws and regulations (including prefectural or municipal ordinances; the same shall apply in Article 20-2) concerning the Money Lending Business.

2 貸金業者は、貸金業務取扱主任者が前項の助言又は指導に係る職務を適切に遂行できるように必要な配慮を行わなければならない。貸金業の業務に従事する使用人その他の従業者は、貸金業務取扱主任者が行う同項の助言を尊重するとともに、同項の指導に従わなければならない。

(2) A Money Lender shall give due consideration so as to enable a Chief of Money Lending Operations to properly perform his/her duties in relation to the advice or guidance set forth in the preceding paragraph, and the Money Lender's employees and other workers who engage in the money lending operations shall respect the advice given by the Chief of Money Lending Operations under that paragraph as well as following the guidance given under that paragraph.

3 貸金業者は、予見し難い事由により、営業所又は事務所における貸金業務取扱主任者の数が第一項の内閣府令で定める数を下回るに至ったときは、二週間以内に、同項の規定に適合させるために必要な措置をとらなければならない。



(3) A Money Lender shall, when the number of Chiefs of Money Lending Operations assigned to a business office or other office has become lower than the number specified by a Cabinet Office Ordinance set forth in paragraph (1) due to any unforeseeable reasons, take the necessary measures to satisfy the provisions of that paragraph within two weeks.

4 貸金業者は、貸金業の業務を行うに当たり資金需要者等からの請求があつたときは、当該業務を行う営業所又は事務所の貸金業務取扱主任者の氏名を明らかにしなければならない。

(4) A Money Lender shall, when requested by a Person Seeking Funds, etc. in the course of carrying out money lending operations, disclose the name of the Chief of Money Lending Operations who carries out the business affairs at the business office or other office.

(証明書の携帯等)

(Carrying, etc. of Identification Cards)

第十二条の四 貸金業者は、内閣府令で定めるところにより、貸金業の業務に従事する使用人その他の従業者に、その従業者であることを証する証明書を携帯させなければ、その者をその業務に従事させてはならない。

Article 12-4 (1) A Money Lender shall, as provided by a Cabinet Office Ordinance, not allow its employees and other workers who engage in money lending operations to actually engage in operations without carrying identification cards that certify that they are the Money Lender's employees or workers.

2 貸金業者は、内閣府令で定めるところにより、営業所又は事務所ごとに、従業者名簿を備え、従業者の氏名、住所、前項の証明書の番号その他内閣府令で定める事項を記載し、これを保存しなければならない。

(2) A Money Lender shall, pursuant to the provisions of a Cabinet Office Ordinance, prepare and preserve a roster of employees for each business office or other office that contains the employees' names, addresses, the numbers from the identification cards as prescribed in the preceding paragraph, and other matters specified by a Cabinet Office Ordinance.

(暴力団員等の使用の禁止)

(Prohibition of the Use of Organized Crime Group Members, etc.)

第十二条の五 貸金業者は、暴力団員等をその業務に従事させ、又はその業務の補助者として使用してはならない。

Article 12-5 A Money Lender shall not allow an Organized Crime Group Member, etc. to engage in the Money Lender's business operations nor shall a Money Lender use such member as an assistant in its operations.

(禁止行為)

(Prohibited Acts)

第十二条の六 貸金業者は、その貸金業の業務に関し、次に掲げる行為をしてはならない。

Article 12-6 A Money Lender shall not conduct any of the following acts in relation to its money lending operations:

一 資金需要者等に対し、虚偽のことを告げ、又は貸付けの契約の内容のうち重要な事項を告げない行為

(i) An act of making false statements to a Person Seeking Funds, etc. or not providing such person with information on important matters on the details of a Contract for a Loan;

二 資金需要者等に対し、不確実な事項について断定的判断を提供し、又は確実であると誤認させるおそれのあることを告げる行為（次号に掲げる行為を除く。）

(ii) An act of providing a Person Seeking Funds, etc. with a conclusive evaluation on uncertain matters, or making statements that are likely to mislead such person as to the certainty of the matters (excluding the act set forth in the following item);

三 保証人となろうとする者に対し、主たる債務者が弁済することが確実であると誤解させるおそれのあることを告げる行為

(iii) An act of making statements that are likely to cause a person who intends to be a guarantor to misunderstand that the principal obligor is certain to make performance; and

四 前三号に掲げるもののほか、偽りその他不正又は著しく不当な行為

(iv) In addition to what is listed in the preceding three items, an act of deceiving others or any other wrongful or extremely unjust act.

(生命保険契約等の締結に係る制限)

(Restrictions on the Conclusion of Life Insurance Contracts, etc.)

第十二条の七 貸金業者は、貸付けの契約（住宅資金貸付契約その他の内閣府令で定める契約を除く。）の相手方又は相手方となろうとする者の死亡によつて保険金の支払を受けることとなる保険契約を締結しようとする場合には、当該保険契約において、自殺による死亡を保険事故としてはならない。

Article 12-7 A Money Lender shall, when he/she intends to conclude an insurance contract under which he/she is to receive payment of insurance claims upon the death of the counterparty or the person who intends to be the counterparty to the Contract for a Loan (excluding Home Loan Contracts and other contracts specified by a Cabinet Office Ordinance), not make death resulting from suicide an insured event in said insurance contract.

(利息、保証料等に係る制限等)

(Restrictions, etc. on Interests and Guarantee Charges, etc.)

第十二条の八 貸金業者は、その利息（みなし利息を含む。第三項及び第四項において

同じ。)が利息制限法(昭和二十九年法律第百号)第一条に規定する金額を超える利息の契約を締結してはならない。

Article 12-8 (1) A Money Lender shall not conclude a contract for interest wherein the amount of interest (including Payment Regarded as Interest; the same shall apply to paragraphs (3) and (4)) exceeds the amount defined in Article 1 of the Interest Rate Restriction Act (Act No. 100 of 1954).

2 前項に規定する「みなし利息」とは、礼金、割引金、手数料、調査料その他いかなる名義をもつてするかを問わず、金銭の貸付けに関し債権者の受ける元本以外の金銭(契約の締結及び債務の弁済の費用であつて、次に掲げるものを除く。)のうち、金銭の貸付け及び弁済に用いるため債務者に交付されたカードの再発行の手数料その他の債務者の要請により債権者が行う事務の費用として政令で定めるものを除いたものをいう。

(2) The term "Payment Regarded as Interest" prescribed in the preceding paragraph means a reward, discount, fee, investigation fee, or any money irrespective of the name given to it, excluding the principal received by the creditor in relation to money lending (excluding costs for concluding contracts or for performance of obligations which are listed in the following items), and also excluding reissuance fees for cards issued to the obligors for the purpose of borrowing of money or the performance therefor and any other costs specified by a Cabinet Order as those related to any service rendered by the creditor at the obligor's request:

一 公租公課の支払に充てられるべきもの

(i) Money to be appropriated for payment of taxes and other public charges;

二 強制執行の費用、担保権の実行としての競売の手続の費用その他公の機関が行う手続に関してその機関に支払うべきもの

(ii) Costs for compulsory execution, costs for auction procedures to exercise security interests, or any other costs payable to a public organ for procedures conducted by such public organ; and

三 債務者が金銭の受領又は弁済のために利用する現金自動支払機その他の機械の利用料(政令で定める額の範囲内のものに限る。)

(iii) Charges for using a mono-function automated teller machine or any other machine whereby the obligor receives money or makes performance (limited to those which are within the scope of the amount provided by a Cabinet Order).

3 貸金業者は、利息制限法第九条各項に規定する利息の契約であつて、その利息(同条第一項に規定する利息の契約に該当する場合にあつては、同項に規定する増加後の利息。次項後段において同じ。)が当該各項に規定する金額を超えるものを締結してはならない。

(3) A Money Lender shall not conclude a contract for interest prescribed in the paragraphs of Article 9 of the Interest Rate Restriction Act wherein the amount of interest exceeds the amount defined in those paragraphs (in cases

where the contract for interest falls under that set forth in paragraph (1) of that Article, the increased interest provided in that paragraph; the same shall apply in the second sentence of the following paragraph).

4 貸金業者は、利息制限法第一条に規定する金額を超える利息を受領し、又はその支払を要求してはならない。同法第九条各項に規定する利息の契約に係る利息のうち、当該各項に規定する金額を超える部分についても、同様とする。

(4) A Money Lender shall not receive or request payment of interest which exceeds the amount specified in Article 1 of the Interest Rate Restriction Act. The same shall apply to the portion of the amount of interest pertaining to the contract for interest as set forth in paragraphs of Article 9 of that Act which exceeds the amounts set forth in those respective paragraphs.

5 貸金業者は、貸付けに係る契約の締結に際し、その相手方又は相手方となろうとする者に対し、債務履行担保措置（当該契約に基づく債務の履行を担保するための保証、保険その他これらに類するものとして内閣府令で定めるものをいう。以下この項において同じ。）に係る契約（当該債務履行担保措置の対価として支払われる金銭の額が当該金銭の額を利息制限法第八条第一項に規定する保証料の額とみなして同条の規定を適用したときに同条の規定により無効とされることとなる部分を含むものに限る。）を、債務履行担保措置を業として営む者と締結することを当該貸付けに係る契約の締結の条件としてはならない。

(5) A Money Lender shall not, when concluding a loan contract, require the counterparty or the person who intends to be the counterparty to the loan contract to conclude a contract for Security Measures for Performance of Obligations (meaning guarantees, insurance, and other measures specified by a Cabinet Office Ordinance as being similar thereto which are arranged for the purpose of securing performance of obligations under the contract; hereinafter the same shall apply in this paragraph) (limited to contracts covering a portion of the amount which is to be invalid under Article 8 of the Interest Rate Restriction Act, given that said provisions are applied by deeming that the amount of money paid as consideration for the Security Measures for Performance of Obligations is a guarantee charge provided for in that Article) with a person who is engaged in the business of Security Measures for Performance of Obligations on a regular basis, as a condition for concluding said loan contract.

6 貸金業者は、貸付けに係る契約について、業として保証を行う者（以下「保証業者」という。）と保証契約を締結しようとするときは、あらかじめ、当該保証契約を締結するまでに、当該保証業者への照会その他の方法により次に掲げる事項を確認しなければならない。

(6) A Money Lender shall, when concluding a guarantee contract with a person who provides guarantees on a regular basis (hereinafter referred to as the "Guarantee Business Operator") in relation to a loan contract, confirm the matters listed in the following items by making inquiries to said Guarantee

Business Operator or by using other methods, in advance of the conclusion of said guarantee contract:

一 当該保証業者と当該貸付けに係る契約の相手方又は相手方となろうとする者との間における保証料に係る契約の締結の有無

(i) Whether the Guarantee Business Operator has concluded a contract for guarantee charges with the counterparty to the loan contract or the person who intends to be the counterparty thereto; and

二 前号の保証料に係る契約を締結する場合には、当該保証料の額

(ii) When concluding a contract for guarantee charges as set forth in the preceding item, the amount of guarantee charges.

7 貸金業者は、内閣府令で定めるところにより、前項の規定による確認に関する記録を作成し、これを保存しなければならない。

(7) A Money Lender shall, pursuant to the provisions of a Cabinet Office Ordinance, prepare and preserve a record of the matters confirmed under the preceding paragraph.

8 貸金業者は、貸付けに係る契約の締結に際し、その相手方又は相手方となろうとする者に対し、保証料に係る契約（締結時において保証料の額又は保証料の主たる債務の元本に対する割合が確定していない保証料に係る契約として内閣府令で定めるものに該当するものに限る。）を、保証業者との間で締結することを当該貸付けに係る契約の締結の条件としてはならない。

(8) A Money Lender shall not, when concluding a loan contract, require the counterparty or the person who intends to be the counterparty to said loan contract to conclude a contract for guarantee charges (limited to those which fall under the contract for guarantee charges as specified by a Cabinet Office Ordinance wherein the amount of guarantee charges or the proportion of guarantee charges to the principal of the principal obligation is not fixed at the time of conclusion of said contract) with a Guarantee Business Operator, as a condition for concluding said loan contract.

9 貸金業者は、保証業者との間で根保証契約（一定の範囲に属する不特定の貸付けに係る債務を主たる債務とする保証契約をいう。以下この項において同じ。）を締結しようとする場合において、当該根保証契約が主たる債務の金額又は主たる債務に係る貸付けの契約期間に照らして不適切と認められる極度額又は保証期間を定める根保証契約として内閣府令で定めるものに当たるものであるときは、当該根保証契約を締結してはならない。

(9) A Money Lender shall not, when concluding a Contract for a Revolving Guarantee (meaning a guarantee contract the principal obligation of which is the obligation of one or more unidentified loans within a certain scope; hereinafter the same shall apply in this paragraph) with a Guarantee Business Operator, conclude a Contract for a Revolving Guarantee if such contract falls under one that provides a maximum amount or a guarantee period which is found to be inappropriate in light of the amount of the principal obligation or

the period of the loan contract pertaining to the principal obligation as specified by a Cabinet Office Ordinance.

10 金銭の貸借の媒介を行つた貸金業者は、当該媒介により締結された貸付けに係る契約の債務者から当該媒介の手数料を受領した場合において、当該契約につき更新（媒介のための新たな役務の提供を伴わないと認められる法律行為として内閣府令で定めるものを含む。）があつたときは、これに対する新たな手数料を受領し、又はその支払を要求してはならない。

(10) A Money Lender who has acted as an intermediary for lending money shall not, when he/she has received fees for acting as the intermediary from the obligor of the loan contract concluded through said intermediary, and when said loan contract has been renewed (including juridical acts which are found not to be accompanied by any additional services for an intermediary as provided by a Cabinet Office Ordinance), receive additional fees for such renewal or request that the obligor provide such payment.

11 金銭の貸借の媒介を行う貸金業者がその媒介に関し受ける金銭は、礼金、調査料その他いかなる名義をもつてするかを問わず、手数料とみなして前項の規定を適用する。

(11) A reward, investigation fee, or other money irrespective of the name given to it received by a Money Lender in relation to acting as an intermediary for lending money shall be deemed as fees and the provisions of the preceding paragraph shall apply.

(相談及び助言)

(Consultation and Advice)

第十二条の九 貸金業者は、資金需要者等の利益の保護のために必要と認められる場合には、資金需要者等に対して、借入れ又は返済に関する相談又は助言その他の支援を適正かつ確実に実施することができるものと認められる団体を紹介するよう努めなければならない。

Article 12-9 A Money Lender shall, when he/she finds it necessary for protecting the interests of Persons Seeking Funds, etc., endeavor to introduce associations that are found to be capable of providing the Persons Seeking Funds, etc. with consultation, advice, or any other support concerning their borrowings or repayments in a proper and reliable manner.

(返済能力の調査)

(Investigation of Repayment Capacity)

第十三条 貸金業者は、貸付けの契約を締結しようとする場合には、顧客等の収入又は収益その他の資力、信用、借入れの状況、返済計画その他の返済能力に関する事項を調査しなければならない。

Article 13 (1) A Money Lender shall, in concluding a Contract for a Loan, investigate matters concerning the repayment capacity of the Customer, etc.,

such as income or profits or other financial resources, credit, the status of borrowings, repayment plans, and any other matters.

2 貸金業者が個人である顧客等と貸付けの契約（極度方式貸付けに係る契約その他の内閣府令で定める貸付けの契約を除く。）を締結しようとする場合には、前項の規定による調査を行うに際し、指定信用情報機関が保有する信用情報を使用しなければならない。

(2) A Money Lender shall, when he/she intends to conclude a Contract for a Loan (excluding contract for a Revolving Credit Loan and any other Contract for a Loan as specified by a Cabinet Office Ordinance) with a Customer, etc. who is an individual, make use of the Credit Information held by a Designated Credit Bureau in carrying out an investigation under the preceding paragraph.

3 貸金業者は、前項の場合において、次の各号に掲げる場合のいずれかに該当するときは、第一項の規定による調査を行うに際し、資金需要者である個人の顧客（以下この節において「個人顧客」という。）から源泉徴収票（所得税法（昭和四十年法律第三十三号）第二百二十六条第一項に規定する源泉徴収票をいう。以下この項及び第十三条の三第三項において同じ。）その他の当該個人顧客の収入又は収益その他の資力を明らかにする事項を記載し、又は記録した書面又は電磁的記録として内閣府令で定めるものの提出又は提供を受けなければならない。ただし、貸金業者が既に当該個人顧客の源泉徴収票その他の当該個人顧客の収入又は収益その他の資力を明らかにする事項を記載し、又は記録した書面又は電磁的記録として内閣府令で定めるものの提出又は提供を受けている場合は、この限りでない。

(3) In the case referred to in the preceding paragraph and in the cases where any of the following items apply, a Money Lender shall, when conducting an investigation under the provisions of paragraph (1), have the Individual Customer submit or provide Withholding Records (meaning withholding records as provided in Article 226, paragraph (1) of the Income Tax Act (Act No. 33 of 1965); hereinafter the same shall apply in this paragraph and Article 13-3, paragraph (3)) or other documents or Electromagnetic Records containing or in which are recorded the matters that disclose the income or profits or other financial resources of an individual customer who is a person seeking funds (hereinafter referred to as an "Individual Customer" in this Section) as specified by a Cabinet Office Ordinance and that have been submitted or provided by the Individual Customer; provided, however, that this shall not apply if the Money Lender has already received the Individual Customer's Withholding Records or other documents or Electromagnetic Records containing or in which are recorded the matters that disclose the income or profits or other financial resources of the Individual Customer as specified by a Cabinet Office Ordinance:

一 次に掲げる金額を合算した額（次号イにおいて「当該貸金業者合算額」という。）が五十万円を超える場合

(i) When the total of the amount listed in the following sub-items (referred to

as the "Total Amount Loaned by the Money Lender" in sub-item (a) of the following item) exceeds 500,000 yen:

イ 当該貸付けの契約（貸付けに係る契約に限る。ロにおいて同じ。）に係る貸付けの金額（極度方式基本契約にあつては、極度額（当該貸金業者が当該個人顧客に対し当該極度方式基本契約に基づく極度方式貸付けの元本の残高の上限として極度額を下回る額を提示する場合にあつては、当該下回る額））

(a) The amount of the Loan pertaining to the Contract for the Loan (limited to a loan contract; the same shall apply in sub-item (b)) (in cases of a Basic Contract for a Revolving Credit Loan, the maximum amount thereof (in cases where the Money Lender has made available to the Individual Customer an amount smaller than the maximum amount as an upper limit on the outstanding balance of the principal of the Revolving Credit Loan under the Basic Contract for the Revolving Credit Loan, such smaller amount)); and

ロ 当該個人顧客と当該貸付けの契約以外の貸付けに係る契約を締結しているときは、その貸付けの残高（極度方式基本契約にあつては、極度額（当該貸金業者が当該個人顧客に対し当該極度方式基本契約に基づく極度方式貸付けの元本の残高の上限として極度額を下回る額を提示している場合にあつては、当該下回る額））の合計額

(b) When the Money Lender has concluded a loan contract other than the relevant Contract for the Loan with the Individual Customer, the total amount of the outstanding balance of the Loan made thereunder (in cases of a Basic Contract for a Revolving Credit Loan, the maximum amount (in cases where the Money Lender has made available to the Individual Customer an amount smaller than the maximum amount as an upper limit on the outstanding balance of the principal of the Revolving Credit Loan under the Basic Contract for the Revolving Credit Loan, such smaller amount)).

二 次に掲げる金額を合算した額（次条第二項において「個人顧客合算額」という。）が百万円を超える場合（前号に掲げる場合を除く。）

(ii) When the total of the amounts listed in the following items (referred to as "Total Borrowings of an Individual Customer" in paragraph (2) of the following Article) exceeds one million yen (excluding the cases specified in the preceding item):

イ 当該貸金業者合算額

(a) The Total Amount Loaned by a Money Lender; and

ロ 指定信用情報機関から提供を受けた信用情報により判明した当該個人顧客に対する当該貸金業者以外の貸金業者の貸付けの残高の合計額

(b) The total amount of the outstanding balance of Loans made by Money Lenders other than the Money Lender referred to in the preceding sub-item to the Individual Customer, which were found based on the Credit



Information provided by the Designated Credit Bureau.

- 4 貸金業者は、顧客等と貸付けの契約を締結した場合には、内閣府令で定めるところにより、第一項の規定による調査に関する記録を作成し、これを保存しなければならない。
- (4) A Money Lender shall, when he/she has concluded a Contract for a Loan with a Customer, etc., pursuant to the provisions of a Cabinet Office Ordinance, prepare and preserve a record on the investigation conducted under paragraph (1).
- 5 前各項の規定は、極度方式基本契約の極度額（貸金業者が極度方式基本契約の相手方に対し当該極度方式基本契約に基づく極度方式貸付けの元本の残高の上限として極度額を下回る額を提示している場合にあつては、当該下回る額）を増額する場合（当該極度方式基本契約の相手方の利益の保護に支障を生ずることがない場合として内閣府令で定めるものを除く。）について準用する。この場合において、必要な技術的読替えは、政令で定める。
- (5) The provisions of the preceding paragraphs shall apply mutatis mutandis to an increase in the maximum amount under the Basic Contract for a Revolving Credit Loan (in cases where the Money Lender has made available to the Individual Customer an amount smaller than the maximum amount as an upper limit on the outstanding balance of the principal of the Revolving Credit Loan under the Basic Contract for the Revolving Credit Loan, the smaller amount) (excluding cases specified by a Cabinet Office Ordinance as those for which it is found not to hinder the protection of interests of the counterparty to the Basic Contract for a Revolving Credit Loan). In this case, any necessary technical replacement of terms shall be specified by a Cabinet Order.

（過剰貸付け等の禁止）

(Prohibition on Excessive Loans, etc.)

第十三条の二 貸金業者は、貸付けの契約を締結しようとする場合において、前条第一項の規定による調査により、当該貸付けの契約が個人過剰貸付契約その他顧客等の返済能力を超える貸付けの契約と認められるときは、当該貸付けの契約を締結してはならない。

Article 13-2 (1) In the case where a Money Lender intends to conclude a Contract for a Loan, when he/she then finds that the Contract for the Loan is an Excessive Loan Contract for an Individual Customer or another Contract for a Loan that exceeds the repayment capacity of a Customer, etc. as a result of an investigation carried out under paragraph (1) of the preceding Article, he/she shall not conclude a Contract for said Loan.

- 2 前項に規定する「個人過剰貸付契約」とは、個人顧客を相手方とする貸付けに係る契約（住宅資金貸付契約その他の内閣府令で定める契約（以下「住宅資金貸付契約等」という。）及び極度方式貸付けに係る契約を除く。）で、当該貸付けに係る契約を締結することにより、当該個人顧客に係る個人顧客合算額（住宅資金貸付契約等に

係る貸付けの残高を除く。)が当該個人顧客に係る基準額(その年間の給与及びこれに類する定期的な収入の金額として内閣府令で定めるものを合算した額に三分の一を乗じて得た額をいう。次条第五項において同じ。)を超えることとなるもの(当該個人顧客の利益の保護に支障を生ずることがない契約として内閣府令で定めるものを除く。)をいう。

- (2) An "Excessive Loan Contract for an Individual Customer" as provided in the preceding paragraph means a loan contract concluded with an Individual Customer (excluding Home Loan Contracts and other contracts specified by a Cabinet Office Ordinance (hereinafter collectively referred to as "Home Loan Contracts, etc.") and contracts for Revolving Credit Loans), under which the Total Borrowings of an Individual Customer pertaining to said Individual Customer (excluding the outstanding balance pertaining to a Home Loan Contract, etc.) exceed the Base Amount (meaning the amount obtained by dividing the total amount of said Individual Customer's annual salary and other regular income similar thereto as specified by a Cabinet Office Ordinance by three; the same shall apply in paragraph (5) of the following Article) (excluding contracts specified by a Cabinet Office Ordinance as those that will not hinder the protection of the Individual Customer's interests).

(基準額超過極度方式基本契約に係る調査)

(Investigation Concerning the Basic Contract for a Revolving Credit Loan Exceeding the Base Amount)

第十三条の三 貸金業者は、個人顧客と極度方式基本契約を締結している場合において、当該極度方式基本契約に基づき行われる極度方式貸付けに係る時期、金額その他の状況を勘案して内閣府令で定める要件に該当するときは、内閣府令で定めるところにより、指定信用情報機関の保有する当該個人顧客に係る信用情報を使用して、当該極度方式基本契約が基準額超過極度方式基本契約に該当するかどうかを調査しなければならない。

Article 13-3 (1) A Money Lender shall, when he/she has concluded a Basic Contract for a Revolving Credit Loan with an Individual Customer and if the Basic Contract for the Revolving Credit Loan falls under the requirements provided by a Cabinet Office Ordinance, taking into consideration the period, amount, and other conditions of the Revolving Credit Loan made under the Basic Contract for the Revolving Credit Loan, use the Credit Information on the Individual Customer held by a Designated Credit Bureau and investigate whether or not the Basic Contract for the Revolving Credit Loan falls under a Basic Contract for a Revolving Credit Loan Exceeding the Base Amount, pursuant to the provisions of a Cabinet Office Ordinance.

- 2 前項に定めるもののほか、貸金業者は、個人顧客と極度方式基本契約を締結している場合には、内閣府令で定める期間ごとに、指定信用情報機関が保有する当該個人顧客に係る信用情報を使用して、当該極度方式基本契約が基準額超過極度方式基本契約

に該当するかどうかを調査しなければならない。ただし、当該極度方式基本契約に基づく極度方式貸付けの残高が少額である場合その他の内閣府令で定める場合は、この限りでない。

(2) In addition to what is provided for in the preceding paragraph, a Money Lender shall, when he/she has concluded a Basic Contract for a Revolving Credit Loan with an Individual Customer, use the Credit Information on the Individual Customer held by a Designated Credit Bureau and investigate whether or not the Basic Contract for the Revolving Credit Loan falls under a Basic Contract for a Revolving Credit Loan Exceeding the Base Amount for each period specified by a Cabinet Office Ordinance; provided, however, that, this shall not apply to cases where the outstanding balance of the Revolving Credit Loan pertaining to the Basic Contract for the Revolving Credit Loan is low or other cases specified by a Cabinet Office Ordinance.

3 貸金業者は、前二項の規定による調査をしなければならない場合において、当該個人顧客に係る第五項に規定する極度方式個人顧客合算額が百万円を超えるときは、当該調査を行うに際し、当該個人顧客から源泉徴収票その他の当該個人顧客の収入又は収益その他の資力を明らかにする事項を記載し、又は記録した書面又は電磁的記録として内閣府令で定めるものの提出又は提供を受けなければならない。ただし、貸金業者が既に当該個人顧客の源泉徴収票その他の当該個人顧客の収入又は収益その他の資力を明らかにする事項を記載し、又は記録した書面又は電磁的記録として内閣府令で定めるものの提出又は提供を受けている場合は、この限りでない。

(3) A Money Lender shall, in cases where he/she must carry out an investigation under the provisions of the preceding two paragraphs and when the Total Borrowings of an Individual Customer under a Revolving Credit Loan prescribed in paragraph (5) pertaining to the Individual Customer exceed one million yen, have the Individual Customer submit or provide a Withholding Record or other documents or Electromagnetic Records containing or in which are recorded matters that disclose the income or profits or other financial resources of the Individual Customer as specified by a Cabinet Office Ordinance in carrying out the investigation; provided, however, that, this shall not apply to cases where the Money Lender has already received a Withholding Record or other documents or Electromagnetic Records containing or in which are recorded matters that disclose the income or profits or other financial resources of the Individual Customer as specified by a Cabinet Office Ordinance that have been submitted or provided by the Individual Customer.

4 貸金業者は、内閣府令で定めるところにより、第一項及び第二項の規定による調査に関する記録を作成し、これを保存しなければならない。

(4) A Money Lender shall, pursuant to the provisions of a Cabinet Office Ordinance, prepare and preserve a record on investigations carried out under the provisions of paragraph (1) and paragraph (2).

5 第一項及び第二項に規定する「基準額超過極度方式基本契約」とは、個人顧客を相

手方とする極度方式基本契約で、当該極度方式基本契約が締結されていることにより、当該個人顧客に係る極度方式個人顧客合算額（次に掲げる金額を合算した額をいう。）が当該個人顧客に係る基準額を超えることとなるもの（当該個人顧客の利益の保護に支障を生ずることがない極度方式基本契約として内閣府令で定めるものを除く。）をいう。

(5) The "Basic Contract for a Revolving Credit Loan Exceeding the Base Amount" as provided in paragraph (1) and paragraph (2) means a Basic Contract for a Revolving Credit Loan concluded with an Individual Customer, by which the Total Borrowings of an Individual Customer under a Revolving Credit Loan pertaining to said Individual Customer (meaning the total of the amounts listed in the following items) exceed the Base Amount for the Individual Customer (excluding a Basic Contract for a Revolving Credit Loan specified by a Cabinet Office Ordinance as that which will not hinder the protection of the Individual Customer's interest):

一 当該極度方式基本契約の極度額（当該貸金業者が当該個人顧客に対し当該極度方式基本契約に基づく極度方式貸付けの元本の残高の上限として極度額を下回る額を提示している場合にあつては、当該下回る額）

(i) The maximum amount under the Basic Contract for the Revolving Credit Loan (in cases where the Money Lender has made available to the Individual Customer an amount smaller than the maximum amount as an upper limit on the outstanding balance of the principal of the Revolving Credit Loan under the Basic Contract for the Revolving Credit Loan, such smaller amount);

二 当該個人顧客と当該極度方式基本契約以外の貸付けに係る契約を締結しているときは、その貸付けの残高（極度方式基本契約にあつては、極度額（当該貸金業者が当該個人顧客に対し当該極度方式基本契約に基づく極度方式貸付けの元本の残高の上限として極度額を下回る額を提示している場合にあつては、当該下回る額））の合計額（住宅資金貸付契約等に係る貸付けの残高を除く。）

(ii) In the case where the Money Lender has concluded a loan contract other than the Basic Contract for the Revolving Credit Loan with the Individual Customer, the total amount of the outstanding balance pertaining to the Loan (in cases of a Basic Contract for a Revolving Credit Loan, the maximum amount (in cases where the Money Lender has made available to the Individual Customer an amount smaller than the maximum amount as an upper limitation on the outstanding balance of the principal of the Revolving Credit Loan under the Basic Contract for the Revolving Credit Loan, such smaller amount)) (excluding the outstanding balance of a Loan pertaining to a Home Loan Contract, etc.); and

三 指定信用情報機関から提供を受けた信用情報により判明した当該個人顧客に対する当該貸金業者以外の貸金業者の貸付けの残高の合計額（住宅資金貸付契約等に係る貸付けの残高を除く。）

(iii) The total amount of the outstanding balance of Loans made by Money Lenders other than the Money Lender prescribed in the preceding items to the Individual Customer which were found based on the Credit Information provided by a Designated Credit Bureau (excluding the outstanding balance of a Loan pertaining to a Home Loan Contract, etc.).

(基準額超過極度方式基本契約に係る必要な措置)

(Necessary Measures Concerning Basic Contracts for Revolving Credit Loans Exceeding the Base Amount)

第十三条の四 貸金業者は、個人顧客と極度方式基本契約を締結している場合において、前条第一項又は第二項の規定による調査により、当該極度方式基本契約が同条第五項に規定する基準額超過極度方式基本契約に該当すると認められるときは、当該極度方式基本契約の条項に基づく極度額の減額その他の当該極度方式基本契約に関して極度方式貸付けを抑制するために必要な措置として内閣府令で定めるものを講じなければならない。

Article 13-4 A Money Lender shall, when having concluded a Basic Contract for a Revolving Credit Loan with an Individual Customer and having found said Basic Contract for the Revolving Credit Loan to fall under the category of a Basic Contract for a Revolving Credit Loan Exceeding the Base Amount as set forth in paragraph (5) of the preceding Article as a result of the investigation carried out under the provisions of paragraph (1) or paragraph (2) of that Article, reduce the maximum amount founded in the provisions of the Basic Contract for the Revolving Credit Loan or take any other measures to reduce new Revolving Credit Loans under the Basic Contract for the Revolving Credit Loan as specified by a Cabinet Office Ordinance.

(貸付条件等の掲示)

(Posting of the Conditions of a Loan, etc.)

第十四条 貸金業者は、内閣府令で定めるところにより、営業所又は事務所ごとに、顧客の見やすい場所に、次に掲げる事項を掲示しなければならない。

Article 14 A Money Lender shall, pursuant to the provisions of a Cabinet Office Ordinance, post the following matters in a place accessible to the customer at each of its business offices or other offices:

一 貸付けの利率（利息及び第十二条の八第二項に規定するみなし利息の総額（一年分に満たない利息及び同項に規定するみなし利息を元本に組み入れる契約がある場合にあつては、当該契約に基づき元本に組み入れられた金銭を含む。）を内閣府令で定める方法によつて算出した元本の額で除して得た年率（当該年率に小数点以下三位未満の端数があるときは、これを切り捨てるものとする。）を百分率で表示するもの（市場金利に一定の利率を加える方法により算定される利息を用いて貸付けの利率を算定する場合その他貸付けの利率を表示し、又は説明することができないことについて内閣府令で定めるやむを得ない理由がある場合にあつては、貸付けの

利率に準ずるものとして内閣府令で定めるもの)をいう。以下同じ。)

(i) The Loan Interest Rate (meaning the annual rate (when the annual rate includes a fractional amount beyond the third decimal place, such fractional amount shall be rounded down to the third decimal place) indicated as a percentage, which is obtained by dividing the total amount of interest and Payment Regarded as Interest as prescribed in Article 12-8, paragraph (2) (in cases of contracts incorporating interest that is less than a yearly amount and Payment Regarded as Interest under those provisions into the principal, the amount of money incorporated into the principal under said contracts shall be included) by the amount of principal calculated by the methods specified by a Cabinet Office Ordinance (in cases where the Loan Interest Rate is calculated from the amount of interest obtained by adding a certain interest rate to the market rate of interest or where there is a compelling reason as provided by a Cabinet Office Ordinance as a case where the Loan Interest Rate cannot be indicated nor explained, that specified by a Cabinet Office Ordinance as being equivalent to the Loan Interest Rate); the same shall apply hereinafter);

二 返済の方式

(ii) The method of repayment;

三 返済期間及び返済回数

(iii) The repayment period and the number of repayment installments;

四 当該営業所又は事務所に置かれる貸金業務取扱主任者の氏名

(iv) The names of the Chiefs of Money Lending Operations assigned at the business office or other office; and

五 前各号に掲げるもののほか、内閣府令で定める事項

(v) In addition to what is listed in the preceding items, matters specified by a Cabinet Office Ordinance.

(貸付条件の広告等)

(Advertising, etc. the Conditions of a Loan)

第十五条 貸金業者は、貸付けの条件について広告をするとき、又は貸付けの契約の締結について勧誘をする場合において貸付けの条件を表示し、若しくは説明するときは、内閣府令で定めるところにより、次に掲げる事項を表示し、又は説明しなければならない。

Article 15 (1) A Money Lender shall, when advertising the conditions of its Loans, or when indicating or explaining the conditions of its Loans in solicitation to conclude a Contract for a Loan, indicate or explain the following matters pursuant to the provisions of a Cabinet Office Ordinance:

一 貸金業者の商号、名称又は氏名及び登録番号

(i) The trade name, name, and registration number of the Money Lender;

二 貸付けの利率

(ii) The Loan Interest Rate; and

三 前二号に掲げるもののほか、内閣府令で定める事項

(iii) In addition to what is listed in the preceding two items, matters specified by a Cabinet Office Ordinance.

2 貸金業者は、前項に規定する広告をし、又は書面若しくはこれに代わる電磁的記録を送付して勧誘（広告に準ずるものとして内閣府令で定めるものに限る。）をするときは、電話番号その他の連絡先等であつて内閣府令で定めるものについては、これに貸金業者登録簿に登録された第四条第一項第七号に掲げる事項に係るもの以外のものを表示し、又は記録してはならない。

(2) A Money Lender shall, when advertising under the preceding paragraph or soliciting by sending documents or Electromagnetic Records in lieu of such documents (limited to solicitation specified by a Cabinet Office Ordinance as being equivalent to advertising), not indicate or have recorded telephone numbers or other points of contact, etc. as defined by a Cabinet Office Ordinance other than those listed in Article 4, paragraph (1), item (vii) and registered in the Money Lenders' registry.

（誇大広告の禁止等）

(Prohibition, etc. on Misleading Advertising)

第十六条 貸金業者は、その貸金業の業務に関して広告又は勧誘をするときは、貸付けの利率その他の貸付けの条件について、著しく事実に相違する表示若しくは説明をし、又は実際のものよりも著しく有利であると人を誤認させるような表示若しくは説明をしてはならない。

Article 16 (1) A Money Lender shall not make an indication or explanation of a Loan Interest Rate or any other conditions of a Loan that is significantly contradictory to facts or which is likely to mislead people to understand such conditions to be more favorable than they actually are in advertising or soliciting with regard to its money lending operations.

2 前項に定めるもののほか、貸金業者は、その貸金業の業務に関して広告又は勧誘をするときは、次に掲げる表示又は説明をしてはならない。

(2) In addition to what is provided for in the preceding paragraph, a Money Lender shall not make the following indications or explanations in advertising or soliciting with regard to its money lending operations:

一 資金需要者等を誘引することを目的とした特定の商品を当該貸金業者の中心的な商品であると誤解させるような表示又は説明

(i) Indications or explanations which are likely to cause the misunderstanding that a specified loan product intended to draw in a Person Seeking Funds, etc. is the main loan product of the Money Lender;

二 他の貸金業者の利用者又は返済能力がない者を対象として勧誘する旨の表示又は説明

(ii) Indications or explanations to the effect that customers of other Money

Lenders or persons who lack repayment capacity are the target of solicitation;

三 借入れが容易であることを過度に強調することにより、資金需要者等の借入意欲をそそるような表示又は説明

(iii) Indications or explanations that arouse the willingness of a Person Seeking Funds, etc. to borrow funds, by overemphasizing the ease of borrowing;

四 公的な年金、手当等の受給者の借入意欲をそそるような表示又は説明

(iv) Indications or explanations that arouse the willingness of pensioners or recipients of other public subsidies to borrow funds;

五 貸付けの利率以外の利率を貸付けの利率と誤解させるような表示又は説明

(v) Indications or explanations which are likely cause the misunderstanding that an interest rate other than the Loan Interest Rate is the actual Loan Interest Rate; or

六 前各号に掲げるもののほか、資金需要者等の利益の保護に欠けるおそれがある表示又は説明として内閣府令で定めるもの

(vi) In addition to what is listed in the preceding items, indications or explanations specified by a Cabinet Office Ordinance as being likely to result in insufficient protection of the interests of Persons Seeking Funds, etc.

3 貸金業者は、資金需要者等の知識、経験、財産の状況及び貸付けの契約の締結の目的に照らして不相当と認められる勧誘を行つて資金需要者等の利益の保護に欠け、又は欠けることとなるおそれがないように、貸金業の業務を行わなければならない。

(3) A Money Lender shall conduct its money lending operations while refraining from solicitation that is found to be inappropriate in light of the knowledge, experience, and status of property of the Person Seeking Funds, etc. and in light of a purpose for concluding a Contract for a Loan which clearly would or is likely to result in insufficient protection of the interests of Persons Seeking Funds, etc.

4 貸金業者は、貸付けの契約の締結を勧誘した場合において、当該勧誘を受けた資金需要者等から当該貸付けの契約を締結しない旨の意思（当該勧誘を引き続き受けることを希望しない旨の意思を含む。）が表示されたときは、当該勧誘を引き続き行つてはならない。

(4) A Money Lender shall, when he/she has conducted solicitation for concluding a Contract for a Loan, and if the solicited Person Seeking Funds, etc. has indicated his/her intention not to conclude a Contract for said Loan (including cases where the Person Seeking Funds, etc. has indicated to the effect that he/she does not wish for such solicitation to continue), not continue such solicitation.

5 貸金業者は、その貸金業の業務に関して広告又は勧誘をするときは、資金需要者等の返済能力を超える貸付けの防止に配慮するとともに、その広告又は勧誘が過度にわたることがないように努めなければならない。



(5) A Money Lender shall, in advertising or soliciting with regard to its money lending operations, give due consideration so as to prevent such Person Seeking Funds, etc. from borrowing under a Loan that exceeds his/her repayment capacity, and shall endeavor to ensure that such advertisement or solicitation does not become excessive.

(契約締結前の書面の交付)

(Delivery of Documents Prior to the Conclusion of a Contract)

第十六条の二 貸金業者は、貸付けに係る契約（極度方式基本契約及び極度方式貸付けに係る契約を除く。）を締結しようとする場合には、当該契約を締結するまでに、内閣府令で定めるところにより、次に掲げる事項を明らかにし、当該契約の内容を説明する書面を当該契約の相手方となろうとする者に交付しなければならない。

Article 16-2 (1) A Money Lender shall, in concluding a loan contract (excluding Basic Contracts for Revolving Credit Loans and contracts for Revolving Credit Loans), deliver documents that disclose the following matters and explain the details of said contract to the person who intends to be the counterparty thereto by the time of conclusion thereof, pursuant to the provisions of a Cabinet Office Ordinance:

一 貸金業者の商号、名称又は氏名及び住所

(i) The trade name, name, and address of the Money Lender;

二 貸付けの金額

(ii) The amount of the Loan;

三 貸付けの利率

(iii) The Loan Interest Rate;

四 返済の方式

(iv) The method of repayment;

五 返済期間及び返済回数

(v) The repayment period and the number of repayment installments;

六 賠償額の予定（違約金を含む。以下同じ。）に関する定めがあるときは、その内容

(vi) If any agreement for liquidated damages (including penalties; the same shall apply hereinafter) are provided, the details thereof; and

七 前各号に掲げるもののほか、内閣府令で定める事項

(vii) In addition to what is listed in the preceding items, matters specified by a Cabinet Office Ordinance.

2 貸金業者は、極度方式基本契約を締結しようとする場合には、当該極度方式基本契約を締結するまでに、内閣府令で定めるところにより、次に掲げる事項を明らかにし、当該極度方式基本契約の内容を説明する書面を当該極度方式基本契約の相手方となろうとする者に交付しなければならない。

(2) A Money Lender shall, in concluding a Basic Contract for a Revolving Credit Loan, deliver documents that disclose the following matters and explain the

details of the Basic Contract for the Revolving Credit Loan to the person who intends to be the counterparty thereto by the time of conclusion thereof, pursuant to the provisions of a Cabinet Office Ordinance:

一 貸金業者の商号、名称又は氏名及び住所

(i) The trade name, name, and address of the Money Lender;

二 極度額（貸金業者が極度方式基本契約の相手方となろうとする者に対し貸付けの元本の残高の上限として極度額を下回る額を提示する場合にあつては、当該下回る額及び極度額）

(ii) The maximum amount (in cases where the Money Lender makes available to the person who intends to be the counterparty to the Basic Contract for a Revolving Credit Loan an amount smaller than the maximum amount as an upper limitation on the outstanding balance of the principal of the Loan, the smaller amount and the maximum amount);

三 貸付けの利率

(iii) The Loan Interest Rate;

四 返済の方式

(iv) The method of repayment;

五 賠償額の予定に関する定めがあるときは、その内容

(v) If any agreement for liquidated damages are provided, the details thereof; and

六 前各号に掲げるもののほか、内閣府令で定める事項

(vi) In addition to what is listed in the preceding items, matters specified by a Cabinet Office Ordinance.

3 貸金業者は、貸付けに係る契約について保証契約を締結しようとする場合には、当該保証契約を締結するまでに、内閣府令で定めるところにより、次に掲げる事項（一定の範囲に属する不特定の貸付けに係る債務を主たる債務とする保証契約にあつては、第三号に掲げる事項を除く。）を明らかにし、当該保証契約の内容を説明する書面を当該保証契約の保証人となろうとする者に交付しなければならない。

(3) A Money Lender shall, when concluding a guarantee contract in relation to a Contract for a Loan, deliver documents that disclose the following matters (in cases of a guarantee contract the principal obligation of which is the obligation of one or more unidentified loans within a certain scope, excluding the matters set forth in item (iii)) and that explain the details of said guarantee contract to the person who intends to be the guarantor under said guarantee contract by the time of conclusion thereof, pursuant to the provisions of a Cabinet Office Ordinance:

一 貸金業者の商号、名称又は氏名及び住所

(i) The trade name, name, and address of the Money Lender;

二 保証期間

(ii) The guarantee period;

三 保証金額

(iii) The amount of the guarantee;

四 保証の範囲に関する事項で内閣府令で定めるもの

(iv) Matters concerning the scope of the guarantee which are specified by a Cabinet Office Ordinance;

五 保証人が主たる債務者と連帯して債務を負担するときは、民法（明治二十九年法律第八十九号）第四百五十四条の規定の趣旨その他の連帯保証債務の内容に関する事項として内閣府令で定めるもの

(v) Where the guarantor assumes the obligation jointly and severally with the principal obligor, the gist of Article 454 of the Civil Code (Act No. 89 of 1896) and other matters concerning the details of the joint and several suretyship for said obligations as provided by a Cabinet Office Ordinance; and

六 前各号に掲げるもののほか、内閣府令で定める事項

(vi) In addition to what is listed in the preceding items, matters specified by a Cabinet Office Ordinance.

4 貸金業者は、前三項の規定による書面の交付に代えて、政令で定めるところにより、第一項若しくは第二項の貸付けの契約の相手方となろうとする者又は前項の保証人となろうとする者の承諾を得て、前三項の規定により明らかにすべきものとされる事項を電磁的方法により提供することができる。この場合において、貸金業者は、当該書面の交付を行つたものとみなす。

(4) A Money Lender may, in lieu of delivering the documents prescribed in the preceding three paragraphs and pursuant to the provisions of a Cabinet Order, provide the matters required to be disclosed under those paragraphs by way of Electromagnetic Means, with the consent of the person who intends to be the counterparty to the Contract for the Loan as provided in paragraph (1) or paragraph (2), or with the consent of the person who intends to be the guarantor set forth in the preceding paragraph. In this case, the Money Lender shall be deemed to have delivered the documents.

(生命保険契約等に係る同意前の書面の交付)

(Delivery of Documents prior to Obtaining Consent on Life Insurance Contracts, etc.)

第十六条の三 貸金業者が、貸付けの契約の相手方又は相手方となろうとする者の死亡によつて保険金の支払を受けることとなる保険契約を締結しようとする場合において、これらの者から保険法（平成二十年法律第五十六号）第三十八条又は第六十七条第一項の同意を得ようとするときは、あらかじめ、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書面をこれらの者に交付しなければならない。

Article 16-3 (1) A Money Lender shall, when he/she intends to conclude an insurance contract under which he/she is to receive payment of insurance claims upon the death of the counterparty to a loan contract or a person who intends to be the counterparty thereto, and when he/she wishes to obtain the consent under Article 38 or Article 67, paragraph (1) of the Insurance Act (Act

No. 56 of 2008) from such counterparty or person, deliver a document containing the following matters to such person in advance, pursuant to the provisions of a Cabinet Office Ordinance:

一 当該保険契約が、これらの者が死亡した場合に貸金業者に対し保険金額の支払をすべきことを定めるものである旨

(i) The effect that the insurance contract provides that the insurance claim should be paid to the Money Lender when the above-mentioned counterparty or person dies; and

二 前号に掲げるもののほか、内閣府令で定める事項

(ii) In addition to what is listed in the preceding item, matters specified by a Cabinet Office Ordinance.

2 貸金業者は、前項の規定による書面の交付に代えて、政令で定めるところにより、貸付けの契約の相手方又は相手方となろうとする者の承諾を得て、同項各号に掲げる事項を電磁的方法により提供することができる。この場合において、貸金業者は、当該書面の交付を行つたものとみなす。

(2) A Money Lender may, in lieu of delivering the documents under the preceding paragraph and pursuant to the provisions of a Cabinet Order, provide the matters set forth in the items of that paragraph by way of Electromagnetic Means, with the consent of the counterparty or the person who intends to be the counterparty to the Contract for the Loan. In this case, the Money Lender shall be deemed to have delivered the documents.

(契約締結時の書面の交付)

(Delivery of Documents upon the Conclusion of a Contract)

第十七条 貸金業者は、貸付けに係る契約（極度方式基本契約を除く。第四項において同じ。）を締結したときは、遅滞なく、内閣府令で定めるところにより、次に掲げる事項についてその契約の内容を明らかにする書面をその相手方に交付しなければならない。当該書面に記載した事項のうち、重要なものとして内閣府令で定めるものを変更したときも、同様とする。

Article 17 (1) A Money Lender shall, when he/she has concluded a loan contract (excluding Basic Contracts for Revolving Credit Loans; the same shall apply in paragraph (4)), pursuant to the provisions of a Cabinet Office Ordinance, deliver a document that discloses the details of the contract and that states the following matters to the counterparty thereto without delay. The same shall apply when the Money Lender has changed any description stated therein with regard to important matters as provided by a Cabinet Office Ordinance:

一 貸金業者の商号、名称又は氏名及び住所

(i) The trade name, name, and address of the Money Lender;

二 契約年月日

(ii) The date of the contract;

三 貸付けの金額

- (iii) The amount of the Loan;  
四 貸付けの利率
  - (iv) The Loan Interest Rate;  
五 返済の方式
  - (v) The method of repayment;  
六 返済期間及び返済回数
  - (vi) The repayment period and number of repayment installments;  
七 賠償額の予定に関する定めがあるときは、その内容
  - (vii) If any agreement for liquidated damages is provided, the details thereof;  
and  
八 前各号に掲げるもののほか、内閣府令で定める事項
  - (viii) In addition to what is listed in the preceding items, matters specified by a Cabinet Office Ordinance.
- 2 貸金業者は、極度方式基本契約を締結したときは、遅滞なく、内閣府令で定めるところにより、次に掲げる事項についてその極度方式基本契約の内容を明らかにする書面をその相手方に交付しなければならない。当該書面に記載した事項のうち、重要なものとして内閣府令で定めるものを変更したとき（当該相手方の利益の保護に支障を生ずることがないときとして内閣府令で定めるときを除く。）も、同様とする。
- (2) A Money Lender shall, when he/she has concluded a Basic Contract for a Revolving Credit Loan, pursuant to the provisions of a Cabinet Office Ordinance, deliver documents disclosing the details of said Basic Contract for the Revolving Credit Loan and shall state the following matters to the counterparty thereto without delay. The same shall apply to cases where a Money Lender has changed any description stated therein with regard to important matters as provided by a Cabinet Office Ordinance (excluding cases specified by a Cabinet Office Ordinance as being unlikely to hinder the protection of the counterparty's interests):
- 一 貸金業者の商号、名称又は氏名及び住所
  - (i) The trade name, name, and address of the Money Lender;  
二 契約年月日
  - (ii) The date of the contract;  
三 極度額（貸金業者が極度方式基本契約の相手方に対し貸付けの元本の残高の上限として極度額を下回る額を提示する場合にあつては、当該下回る額及び極度額）
  - (iii) The maximum amount (in cases where the Money Lender makes available to the counterparty to the Basic Contract for a Revolving Credit Loan an amount smaller than the maximum amount as an upper limitation of the outstanding balance of the principal of the Loan, the smaller amount and the maximum amount);  
四 貸付けの利率
  - (iv) The Loan Interest Rate;  
五 返済の方式

(v) The method of repayment;

六 賠償額の予定に関する定めがあるときは、その内容

(vi) If any agreement for liquidated damages is provided, the details thereof;  
and

七 前各号に掲げるもののほか、内閣府令で定める事項

(vii) In addition to what is listed in the preceding items, matters specified by a  
Cabinet Office Ordinance.

3 貸金業者は、貸付けに係る契約について保証契約を締結したときは、遅滞なく、内閣府令で定めるところにより、当該保証契約の内容を明らかにする事項で第十六条の二第三項各号に掲げる事項（一定の範囲に属する不特定の貸付けに係る債務を主たる債務とする保証契約にあつては、同項第三号に掲げる事項を除く。）その他の内閣府令で定めるものを記載した書面を当該保証契約の保証人に交付しなければならない。当該書面に記載した事項のうち、重要なものとして内閣府令で定めるものを変更したときも、同様とする。

(3) Where a Money Lender has concluded a guarantee contract for a loan contract, such Money Lender shall, pursuant to the provisions of a Cabinet Office Ordinance, deliver a document containing the matters set forth in the items of Article 16-2, paragraph (3) which discloses the details of said guarantee contract (in cases of a guarantee contract the principal obligation of which is the obligation of one or more unidentified loans within a certain scope, the matters listed in item (iii) of that paragraph shall be excluded) and other matters specified by a Cabinet Office Ordinance to the guarantor of said guarantee contract without delay. The same shall apply when the Money Lender has changed any description of an important matter as provided by a Cabinet Office Ordinance stated in said document.

4 貸金業者は、貸付けに係る契約について保証契約を締結したとき、又は貸付けに係る契約で保証契約に係るものを締結したときは、遅滞なく、内閣府令で定めるところにより、第一項各号に掲げる事項についてこれらの貸付けに係る契約の内容を明らかにする書面をこれらの保証契約の保証人に交付しなければならない。当該書面に記載した事項のうち、重要なものとして内閣府令で定めるものを変更したときも、同様とする。

(4) Where a Money Lender has concluded a guarantee contract for a loan contract or has concluded a loan contract pertaining to a guarantee contract, such Money Lender shall, pursuant to the provisions of a Cabinet Office Ordinance, deliver documents containing the matters listed in the items of paragraph (1) which disclose the details of said loan contract to the guarantor under the guarantee contract without delay. The same shall apply to cases where the Money Lender has changed any descriptions stated therein with regard to important matters as provided by a Cabinet Office Ordinance.

5 貸金業者は、極度方式保証契約を締結したときは、遅滞なく、内閣府令で定めるところにより、第二項各号に掲げる事項について当該極度方式保証契約に係る極度方式

基本契約の内容を明らかにする書面を当該極度方式保証契約の保証人に交付しなければならない。当該書面に記載した事項のうち、重要なものとして内閣府令で定めるものを変更したとき（当該保証人の利益の保護に支障を生ずることがないときとして内閣府令で定めるときを除く。）も、同様とする。

(5) Where a Money Lender has concluded a contract for a Revolving Guarantee, such Money Lender shall, pursuant to the provisions of a Cabinet Office Ordinance, deliver documents containing the matters set forth in the items of paragraph (2) which disclose the details of the Basic Contract for the Revolving Credit Loan pertaining to the contract for said Revolving Guarantee to the guarantor thereunder without delay. The same shall apply to cases where the Money Lender has changed any descriptions stated therein with regard to important matters as specified by a Cabinet Office Ordinance (excluding cases specified by a Cabinet Office Ordinance as being unlikely to hinder the protection of interests of said guarantor).

6 貸金業者は、極度方式貸付けに係る契約を締結した場合において、その相手方又は当該契約の基本となる極度方式基本契約に係る極度方式保証契約の保証人に対し、これらの者の承諾を得て、内閣府令で定めるところにより、一定期間における貸付け及び弁済その他の取引の状況を記載した書面として内閣府令で定めるものを交付するときは、第一項前段又は第四項前段の規定による書面の交付に代えて、次に掲げる事項を記載した書面をこれらの者に交付することができる。この場合において、貸金業者は、第一項前段又は第四項前段の規定による書面の交付を行つたものとみなす。

(6) Where a Money Lender has concluded a contract for a Revolving Credit Loan and where he/she intends to deliver a document containing the status of the Loan, performance, or other transactions made within a certain period as provided by a Cabinet Office Ordinance to the counterparty to said contract for the Revolving Credit Loan or to the guarantor of the Contract for the Revolving Guarantee pertaining to the Basic Contract for the Revolving Credit Loan which forms the basis for said contract for the Revolving Credit Loan with the consent of such person pursuant to the provisions of a Cabinet Office Ordinance, such Money Lender may deliver to such person documents containing the following matters in lieu of delivering the documents under the first sentence of paragraph (1) or the first sentence of paragraph (4). In this case, the Money Lender shall be deemed to have conducted the delivery of documents under the first sentence of paragraph (1) or the first sentence of paragraph (4):

一 契約年月日

(i) The date of the contract;

二 貸付けの金額（極度方式保証契約にあつては、保証に係る貸付けの金額）

(ii) The amount of the Loan (in cases of a contract for Revolving Guarantee, the amount of Loan for which the guarantee has been provided); and

三 前二号に掲げるもののほか、内閣府令で定める事項

(iii) In addition to what is listed in the preceding two items, matters specified by a Cabinet Office Ordinance.

7 貸金業者は、第一項から第五項までの規定による書面の交付又は前項の内閣府令で定める書面の交付若しくは同項の規定により第一項前段若しくは第四項前段の規定による書面の交付に代えて交付する書面の交付に代えて、政令で定めるところにより、当該貸付けに係る契約又は保証契約の相手方の承諾を得て、前各項に規定する事項又は前項の内閣府令で定める書面に記載すべき事項を電磁的方法により提供することができる。この場合において、貸金業者は、これらの書面の交付を行つたものとみなす。

(7) A Money Lender may, in lieu of delivering documents under the provisions of paragraph (1) through paragraph (5), delivering documents specified by a Cabinet Office Ordinance under the preceding paragraph, or delivering documents in lieu of delivering them under the first sentence of paragraph (1) or the first sentence of paragraph (4) as provided in the preceding paragraph, pursuant to the provisions of a Cabinet Order, provide the matters specified in the preceding paragraphs or the matters to be stated in the documents as specified by a Cabinet Office Ordinance under the preceding paragraph by way of Electromagnetic Means, with the consent of the counterparty to said loan contract or guarantee contract. In this case, the Money Lender shall be deemed to have delivered these documents.

(受取証書の交付)

(Delivery of Receipts)

第十八条 貸金業者は、貸付けの契約に基づく債権の全部又は一部について弁済を受けたときは、その都度、直ちに、内閣府令で定めるところにより、次に掲げる事項を記載した書面を当該弁済をした者に交付しなければならない。

Article 18 (1) A Money Lender shall, upon receiving performance of all or part of his/her claim under a Contract for a Loan, deliver to the person who has made performance a document containing the following matters immediately after each instance in which he/she has received performance, pursuant to the provisions of a Cabinet Office Ordinance:

一 貸金業者の商号、名称又は氏名及び住所

(i) The trade name, name, and address of the Money Lender;

二 契約年月日

(ii) The date of the contract;

三 貸付けの金額（保証契約にあつては、保証に係る貸付けの金額。次条及び第二十一条第二項第四号において同じ。）

(iii) The amount of the Loan (in the case of a guarantee contract, the amount of the Loan for which the guarantee has been provided; the same shall apply in the following Article and Article 21, paragraph (2), item (iv));

四 受領金額及びその利息、賠償額の予定に基づく賠償金又は元本への充当額

(iv) The amount received and amounts appropriated for repayment of the



interest, the agreed liquidated damages, or the principal;

五 受領年月日

(v) The date of receipt; and

六 前各号に掲げるもののほか、内閣府令で定める事項

(vi) In addition to what is listed in the preceding items, matters specified by a Cabinet Office Ordinance.

2 前項の規定は、預金又は貯金の口座に対する払込みその他内閣府令で定める方法により弁済を受ける場合にあつては、当該弁済をした者の請求があつた場合に限り、適用する。

(2) The preceding paragraph shall apply to cases where performance is made by means of payment into a deposit or savings account or by other methods specified by a Cabinet Office Ordinance, only when requested by the person who has made performance.

3 貸金業者は、極度方式貸付けに係る契約又は当該契約の基本となる極度方式基本契約に係る極度方式保証契約に基づく債権の全部又は一部について弁済を受けた場合において、当該弁済をした者に対し、その者の承諾を得て、内閣府令で定めるところにより、一定期間における貸付け及び弁済その他の取引の状況を記載した書面として内閣府令で定めるものを交付するときは、第一項の規定による書面の交付に代えて、次に掲げる事項を記載した書面をその者に交付することができる。この場合において、貸金業者は、当該書面の交付を行つたものとみなす。

(3) A Money Lender may, upon receiving performance of all or part of his/her claim under a contract for a Revolving Credit Loan or under a Contract for a Revolving Guarantee concluded pertaining to the Basic Contract for a Revolving Credit Loan under which said contract for the Revolving Credit Loan was concluded, deliver a document containing the following matters in lieu of the document required under paragraph (1), if the Money Lender delivers to the person who has made performance a document specified by a Cabinet Office Ordinance as one that contains the details of the Loan provided and performance made in a specified period of time and other matters pertaining to transactions with the consent of the person and pursuant to the provisions of a Cabinet Office Ordinance. In this case, the Money Lender shall be deemed to have delivered the document required under the paragraph (1):

一 受領年月日

(i) The date of receipt;

二 受領金額

(ii) The amount received; and

三 前二号に掲げるもののほか、内閣府令で定める事項

(iii) In addition to what is listed in the preceding two items, matters specified by a Cabinet Office Ordinance.

4 貸金業者は、第一項に規定する書面の交付又は前項の内閣府令で定める書面の交付若しくは同項の規定により第一項の規定による書面の交付に代えて交付する書面の交

付に代えて、政令で定めるところにより、同項又は前項に規定する弁済をした者の承諾を得て、第一項若しくは前項に規定する事項又は同項の内閣府令で定める書面に記載すべき事項を電磁的方法により提供することができる。この場合において、貸金業者は、これらの書面の交付を行つたものとみなす。

(4) A Money Lender may provide the matters specified in paragraph (1) or the preceding paragraph or the matters to be contained in the document specified by a Cabinet Office Ordinance referred to in the preceding paragraph by Electromagnetic Means, in lieu of delivery of the document required by paragraph (1), the document specified by a Cabinet Office Ordinance referred to in the preceding paragraph, or the document to be delivered in lieu of the document required by paragraph (1) under the preceding paragraph, with the consent of the person who has made performance under paragraph (1) or the preceding paragraph and pursuant to the provisions of a Cabinet Order. In this case, the Money Lender shall be deemed to have delivered these documents.

(帳簿の備付け)

(Keeping of the Books)

第十九条 貸金業者は、内閣府令で定めるところにより、その営業所又は事務所ごとに、その業務に関する帳簿を備え、債務者ごとに貸付けの契約について契約年月日、貸付けの金額、受領金額その他内閣府令で定める事項を記載し、これを保存しなければならない。

Article 19 A Money Lender shall, pursuant to the provisions of a Cabinet Office Ordinance, prepare and preserve books on its business for each business office or other office, containing information on the Contracts for the Loans with each obligor such as the date of the contract, the amount of the Loan, the amount received, and other matters specified by a Cabinet Office Ordinance.

(帳簿の閲覧)

(Inspection of the Books)

第十九条の二 債務者等又は債務者等であつた者その他内閣府令で定める者は、貸金業者に対し、内閣府令で定めるところにより、前条の帳簿（利害関係がある部分に限る。）の閲覧又は謄写を請求することができる。この場合において、貸金業者は、当該請求が当該請求を行つた者の権利の行使に関する調査を目的とするものでないことが明らかであるときを除き、当該請求を拒むことができない。

Article 19-2 An Obligor, etc. or a person who formerly was an Obligor, etc. and any other person specified by a Cabinet Office Ordinance may make a request of the Money Lender for the inspection or copying of the books provided in the preceding Article (limited to the part regarding which said persons have interests), pursuant to the provisions of a Cabinet Office Ordinance. In this case, the Money Lender shall not refuse such a request unless it is clear that the purpose thereof is not to investigate matters concerning the exercise of

rights of the person who has made such request.

(特定公正証書に係る制限)

**(Restrictions on Specified Notarized Deeds)**

第二十条 貸金業を営む者は、貸付けの契約について、債務者等から、当該債務者等が特定公正証書（債務者等が貸付けの契約に基づく債務の不履行の場合に直ちに強制執行に服する旨の陳述が記載された公正証書をいう。以下この条において同じ。）の作成を公証人に囑託することを代理人に委任することを証する書面を取得してはならない。

Article 20 (1) Persons who engage in the Money Lending Business shall not obtain from the Obligor, etc. documents proving that the Obligor, etc. has delegated to an agent the authority to commission a notary to prepare Specified Notarized Deeds with regard to a Contract for a Loan (meaning notarized deeds containing statements to the effect that in case of the Obligor's default under the Contract for the Loan, he/she shall immediately be subject to compulsory execution; hereinafter the same shall apply in this Article).

2 貸金業を営む者は、貸付けの契約について、債務者等が特定公正証書の作成を公証人に囑託することを代理人に委任する場合には、当該代理人の選任に関し推薦その他これに類する関与をしてはならない。

(2) Persons who engage in the Money Lending Business shall, when the Obligor, etc. delegates to an agent the authority to commission a notary to prepare a Specified Notarized Deed for a Contract for a Loan, refrain from any involvement in appointment of said agent, such as recommendations on the selection thereof or any act similar thereto.

3 貸金業者は、貸付けの契約について、特定公正証書の作成を公証人に囑託する場合には、あらかじめ（当該貸付けの契約に係る資金需要者等との間で特定公正証書の作成を公証人に囑託する旨を約する契約を締結する場合にあつては、当該契約を締結するまでに）、内閣府令で定めるところにより、債務者等となるべき資金需要者等に対し、次に掲げる事項について書面を交付して説明しなければならない。

(3) A Money Lender shall, when commissioning a notary to prepare a Specified Notarized Deed for the Contract for a Loan, deliver and explain documents containing the following matters to the Person Seeking Funds, etc. who is to be the Obligor, etc. in advance (in cases where the Money Lender concludes a contract promising to commission a notary to prepare Specified Notarized Deeds with the Person Seeking Funds, etc. concerned with the Contract for a Loan, by the time of concluding such contract), pursuant to the provisions of a Cabinet Office Ordinance:

一 当該貸付けの契約に基づく債務の不履行の場合には、特定公正証書により、債務者等が直ちに強制執行に服することとなる旨

(i) To the effect that, in the case of default under the Contract for the Loan, the Obligor, etc. shall immediately be subject to compulsory execution under the

Specified Notarized Deed; and

二 前号に掲げるもののほか、債務者等の法律上の利益に与える影響に関する事項として内閣府令で定めるもの

(ii) In addition to what is listed in the preceding item, matters concerning the impact on the legal interests of the Obligor, etc. as provided by a Cabinet Office Ordinance.

(公的給付に係る預金通帳等の保管等の制限)

(Restrictions on Custody, etc. of Deposit Passbooks, etc. Pertaining to Public Benefits)

第二十条の二 貸金業を営む者は、貸付けの契約について、公的給付（法令の規定に基づき国又は地方公共団体がその給付に要する費用又はその給付の事業に関する事務に要する費用の全部又は一部を負担し、又は補助することとされている給付（給与その他対価の性質を有するものを除く。）であつて、法令の規定により譲り渡し、担保に供し、又は差し押さえることができないこととされているものをいう。以下同じ。）がその受給権者である債務者等又は債務者等の親族その他の者（以下この条において「特定受給権者」という。）の預金又は貯金の口座に払い込まれた場合に当該預金又は貯金の口座に係る資金から当該貸付けの契約に基づく債権の弁済を受けることを目的として、次に掲げる行為をしてはならない。

Article 20-2 A person who engages in the Money Lending Business shall not conduct the following acts for the purpose of receiving performance of claims under a Contract for a Loan from the funds in a deposit or savings account of the Obligor, etc., relatives of the Obligor, etc., or any other person who is the beneficiary of Public Benefits (meaning benefits which, pursuant to the provisions of laws and regulations, the State or local public entities bear or subsidize all or part of the costs necessary for paying or necessary for the affairs related to the service of Public Benefits (excluding salaries and other payments which have the nature of a consideration) and which may not be transferred, used as securities, or attached pursuant to the provisions of laws and regulations; the same shall apply hereinafter) (hereinafter such persons shall collectively be referred to as "Specified Beneficiaries" in this Article) when such Public Benefits are paid into such account:

一 特定受給権者の預金通帳等（当該預金若しくは貯金の口座に係る通帳若しくは引出用のカード若しくは当該預金若しくは貯金の引出し若しくは払込みに必要な情報その他当該預金若しくは貯金の引出し若しくは払込みに必要なものとして政令で定めるもの又は年金証書その他特定受給権者が公的給付を受給することができることを証する書面その他のものをいう。）の引渡し若しくは提供を求め、又はこれらを保管する行為

(i) Acts of requesting a Specified Beneficiary to deliver or to provide his/her Deposit Passbook, etc. (meaning a passbook or card used for withdrawal with said deposit or savings account, the information necessary for withdrawal or

payment from said deposit or savings account, and any of those things necessary for withdrawal or payment from said deposit or savings account as provided by a Cabinet Order, or documents or other materials including a pension certificate proving that the Specified Beneficiary is entitled to receive Public Benefits) and retaining them; or

- 二 特定受給権者に当該預金又は貯金の払出しとその払い出した金銭による当該債権の弁済をその預金又は貯金の口座のある金融機関に委託して行うことを求める行為
- (ii) Acts of requesting a Specified Beneficiary to entrust withdrawals from the deposit or savings account and performance of said claims with the money withdrawn to the financial institution where said deposit or savings account is held.

(取立て行為の規制)

(Restrictions on Acts of Collection)

第二十一条 貸金業を営む者又は貸金業を営む者の貸付けの契約に基づく債権の取立てについて貸金業を営む者その他の者から委託を受けた者は、貸付けの契約に基づく債権の取立てをするに当たつて、人を威迫し、又は次に掲げる言動その他の人の私生活若しくは業務の平穩を害するような言動をしてはならない。

Article 21 (1) Persons who engage in the Money Lending Business or persons who have been entrusted by a person who engages in the Money Lending Business or by any other person with the collection of claims under the Contract for a Loan pertaining to such persons engaging in the Money Lending Business shall not, in collecting claims under the Contract for the Loan, intimidate persons, act in any of the following ways, or act in any way which may harm the tranquility of a person's personal life or business operations:

- 一 正当な理由がないのに、社会通念に照らし不相当と認められる時間帯として内閣府令で定める時間帯に、債務者等に電話をかけ、若しくはファクシミリ装置を用いて送信し、又は債務者等の居宅を訪問すること。

(i) Telephoning the Obligor, etc., transmitting a message by using a facsimile machine, or visiting the residence of the Obligor, etc. during hours found to be clearly inappropriate in terms of general social norms as provided by a Cabinet Office Ordinance, without any justifiable grounds;

- 二 債務者等が弁済し、又は連絡し、若しくは連絡を受ける時期を申し出た場合において、その申出が社会通念に照らし相当であると認められないことその他の正当な理由がないのに、前号に規定する内閣府令で定める時間帯以外の時間帯に、債務者等に電話をかけ、若しくはファクシミリ装置を用いて送信し、又は債務者等の居宅を訪問すること。

(ii) Where the Obligor, etc. has made a request on the timing of performance or on contact to or from such Obligor, the act of telephoning the Obligor, etc., transmitting a message by using a facsimile machine, or visiting the residence of the Obligor, etc. during hours other than those provided by a

Cabinet Office Ordinance as prescribed in the preceding item, without justifiable grounds such as that said request is not found to be reasonable in terms of general social norms;

三 正当な理由がないのに、債務者等の勤務先その他の居宅以外の場所に電話をかけ、電報を送達し、若しくはファクシミリ装置を用いて送信し、又は債務者等の勤務先その他の居宅以外の場所を訪問すること。

(iii) Telephoning the Obligor, etc. at his/her place of work or at a place other than his/her residence, sending a telegram or transmitting a message by using a facsimile machine thereto, or visiting the place of work or a place other than the residence of the Obligor, etc., without justifiable grounds;

四 債務者等の居宅又は勤務先その他の債務者等を訪問した場所において、債務者等から当該場所から退去すべき旨の意思を示されたにもかかわらず、当該場所から退去しないこと。

(iv) Failing to leave the residence or the place of work of the Obligor, etc. or any other place where the Money Lender has visited the Obligor, etc., in spite of the fact that the Obligor, etc. has indicated to the effect that he/she would like the Money Lender to leave that place;

五 はり紙、立看板その他何らの方法をもつてするを問わず、債務者の借入れに関する事実その他債務者等の私生活に関する事実を債務者等以外の者に明らかにすること。

(v) Disclosing facts regarding the borrowings of an Obligor, etc. or any other facts concerning the personal life of the Obligor, etc. to persons other than the Obligor, etc. by putting up a poster, billboard, or any other means whatsoever;

六 債務者等に対し、債務者等以外の者からの金銭の借入れその他これに類する方法により貸付けの契約に基づく債務の弁済資金を調達することを要求すること。

(vi) Requesting that an Obligor, etc. raise funds toward performance of his/her obligations under the Contract for a Loan by borrowing money from persons other than the Obligor, etc. or any other similar means;

七 債務者等以外の者に対し、債務者等に代わつて債務を弁済することを要求すること。

(vii) Requesting that persons other than the Obligor, etc. make performance of the obligations on behalf of the Obligor, etc.;

八 債務者等以外の者が債務者等の居所又は連絡先を知らせることその他の債権の取立てに協力することを拒否している場合において、更に債権の取立てに協力することを要求すること。

(viii) Continuing to request that persons other than the Obligor, etc. cooperate in the collection of claims, although said persons have refused to inform the Money Lender of the residence or contact address of the Obligor, etc. or have refused to conduct any other acts in cooperation with the Money Lender in the collection of claims;

九 債務者等が、貸付けの契約に基づく債権に係る債務の処理を弁護士若しくは弁護士法人若しくは司法書士若しくは司法書士法人（以下この号において「弁護士等」という。）に委託し、又はその処理のため必要な裁判所における民事事件に関する手続をとり、弁護士等又は裁判所から書面によりその旨の通知があつた場合において、正当な理由がないのに、債務者等に対し、電話をかけ、電報を送達し、若しくはファクシミリ装置を用いて送信し、又は訪問する方法により、当該債務を弁済することを要求し、これに対し債務者等から直接要求しないよう求められたにもかかわらず、更にこれらの方法で当該債務を弁済することを要求すること。

(ix) Requesting that the Obligor, etc. perform his/her obligations by calling, sending a telegram, transmitting a message by using a facsimile machine, or visiting the Obligor, etc., without justifiable grounds and in spite of the fact that the Obligor, etc. has entrusted the arrangement of obligations under the Contract for a Loan to an attorney-at-law or legal professional corporation or to a judicial scrivener or judicial scrivener corporation (hereinafter collectively referred to as an "Attorney-at-Law, etc." in this item), or in spite of the fact that the Obligor, etc. has taken procedures toward a civil case in the necessary court for such arrangements and the Money Lender has received notice to that effect in writing from his/her Attorney-at-Law, etc. or from the court, and continues to request performance of said obligations in any of the aforementioned manners, although the Obligor, etc. has requested that the Money Lender not directly demand performance; and

十 債務者等に対し、前各号（第六号を除く。）のいずれかに掲げる言動をすることを告げること。

(x) Informing the Obligor, etc. that the Money Lender intends to use any of the words or conduct any of the deeds set forth in the preceding items (excluding item (vi)).

2 貸金業を営む者又は貸金業を営む者の貸付けの契約に基づく債権の取立てについて貸金業を営む者その他の者から委託を受けた者は、債務者等に対し、支払を催告するために書面又はこれに代わる電磁的記録を送付するときは、内閣府令で定めるところにより、これに次に掲げる事項を記載し、又は記録しなければならない。

(2) Persons who engage in the Money Lending Business or persons who have been entrusted by persons who engage in Money Lending Business or by any other person with the collection of claims under the Contract for a Loan of a person engaging in the Money Lending Business shall, when they intend to send documents or Electromagnetic Records in lieu of such documents to the Obligor, etc. to demand payment therefrom, have the following matters contained or recorded therein, pursuant to the provisions of a Cabinet Office Ordinance:

一 貸金業を営む者の商号、名称又は氏名及び住所並びに電話番号

(i) The trade name, name, address, and telephone number of the person who engages in the Money Lending Business;

二 当該書面又は電磁的記録を送付する者の氏名

(ii) The name of the person who sends said documents or Electromagnetic Record;

三 契約年月日

(iii) The date of the contract;

四 貸付けの金額

(iv) The amount of the Loan;

五 貸付けの利率

(v) The Loan Interest Rate;

六 支払の催告に係る債権の弁済期

(vi) The due date of performance of claims pertaining to demands for payment;

七 支払を催告する金額

(vii) The amount of demanded payment; and

八 前各号に掲げるもののほか、内閣府令で定める事項

(viii) In addition to what is listed in the preceding items, matters specified by a Cabinet Office Ordinance.

3 前項に定めるもののほか、貸金業を営む者又は貸金業を営む者の貸付けの契約に基づく債権の取立てについて貸金業を営む者その他の者から委託を受けた者は、貸付けの契約に基づく債権の取立てをするに当たり、相手方の請求があつたときは、貸金業を営む者の商号、名称又は氏名及びその取立てを行う者の氏名その他内閣府令で定める事項を、内閣府令で定める方法により、その相手方に明らかにしなければならない。

(3) In addition to what is provided in the preceding paragraph, persons who engage in the Money Lending Business or persons who have been entrusted by a person engaging in the Money Lending Business or by any other person with the collection of claims under the Contract for a Loan of a person who engages in Money Lending Business shall, in collecting claims under the Contract for a Loan and in response to a request from the counterparty to the Contract for a Loan, disclose the trade name and name of the person who engages in the Money Lending Business, the name of the person conducting the collection of claims, and other matters provided by a Cabinet Office Ordinance to the counterparty by methods specified by a Cabinet Office Ordinance.

(債権証書の返還)

(Return of Claim Deeds)

第二十二條 貸金業者は、貸付けの契約に基づく債権についてその全部の弁済を受けた場合において当該債権の証書を有するときは、遅滞なく、これをその弁済をした者に返還しなければならない。

Article 22 A Money Lender shall, if he/she has received full performance of claims under the Contract for a Loan and holds deeds to the claims, return them without delay to the person who has made such performance.



(標識の掲示)

(Posting of Signs)

第二十三条 貸金業者は、営業所又は事務所ごとに、公衆の見やすい場所に、内閣府令で定める様式の標識を掲示しなければならない。

Article 23 A Money Lender shall post a sign in the format specified by a Cabinet Office Ordinance in a place accessible to the public at each of its business offices or other offices.

(債権譲渡等の規制)

(Restrictions on the Assignment, etc. of Claims.)

第二十四条 貸金業者は、貸付けに係る契約に基づく債権を他人に譲渡するに当たっては、その者に対し、当該債権が貸金業者の貸付けに係る契約に基づいて発生したことその他内閣府令で定める事項並びにその者が当該債権に係る貸付けの契約に基づく債権に関してする行為について第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項を除く。）、第十八条から第二十二条まで、第二十四条の六の十並びにこの項の規定（抵当証券法（昭和六年法律第十五号）第一条第一項に規定する抵当証券に記載された債権については第十六条の二第三項及び第四項並びに第十七条（第六項を除く。）の規定を除き、これらの規定に係る罰則を含む。）の適用がある旨を、内閣府令で定める方法により、通知しなければならない。

Article 24 (1) A Money Lender shall, in assigning the claims under the loan contract to any other person, notify him/her that said claims have accrued under the Money Lender's loan contract, other matters specified by a Cabinet Office Ordinance, and to the effect that the provisions of Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22, Article 24-6-10, and this paragraph shall apply (excluding, with regard to claims contained in mortgage securities as prescribed in Article 1, paragraph (1) of the Mortgage Securities Act (Act No. 15 of 1931), the provisions of Article 16-2, paragraph (3) and paragraph (4) and Article 17 (excluding paragraph (6)), and including the penal provisions pertaining thereto) to acts conducted by said persons in relation to the claims under the Contract for a Loan pertaining to said claims, by a method specified by a Cabinet Office Ordinance.

- 2 第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項を除く。）、第十八条から第二十二条まで、第二十四条の六の十並びに前項の規定（抵当証券法第一条第一項に規定する抵当証券に記載された債権については、第十六条の二第三項及び第四項並びに第十七条（第六項を除く。）の規定を除く。）は、貸金業者の貸付けに係る契約に基づく債権の譲渡があつた場合における当該債権を譲り受けた者について準用する。この場合において、第二十四条の六の十第一項から第四項までの規定中「内閣総理大臣又は都道府県知事」とあるのは「都道府県知事」と、同条第一項中「その登録を受けた貸金業者」とあるのは「貸金業者の貸付けに係る契約に基づく債権を譲り受けた者で当該都道府県の区域内に営業所又は事務所（営業所

又は事務所を有しない者にあつては、住所又は居所。以下この条において同じ。)を有するもの」と、同条第二項中「その登録を受けた貸金業者の貸付けに係る契約」とあるのは「貸金業者の貸付けに係る契約に基づく債権を譲り受けた者(当該都道府県の区域内に営業所又は事務所を有するものに限る。)の当該債権」と、同条第三項中「その登録を受けた貸金業者」とあるのは「貸金業者の貸付けに係る契約に基づく債権を譲り受けた者(当該都道府県の区域内に営業所又は事務所を有するものに限る。)」と、同条第四項中「その登録を受けた貸金業者の貸付けに係る契約」とあるのは「貸金業者の貸付けに係る契約に基づく債権を譲り受けた者(当該都道府県の区域内に営業所又は事務所を有するものに限る。)の当該債権」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(2) When a claim under a Money Lender's loan contract has been assigned, the provisions of Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22 inclusive, Article 24-6-10, and the preceding paragraph (excluding, with regard to claims contained in mortgage securities as prescribed in Article 1, paragraph (1) of the Mortgage Securities Act, Article 16-2, paragraph (3) and paragraph (4) and Article 17 (excluding paragraph (6))) shall apply mutatis mutandis to an assignee of such claim. In this case, the term "the Prime Minister or prefectural governor" in Article 24-6-10, paragraph (1) through paragraph (4) shall be deemed to be replaced with "the prefectural governor," the term "a Money Lender registered thereby" in paragraph (1) of that Article shall be deemed to be replaced with "an assignee of claims under the Money Lender's loan contract who has a business office or other office within the relevant prefectural area (if the person has no business office or other office, his/her domicile or residence; hereinafter the same shall apply in this Article)," the term "Money Lender's loan contract registered by him/her [the Prime Minister or prefectural governor]" in paragraph (2) of that Article shall be deemed to be replaced with "the claims of an assignee of claims under the Money Lender's loan contract (limited to persons who have business offices or other offices within the relevant prefectural area)," the term "a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (3) of that Article shall be deemed to be replaced with "an assignee of claims under the Money Lender's loan contract (limited to those who have business offices or other offices within the relevant prefectural area)," the term "the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (4) shall be deemed to be replaced with "the claims of an assignee of claims under the Money Lender's loan contract (limited to those who have business offices or other offices within the relevant prefectural area)," and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

3 貸金業者は、貸付けの契約に基づく債権の譲渡又は取立ての委託(以下「債権譲渡

等」という。)をしようとする場合において、その相手方が次の各号のいずれかに該当する者(以下この項において「取立て制限者」という。)であることを知り、若しくは知ることができるとき、又は当該債権譲渡等の後取立て制限者が当該債権の債権譲渡等を受けることを知り、若しくは知ることができるときは、当該債権譲渡等をしてはならない。

(3) Where a Money Lender intends to assign claims under a loan contract or entrust the collection thereof (hereinafter collectively referred to as "Assignment, etc. of Claims") and comes to know or is capable of knowing that the other party to such assignment or entrustment falls under the category of a person listed in any of the following items (hereinafter referred to as a "Person Restricted from Collecting Claims" in this paragraph), or comes to know or is capable of knowing that a Person Restricted from Collecting Claims will accept the Assignment, etc. of Claims after the first Assignment, etc. of Claims, such Money Lender shall not make Assignment, etc. of the Claims:

一 暴力団員等

(i) An Organized Crime Group Member, etc.;

二 暴力団員等がその運営を支配する法人その他の団体又は当該法人その他の団体の構成員

(ii) A juridical person or other organization whose operations are controlled by an Organized Crime Group Member, etc., or the members of said juridical person or other organization; and

三 貸付けの契約に基づく債権の取立てに当たり、第二十一条第一項(前項において準用する場合を含む。)の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯すおそれが明らかである者

(iii) A person who is clearly likely to violate the provisions of Article 21, paragraph (1) (including the cases where applied it is mutatis mutandis pursuant to the preceding paragraph) or to commit a crime prescribed in the Penal Code or the Act on Punishment of Violence and Other Acts in the course of collecting claims under the Contract for a Loan.

4 貸金業者は、政令で定める密接な関係を有する者に貸付けの契約に基づく債権の債権譲渡等をしたときは、その相手方が当該債権の取立てに当たり第二十一条第一項(第二項において準用する場合を含む。)の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯さないように、相当の注意を払わなければならない。

(4) A Money Lender shall, when he/she has made an Assignment, etc. of the Claims under the Contract for a Loan to a person with whom he/she has a close relationship as provided by a Cabinet Order, exercise due diligence to prevent the other party from violating the provisions of Article 21, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to paragraph (2)) or from committing a crime prescribed in the Penal Code or the Act on Punishment of Violence and Other Acts in the course of collecting claims.

(保証等に係る求償権等の行使の規制)

(Regulations on the Exercise of the Right to Obtain Reimbursement, etc.)

Pertaining to a Guarantee, etc.)

第二十四条の二 貸金業者は、保証業者と貸付けに係る契約について保証契約を締結するに当たっては、その保証業者に対し、その保証業者が当該保証契約に関してする行為について第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項を除く。）、第十八条から第二十二條まで、第二十四条の四第一項並びに第二十四条の六の十の規定（抵当証券法第一条第一項に規定する抵当証券に記載された債権については第十六条の二第三項及び第四項並びに第十七条（第六項を除く。）の規定を除き、これらの規定に係る罰則を含む。）の適用がある旨を、内閣府令で定める方法により、通知しなければならない。

Article 24-2 (1) A Money Lender shall, in concluding a guarantee contract in relation to a loan contract with a Guarantee Business Operator, notify said Guarantee Business Operator to the effect that the provisions of Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22, Article 24-4, paragraph (1) and Article 24-6-10, paragraph (excluding, with regard to claims contained in mortgage securities prescribed in Article 1, paragraph (1) of the Mortgage Securities Act, the provisions of Article 16-2, paragraph (3) and paragraph (4) and Article 17 (excluding paragraph (6)), and including the penal provisions pertaining thereto) shall apply to the acts conducted by the Guarantee Business Operator in relation to the guarantee contract, by a method specified by a Cabinet Office Ordinance.

2 第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項を除く。）、第十八条から第二十二條まで並びに第二十四条の六の十の規定（抵当証券法第一条第一項に規定する抵当証券に記載された債権については、第十六条の二第三項及び第四項並びに第十七条（第六項を除く。）の規定を除く。）は、保証業者が貸金業者との間でその貸付けに係る契約についてした保証に基づく求償権、当該貸金業者の当該貸付けに係る契約若しくはその保証契約に基づく債務の弁済に係る求償権若しくは当該弁済による代位に係る債権又はこれらの保証債権（第二十四条の六を除き、以下「保証等に係る求償権等」という。）を取得した場合における当該保証等に係る求償権等を取得した保証業者について準用する。この場合において、第二十四条の六の十第一項から第四項までの規定中「内閣総理大臣又は都道府県知事」とあるのは「都道府県知事」と、同条第一項中「その登録を受けた貸金業者」とあるのは「保証等に係る求償権等を取得した保証業者で当該都道府県の区域内に営業所又は事務所（営業所又は事務所を有しない者にあつては、住所又は居所。以下この条において同じ。）を有するもの」と、同条第二項中「その登録を受けた貸金業者の貸付けに係る契約について」とあるのは「保証等に係る求償権等を取得した保証業者（当該都道府県の区域内に営業所又は事務所を有するものに限る。）の当該保証等に係る求償権等に係る」と、同条第三項中「その登録を受けた貸金業者」とあるのは「保証等に係る求償権等を取得した保証業者（当該都道府県の区域内に営業所又は事務所を有するも

のに限る。）」と、同条第四項中「その登録を受けた貸金業者の貸付けに係る契約について」とあるのは「保証等に係る求償権等を取得した保証業者（当該都道府県の区域内に営業所又は事務所を有するものに限る。）の当該保証等に係る求償権等に係る」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(2) Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22, Article 24-6-10, paragraph (excluding, with regard to claims contained in mortgage securities provided in Article 1, paragraph (1) of the Mortgage Securities Act, Article 16-2, paragraph (3) and paragraph (4), and Article 17 (excluding paragraph (6))) shall apply mutatis mutandis to a Guarantee Business Operator which has acquired a right to obtain reimbursement under the guarantee which the Guarantee Business Operator has provided to the Money Lender in relation to the Money Lender's loan contract, right to obtain reimbursement pertaining to the performance of obligations under the Money Lender's loan contract, or the guarantee contract therefor, claims related to subrogation by such performance, or guarantee claims related thereto (hereinafter collectively referred to as the "Right to Obtain Reimbursement Pertaining to a Guarantee, etc.," except in Article 24-6). In this case, the term "the Prime Minister or prefectural governor" in paragraph (1) through paragraph (4) of Article 24-6-10 shall be deemed to be replaced with "the prefectural governor," the term "a Money Lender registered thereby" in paragraph (1) of that Article shall be deemed to be replaced with "a Guarantee Business Operator who has acquired the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. and who has a business office or other office within the relevant prefectural area (with regard to a person who do not have a business office or other office, his/her domicile or residence; hereinafter the same shall apply in this Article)," the term "with respect to the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (2) of that Article shall be deemed to be replaced with "related to the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. which has been acquired by the Guarantee Business Operator (limited to those who have business offices or other offices within the relevant prefectural area)," the term "a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (3) of that Article shall be deemed to be replaced with "a Guarantee Business Operator who has acquired the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. (limited to those who have business offices or other offices within the relevant prefectural area)," the term "with respect to a loan contract made by a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (4) of that Article shall be deemed to be replaced with "related to the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. which

has been acquired by the Guarantee Business Operator (limited to those who have business offices or other offices within the relevant prefectural area)," and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

3 貸金業者は、保証業者と貸付けに係る契約について保証契約を締結しようとする場合において、その保証業者が次の各号のいずれかに該当する者（以下この項において「取立て制限者」という。）であることを知り、若しくは知ることができるとき、又は当該保証契約の締結の後取立て制限者が当該保証等に係る求償権等の債権譲渡等を受けることを知り、若しくは知ることができるときは、当該保証契約の締結をしてはならない。

(3) Where a Money Lender intends to conclude a guarantee contract for a loan contract with a Guarantee Business Operator and comes to know or is capable of knowing that the Guarantee Business Operator falls under any of the following items (hereinafter referred to as a "Person Restricted from Collecting Claims" in this paragraph) or comes to know or is capable of knowing that a Person Restricted from Collecting Claims will accept an Assignment, etc. of Claims related to the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. after the conclusion of said guarantee contract, such Money Lender shall not conclude such guarantee contract:

一 暴力団員等

(i) An Organized Crime Group Member, etc.;

二 暴力団員等がその運営を支配する法人その他の団体又は当該法人その他の団体の構成員

(ii) A juridical person or other organization whose operations are controlled by an Organized Crime Group Member, etc., or the members of said juridical person or other organization; or

三 保証等に係る求償権等の取立てに当たり、前項において準用する第二十一条第一項の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯すおそれが明らかである者

(iii) A person who is clearly likely to violate the provisions of Article 21, paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph or to commit a crime prescribed in the Penal Code or the Act on Punishment of Violence and Other Acts, in the course of conducting collection with regard to the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc.

4 貸金業者は、政令で定める密接な関係を有する保証業者と貸付けに係る契約について保証契約を締結したときは、その保証業者が保証等に係る求償権等の取立てに当たり第二項において準用する第二十一条第一項の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯さないように、相当の注意を払わなければならない。

(4) A Money Lender shall, when he/she has concluded a guarantee contract for a loan contract with a Guarantee Business Operator with whom he/she has a

close relationship as provided by a Cabinet Order, exercise due diligence to prevent the Guarantee Business Operator from violating the provisions of Article 21, paragraph (1) as applied mutatis mutandis pursuant to paragraph (2) or from committing a crime prescribed in the Penal Code or the Act on Punishment of Violence and Other Acts in the course of conducting collection with regard to the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc.

(受託弁済に係る求償権等の行使の規制)

(Regulations on the Exercise of the Right to Obtain Reimbursement, etc.

Pertaining to Performance under Entrustment)

第二十四条の三 貸金業者は、貸金業者の貸付けの契約に基づく債務の弁済を他人に委託するに当たっては、前条第一項の規定の適用がある場合を除き、その者に対し、その者が当該弁済に関してする行為について第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項を除く。）、第十八条から第二十二條まで、第二十四条の五第一項並びに第二十四条の六の十の規定（抵当証券法第一条第一項に規定する抵当証券に記載された債権については第十六条の二第三項及び第四項並びに第十七条（第六項を除く。）の規定を除き、これらの規定に係る罰則を含む。）の適用がある旨を、内閣府令で定める方法により、通知しなければならない。

Article 24-3 (1) A Money Lender shall, when he/she entrusts to any other person performance of obligations under the Money Lender's Contract for a Loan, except in cases where paragraph (1) of the preceding Article applies, notify such person to the effect that Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22, Article 24-5, paragraph (1), and Article 24-6-10, paragraph (excluding, with regard to claims contained in mortgage securities provided in Article 1, paragraph (1) of the Mortgage Securities Act, the provisions of Article 16-2, paragraph (3) and paragraph (4), and Article 17 (excluding paragraph (6)), and including the penal provisions pertaining thereto) shall apply to acts conducted by said person in relation to said performance, in a manner specified by a Cabinet Office Ordinance.

2 第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項を除く。）、第十八条から第二十二條まで並びに第二十四条の六の十の規定（抵当証券法第一条第一項に規定する抵当証券に記載された債権については、第十六条の二第三項及び第四項並びに第十七条（第六項を除く。）の規定を除く。）は、貸金業者の委託を受けて当該貸金業者の貸付けの契約に基づく債務の弁済をした者が当該債務の弁済に係る求償権若しくは当該弁済による代位に係る債権又はこれらの保証債権（第二十四条の六を除き、以下「受託弁済に係る求償権等」という。）を取得した場合における当該弁済をした者（当該貸付けの契約に係る保証等に係る求償権等を取得した保証業者を除く。以下「受託弁済者」という。）について準用する。この場合において、第二十四条の六の十第一項から第四項までの規定中「内閣総理大臣又は都道府県

知事」とあるのは「都道府県知事」と、同条第一項中「その登録を受けた貸金業者」とあるのは「受託弁済者で当該都道府県の区域内に営業所又は事務所（営業所又は事務所を有しない者にあつては、住所又は居所。以下この条において同じ。）を有するもの」と、同条第二項中「その登録を受けた貸金業者の貸付けに係る契約について」とあるのは「受託弁済者（当該都道府県の区域内に営業所又は事務所を有するものに限る。）の当該受託弁済に係る求償権等に係る」と、同条第三項中「その登録を受けた貸金業者」とあるのは「受託弁済者（当該都道府県の区域内に営業所又は事務所を有するものに限る。）」と、同条第四項中「その登録を受けた貸金業者の貸付けに係る契約について」とあるのは「受託弁済者（当該都道府県の区域内に営業所又は事務所を有するものに限る。）の当該受託弁済に係る求償権等に係る」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

- (2) Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22, and Article 24-6-10, paragraph (excluding, with regard to claims contained in mortgage securities provided in Article 1, paragraph (1) of the Mortgage Securities Act, the provisions of Article 16-2, paragraph (3) and paragraph (4) and Article 17 (excluding paragraph (6))) shall apply mutatis mutandis to a person who has made performance of obligations under the Money Lender's Contract for a Loan as entrusted by the Money Lender, where said person has acquired a right to obtain reimbursement pertaining to performance of such obligations or claims related to subrogation by performance or guarantee claims related thereto (hereinafter collectively referred to as "Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment" except in Article 24-6) (excluding a Guarantee Business Operator who has acquired the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. on the Contract for a Loan; hereinafter referred to as a "Person Entrusted With Performance"). In this case, the term "the Prime Minister or prefectural governor" in Article 24-6-10, paragraph (1) through paragraph (4) shall be deemed to be replaced with "the prefectural governor," the term "a Money Lender registered thereby" in paragraph (1) of that Article shall be deemed to be replaced with "a Person Entrusted With Performance who has a business office or other office within the relevant prefectural area (with regard to a person who does not have a business office or other office, his/her domicile or residence; hereinafter the same shall apply in this Article)," the term "with respect to the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (2) of that Article shall be deemed to be replaced with "with regard to the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment held by the Person Entrusted With Performance (limited to those who have business offices or other offices within the relevant prefectural area)," the term "a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (3) of that



Article shall be deemed to be replaced with "a Person Entrusted With Performance (limited to those who have business offices or other offices within the relevant prefectural area)," the term "with respect to the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (4) of that Article shall be deemed to be replaced with "with regard to the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment held by the Person Entrusted With Performance (limited to those who have business offices or other offices within the relevant prefectural area)," and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

3 貸金業者は、貸付けの契約に基づく債務の弁済を他人に委託しようとする場合において、その相手方が次の各号のいずれかに該当する者（以下この項において「取立て制限者」という。）であることを知り、若しくは知ることができるとき、又は当該弁済の後取立て制限者が当該受託弁済に係る求償権等の債権譲渡等を受けることを知り、若しくは知ることができるときは、当該弁済の委託をしてはならない。

(3) Where a Money Lender intends to entrust to any other person the performance of obligations under the Contract for a Loan and comes to know or is capable of knowing that the other party falls under any of the following items (hereinafter referred to as a "Person Restricted from Collecting Claims" in this paragraph) or he/she comes to know or is capable of knowing that a Person Restricted from Collecting Claims will accept the Assignment, etc. of Claims with regard to the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment after said performance, such Money Lender shall not entrust said performance:

一 暴力団員等

(i) An Organized Crime Group Member, etc.;

二 暴力団員等がその運営を支配する法人その他の団体又は当該法人その他の団体の構成員

(ii) A juridical person or other organization whose operations are controlled by an Organized Crime Group Member, etc., or the members of said juridical person or other organization; or

三 受託弁済に係る求償権等の取立てに当たり、前項において準用する第二十一条第一項の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯すおそれが明らかである者

(iii) A person who is clearly likely to violate the provisions of Article 21, paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph or to commit crimes set forth in the provisions of the Penal Code or the Act on Punishment of Violence and Other Acts in the course of conducting collection with regard to the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment.

4 貸金業者は、政令で定める密接な関係を有する者に貸付けの契約に基づく債務の弁

済を委託したときは、その者が受託弁済に係る求償権等の取立てに当たり第二項において準用する第二十一条第一項の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯さないように、相当の注意を払わなければならない。

(4) A Money Lender shall, when he/she has entrusted the performance of obligations under the Contract for a Loan to a person with whom he/she has a close relationship as provided by a Cabinet Order, exercise due diligence to prevent the Person Entrusted With Performance from violating the provisions of Article 21, paragraph (1) as applied mutatis mutandis pursuant to paragraph (2) or from committing a crime prescribed in the provisions of Penal Code or the Act on Punishment of Violence and Other Acts in the course of conducting collection with regard to the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment.

(保証等に係る求償権等の譲渡の規制)

(Regulations on the Assignment of the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc.)

第二十四条の四 保証業者は、保証等に係る求償権等を他人に譲渡するに当たっては、その者に対し、当該保証等に係る求償権等が貸金業者の貸付けに係る契約に係る保証により発生したことその他の内閣府令で定める事項並びにその者が当該保証等に係る求償権等に関してする行為について第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項を除く。）、第十八条から第二十二条まで、第二十四条の六の十並びにこの項の規定（抵当証券法第一条第一項に規定する抵当証券に記載された債権については第十六条の二第三項及び第四項並びに第十七条（第六項を除く。）の規定を除き、これらの規定に係る罰則を含む。）の適用がある旨を、内閣府令で定める方法により、通知しなければならない。

Article 24-4 (1) A Guarantee Business Operator shall, in assigning to others the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc., notify such other person that the Right to Obtain Reimbursement Pertaining to the Guarantee, etc. has accrued from the guarantee pertaining to the Money Lender's Contract for a Loan, other matters prescribed by a Cabinet Office Ordinance, and to the effect that the provisions of Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22, Article 24-6-10, and this paragraph (with regard to claims contained in mortgage securities as provided in Article 1, paragraph (1) of the Mortgage Securities Act, Article 16-2, paragraph (3) and paragraph (4), and Article 17 (excluding paragraph (6)) shall be excluded, and the penal provisions pertaining thereto shall be included) shall apply to acts conducted by said person in relation to the Right to Obtain Reimbursement, etc. Pertaining to the Guarantee, etc., by a method specified by a Cabinet Office Ordinance.

2 第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項

を除く。)、第十八条から第二十二條まで、第二十四條の六の十並びに前項の規定(抵当証券法第一条第一項に規定する抵当証券に記載された債権については、第十六條の二第三項及び第四項並びに第十七條(第六項を除く。))の規定を除く。)は、保証等に係る求償権等の譲渡があつた場合における当該保証等に係る求償権等を譲り受けた者について準用する。この場合において、第二十四條の六の十第一項から第四項までの規定中「内閣総理大臣又は都道府県知事」とあるのは「都道府県知事」と、同條第一項中「その登録を受けた貸金業者」とあるのは「保証等に係る求償権等を譲り受けた者で当該都道府県の区域内に営業所又は事務所(営業所又は事務所を有しない者にあつては、住所又は居所。以下この條において同じ。)を有するもの」と、同條第二項中「その登録を受けた貸金業者の貸付けに係る契約について」とあるのは「保証等に係る求償権等を譲り受けた者(当該都道府県の区域内に営業所又は事務所を有するものに限る。))の当該保証等に係る」と、同條第三項中「その登録を受けた貸金業者」とあるのは「保証等に係る求償権等を譲り受けた者(当該都道府県の区域内に営業所又は事務所を有するものに限る。))」と、同條第四項中「その登録を受けた貸金業者の貸付けに係る契約について」とあるのは「保証等に係る求償権等を譲り受けた者(当該都道府県の区域内に営業所又は事務所を有するものに限る。))の当該保証等に係る」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

- (2) The provisions of Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22, Article 24-6-10 and the preceding paragraph (excluding, with regard to claims contained in mortgage securities provided in Article 1, paragraph (1) of the Mortgage Securities Act, Article 16-2, paragraph (3) and paragraph (4) and Article 17 (excluding paragraph (6))) shall apply mutatis mutandis to an assignee of the Right to Obtain Reimbursement, etc. Pertaining to Guarantee, etc. in the case of assignment thereof. In this case, the term "the Prime Minister or prefectural governor" in paragraph (1) through paragraph (4) of Article 24-6-10 shall be deemed to be replaced with "the prefectural governor," the term "a Money Lender registered thereby" in paragraph (1) of that Article shall be deemed to be replaced with "an assignee of the Right to Obtain Reimbursement Pertaining to a Guarantee, etc. who has a business office or other office within the relevant prefectural area (with regard to a person who does not have a business office or other office, his/her domicile or residence; hereinafter the same shall apply in this Article)," the term "with respect to the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (2) of that Article shall be deemed to be replaced with "with regard to the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. held by an assignee of the Right to Obtain Reimbursement, etc. Pertaining to the Guarantee, etc. (limited to those who have business offices or other offices within the relevant prefectural area)," the term "a Money Lender registered by him/her [the Prime Minister or prefectural

governor]" in paragraph (3) of that Article shall be deemed to be replaced with "an assignee of the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. (limited to those who have business offices or other offices within the relevant prefectural area)," the term "with respect to the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (4) of that Article shall be deemed to be replaced with "with regard to the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. held by an assignee of the Right to Obtain Reimbursement, etc. Pertaining to the Guarantee, etc. (limited to those who have business offices or other offices within the relevant prefectural area)" and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

(受託弁済に係る求償権等の譲渡の規制)

(Regulations on the Assignment of the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment)

第二十四条の五 受託弁済者は、受託弁済に係る求償権等を他人に譲渡するに当たっては、その者に対し、当該受託弁済に係る求償権等が貸金業者の貸付けの契約に基づく債務の弁済により発生したことその他の内閣府令で定める事項並びにその者が当該受託弁済に係る求償権等に関してする行為について第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項を除く。）、第十八条から第二十二條まで、第二十四条の六の十並びにこの項の規定（抵当証券法第一条第一項に規定する抵当証券に記載された債権については第十六条の二第三項及び第四項並びに第十七条（第六項を除く。）の規定を除き、これらの規定に係る罰則を含む。）の適用がある旨を、内閣府令で定める方法により、通知しなければならない。

Article 24-5 (1) A Person Entrusted With Performance shall, in assigning to any other person the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment, notify such other person that the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment has accrued from the performance of obligations under the Money Lender's Contract for a Loan, other matters provided by a Cabinet Office Ordinance, and to the effect that Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22, Article 24-6-10, and this paragraph (with regard to claims contained in mortgage securities provided in Article 1, paragraph (1) of the Mortgage Securities Act, Article 16-2, paragraph (3) and paragraph (4), and Article 17 (excluding paragraph (6)) shall be excluded and the penal provisions pertaining thereto shall be included) shall apply to acts conducted by said person in relation to the Right to Obtain Reimbursement Pertaining to Performance under Entrustment, by a method specified by a Cabinet Office Ordinance.

2 第十二条の七、第十六条の二第三項及び第四項、第十六条の三、第十七条（第六項

を除く。)、第十八条から第二十二條まで、第二十四條の六の十並びに前項の規定(抵当証券法第一条第一項に規定する抵当証券に記載された債権については、第十六條の二第三項及び第四項並びに第十七條(第六項を除く。))の規定を除く。)は、受託弁済に係る求償権等の譲渡があつた場合における当該受託弁済に係る求償権等を譲り受けた者について準用する。この場合において、第二十四條の六の十第一項から第四項までの規定中「内閣総理大臣又は都道府県知事」とあるのは「都道府県知事」と、同條第一項中「その登録を受けた貸金業者」とあるのは「受託弁済に係る求償権等を譲り受けた者で当該都道府県の区域内に営業所又は事務所(営業所又は事務所を有しない者にあつては、住所又は居所。以下この條において同じ。)を有するもの」と、同條第二項中「その登録を受けた貸金業者の貸付けに係る契約について」とあるのは「受託弁済に係る求償権等を譲り受けた者(当該都道府県の区域内に営業所又は事務所を有するものに限る。))の当該受託弁済に係る求償権等に係る」と、同條第三項中「その登録を受けた貸金業者」とあるのは「受託弁済に係る求償権等を譲り受けた者(当該都道府県の区域内に営業所又は事務所を有するものに限る。))」と、同條第四項中「その登録を受けた貸金業者の貸付けに係る契約について」とあるのは「受託弁済に係る求償権等を譲り受けた者(当該都道府県の区域内に営業所又は事務所を有するものに限る。))の当該受託弁済に係る求償権等に係る」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(2) Article 12-7, Article 16-2, paragraph (3) and paragraph (4), Article 16-3, Article 17 (excluding paragraph (6)), Article 18 through Article 22, Article 24-6-10, and the preceding paragraph (excluding, with regard to claims contained in mortgage securities provided in Article 1, paragraph (1) of the Mortgage Securities Act, Article 16-2, paragraph (3) and paragraph (4), and Article 17 (excluding paragraph (6))) shall apply mutatis mutandis to an assignee of the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment in the case of assignment thereof. In this case, the term "the Prime Minister or prefectural governor" in paragraph (1) through paragraph (4) of Article 24-6-10 shall be deemed to be replaced with "the prefectural governor," the term "a Money Lender registered thereby" in paragraph (1) of that Article shall be deemed to be replaced with "an assignee of the Right to Obtain Reimbursement Pertaining to Performance under Entrustment who has a business office or other office within the relevant prefectural area (with regard to a person who do not have a business office or other office, his/her domicile or residence; hereinafter the same shall apply in this Article)," the term "with respect to the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (2) of that Article shall be deemed to be replaced with "with regard to the Right to Obtain Reimbursement Pertaining to Performance under Entrustment held by an assignee thereof (limited to those who have business offices or other offices within the relevant prefectural area)," the term "a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (3) of that

Article shall be deemed to be replaced with "an assignee of the Right to Obtain Reimbursement Pertaining to Performance under Entrustment (limited to those who have business offices or other offices within the relevant prefectural area)," the term "with respect to the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor]" in paragraph (4) of that Article shall be deemed to be replaced with "with regard to the Right to Obtain Reimbursement Pertaining to Performance under Entrustment held by an assignee thereof (limited to those who have business offices or other offices within the relevant prefectural area)," and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

(準用)

(Application Mutatis Mutandis)

第二十四条の六 第二十四条第一項の規定は貸金業を営む者（貸金業者を除く。以下この条において同じ。）が貸付けに係る契約に基づく債権を他人に譲渡する場合について、第二十条第一項及び第二項、第二十条の二、第二十一条並びに第二十四条第一項の規定は貸金業を営む者の貸付けに係る契約に基づく債権の譲渡があつた場合における当該債権を譲り受けた者について、第二十四条の二第一項の規定は貸金業を営む者が保証業者と貸付けに係る契約について保証契約を締結する場合について、第二十条第一項及び第二項、第二十条の二並びに第二十一条の規定は保証業者が貸金業を営む者との間でその貸付けに係る契約についてした保証に基づく求償権、当該貸金業を営む者の当該貸付けに係る契約若しくはその保証契約に基づく債務の弁済に係る求償権若しくは当該弁済による代位に係る債権又はこれらの保証債権（以下この条において「保証等に係る求償権等」という。）を取得した場合における当該保証等に係る求償権等を取得した保証業者について、第二十四条の三第一項の規定は貸金業を営む者が貸付けの契約に基づく債務の弁済を他人に委託する場合について、第二十条第一項及び第二項、第二十条の二並びに第二十一条の規定は貸金業を営む者の委託を受けて当該貸金業を営む者の貸付けの契約に基づく債務の弁済をした者が当該債務の弁済に係る求償権若しくは当該弁済による代位に係る債権又はこれらの保証債権（以下この条において「受託弁済に係る求償権等」という。）を取得した場合（保証業者が当該貸付けの契約に係る保証等に係る求償権等を取得した場合を除く。）における当該弁済をした者について、第二十四条の四第一項の規定は保証業者が保証等に係る求償権等を他人に譲渡する場合について、第二十条第一項及び第二項、第二十条の二、第二十一条並びに第二十四条の四第一項の規定は保証等に係る求償権等の譲渡があつた場合における当該保証契約に係る求償権等を譲り受けた者について、前条第一項の規定は貸金業を営む者の委託を受けて当該貸金業を営む者の貸付けの契約に基づく債務の弁済をした者が受託弁済に係る求償権等（保証業者が取得した当該貸付けの契約に係る保証等に係る求償権等を除く。）を他人に譲渡する場合について、第二十条第一項及び第二項、第二十条の二、第二十一条並びに前条第一項の規定は受託弁済に係る求償権等の譲渡があつた場合における当該受託弁済に係る求償権等を譲り受けた者について、それぞれ準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 24-6 Article 24, paragraph (1) shall apply mutatis mutandis to cases where a person who engages in the Money Lending Business (excluding Money Lenders; hereinafter the same shall apply in this Article) assigns to any other person the claims under a loan contract; Article 20, paragraph (1) and paragraph (2), Article 20-2, Article 21, and Article 24, paragraph (1) shall apply mutatis mutandis to an assignee of the claims under the loan contract of a person who engages in the Money Lending Business in the case of assignment thereof; Article 24-2, paragraph (1) shall apply mutatis mutandis to cases where a person who engages in the Money Lending Business concludes a guarantee contract in relation to a loan contract with a Guarantee Business Operator; Article 20, paragraph (1) and paragraph (2), Article 20-2, and Article 21 shall apply mutatis mutandis to a Guarantee Business Operator who has acquired the right to obtain reimbursement under a guarantee which the Guarantee Business Operator has provided to the person who engages in the Money Lending Business in relation to such person's loan contract, the right to obtain reimbursement pertaining to the performance of obligations under the loan contract of the person who engages in the Money Lending Business or the guarantee contract therefor, claims related to the subrogation by such performance, or guarantee claims related thereto (hereinafter collectively referred to as the "Right to Obtain Reimbursement Pertaining to a Guarantee, etc." in this Article); Article 24-3, paragraph (1) shall apply mutatis mutandis to cases where a person who engages in the Money Lending Business entrusts to any other person the performance of obligations under the Contract for a Loan; Article 20, paragraph (1) and (2), Article 20-2, and Article 21 shall apply mutatis mutandis to a person who, based on entrustment from a person who engaged in the Money Lending Business, has made performance of the obligations under the Contract for a Loan of said person who engages in the Money Lending Business and who has acquired the right to obtain reimbursement pertaining to the performance of obligations or claims related to the subrogation by such performance, or guarantee claims related thereto (hereinafter referred to as the "Right to Obtain Reimbursement Pertaining to Performance under Entrustment" in this Article) (excluding the cases where a Guarantee Business Operator has acquired the Right to Obtain Reimbursement Pertaining to the Guarantee, etc. in relation to the Contract for a Loan); Article 24-4, paragraph (1) shall apply mutatis mutandis to cases where a Guarantee Business Operator assigns to any other person the Right to Obtain Reimbursement Pertaining to a Guarantee, etc.; Article 20, paragraph (1) and paragraph (2), Article 20-2, Article 21, and Article 24-4, paragraph (1) shall apply mutatis mutandis to an assignee of a right to obtain reimbursement pertaining to a guarantee contract in the case of assignment of the Right to Obtain Reimbursement Pertaining to the Guarantee, etc.; paragraph (1) of the

preceding Article shall apply mutatis mutandis to cases where a person who, based on entrustment from a person who engages in the Money Lending Business, has made performance of the obligations under the loan contract of such person who engages in the Money Lending Business, assigns to any other person the Right to Obtain Reimbursement, etc. Pertaining to Performance under Entrustment (excluding the Right to Obtain Reimbursement, etc. Pertaining to a Guarantee, etc. under the Contract for a Loan acquired by the Guarantee Business Operator); and Article 20, paragraph (1) and paragraph (2), Article 20-2, Article 21, and paragraph (1) of the preceding Article shall apply mutatis mutandis to the assignee of the Right to Obtain Reimbursement Pertaining to Performance under Entrustment in the case of assignment thereof. In this case, necessary technical replacement of terms shall be specified by a Cabinet Order.

### 第三節 監督

#### Section 3 Supervision

(開始等の届出)

(Notification of Commencement, etc.)

第二十四条の六の二 貸金業者は、次の各号のいずれかに該当するときは、内閣府令で定めるところにより、その旨をその登録をした内閣総理大臣又は都道府県知事に届け出なければならない。

Article 24-6-2 In any of the cases listed in the following items, a Money Lender shall, as provided by a Cabinet Office Ordinance, notify the Prime Minister or prefectural governor who registered the Money Lender to that effect:

一 貸金業（貸金業の業務に関してする広告若しくは勧誘又は貸付けの契約に基づく債権の取立てに係る業務を含む。第二十四条の六の六第一項第二号において同じ。）を開始し、休止し、又は再開したとき。

(i) Where the Money Lender has commenced, suspended, or resumed the Money Lending Business (including operations for advertising and solicitation conducted in relation to money lending operations or the collection of claims under a Contract for a Loan; the same shall apply in Article 24-6-6, paragraph (1), item (ii));

二 指定信用情報機関と信用情報提供契約（第四十一条の二十第一項第一号に規定する信用情報提供契約をいう。）を締結したとき、又は当該信用情報提供契約を終了したとき。

(ii) Where the Money Lender has concluded a Credit Information Contract (meaning a Credit Information Contract as prescribed in Article 41-20, paragraph (1), item (i)) with a Designated Credit Bureau, or terminated said Credit Information Contract;

三 第六条第一項第十四号に該当するに至ったことを知ったとき。



(iii) Where the Money Lender has become aware that the Money Lender has come to fall under Article 6, paragraph (1), item (xiv); and

四 前三号に掲げるもののほか、内閣府令で定める場合に該当するとき。

(iv) In addition to what is listed in the preceding three items, the Money Lender falls under the case specified by a Cabinet Office Ordinance.

(業務改善命令)

(Order to Improve Business Operations)

第二十四条の六の三 内閣総理大臣又は都道府県知事は、その登録を受けた貸金業者の業務の運営に関し、資金需要者等の利益の保護を図るため必要があると認めるときは、当該貸金業者に対して、その必要の限度において、業務の方法の変更その他業務の運営の改善に必要な措置を命ずることができる。

Article 24-6-3 When the Prime Minister or prefectural governor finds, with regard to the management of business operations of a Money Lender registered thereby, that it is necessary for protecting the interests of Persons Seeking Funds, etc., he/she may, within the extent necessary, order the Money Lender to change his/her operational methods or to take any other necessary measures for improving the management of the operations.

(監督上の処分)

(Supervisory Dispositions)

第二十四条の六の四 内閣総理大臣又は都道府県知事は、その登録を受けた貸金業者が次の各号のいずれかに該当する場合においては、当該貸金業者に対し登録を取り消し、又は一年以内の期間を定めて、その業務の全部若しくは一部の停止を命ずることができる。

Article 24-6-4 (1) The Prime Minister or prefectural governor may, where a Money Lender registered thereby falls under any of the following items, rescind the Money Lender's registration or order the suspension of the Money Lender's business operations in whole or in part, and may specify a period therefor of no longer than one year:

一 第六条第一項第十三号（第十二条の三第三項の規定の適用がある場合を除く。）又は第六条第一項第十四号から第十六号までのいずれかに該当することとなつたとき。

(i) Where the Money Lender has come to fall under any of the categories in Article 6, paragraph (1), item (xiii) (excluding cases where the provisions of Article 12-3, paragraph (3) are applied) or Article 6, paragraph (1), item (xiv) through item (xvi);

二 貸金業の業務に関し法令（第十二条、第十二条の五、第二十四条第三項及び第四項、第二十四条の二第三項及び第四項並びに第二十四条の三第三項及び第四項を除く。）又は法令に基づく内閣総理大臣若しくは都道府県知事の処分に違反したとき。

(ii) Where the Money Lender has violated laws and regulations in relation to

his/her money lending operations (excluding Article 12, Article 12-5, Article 24, paragraph (3) and paragraph (4), Article 24-2, paragraph (3) and paragraph (4), and Article 24-3, paragraph (3) and paragraph (4)) or has violated a disposition made under laws and regulations by the Prime Minister or prefectural governor;

三 第二十四条第三項に規定する取立て制限者であることを知りながら、これを相手方として、貸付けの契約に基づく債権譲渡等をしたとき。

(iii) Where the Money Lender has made an Assignment, etc. of Claims under the Contract for a Loan, knowing that the counterparty is a Person Restricted from Collecting Claims as prescribed in Article 24, paragraph (3);

四 貸付けの契約に基づく債権譲渡等をした場合において、次の場合のいずれにも該当することとなつたとき。

(iv) Where the Money Lender has made an Assignment, etc. of Claims under the Contract for a Loan and has come to fall under both of the following sub-items:

イ 当該貸金業者が、当該債権譲渡等に当たりその相手方が取立て制限者（第二十四条第三項に規定する取立て制限者をいう。以下この号において同じ。）であることを知らなかつたことにつき相当の理由があることを証明できなかつたとき、又は当該債権譲渡等に当たり当該債権譲渡等の後取立て制限者が当該債権の債権譲渡等を受けることを知らなかつたことにつき相当の理由があることを証明できなかつたとき。

(a) Where the Money Lender fails to prove the existence of reasonable grounds for not knowing that the other party was a Person Restricted from Collecting Claims (meaning a Person Restricted from Collecting Claims as prescribed in Article 24, paragraph (3); hereinafter the same shall apply in this item) in the course of making an Assignment, etc. of Claims, or that a Person Restricted from Collecting Claims would accept the Assignment, etc. of Claims after the first Assignment, etc. of Claims; and

ロ 当該債権譲渡等を受けた取立て制限者又は当該債権譲渡等の後当該債権の債権譲渡等を受けた取立て制限者が、当該債権の取立てをするに当たり、第二十一条第一項（第二十四条第二項において準用する場合を含む。）の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯したとき。

(b) Where a Person Restricted from Collecting Claims who has accepted the Assignment, etc. of Claims or a Person Restricted from Collecting Claims who has accepted the Assignment, etc. of Claims after the first Assignment, etc. of Claims has violated the provisions of Article 21, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2)) or has committed a crime prescribed in the provisions of the Penal Code or the Act on Punishment of Violence and Other Acts in the course of collecting claims.

五 第二十四条の二第三項に規定する取立て制限者であることを知りながら、これを

相手方として、貸付けに係る契約について保証契約を締結したとき。

- (v) Where the Money Lender has concluded a guarantee contract for a loan contract, knowing that the counterparty is a Person Restricted from Collecting Claims as prescribed in Article 24-2, paragraph (3);

六 保証業者と貸付けに係る契約について保証契約を締結した場合において、次の場合のいずれにも該当することとなつたとき。

- (vi) Where the Money Lender has come to fall under both of the following sub-items, in cases where such Money Lender has concluded a guarantee contract in relation to a loan contract with a Guarantee Business Operator:

イ 当該貸金業者が、当該保証契約の締結に当たりその保証業者が取立て制限者（第二十四条の二第三項に規定する取立て制限者をいう。以下この号において同じ。）であることを知らなかつたことにつき相当の理由があることを証明できなかつたとき、又は当該保証契約の締結の後取立て制限者が当該保証等に係る求償権等の債権譲渡等を受けることを知らなかつたことにつき相当の理由があることを証明できなかつたとき。

- (a) Where the Money Lender fails to prove the existence of reasonable grounds for not knowing that the Guarantee Business Operator was a Person Restricted from Collecting Claims (meaning a Person Restricted from Collecting Claims as defined in Article 24-2, paragraph (3); hereinafter the same shall apply in this item) in the course of concluding the guarantee contract, or that a Person Restricted from Collecting Claims would accept the Assignment, etc. of Claims concerning the Right to Obtain Reimbursement Pertaining to the Guarantee, etc. after the conclusion of the guarantee contract; and

ロ 当該保証契約の締結を行つた取立て制限者又は当該保証契約の締結の後当該保証等に係る求償権等の債権譲渡等を受けた取立て制限者が、当該保証等に係る求償権等の取立てをするに当たり、第二十四条の二第二項において準用する第二十一条第一項の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯したとき。

- (b) Where a Person Restricted from Collecting Claims who has concluded the guarantee contract or a Person Restricted from Collecting Claims who has accepted the Assignment, etc. of Claims with regard to the Right to Obtain Reimbursement Pertaining to a Guarantee, etc. after the conclusion of the guarantee contract has violated the provisions of Article 21, paragraph (1) as applied mutatis mutandis pursuant to Article 24-2, paragraph (2) or has committed a crime set forth in the provisions of the Penal Code or the Act on Punishment of Violence and Other Acts in the course of collection with regard to the Right to Obtain Reimbursement Pertaining to the Guarantee, etc.

七 第二十四条の三第三項に規定する取立て制限者であることを知りながら、これを相手方として、貸付けの契約に基づく債務の弁済を委託したとき。

- (vii) Where the Money Lender has entrusted the performance of obligations under the Contract for a Loan, knowing that the other party is a Person Restricted from Collecting Claims prescribed in Article 24-3, paragraph (3);
- 八 貸付けの契約に基づく債務の弁済を他人に委託した場合において、次の場合のいずれにも該当することとなったとき。
- (viii) Where the Money Lender has come to fall under both of the following sub-items, in cases where such Money Lender has entrusted to another person the performance of obligations under the Contract for a Loan:
- イ 当該貸金業者が、当該弁済の委託に当たりその相手方が取立て制限者（第二十四条の三第三項に規定する取立て制限者をいう。以下この号において同じ。）であることを知らなかつたことにつき相当の理由があることを証明できなかつたとき、又は当該弁済の委託の後取立て制限者が当該受託弁済に係る求償権等の債権譲渡等を受けることを知らなかつたことにつき相当の理由があることを証明できなかつたとき。
- (a) Where the Money Lender fails to prove the existence of reasonable grounds for not knowing that the entrusted party was a Person Restricted from Collecting Claims (meaning a Person Restricted from Collecting Claims as prescribed in Article 24-3, paragraph (3); hereinafter the same shall apply in this item) in the course of entrusting the performance, or that a Person Restricted from Collecting Claims would accept the Assignment, etc. of Claims concerning the Right to Obtain Reimbursement Pertaining to Performance under Entrustment after such entrustment of performance had been made; and
- ロ 当該受託弁済に係る求償権等を取得した取立て制限者又は当該受託弁済に係る求償権等の取得の後当該受託弁済に係る求償権等の債権譲渡等を受けた取立て制限者が、当該受託弁済に係る求償権等の取立てをするに当たり、第二十四条の三第二項において準用する第二十一条第一項の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯したとき。
- (b) Where a Person Restricted from Collecting Claims who has acquired the Right to Obtain Reimbursement Pertaining to Performance under Entrustment or a Person Restricted from Collecting Claims who has accepted the Assignment, etc. of Claims concerning the Right to Obtain Reimbursement Pertaining to Performance under Entrustment after acquiring the Right to Obtain Reimbursement Pertaining to Performance under Entrustment has violated the provisions of Article 21, paragraph (1) as applied mutatis mutandis pursuant to Article 24-3, paragraph (2) or has committed a crime set forth in the provisions of the Penal Code or the Act on Punishment of Violence and Other Acts in the course of conducting collection with regard to the Right to Obtain Reimbursement Pertaining to Performance under Entrustment.
- 九 貸金業者からその貸付けに係る契約に基づく債権の債権譲渡等を受けた者が、当

該貸金業者と政令で定める密接な関係を有する場合において、当該債権譲渡等を受けた者が、当該債権の取立てをするに当たり、第二十一条第一項（第二十四条第二項において準用する場合を含む。）の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯したときであつて、このような行為を行わないように当該貸金業者が相当の注意を払つたことを証明できなかつたとき。

(ix) Where a person who has accepted an Assignment, etc. of Claims with regard to the claims under a loan contract from the Money Lender and who has a close relationship with the Money Lender as provided by a Cabinet Order has violated the provisions of Article 21, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2)) or has committed a crime set forth in the provisions of the Penal Code or the Act on Punishment of Violence and Other Acts in the course of collecting said claims, and where such Money Lender has failed to prove that he/she has exercised due diligence to prevent said person from conducting such act;

十 保証等に係る求償権等を取得した保証業者が当該貸金業者と政令で定める密接な関係を有する場合において、当該保証業者が、当該保証等に係る求償権等の取立てをするに当たり、第二十四条の二第二項において準用する第二十一条第一項の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯したときであつて、このような行為を行わないように当該貸金業者が相当の注意を払つたことを証明できなかつたとき。

(x) Where a Guarantee Business Operator who has acquired the Right to Obtain Reimbursement Pertaining to a Guarantee, etc. and who has a close relationship with the Money Lender as provided by a Cabinet Order has violated the provisions of Article 21, paragraph (1) as applied mutatis mutandis pursuant to Article 24-2, paragraph (2) or has committed a crime set forth in the provisions of the Penal Code or the Act on Punishment of Violence and Other Acts in the course of conducting collection with regard to the Right to Obtain Reimbursement Pertaining to the Guarantee, etc., and where such Money Lender has failed to prove that he/she has exercised due diligence to prevent said person from conducting such act;

十一 受託弁済に係る求償権等を取得した受託弁済者が当該貸金業者と政令で定める密接な関係を有する場合において、当該受託弁済者が、当該受託弁済に係る求償権等の取立てをするに当たり、第二十四条の三第二項において準用する第二十一条第一項の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯したときであつて、このような行為を行わないように当該貸金業者が相当の注意を払つたことを証明できなかつたとき。

(xi) Where a Person Entrusted With Performance who has acquired the Right to Obtain Reimbursement Pertaining to Performance under Entrustment and who has a close relationship with the Money Lender as provided by a Cabinet Order has violated the provisions of Article 21, paragraph (1) as applied mutatis mutandis pursuant to Article 24-3, paragraph (2) or has committed a

crime set forth in the provisions of the Penal Code or the Act on Punishment of Violence and Other Acts in the course of conducting collection with regard to the Right to Obtain Reimbursement Pertaining to Performance under Entrustment, and where such Money Lender has failed to prove that he/she has exercised due diligence to prevent said person from conducting such act; and

十二 第二号に掲げるもののほか、出資の受入れ、預り金及び金利等の取締りに関する法律又は暴力団員による不当な行為の防止等に関する法律の規定（同法第三十二条の二第七項の規定を除く。）に違反したとき。

(xii) In addition to what is listed in item (ii), where the Money Lender has violated the provisions of the Act Regulating the Receipt of Contributions, Receipt of Deposits and Interest Rates or the Act on the Prevention of Unjust Acts by Organized Crime Group Members (excluding the provisions of Article 32-2, paragraph (7) of that Act).

2 内閣総理大臣又は都道府県知事は、その登録を受けた貸金業者の役員（業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者をいう。以下この項において同じ。）が、前項第二号から第十二号までのいずれかに該当することとなったときは、当該貸金業者に対し当該役員解任を命ずることができる。

(2) The Prime Minister or prefectural governor may, when an Officer (meaning a member in charge of executing business, the director, executive officer, representative person, administrator, or any other person equivalent thereto; hereinafter the same shall apply in this paragraph) of a Money Lender registered thereby has come to fall under any of item (ii) through item (xii) of the preceding paragraph, order the Money Lender to dismiss said Officer.

（登録の取消し）

(Rescission of Registration)

第二十四条の六の五 内閣総理大臣又は都道府県知事は、その登録を受けた貸金業者が次の各号のいずれかに該当する場合には、その登録を取り消さなければならない。

Article 24-6-5 (1) The Prime Minister or prefectural governor shall, where a Money Lender registered thereby falls under any of the following items, rescind the Money Lender's registration:

一 第六条第一項第一号若しくは第四号から第十二号までのいずれかに該当するに至ったとき、又は登録の時点において同項各号のいずれかに該当していたことが判明したとき。

(i) Where the Money Lender has come to fall under any of Article 6, paragraph (1), item (i) or item (iv) through item (xii), or where it is found that the Money Lender already fell under any of the items of that paragraph at the time of registration;

二 第七条各号のいずれかに該当して引き続き貸金業を営んでいる場合において、新

たに受けるべき第三条第一項の登録を受けていないことが判明したとき。

(ii) Where a Money Lender who falls under any of the items of Article 7 continues to engage in the Money Lending Business, and it is found that the Money Lender has not newly was registered under Article 3, paragraph (1) as required;

三 不正の手段により第三条第一項の登録を受けたとき。

(iii) Where a Money Lender was registered under Article 3, paragraph (1) by wrongful means;

四 第十二条の規定に違反したとき。

(iv) Where the Money Lender has violated the provisions of Article 12; or

五 第十二条の五の規定に違反したとき。

(v) Where the Money Lender has violated the provisions of Article 12-5.

2 第五条第二項の規定は、前項の処分があつた場合について準用する。

(2) The provisions of Article 5, paragraph (2) shall apply mutatis mutandis where the disposition set forth in the preceding paragraph has been made.

(所在不明者等の登録の取消し)

(Rescission of the Registration of Missing Money Lenders, etc.)

第二十四条の六の六 内閣総理大臣又は都道府県知事は、その登録を受けた貸金業者が次の各号のいずれかに該当する場合には、その登録を取り消すことができる。

Article 24-6-6 (1) The Prime Minister or prefectural governor may, where a Money Lender registered thereby falls under any of the following items, rescind the Money Lender's registration:

一 当該貸金業者の営業所若しくは事務所の所在地又は当該貸金業者の所在（法人である場合においては、その役員の所在）を確知できない場合において、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過しても当該貸金業者から申出がないとき。

(i) Where the location of the Money Lender's business office or other office or the whereabouts of the Money Lender (in the case of a juridical person, the whereabouts of its officer) cannot be identified, and even after 30 days have elapsed since the day on which a public notice of such fact was given, there is no response from the Money Lender; or

二 正当な理由がないのに、当該登録を受けた日から六月以内に貸金業を開始しないとき、又は引き続き六月以上貸金業を休止したとき。

(ii) Where the Money Lender, without justifiable grounds, does not commence the Money Lending Business within six months from the day on which the Money Lender was registered, or has suspended the Money Lending Business for six months or more.

2 前項（第一号に係る部分に限る。）の規定による処分については、行政手続法（平成五年法律第八十八号）第三章の規定は、適用しない。

(2) With regard to a disposition made under the provisions of the preceding

paragraph (limited to the part concerning item (i)), the provisions of Chapter III of the Administrative Procedure Act (Act No. 88 of 1993) shall not apply.

(登録の抹消)

(Cancellation of Registration)

第二十四条の六の七 内閣総理大臣又は都道府県知事は、第三条第二項、第七条若しくは第十条第二項の規定により登録が効力を失ったとき、又は第二十四条の六の四第一項、第二十四条の六の五第一項若しくは前条第一項の規定により登録を取り消したときは、当該貸金業者の登録を抹消しなければならない。

Article 24-6-7 The Prime Minister or prefectural governor shall, when a Money Lender's registration has ceased to be effective pursuant to the provisions of Article 3, paragraph (2), Article 7 or Article 10, paragraph (2), or when he/she has rescinded the registration pursuant to the provisions of Article 24-6-4, paragraph (1), Article 24-6-5, paragraph (1) or paragraph (1) of the preceding Article, cancel the Money Lender's registration.

(監督処分等の公告)

(Public Notice of Supervisory Disposition, etc.)

第二十四条の六の八 内閣総理大臣又は都道府県知事は、第二十四条の六の四第一項、第二十四条の六の五第一項又は第二十四条の六の六第一項の規定による処分をしたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

Article 24-6-8 The Prime Minister or prefectural governor shall, when he/she has made a disposition under the provisions of Article 24-6-4, paragraph (1), Article 24-6-5, paragraph (1) or Article 24-6-6, paragraph (1), give a public notice to that effect as provided by a Cabinet Office Ordinance.

(事業報告書の提出)

(Submission of Business Reports)

第二十四条の六の九 貸金業者は、事業年度ごとに、内閣府令で定めるところにより、貸金業に係る事業報告書を作成し、毎事業年度経過後三月以内に、これをその登録をした内閣総理大臣又は都道府県知事に提出しなければならない。

Article 24-6-9 A Money Lender shall, as provided by a Cabinet Office Ordinance, prepare a business report on the Money Lending Business for each business year, and submit it to the Prime Minister or prefectural governor who registered the Money Lender within three months after the end of each business year.

(報告徴収及び立入検査)

(Collection of Reports and On-Site Inspections)

第二十四条の六の十 内閣総理大臣又は都道府県知事は、この法律を施行するため必要があると認めるときは、その登録を受けた貸金業者に対して、その業務に関し報告又



は資料の提出を命ずることができる。

Article 24-6-10 (1) The Prime Minister or prefectural governor may, when he/she finds it necessary for the enforcement of this Act, order a Money Lender registered thereby to submit reports or materials with regard to the Money Lender's business operations.

2 内閣総理大臣又は都道府県知事は、資金需要者等の利益の保護を図るため特に必要があると認めるときは、その必要の限度において、その登録を受けた貸金業者の貸付けに係る契約について保証契約を締結した保証業者又は当該貸金業者から貸金業の業務の委託を受けた者に対して、当該貸金業者の貸金業の業務に関し参考となるべき報告又は資料の提出を命ずることができる。

(2) When the Prime Minister or prefectural governor finds it particularly necessary in order to protect the interests of Persons Seeking Funds, etc., he/she may, within the extent necessary, order a Guarantee Business Operator who has concluded a guarantee contract with respect to the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor] or a person who has been entrusted by such Money Lender with money lending operations, to submit reports or materials that are informative with regard to the Money Lender's money lending operations.

3 内閣総理大臣又は都道府県知事は、資金需要者等の利益の保護を図るため必要があると認めるときは、当該職員に、その登録を受けた貸金業者の営業所若しくは事務所に立ち入らせ、その業務に関して質問させ、又は帳簿書類その他の物件を検査させることができる。

(3) The Prime Minister or prefectural governor may, when he/she finds it necessary in order to protect the interests of Persons Seeking Funds, etc., have the relevant officials enter the business office or other office of a Money Lender registered by him/her [the Prime Minister or prefectural governor], ask questions with regard to the Money Lender's operations, or inspect books, documents, and any other articles.

4 内閣総理大臣又は都道府県知事は、資金需要者等の利益の保護を図るため特に必要があると認めるときは、その必要の限度において、当該職員に、その登録を受けた貸金業者の貸付けに係る契約について保証契約を締結した保証業者若しくは当該貸金業者から貸金業の業務の委託を受けた者の営業所若しくは事務所に立ち入らせ、当該貸金業者に対する質問若しくは検査に必要な事項に関して質問させ、又は帳簿書類その他の物件を検査させることができる。

(4) When the Prime Minister or prefectural governor finds it particularly necessary in order to protect the interests of Persons Seeking Funds, etc., he/she may, within the extent necessary, have the relevant officials enter the business office or other office of a Guarantee Business Operator who has concluded a guarantee contract with respect to the loan contract of a Money Lender registered by him/her [the Prime Minister or prefectural governor] or a person who has been entrusted by such Money Lender with money lending

operations, ask questions with regard to the matters necessary for the questioning or inspection of the Money Lender, or inspect books, documents, and any other articles.

5 前二項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者の請求があつたときは、これを提示しなければならない。

(5) An official who conducts an on-site inspection pursuant to the provisions of the preceding two paragraphs shall carry a certificate of identification and present it when requested by any person concerned.

6 第三項及び第四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。

(6) The authority to conduct an on-site inspection under the provisions of paragraph (3) or paragraph (4) shall not be construed as being for criminal investigation.

(貸金業協会の協会員でない貸金業者に対する監督)

(Supervision of Money Lenders Who Are Not Members of a Money Lenders' Association)

第二十四条の六の十一 内閣総理大臣又は都道府県知事は、その登録を受けた貸金業者であつて貸金業協会に加入していないものの貸金業の業務について、資金需要者等の利益の保護に欠けることのないよう、貸金業協会の定款、業務規程その他の規則を考慮し、適切な監督を行わなければならない。

Article 24-6-11 (1) The Prime Minister or prefectural governor shall appropriately supervise the money lending operations performed by a Money Lender registered thereby who has not joined a Money Lenders' Association, in consideration of the articles of incorporation, operational rules, and any other rules of Money Lenders' Associations, so that the operations of such Money Lender do not fail to protect the interests of Persons Seeking Funds, etc.

2 前項に規定する監督を行うため、内閣総理大臣又は都道府県知事は、貸金業協会に加入していない貸金業者に対して、貸金業協会の定款、業務規程その他の規則を考慮し、当該貸金業者又はその役員若しくは使用人が遵守すべき規則（以下「社内規則」という。）の作成又は変更を命ずることができる。

(2) In order to conduct the supervision prescribed in the preceding paragraph, the Prime Minister or prefectural governor may, in consideration of the articles of incorporation, operational rules, and any other rules of Money Lenders' Associations, order a Money Lender who has not joined a Money Lenders' Association to create or change rules that the Money Lender or officers or employees thereof should observe (hereinafter referred to as "Internal Rules").

3 前項の規定により社内規則の作成又は変更を命ぜられた貸金業者は、三十日以内に、当該社内規則の作成又は変更をし、その登録をした内閣総理大臣又は都道府県知事の承認を受けなければならない。

(3) A Money Lender who has been ordered to create or change its Internal Rules

pursuant to the provisions of the preceding paragraph shall, within 30 days, create or change its Internal Rules, and shall obtain approval thereof from the Prime Minister or prefectural governor who registered the Money Lender.

4 前項の承認を受けた貸金業者は、当該承認を受けた社内規則を変更し、又は廃止しようとする場合においては、その登録をした内閣総理大臣又は都道府県知事の承認を受けなければならない。

(4) Where a Money Lender who has obtained approval under the preceding paragraph intends to change or repeal the approved Internal Rules, the Money Lender shall further obtain approval thereof from the Prime Minister or prefectural governor who registered the Money Lender.

## 第二章の二 貸金業務取扱主任者制度

### Chapter II-2 System for Chiefs of Money Lending Operations

(資格試験)

(Qualification Examination)

第二十四条の七 内閣総理大臣は、内閣府令で定めるところにより、貸金業務取扱主任者資格試験（以下「資格試験」という。）を行わなければならない。

Article 24-7 (1) The Prime Minister shall, as provided by a Cabinet Office Ordinance, carry out an examination in which persons can become qualified as Chiefs of Money Lending Operations (hereinafter referred to as a "Qualification Examination").

2 資格試験は、貸金業に関して、必要な知識について行う。

(2) The Qualification Examination shall be implemented for the purpose of testing the necessary knowledge required for money lending operations.

(指定)

(Designation)

第二十四条の八 内閣総理大臣は、その指定する者に、資格試験の実施に関する事務（以下この章において「試験事務」という。）を行わせることができる。

Article 24-8 (1) The Prime Minister may have his/her designee administer the affairs related to implementing the Qualification Examination (hereinafter referred to as the "Examination Affairs" in this Chapter).

2 前項の規定による指定は、試験事務を行おうとする者の申請により行う。

(2) The designation under the preceding paragraph shall be made through the applications of persons who wish to carry out Examination Affairs.

3 前項の申請をしようとする者は、内閣府令で定めるところにより、指定申請書を内閣総理大臣に提出しなければならない。

(3) A person who intends to file the application under the preceding paragraph shall, pursuant to the provisions of a Cabinet Office Ordinance, submit a written application for designation to the Prime Minister.

4 内閣総理大臣は、他に指定を受けた者がなく、かつ、第二項の申請が次の各号のいずれにも適合していると認めるときでなければ、第一項の規定による指定をしてはならない。

(4) The Prime Minister shall not make the designation under paragraph (1) unless there is no other person who has been designated and the application under paragraph (2) is in compliance with all of the following items:

一 職員、設備、試験事務の実施の方法その他の事項についての試験事務の実施に関する計画が試験事務の適正かつ確実な実施のために適切なものであること。

(i) The plan for implementation of Examination Affairs, including the employees, facilities, methods of implementing the Examination Affairs, and other matters is appropriate for the proper and sound implementation of Examination Affairs;

二 前号の試験事務の実施に関する計画の適正かつ確実な実施に必要な経理的及び技術的な基礎を有するものであること。

(ii) The applicant has a financial and technical footing secure enough for proper and sound execution of the plan for implementing Examination Affairs set forth in the preceding item; and

三 申請者が、試験事務以外の業務を行つている場合には、その業務を行うことによって試験事務が不公正になるおそれがないこと。

(iii) Where the applicant is engaged in any business other than the Examination Affairs, the fact of the applicant operating such other business is not likely to result in unfair implementation of the Examination Affairs.

5 内閣総理大臣は、第二項の申請をした者が、次の各号のいずれかに該当するときは、第一項の規定による指定をしてはならない。

(5) The Prime Minister shall not, when the applicant under paragraph (2) falls under any of the following items, designate him/her under paragraph (1):

一 営利を目的としない法人でないこと。

(i) The applicant is not a nonprofit juridical person;

二 この法律、出資の受入れ、預り金及び金利等の取締りに関する法律若しくは旧貸金業者の自主規制の助長に関する法律の規定に違反し、又は貸付けの契約の締結若しくは当該契約に基づく債権の取立てに当たり、物価統制令第十二条の規定に違反し、罰金以上の刑に処せられた者で、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つた日から五年を経過しない者であること。

(ii) The applicant has been sentenced to a fine or a severer punishment for having violated the provisions of this Act, the Act Regulating the Receipt of Contributions, Receipt of Deposits and Interest Rates, or the Former Act on Facilitating Self-Regulation by Money Lenders, or for having violated the provisions of Article 12 of the Price Control Ordinance in concluding a Contract for a Loan or collecting claims thereunder, and five years have not elapsed since the day on which execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the

sentence;

三 第二十四条の十九第一項又は第二項の規定により指定を取り消され、その取消しの日から五年を経過しない者であること。

(iii) The applicant's designation has been rescinded pursuant to the provisions of Article 24-19, paragraph (1) or paragraph (2), and five years have not elapsed since the day of rescission;

四 その役員のうち、次のいずれかに該当する者があること。

(iv) The applicant has an officer who falls under any of the following:

イ この法律、出資の受入れ、預り金及び金利等の取締りに関する法律、旧貸金業者の自主規制の助長に関する法律若しくは暴力団員による不当な行為の防止等に関する法律の規定（同法第三十二条の二第七項の規定を除く。）に違反し、又は貸付けの契約の締結若しくは当該契約に基づく債権の取立てに当たり、物価統制令第十二条の規定に違反し、若しくは刑法若しくは暴力行為等処罰に関する法律の罪を犯し、罰金以上の刑に処せられた者で、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

(a) An officer who has been sentenced to a fine or a severer punishment for having violated the provisions of this Act, the Act Regulating the Receipt of Contributions, Receipt of Deposits and Interest Rates, the Former Act on Facilitating Self-Regulation by Money Lenders or the Act on the Prevention of Unjust Acts by Organized Crime Group Members (excluding the provision of Article 32-2, paragraph (7) of that Act) or for having violated the provision of Article 12 of the Price Control Ordinance or committed a crime prescribed in the Penal Code or the Act on Punishment of Violence and Other Acts in concluding a Contract for a Loan or collecting claims thereunder, and for whom five years have not elapsed since the day on which execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence; or

ロ 第二十四条の十第二項の規定による命令により解任され、その解任の日から五年を経過しない者

(b) The applicant has been dismissed based on an order issued under Article 24-10, paragraph (2) and five years have not elapsed since the day of such dismissal.

(指定の公示等)

(Public Notice, etc. of Designation)

第二十四条の九 内閣総理大臣は、前条第一項の規定による指定をしたときは、当該指定を受けた者の名称及び主たる事務所の所在地並びに当該指定をした日を官報で公示しなければならない。

Article 24-9 (1) When the Prime Minister has made a designation under paragraph (1) of the preceding Article, he/she shall give public notice of the designated person's name and the location of its principal office as well as the

date of designation in an official gazette.

2 前条第一項の規定による指定を受けた者（以下「指定試験機関」という。）は、その名称又は主たる事務所の所在地を変更しようとするときは、変更しようとする日の二週間前までに、その旨を内閣総理大臣に届け出なければならない。

(2) A person who has been designated pursuant to paragraph (1) of the preceding Article (hereinafter referred to as the "Designated Examining Agency") shall, when it intends to change its name or the location of its principal office, notify the Prime Minister to that effect, by two weeks prior to the planned date of change.

3 内閣総理大臣は、前項の規定による届出があつたときは、その旨を官報で公示しなければならない。

(3) When the Prime Minister has received a notification under the preceding paragraph, he/she shall give public notice to that effect in an official gazette.

（役員を選任及び解任）

(Appointment and Dismissal of Officers)

第二十四条の十 指定試験機関の役員を選任及び解任は、内閣総理大臣の認可を受けなければ、その効力を生じない。

Article 24-10 (1) Appointments and dismissals of officers of a Designated Examining Agency shall not become effective unless they are authorized by the Prime Minister.

2 内閣総理大臣は、指定試験機関の役員が、この法律（この法律に基づく命令又は処分を含む。）若しくは第二十四条の十三第一項に規定する試験事務規程に違反する行為をしたとき、又は試験事務に関し著しく不適当な行為をしたときは、指定試験機関に対し、その役員を解任すべきことを命ずることができる。

(2) The Prime Minister may, when an officer of a Designated Examining Agency has carried out acts in violation of this Act (including orders or dispositions issued under this Act) or the Operational Rules for Examination Affairs set forth in Article 24-13, paragraph (1), or an extremely inappropriate act with regard to the Examination Affairs, order the Designated Examining Agency to dismiss said officer.

（試験委員）

(Examiner)

第二十四条の十一 指定試験機関は、内閣府令で定める要件を備える者のうちから貸金業務取扱主任者資格試験委員（以下「試験委員」という。）を選任し、資格試験の問題の作成及び採点を行わせなければならない。

Article 24-11 (1) A Designated Examining Agency shall appoint examiners to carry out the Qualification Examination for Chiefs of Money Lending Operations from among those who satisfy the requirements specified by a Cabinet Office Ordinance (hereinafter referred to as "Examiners") and have

them create examination questions and grade examinations for the Qualification Examination.

2 指定試験機関は、試験委員を選任し、又は解任したときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) The Designated Examining Agency shall, when it has appointed or dismissed an Examiner, notify the Prime Minister to that effect without delay.

3 前条第二項の規定は、試験委員の解任について準用する。

(3) The provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis to the dismissal of an Examiner.

(秘密保持義務等)

(Obligation of Confidentiality, etc.)

第二十四条の十二 指定試験機関の役員若しくは職員（試験委員を含む。次項において同じ。）又はこれらの職にあつた者は、試験事務に関して知り得た秘密を漏らしてはならない。

Article 24-12 (1) An officer or employee of the Designated Examining Agency (including Examiners; the same shall apply in the following paragraph) or a person who was formerly in such a position shall not disclose to another person any confidential information he/she has learned during the course of the Examination Affairs.

2 試験事務に従事する指定試験機関の役員及び職員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) An officer or employee of a Designated Examining Agency who engages in the Examination Affairs shall, with regard to the application of the Penal Code or other penal provisions, be deemed as an employee engaged in public services as provided by laws and regulations.

(試験事務規程)

(Operational Rules for Examination Affairs)

第二十四条の十三 指定試験機関は、内閣府令で定める試験事務の実施に関する事項について試験事務規程を定め、内閣総理大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 24-13 (1) A Designated Examining Agency shall provide Operational Rules for Examination Affairs for matters concerning the implementation of the Examination Affairs specified by a Cabinet Office Ordinance, and shall obtain authorization thereon from the Prime Minister. The same shall apply when said rules are to be changed.

2 内閣総理大臣は、前項の認可をした試験事務規程が試験事務の適正かつ確実な実施上不適当となつたと認めるときは、指定試験機関に対し、これを変更すべきことを命ずることができる。

(2) The Prime Minister may, when he/she finds that the Operational Rules for

Examination Affairs authorized under the preceding paragraph have become inappropriate for the proper and sound implementation of Examination Affairs, order the Designated Examining Agency to change them.

(事業計画の認可等)

(Authorization, etc. of Business Plans)

第二十四条の十四 指定試験機関は、毎事業年度、試験事務に係る事業計画及び収支予算を作成し、当該事業年度の開始前に（第二十四条の八第一項の規定による指定を受けた日の属する事業年度にあつては、その指定を受けた後遅滞なく）、内閣総理大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 24-14 (1) A Designated Examining Agency shall prepare a business plan and a budget statement for the Examination Affairs every business year, and shall obtain authorization from the Prime Minister before the commencement of the relevant business year (with regard to a business year which includes the date of designation under Article 24-8, paragraph (1), without delay after the designation). The same shall apply when the Designated Examining Agency intends to change them.

2 指定試験機関は、毎事業年度、事業報告書及び収支決算書を作成し、当該事業年度の終了後三月以内に、内閣総理大臣に提出しなければならない。

(2) A Designated Examining Agency shall prepare a business report and the statement of settlement of accounts every business year, and shall submit them to the Prime Minister within three months after the end of the relevant business year.

(帳簿の備付け)

(Keeping of the Books)

第二十四条の十五 指定試験機関は、内閣府令で定めるところにより、帳簿を備え、試験事務に関する事項で内閣府令で定めるものを記載し、これを保存しなければならない。

Article 24-15 A Designated Examining Agency shall, pursuant to the provisions of a Cabinet Office Ordinance, prepare and preserve books containing matters related to the Examination Affairs as provided by a Cabinet Office Ordinance.

(監督命令)

(Supervisory Orders)

第二十四条の十六 内閣総理大臣は、試験事務の適正な実施を確保するため必要があると認めるときは、指定試験機関に対し、試験事務に関し監督上必要な命令をすることができる。

Article 24-16 The Prime Minister may, when he/she finds it necessary for ensuring the proper implementation of Examination Affairs, issue the necessary orders for supervision with regard to Examination Affairs to a



## Designated Examining Agency.

(報告徴収及び立入検査)

### (Collection of Reports and On-Site Inspections)

第二十四条の十七 内閣総理大臣は、試験事務の適正な実施を確保するため必要があると認めるときは、指定試験機関に対し、その試験事務の状況に関し報告若しくは資料の提出を命じ、又は当該職員に、指定試験機関の事務所に立ち入らせ、当該試験事務の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 24-17 (1) The Prime Minister may, when he/she finds it necessary for ensuring the proper implementation of the Examination Affairs, order a Designated Examining Agency to submit reports or materials with regard to the status of its Examination Affairs, or have the relevant officials enter the Designated Examining Agency's office, ask questions with regard to the status of Examination Affairs, or inspect books, documents, and any other articles.

2 内閣総理大臣は、試験事務の適正な実施を確保するため特に必要があると認めるときは、その必要の限度において、指定試験機関から業務の委託を受けた者に対し、その試験事務の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に、当該指定試験機関から業務の委託を受けた者の営業所若しくは事務所に立ち入らせ、当該試験事務の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the Prime Minister finds it particularly necessary for ensuring the proper implementation of Examination Affairs, he/she may, within the extent necessary, order a person who has been entrusted by the Designated Examining Agency with its business to submit reports or materials that are informative with regard to the status of Examination Affairs, or have the relevant officials enter the business office or other office of such person who has been entrusted by the Designated Examining Agency with its business, ask questions with regard to the status of Examination Affairs, or inspect books, documents, and any other articles.

3 前二項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者の請求があつたときは、これを提示しなければならない。

(3) An official who conducts an on-site inspection pursuant to the provisions of the preceding two paragraphs shall carry a certificate of identification and present it when requested by any person concerned.

4 第一項及び第二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。

(4) The authority to conduct an on-site inspection under the provisions of paragraph (1) or paragraph (2) shall not be construed as being for criminal investigation.

(試験事務の休廃止)

(Suspension or Abolition of Examination Affairs)

第二十四条の十八 指定試験機関は、内閣総理大臣の許可を受けなければ、試験事務の全部又は一部を休止し、又は廃止してはならない。

Article 24-18 (1) A Designated Examining Agency shall not suspend or abolish its Examination Affairs in whole or in part without permission from the Prime Minister.

2 内閣総理大臣は、指定試験機関の試験事務の全部又は一部の休止又は廃止により試験事務の適正かつ確実な実施が損なわれるおそれがないと認めるときでなければ、前項の規定による許可をしてはならない。

(2) The Prime Minister shall not grant permission under the preceding paragraph unless he/she finds that the suspension or abolition of Examination Affairs by the Designated Examining Agency in whole or in part is unlikely to hinder the proper and sound implementation of the Examination Affairs.

(指定の取消し等)

(Rescission, etc. of Designation)

第二十四条の十九 内閣総理大臣は、指定試験機関が第二十四条の八第五項各号（第三号を除く。）のいずれかに該当するに至ったとき、又は不正な手段により同条第一項の規定による指定を受けたときは、当該指定を取り消さなければならない。

Article 24-19 (1) The Prime Minister shall, when a Designated Examining Agency has come to fall under any of the items of Article 24-8, paragraph (5) (excluding item (iii)) or when a Designated Examining Agency has received the designation under paragraph (1) of that Article by wrongful means, rescind such designation.

2 内閣総理大臣は、指定試験機関が次の各号のいずれかに該当するときは、当該指定試験機関に対し、その指定を取り消し、又は期間を定めて試験事務の全部若しくは一部の停止を命ずることができる。

(2) The Prime Minister shall, when a Designated Examining Agency falls under any of the following items, rescind its designation or order the Designated Examining Agency to suspend its Examination Affairs in whole or in part for a fixed period of time:

一 第二十四条の八第四項各号のいずれかに適合しなくなつたと認められるとき。

(i) Where the Designated Examining Agency is found to no longer satisfy any item of Article 24-8, paragraph (4);

二 第二十四条の十第二項（第二十四条の十一第三項において準用する場合を含む。）、第二十四条の十三第二項又は第二十四条の十六の規定による命令に違反したとき。

(ii) Where the Designated Examining Agency has violated an order issued under Article 24-10, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 24-11, paragraph (3)), Article 24-13, paragraph (2) or Article 24-16;

三 第二十四条の十一第一項、第二十四条の十四、第二十四条の十五又は前条第一項の規定に違反したとき。

(iii) Where the Designated Examining Agency has violated the provisions of Article 24-11, paragraph (1), Article 24-14, Article 24-15, or paragraph (1) of the preceding Article;

四 第二十四条の十三第一項の規定により認可を受けた試験事務規程によらないで試験事務を行ったとき。

(iv) Where the Designated Examining Agency has implemented the Examination Affairs without complying with the Operational Rules for Examination Affairs which has been authorized under Article 24-13, paragraph (1);

五 次条第一項の条件に違反したとき。

(v) Where the Designated Examining Agency has violated the conditions set forth in paragraph (1) of the following Article; or

六 試験事務に関し著しく不適当な行為をしたとき、又はその試験事務に従事する試験委員若しくは役員が試験事務に関し著しく不適当な行為をしたとき。

(vi) Where the Designated Examining Agency has conducted an extremely inappropriate act with regard to Examination Affairs or an Examiner or Officer who engages in Examination Affairs has conducted an extremely inappropriate act with regard to Examination Affairs.

3 内閣総理大臣は、前二項の規定による処分をしたときは、その旨を官報で公示しなければならない。

(3) When the Prime Minister has made a disposition under the preceding two paragraphs, he/she shall give public notice to that effect in an official gazette.

(指定等の条件)

(Conditions of Designation, etc.)

第二十四条の二十 第二十四条の八第一項、第二十四条の十第一項、第二十四条の十三第一項、第二十四条の十四第一項又は第二十四条の十八第一項の規定による指定、認可又は許可には、条件を付し、及びこれを変更することができる。

Article 24-20 (1) Conditions may be attached to the designation, authorization, or permission under Article 24-8, paragraph (1), Article 24-10, paragraph (1), Article 24-13, paragraph (1), Article 24-14, paragraph (1), or Article 24-18, paragraph (1) and such conditions may be changed.

2 前項の条件は、当該指定、認可又は許可に係る事項の確実な実施を図るため必要な最小限度のものに限り、かつ、当該指定、認可又は許可を受ける者に不当な義務を課することとなるものであつてはならない。

(2) The conditions under the preceding paragraph shall be limited to the minimum necessary for ensuring the sound implementation of the matters pertaining to the designation, authorization, or permission, and shall not impose undue obligations on the person who receives said designation,

authorization, or permission.

(内閣総理大臣による試験事務の実施等)

(Implementation of Examination Affairs, etc. by the Prime Minister)

第二十四条の二十一 内閣総理大臣は、第二十四条の八第一項の規定による指定をしたときは、試験事務を行わないものとする。

Article 24-21 (1) When the Prime Minister has made a designation under Article 24-8, paragraph (1), he/she shall not conduct Examination Affairs.

2 内閣総理大臣は、指定試験機関が第二十四条の十八第一項の規定による許可を受けて試験事務の全部若しくは一部を休止したとき、第二十四条の十九第二項の規定により指定試験機関に対し試験事務の全部若しくは一部の停止を命じたとき、又は指定試験機関が天災その他の事由により試験事務の全部若しくは一部を実施することが困難となった場合において必要があると認めるときは、試験事務の全部又は一部を自ら行うものとする。

(2) The Prime Minister shall carry out Examination Affairs by himself/herself in whole or in part when a Designated Examining Agency has suspended its Examination Affairs in whole or in part with the permission provided in Article 24-18, paragraph (1), when the Prime Minister has ordered the Designated Examining Agency to suspend its Examination Affairs in whole or in part under Article 24-19, paragraph (2), or when the Prime Minister finds it necessary where a natural disaster or other cause has impeded the Designated Examining Agency from implementing its Examination Affairs in whole or in part.

3 第二十四条の八第一項の規定による指定をした場合、前項の規定により内閣総理大臣が試験事務を行うこととなつた場合又は内閣総理大臣が第二十四条の十八第一項の規定により試験事務の廃止を許可し、若しくは第二十四条の十九第一項若しくは第二項の規定により指定を取り消した場合における試験事務の引継ぎその他試験事務の実施に関して必要な事項は、内閣府令で定める。

(3) Matters necessary for transferring Examination Affairs and other matters necessary for implementing Examination Affairs shall be specified by a Cabinet Office Ordinance, in the case where the designation under Article 24-8, paragraph (1) has been made, where the Prime Minister is required to conduct Examination Affairs pursuant to the preceding paragraph, or where the Prime Minister has permitted the abolition of Examination Affairs under Article 24-18, paragraph (1) or has rescinded the designation pursuant to the provisions of Article 24-19, paragraph (1) or paragraph (2).

(受験手数料)

(Examination Fees)

第二十四条の二十二 資格試験を受けようとする者は、実費を勘案して政令で定める額の受験手数料を国に納付しなければならない。

Article 24-22 (1) A person who intends to take the Qualification Examination shall pay the State the examination fees provided by a Cabinet Order which are set forth in consideration of the actual cost involved.

2 指定試験機関が試験事務を行う場合における前項の規定の適用については、同項中「国」とあるのは、「指定試験機関」とする。

(2) With regard to the application of the preceding paragraph where a Designated Examining Agency is conducting Examination Affairs, the term "the State" in that paragraph shall be deemed to be replaced with "a Designated Examining Agency."

3 前項の規定により読み替えて適用する第一項の規定により指定試験機関に納付された受験手数料は、指定試験機関の収入とする。

(3) The examination fees paid to a Designated Examining Agency pursuant to paragraph (1) as applied by replacing certain terms under the preceding paragraph shall be the revenue of the Designated Examining Agency.

4 第一項（第二項の規定により読み替えて適用する場合を含む。）の受験手数料は、これを納付した者が資格試験を受けない場合においても、返還しない。

(4) The examination fees under paragraph (1) (including cases where applied by replacing certain terms pursuant to paragraph (2)) shall not be refunded even if the payer does not take the Qualification Examination.

(合格の取消し等)

(Rescission, etc. of Passing)

第二十四条の二十三 内閣総理大臣は、資格試験に関して不正の行為があつた場合には、その不正行為に関係のある者に対しては、その受験を停止させ、若しくはその資格試験を無効とし、又は合格の決定を取り消すことができる。

Article 24-23 (1) Where the Prime Minister finds that any wrongful act has been conducted in relation to the Qualification Examination, he/she may disqualify the person related to the wrongful act from taking the examination, invalidate said Qualification Examination, or rescind the decision of passing thereof.

2 内閣総理大臣は、前項の規定による処分を受けた者に対し、期間を定めて資格試験を受けることができないものとすることができる。

(2) The Prime Minister may prohibit a person who has been subject to a disposition under the preceding paragraph from taking the Qualification Examination for a fixed period of time.

3 指定試験機関が試験事務を行う場合における前二項の規定の適用については、これらの規定中「内閣総理大臣」とあるのは、「指定試験機関」とする。

(3) With regard to the application of the preceding two paragraphs in cases where a Designated Examining Agency is implementing Examination Affairs, the term "the Prime Minister" in that paragraph shall be deemed to be replaced with "the Designated Examining Agency."

(指定試験機関がした処分等に係る審査請求)

(Application for Examination Concerning Dispositions, etc. Rendered by a Designated Examining Agency)

第二十四条の二十四 指定試験機関が行う試験事務に係る処分又はその不作為については、内閣総理大臣に対し、行政不服審査法（昭和三十七年法律第百六十号）による審査請求をすることができる。

Article 24-24 With regard to a disposition rendered by a Designated Examining Agency in relation to its Examination Affairs or its inaction thereof, an application for examination under the Administrative Appeal Act (Act No. 160 of 1962) may be filed with the Prime Minister.

(貸金業務取扱主任者の登録)

(Registration of Chiefs of Money Lending Operations)

第二十四条の二十五 資格試験に合格した者は、内閣総理大臣に対し、貸金業務取扱主任者の登録（以下「主任者登録」という。）を申請することができる。

Article 24-25 (1) Any person who has passed the Qualification Examination may apply for registration as a Chief of Money Lending Operations (hereinafter referred to as "Registration as a Chief") with the Prime Minister.

2 資格試験に合格した者が主任者登録を受けようとするときは、第二十四条の三十六第一項に規定する内閣総理大臣の登録を受けた者（以下「登録講習機関」という。）が内閣府令で定めるところにより行う講習で主任者登録の申請の日前六月以内に行われるものを受けなければならない。ただし、資格試験に合格した日から一年以内に主任者登録を受けようとするときは、この限りでない。

(2) Where a person who has passed the Qualification Examination wishes to receive Registration as a Chief, he/she shall take training courses given pursuant to the provisions of a Cabinet Office Ordinance by a person who has been registered by the Prime Minister as provided in Article 24-36, paragraph (1) (hereinafter referred to as "Registered Training Agency") and which is provided within six months before the date of application for Registration as a Chief; provided, however, that this shall not apply where the person applies for Registration as a Chief within one year from the date of passing the Qualification Examination.

3 主任者登録は、三年ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

(3) The Registration as a Chief shall, unless it is renewed every three years, cease to be effective upon the expiration of said period.

4 主任者登録は、内閣総理大臣が、貸金業務取扱主任者登録簿に氏名、生年月日、住所その他内閣府令で定める事項並びに登録番号及び登録年月日を記載してするものとする。

(4) The Registration as a Chief shall be completed by the Prime Minister by entering the name, birth date, and address of the Chief of Money Lending

Operations, other matters specified by a Cabinet Office Ordinance, the registration number, and the date of registration into the Chiefs of Money Lending Operations' registry.

(登録の手続)

(Registration Procedures)

第二十四条の二十六 主任者登録を受けることができる者が主任者登録を受けようとするときは、登録申請書を内閣総理大臣に提出しなければならない。

Article 24-26 (1) Any person who is qualified for Registration as a Chief and who wishes to be registered as such shall submit a written application for registration to the Prime Minister.

2 前項の登録申請書には、主任者登録を受けようとする者に係る履歴書その他内閣府令で定める書類を添付しなければならない。

(2) The resume of a person who wishes for Registration as a Chief and other documents specified by a Cabinet Office Ordinance shall be attached to the written application for registration set forth in the preceding paragraph.

3 内閣総理大臣は、第一項の登録申請書の提出があつたときは、次条第一項の規定により主任者登録を拒否する場合を除くほか、遅滞なく、主任者登録をしなければならない。

(3) When a written application for registration under paragraph (1) has been submitted, the Prime Minister shall complete the applicant's Registration as a Chief without delay, except for cases where he/she refuses to effect the applicant's Registration as a Chief pursuant to the provisions of paragraph (1) of the following Article.

4 内閣総理大臣は、主任者登録をしたときは、書面により、その旨を登録申請者に通知しなければならない。

(4) When the Prime Minister has completed an applicant's Registration as a Chief, he/she shall notify the applicant to that effect in writing.

(登録の拒否)

(Refusal of Registration)

第二十四条の二十七 内閣総理大臣は、登録申請者が次の各号のいずれかに該当するとき、又は登録申請書若しくはその添付書類のうちに虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、主任者登録を拒否しなければならない。

Article 24-27 (1) The Prime Minister shall refuse an applicant's Registration as a Chief when said applicant falls under any of the following items or when his/her written application for registration or the documents attached thereto contain any false statement or lack any statement on important facts:

一 成年被後見人又は被保佐人

(i) An adult ward or a person under curatorship;

二 破産者で復権を得ないもの

(ii) A bankrupt person who has not had his/her rights restored;

三 第二十四条の六の四第一項、第二十四条の六の五第一項又は第二十四条の六の六第一項（第一号に係る部分に限る。）の規定により第三条第一項の登録を取り消され、その取消の日から五年を経過しない者（当該登録を取り消された者が法人である場合においては、当該取消に係る聴聞の期日及び場所の公示の日前六十日以内にその法人の役員（業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者をいい、いかなる名称を有する者であるかを問わず、法人に対し、これらの者と同等以上の支配力を有するものと認められる者として内閣府令で定めるものを含む。）であつた者で当該取消の日から五年を経過しないもの）

(iii) A person whose registration under Article 3, paragraph (1) has been rescinded pursuant to the provisions of Article 24-6-4, paragraph (1), Article 24-6-5, paragraph (1), or Article 24-6-6, paragraph (1) (limited to the part concerning item (i)) and for whom five years have not elapsed since the date of rescission (in the case where the person whose registration has been rescinded is a juridical person, this shall also apply to a person who, within 60 days prior to the date of public notice concerning the date and place of a hearing to be held for rescission, was the juridical person's Officer (meaning a member in charge of executing business, director, executive officer, representative person, administrator, or any other person equivalent thereto, and including a person specified by a Cabinet Office Ordinance who, irrespective of title, is found to have control over the juridical person which is equivalent to or greater than that of any of these persons), and for whom five years have not elapsed since the date of rescission);

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

(iv) A person who has been sentenced to imprisonment without work or a severer punishment and for whom five years have not elapsed since the day on which execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence;

五 この法律、出資の受入れ、預り金及び金利等の取締りに関する法律、旧貸金業者の自主規制の助長に関する法律若しくは暴力団員による不当な行為の防止等に関する法律の規定（同法第三十二条の二第七項の規定を除く。）に違反し、又は貸付けの契約の締結若しくは当該契約に基づく債権の取立てに当たり、物価統制令第十二条の規定に違反し、若しくは刑法若しくは暴力行為等処罰に関する法律の罪を犯し、罰金の刑に処せられ、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つた日から五年を経過しない者

(v) A person who has been sentenced to a fine for having violated the provisions of this Act, the Act Regulating the Receipt of Contributions, Receipt of Deposits and Interest Rates, the Former Act on Facilitating Self-Regulation by Money Lenders, or the Act on the Prevention of Unjust Acts by Organized Crime Group Members (excluding the provisions of Article 32-2,



paragraph (7) of that Act), or for having violated the provisions of Article 12 of the Price Control Ordinance or committed a crime prescribed in the Penal Code or the Act on Punishment of Violence and Other Acts in the course of concluding a Contract for a Loan or collecting a claim under such contract, and for whom five years have not elapsed since the day on which execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence;

六 暴力団員等

(vi) An Organized Crime Group Member, etc.;

七 第二十四条の三十各号のいずれかに該当することにより主任者登録の取消しの処分を受け、その処分の日から五年を経過しない者

(vii) A person whose Registration as a Chief has been rescinded for falling under any of the items of Article 24-30 and for whom five years have not elapsed since the day of said rescission; or

八 貸金業に関し不正又は不誠実な行為をするおそれがあると認めるに足りる相当な理由がある者として内閣府令で定める者

(viii) A person specified by a Cabinet Office Ordinance as a person for whom there are reasonable grounds to find that he/she is likely to commit a wrongful or unfaithful act in relation to the Money Lending Business.

2 内閣総理大臣は、主任者登録を拒否したときは、書面により、その旨を登録申請者に通知しなければならない。

(2) When the Prime Minister has refused an applicant's Registration as a Chief, he/she shall notify the applicant to that effect in writing.

(登録の変更)

(Change of Registration)

第二十四条の二十八 貸金業務取扱主任者は、第二十四条の二十五第四項の貸金業務取扱主任者登録簿の記載事項に変更があつたときは、遅滞なく、主任者登録の変更を申請しなければならない。

Article 24-28 When there are any changes in the matters contained in the Chiefs of Money Lending Operations registry set forth in Article 24-25, paragraph (4), the Chief of Money Lending Operations shall file an application for change of his/her Registration as a Chief without delay.

(死亡等の届出)

(Notification of Death, etc.)

第二十四条の二十九 貸金業務取扱主任者が次の各号に掲げる場合のいずれかに該当することとなつた場合においては、当該各号に定める者は、その日（第一号に掲げる場合にあつては、その事実を知つた日）から三十日以内に、その旨を内閣総理大臣に届け出なければならない。

Article 24-29 When a Chief of Money Lending Operations has come to fall under

any of the following items, the person set forth in the relevant item shall notify the Prime Minister to that effect within 30 days from the day on which any of the events listed therein took place (or in the case of item (i), within 30 days from the day on which said persons became aware of the event):

一 死亡した場合 その相続人

(i) Where the Chief of Money Lending Operations has died: His/her heir(s);

二 第二十四条の二十七第一項第一号に該当することとなつた場合 その後見人又は保佐人

(ii) Where the Chief of Money Lending Operations has come to fall under Article 24-27, paragraph (1), item (i): His/her ward or curator; or

三 第二十四条の二十七第一項第二号から第六号までのいずれかに該当することとなつた場合 本人

(iii) Where the Chief of Money Lending Operations has come to fall under any of the provisions of Article 24-27, paragraph (1), item (ii) through item (vi): the Chief of Money Lending Operations himself/herself.

(登録の取消し)

(Rescission of Registration)

第二十四条の三十 内閣総理大臣は、貸金業務取扱主任者が次の各号のいずれかに該当する場合においては、主任者登録を取り消すことができる。

Article 24-30 The Prime Minister may rescind a Chief of Money Lending Operations' Registration as a Chief when said Chief of Money Lending Operations falls under any of following items:

一 第二十四条の二十七第一項各号（第七号を除く。）のいずれかに該当することとなつたとき。

(i) Where the Chief of Money Lending Operations has come to fall under any of the items of Article 24-27, paragraph (1) (excluding item (vii));

二 不正の手段により主任者登録を受けたとき。

(ii) Where the person's Registration as a Chief was accomplished by wrongful means;

三 第二十四条の二十三第一項（同条第三項の規定により読み替えて適用する場合を含む。）の規定により資格試験の合格の決定を取り消されたとき。

(iii) Where the decision of the Chief of Money Lending Operations' having passed the Qualification Examination has been rescinded pursuant to Article 24-23, paragraph (1) (including cases where applied by replacing certain terms under paragraph (3) of that Article); or

四 その職務に関し貸金業に関する法令の規定に違反したとき、又は著しく不適当な行為を行つたとき。

(iv) Where the Chief of Money Lending Operations has violated the provisions of laws and regulations of the Money Lending Business during the course of his/her duties, or has conducted an extremely inappropriate act.

(登録の抹消)

(Cancellation of Registration)

第二十四条の三十一 内閣総理大臣は、次に掲げる場合には、主任者登録を抹消しなければならない。

Article 24-31 The Prime Minister shall cancel a Chief of Money Lending Operations' Registration as a Chief in the following cases:

一 本人から主任者登録の抹消の申請があつたとき。

(i) Where the Chief of Money Lending Operations has applied to cancel his/her Registration as a Chief;

二 第二十四条の二十五第三項の期間の経過によつて、主任者登録が効力を失つたとき。

(ii) Where the Chief of Money Lending Operations' Registration as a Chief has ceased to be effective upon the expiration of the period set forth in Article 24-25, paragraph (3);

三 第二十四条の二十九の規定による届出があつたとき。

(iii) Where a notification under Article 24-29 has been made;

四 第二十四条の二十九第一号に該当することとなつた場合において、相続人がないとき。

(iv) Where there is no heir(s) in the case of Article 24-29, item (i); or

五 前条の規定により主任者登録を取り消したとき。

(v) Where the Chief of Money Lending Operations' Registration as a Chief has been rescinded under the preceding Article.

(登録の更新)

(Renewal of Registration)

第二十四条の三十二 主任者登録は、申請により更新する。

Article 24-32 (1) A Chief of Money Lending Operations' Registration as a Chief shall be renewed subject to application.

2 第二十四条の二十五第二項本文の規定は前項の規定による主任者登録の更新を受けようとする者について、同条第三項の規定は更新後の主任者登録について、第二十四条の二十六の規定は更新の手續について、第二十四条の二十七の規定は更新の拒否について、それぞれ準用する。

(2) The main clause of Article 24-25, paragraph (2) shall apply mutatis mutandis to a person who wishes to renew his/her Registration as a Chief pursuant to the preceding paragraph, paragraph (3) of that Article shall apply mutatis mutandis to renewed Registration as a Chief, Article 24-26 shall apply mutatis mutandis to the procedures for renewal, and Article 24-27 shall apply mutatis mutandis to the refusal of a renewal.

(登録事務の委任)

(Delegation of Registration Affairs)

第二十四条の三十三 内閣総理大臣は、内閣府令で定めるところにより、貸金業協会（以下この章において「協会」という。）に、第二十四条の二十五から前条までに規定する主任者登録に関する事務（以下第二十四条の三十五までにおいて「登録事務」という。）を行わせることができる。

Article 24-33 (1) The Prime Minister may, as provided by a Cabinet Office Ordinance, have a Money Lenders' Association (hereinafter referred to as the "Association" in this Chapter) administer the duties related to an applicant's Registration as a Chief as provided in Article 24-25 through the preceding Article (hereinafter referred to as "Registration Affairs" in this Article through Article 24-35).

2 内閣総理大臣は、前項の規定により協会に登録事務を行わせることとしたときは、当該登録事務を行わないものとする。

(2) When the Prime Minister has decided to have the Association administer Registration Affairs pursuant to the preceding paragraph, he/she shall not conduct said Registration Affairs.

3 協会は、第一項の規定により登録事務を行うこととしたときは、その業務規程において主任者登録に関する事項を定め、内閣総理大臣の認可を受けなければならない。

(3) When an Association has been delegated to conduct Registration Affairs under paragraph (1), it shall specify matters concerning applicants' Registration as Chiefs in its operational rules, and shall obtain authorization thereon from the Prime Minister.

4 第一項の規定により登録事務を行う協会は、主任者登録、第二十四条の二十八の規定による主任者登録の変更、第二十四条の三十の規定による主任者登録の取消し、第二十四条の三十一の規定による主任者登録の抹消又は前条第一項の規定による主任者登録の更新をした場合には、内閣府令で定めるところにより、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(4) When an Association that conducts Registration Affairs under paragraph (1), grants a person Registration as a Chief, makes changes to a person's Registration as a Chief under Article 24-28, rescinds a person's Registration as a Chief pursuant to Article 24-30, cancels a person's Registration as a Chief under Article 24-31 or renews a person's Registration as a Chief pursuant to paragraph (1) of the preceding Article, it shall notify the Prime Minister to that effect as provided by a Cabinet Office Ordinance without delay.

5 第一項の規定による登録事務を行う協会が二以上ある場合には、各協会は、当該登録事務の適正な実施を確保するため、協会相互間の情報交換を促進するとともに、他の協会に対し、必要な協力及び情報の提供をするよう努めるものとする。

(5) Where there are two or more Associations that conduct Registration Affairs under paragraph (1), each Association shall promote information exchange between the relevant Associations, and shall endeavor to provide the necessary cooperation and information to other Associations so as to ensure the

appropriate implementation of said Registration Affairs.

(登録手数料)

**(Registration Fees)**

第二十四条の三十四 主任者登録を受けようとする者又は第二十四条の三十二第一項の規定による主任者登録の更新を受けようとする者は、政令で定めるところにより、登録手数料を国（前条第一項の規定により協会が登録事務を行う場合にあつては、協会）に納付しなければならない。

Article 24-34 (1) A person who wishes for Registration as a Chief or who wishes to renew his/her Registration as a Chief under Article 24-32, paragraph (1) shall, pursuant to the provisions of a Cabinet Order, pay the State (in cases where an Association conducts Registration Affairs under paragraph (1) of the preceding Article, said Association) registration fees.

2 前項の手数料で協会に納付されたものは、当該協会の収入とする。

(2) The fees set forth in the preceding paragraph and paid to an Association shall be the revenue of said Association.

(登録事務に係る審査請求)

**(Request for Examination Concerning Registration Affairs)**

第二十四条の三十五 第二十四条の三十三第一項の規定により登録事務を行う協会の第二十四条の二十六第一項の規定による主任者登録の申請に係る不作為若しくは第二十四条の二十七第一項の規定による主任者登録の拒否又は第二十四条の三十の規定による主任者登録の取消しについて不服がある者は、内閣総理大臣に対し、行政不服審査法による審査請求をすることができる。

Article 24-35 Any person who is dissatisfied with inaction with regard to an application for Registration as a Chief under Article 24-26, paragraph (1), refusal of Registration as a Chief under Article 24-27, paragraph (1) or rescission of Registration as a Chief under Article 24-30 by an Association that conducts Registration Affairs as provided in Article 24-33, paragraph (1) may file a request for examination under the Administrative Appeal Act with the Prime Minister.

(登録講習機関の登録)

**(Registration of Registered Training Agencies)**

第二十四条の三十六 資格試験に合格した者に対し主任者登録を受けるための講習を実施しようとする者は、内閣総理大臣の登録を受けなければならない。

Article 24-36 (1) A person who intends to offer training courses for obtaining Registration as a Chief to persons who have passed the Qualification Examination shall be registered by the Prime Minister.

2 前項の内閣総理大臣の登録を受けようとする者は、内閣府令で定めるところにより、登録申請書を提出しなければならない。

(2) A person who wishes to be registered by the Prime Minister under the preceding paragraph shall submit a written application for registration pursuant to the provisions of a Cabinet Office Ordinance.

(登録講習機関の登録の拒否)

(Refusal of Registration as a Registered Training Agency)

第二十四条の三十七 内閣総理大臣は、前条第一項の登録を受けようとする者が次の各号のいずれかに該当するとき、又は登録申請書に記載すべき事項のうち重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 24-37 The Prime Minister shall refuse registration when a person who wishes to be registered under paragraph (1) of the preceding Article falls under any of the following items or when said person's written application for registration contains any false statement on important matters from among those which should be contained therein or lacks any statement on important facts:

一 この法律、出資の受入れ、預り金及び金利等の取締りに関する法律、旧貸金業者の自主規制の助長に関する法律若しくは暴力団員による不当な行為の防止等に関する法律の規定（同法第三十二条の二第七項の規定を除く。）に違反し、又は貸付けの契約の締結若しくは当該契約に基づく債権の取立てに当たり、物価統制令第十二条の規定に違反し、若しくは刑法若しくは暴力行為等処罰に関する法律の罪を犯し、罰金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つた日から二年を経過しない者

(i) A person who has been sentenced to a fine or severer punishment for having violated the provisions of this Act, the Act Regulating the Receipt of Contributions, Receipt of Deposits and Interest Rates, the Former Act on Facilitating Self-Regulation by Money Lenders, or the Act on the Prevention of Unjust Acts by Organized Crime Group Members (excluding the provisions of Article 32-2, paragraph (7) of that Act), or having violated the provisions of Article 12 of the Price Control Ordinance or committed a crime prescribed in the Penal Code or the Act on Punishment of Violence and Other Acts in the course of concluding a Contract for a Loan or collecting a claim under such contract, and for whom two years have not elapsed since the day on which execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence;

二 第二十四条の四十六の規定により前条第一項の登録を取り消され、その取消の日から二年を経過しない者

(ii) A person whose registration under paragraph (1) of the preceding Article has been rescinded pursuant to Article 24-46 and for whom two years have not elapsed since the date of rescission;

三 法人であつて、講習の実施に関する事務（以下「講習事務」という。）を行う役

員のうちに前二号のいずれかに該当する者があるもの

(iii) A juridical person who has an officer that conducts business relating to the implementation of a training course (hereinafter referred to as "Training Affairs") and who falls under any of the preceding two items; or

四 講習の適正かつ確実な実施に必要な経理的及び技術的な基礎を有していると認められない者

(iv) A person who is found to lack the financial or technical foundation necessary for the proper and sound implementation of the training course.

(登録講習機関の登録の実施)

(Implementation of Registration of Registered Training Agencies)

第二十四条の三十八 内閣総理大臣は、第二十四条の三十六第二項の規定により登録申請書を提出した者の行う講習が、次の表の上欄に掲げる科目について、それぞれ同表の下欄に掲げる講師により行われるものであるときは、前条の規定により登録を拒否する場合を除くほか、その登録をしなければならない。この場合において、登録に関して必要な手続は、内閣府令で定める。

Article 24-38 (1) Where the training course to be conducted by a person who has filed a written application for registration under Article 24-36, paragraph (2) consists of the subjects listed in the left-hand column of the following appended table taught by the instructors listed in the corresponding rows in the right-hand column of said appended table, the Prime Minister shall register to that effect, except in the case where he/she refuses the registration under the preceding Article. In this case, the procedures necessary for registration shall be specified by a Cabinet Office Ordinance.

科目 Subjects	講師 Instructor
一 貸金業に関する法令に関する科目 1. Subjects concerning laws and regulations relating to the Money Lending Business	一 学校教育法（昭和二十二年法律第二十六号）による大学において民事法学若しくは行政法学を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者 (1) A professor or associate professor who specializes in Civil Law or Administrative Law at a university accredited under the School Education Act (Act No. 26 of 1947) or a person who formerly held such a position. 二 前号に掲げる者と同等以上の知識及び経験を有する者 (2) A person who has knowledge and experience equivalent to or greater than that of persons specified in the preceding item.

<p>二 実務に関する科目 2. Subjects concerning practical business</p>	<p>一 貸金業務取扱主任者であつて、現に貸金業務取扱主任者として第十二条の三第一項の助言又は指導を行っている者 (1) A Chief of Money Lending Operations who is currently giving advice or guidance under Article 12-3, paragraph (1). 二 前号に掲げる者と同等以上の知識及び経験を有する者 (2) A person who has knowledge and experience equivalent to or greater than that of persons specified in the preceding item.</p>
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2 第二十四条の三十六第一項の登録は、登録講習機関登録簿に次に掲げる事項を記載してするものとする。

(2) The registration under Article 24-36, paragraph (1) shall be completed by entering the following matters into the registry of Registered Training Agencies:

一 登録年月日及び登録番号

(i) The date of registration and the registration number;

二 登録講習機関の氏名又は商号若しくは名称及び住所並びに法人にあつては、その代表者の氏名

(ii) The name or trade name and address of the Registered Training Agency, and in the case of a juridical person, the name of its representative person;

三 登録講習機関が講習事務を行う事務所の所在地

(iii) The location of the office where the Registered Training Agency conducts its Training Affairs; and

四 前三号に掲げるもののほか、内閣府令で定める事項

(iv) In addition to what is listed in the preceding three items, matters specified by a Cabinet Office Ordinance.

(登録講習機関の登録の更新)

(Renewal of a Registered Training Agency's Registration)

第二十四条の三十九 第二十四条の三十六第一項の登録は、三年を下らない政令で定める期間ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 24-39 (1) The registration under Article 24-36, paragraph (1) shall, unless it is renewed once every period of not less than three years as specified by a Cabinet Order, cease to be effective upon the expiration of said period.

2 第二十四条の三十六第二項及び前二条の規定は、前項の登録の更新について準用する。

(2) The provisions of Article 24-36, paragraph (2) and the preceding two Articles shall apply mutatis mutandis to the renewal of registration under the preceding paragraph.



(講習事務の実施に係る義務)

**(Obligations Pertaining to Implementation of Training Affairs)**

第二十四条の四十 登録講習機関は、公正に、かつ、第二十四条の三十八第一項の規定及び内閣府令で定める基準に適合する方法により講習事務を行わなければならない。

**Article 24-40 Registered Training Agencies shall conduct Training Affairs fairly by methods that are in compliance with Article 24-38, paragraph (1) and with the requirements specified by a Cabinet Office Ordinance.**

(登録講習機関の登録事項の変更の届出)

**(Notification of Changes in the Registered Matters Pertaining to a Registered Training Agency)**

第二十四条の四十一 登録講習機関は、第二十四条の三十八第二項第二号から第四号までのいずれかに掲げる事項を変更しようとするときは、変更しようとする日の二週間前までに、その旨を内閣総理大臣に届け出なければならない。

**Article 24-41 When a Registered Training Agency intends to change any of the matters set forth in Article 24-38, paragraph (2), item (ii) through item (iv), it shall notify the Prime Minister to that effect by two weeks prior to the planned date of the change.**

(講習事務規程)

**(Operational Rules for Training Affairs)**

第二十四条の四十二 登録講習機関は、講習事務に関する規程（次項において「講習事務規程」という。）を定め、講習事務の開始前に、内閣総理大臣に届け出なければならない。これを変更しようとするときも、同様とする。

**Article 24-42 (1) Registered Training Agencies shall provide operational rules concerning Training Affairs (such rules shall be referred to as the "Operational Rules for Training Affairs" in the following paragraph) and notify the Prime Minister thereof prior to the commencement of Training Affairs. The same shall apply when said rules are to be changed.**

2 講習事務規程には、講習の実施方法、講習に関する料金その他の内閣府令で定める事項を定めておかななければならない。

**(2) The Operational Rules for Training Affairs shall provide for the methods of carrying out the training course, training course fees, and other matters specified by a Cabinet Office Ordinance.**

(講習事務の休廃止)

**(Suspension or Abolition of Training Affairs)**

第二十四条の四十三 登録講習機関は、講習事務の全部又は一部を休止し、又は廃止しようとするときは、内閣府令で定めるところにより、あらかじめ、その旨を内閣総理大臣に届け出なければならない。

Article 24-43 When a Registered Training Agency intends to suspend or abolish its Training Affairs in whole or in part, it shall notify the Prime Minister to that effect in advance as provided by a Cabinet Office Ordinance.

(財務諸表等の備付け及び閲覧等)

(Keeping and Inspection, etc. of Financial Statements, etc.)

第二十四条の四十四 登録講習機関は、毎事業年度経過後三月以内に、その事業年度の財産目録、貸借対照表及び損益計算書又は収支計算書並びに事業報告書（これらの書類が電磁的記録をもつて作成されている場合には当該電磁的記録を含む。以下「財務諸表等」という。）を作成し、その事業年度の末日の翌日から五年を経過する日までの間、その事務所に備え置かなければならない。

Article 24-44 (1) A Registered Training Agency shall, within three months after the end of each business year, prepare an inventory of property, balance sheet, a profit and loss statement or income and expenditure statement, and a business report (in cases where these documents are prepared in the form of Electromagnetic Records, such Electromagnetic Records shall be included; hereinafter collectively referred to as "Financial Statements, etc.") and shall keep them at its office until the day when five years have passed since the day following the last day of relevant business year.

2 貸金業務取扱主任者その他の利害関係人は、登録講習機関の業務時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号の請求をするには、当該登録講習機関の定めた費用を支払わなければならない。

(2) A Chief of Money Lending Operations and other interested persons may make the following requests at any time during the business hours of the Registered Training Agency; provided, however, that in making the requests set forth in item (ii) or item (iv), such person shall pay the costs determined by said Registered Training Agency:

一 財務諸表等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) When the Financial Statements, etc. are prepared in writing, a request to inspect or copy such written documents;

二 前号の書面の謄本又は抄本の請求

(ii) A request for a copy or extract of the documents set forth in the preceding item;

三 財務諸表等が電磁的記録をもつ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又は謄写の請求

(iii) When the Financial Statements, etc. are prepared in the form of Electromagnetic Records, a request to inspect or copy the matters recorded in said Electromagnetic Records which are indicated by a method specified by a Cabinet Office Ordinance; and

四 前号の電磁的記録に記録された事項を電磁的方法であつて内閣府令で定めるもの

により提供することの請求又は当該事項を記載した書面の交付の請求  
(iv) A request to be provided with the information recorded in the  
Electromagnetic Records set forth in the preceding item by the  
Electromagnetic Method which is specified by a Cabinet Office Ordinance, or  
a request to deliver the documents containing such information.

(適合命令)

(Orders for Compliance)

第二十四条の四十五 内閣総理大臣は、登録講習機関が第二十四条の四十の規定に違反しているとき、その登録講習機関に対し、同条の規定に適合するために必要な措置をとるべきことを命ずることができる。

Article 24-45 When the Prime Minister finds that the Registered Training Agency has violated the provisions of Article 24-40, he/she may order said Registered Training Agency to take any necessary measures to satisfy the provisions of Article 24-40.

(登録講習機関の登録の取消し等)

(Rescission, etc. of the Registration of a Registered Training Agency)

第二十四条の四十六 内閣総理大臣は、登録講習機関が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めて講習事務の全部若しくは一部の停止を命ずることができる。

Article 24-46 Where a Registered Training Agency falls under any of the following items, the Prime Minister may rescind the registration thereof or order the suspension of its Training Affairs in whole or in part for a fixed period of time:

一 第二十四条の三十七第一号、第三号又は第四号に該当することとなつたとき。

(i) When the Registered Training Agency comes to fall under Article 24-37, item (i), item (iii), or item (iv);

二 第二十四条の四十一から第二十四条の四十三まで、第二十四条の四十四第一項又は次条の規定に違反したとき。

(ii) When the Registered Training Agency has violated the provisions of Article 24-41 through Article 24-43, Article 24-44, paragraph (1), or the following Article;

三 正当な理由がないのに第二十四条の四十四第二項の規定による請求を拒んだとき。

(iii) When the Registered Training Agency has refused a request under Article 24-44, paragraph (2) without justifiable grounds;

四 前条の規定による命令に違反したとき。

(iv) When the Registered Training Agency has violated an order issued under the preceding Article; or

五 不正の手段により第二十四条の三十六第一項の登録を受けたとき。

(v) When the Registered Training Agency was registered under Article 24-36,

paragraph (1) by wrongful means.

(帳簿の備付け)

**(Keeping of Books)**

第二十四条の四十七 登録講習機関は、内閣府令で定めるところにより、帳簿を備え、講習事務に関し内閣府令で定める事項を記載し、これを保存しなければならない。

**Article 24-47 A Registered Training Agency shall, pursuant to the provisions of a Cabinet Office Ordinance, prepare and preserve books containing the matters specified by a Cabinet Office Ordinance with regard to Training Affairs.**

(内閣総理大臣による講習事務の実施)

**(Implementation of Training Affairs by the Prime Minister)**

第二十四条の四十八 内閣総理大臣は、第二十四条の三十六第一項の登録を受けた者がいないとき、第二十四条の四十三の規定による講習事務の全部又は一部の休止又は廃止の届出があつたとき、第二十四条の四十六の規定により同項の登録を取り消し、又は登録講習機関に対し講習事務の全部若しくは一部の停止を命じたとき、登録講習機関が天災その他の事由により講習事務の全部又は一部を実施することが困難となつたとき、その他必要があると認めるときは、講習事務の全部又は一部を自ら行うことができる。

**Article 24-48 (1) The Prime Minister may conduct Training Affairs by himself/herself in whole or in part when there are no persons registered under Article 24-36, paragraph (1), when notification of the suspension or abolition of Training Affairs in whole or in part has been given pursuant to Article 24-43, when the Prime Minister has rescinded the registration set forth in Article 24-46 under that Article or has ordered the Registered Training Agency to suspend its Training Affairs in whole or in part, when it has become difficult for the Registered Training Agency to conduct its Training Affairs in whole or in part as a result of a natural disaster or other causes, or in other cases where it is found to be necessary.**

2 内閣総理大臣が前項の規定により講習事務の全部又は一部を自ら行う場合における講習事務の引継ぎその他講習事務の実施に関して必要な事項は、内閣府令で定める。

**(2) Where the Prime Minister conducts Training Affairs by himself/herself in whole or in part pursuant to the provisions of the preceding paragraph, the necessary matters for transferring the Training Affairs and implementing the Training Affairs shall be specified by a Cabinet Office Ordinance.**

3 第一項の規定により内閣総理大臣が行う講習を受けようとする者は、実費を勘案して政令で定める額の手数料を国に納付しなければならない。

**(3) A person who intends to take the training course given by the Prime Minister under paragraph (1) shall pay the State the fees provided by a Cabinet Order which are set forth in consideration of the actual cost involved.**

(報告徴収及び立入検査)

(Collection of Reports and On-Site Inspections)

第二十四条の四十九 内閣総理大臣は、講習事務の適正な実施を確保するため必要があると認めるときは、その必要の限度において、登録講習機関に対し、その講習事務の状況に関し報告若しくは資料の提出を命じ、又は当該職員に、登録講習機関の事務所に立ち入らせ、当該講習事務の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 24-49 (1) The Prime Minister may, when he/she finds it necessary for ensuring the proper implementation of Training Affairs, order a Registered Training Agency to submit reports or materials with regard to the status of its Training Affairs, or have the relevant officials enter the Registered Training Agency's office, ask questions with regard to the status of Training Affairs, or inspect books, documents, or any other articles, to the extent necessary.

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

(2) An official who conducts an on-site inspection pursuant to the provisions of the preceding paragraph shall carry a certificate of identification and present it when requested by any 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 to conduct an on-site inspection under paragraph (1) shall not be construed as being for criminal investigation.

(登録等の公示)

(Public Notice of Registration, etc.)

第二十四条の五十 内閣総理大臣は、次に掲げる場合には、その旨を官報で公示しなければならない。

Article 24-50 In the following cases, the Prime Minister shall make a public notice to that effect in an official gazette:

一 第二十四条の三十六第一項の登録をしたとき。

(i) When the Prime Minister has completed the registration set forth in Article 24-36, paragraph (1);

二 第二十四条の四十一の規定による届出があつたとき。

(ii) When a notification under Article 24-41 has been made;

三 第二十四条の四十三の規定による届出があつたとき。

(iii) When a notification under Article 24-43 has been made;

四 第二十四条の四十六の規定により第二十四条の三十六第一項の登録を取り消し、又は講習事務の停止を命じたとき。

(iv) When the Prime Minister has rescinded a registration set forth in Article 24-36, paragraph (1) or when he/she has ordered the suspension of Training Affairs pursuant to the provisions of Article 24-46; or

五 第二十四条の四十八第一項の規定により講習事務の全部若しくは一部を自ら行うこととするとき、又は自ら行っていた講習事務の全部若しくは一部を行わないこととするとき。

(v) When the Prime Minister intends to conduct Training Affairs by himself/herself in whole or in part under Article 24-48, paragraph (1) or when he/she has decided not to conduct the Training Affairs which he/she had been conducting in whole or in part.

### 第三章 貸金業協会

#### Chapter III Money Lenders' Associations

##### 第一節 設立及び業務

##### Section 1 Establishment and Business

(協会の目的等)

(Purpose of Associations, etc.)

第二十五条 貸金業協会（以下この章において「協会」という。）は、資金需要者等の利益の保護を図り、貸金業の適正な運営に資することを目的とする。

Article 25 (1) The purpose of a Money Lenders' Association (hereinafter referred to as an "Association" in this Chapter) shall be to protect the interests of Persons Seeking Funds, etc. and to contribute to the proper management of money lending operations.

2 協会は、法人とする。

(2) An Association shall be a juridical person.

3 協会は、全国を地区とするものでなければならない。

(3) An Association shall operate nationwide.

4 協会は、その名称中に貸金業協会という文字を用いなければならない。

(4) An Association shall use the term "Kashikingyo-Kyokai" (which means "Money Lenders' Association") in its name.

5 協会でない者は、その名称又は商号中に、貸金業協会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。

(5) No person other than an Association shall use, in its name or trade name, any term by which the person is likely to be mistaken as an Association.

(設立の認可)

(Authorization for Establishment)

第二十六条 協会は、貸金業者でなければ、これを設立することができない。

Article 26 (1) An Association may be established only by a Money Lender.

2 貸金業者は、協会を設立しようとするときは、内閣総理大臣の認可を受けなければならない。

(2) When a Money Lender wishes to establish an Association, the Money Lender shall obtain authorization therefor from the Prime Minister.

(認可申請書の提出)

**(Submission of Written Applications for Authorization)**

第二十七条 前条第二項の認可を受けようとする者は、その認可を受けようとする協会について、次に掲げる事項を記載した認可申請書を内閣総理大臣に提出しなければならない。

Article 27 (1) A person who wishes to obtain authorization under paragraph (2) of the preceding Article shall, with regard to the Association for which authorization is sought, submit a written application for authorization to the Prime Minister, stating the following matters:

一 名称

(i) The Association's name;

二 事務所の所在の場所

(ii) The place where the Association's office is located; and

三 役員の名及び協会員の名、名称又は氏名

(iii) The names of the Association's officers and the names or trade names of the Association members.

2 前項の認可申請書には、その認可を受けようとする協会の定款、業務規程その他の規則（以下「定款等」という。）その他内閣府令で定める書類を添付しなければならない。

(2) To a written application for authorization set forth in the preceding paragraph shall be attached the articles of incorporation, operational rules, and any other rules (hereinafter collectively referred to as the "Articles of Incorporation, etc.") of the Association for which authorization is sought, and any other documents specified by a Cabinet Office Ordinance.

(認可申請書の審査)

**(Examination of Written Applications for Authorization)**

第二十八条 内閣総理大臣は、前条第一項の規定による認可の申請があつた場合においては、その申請が次に掲げる基準に適合するかどうかを審査しなければならない。

Article 28 (1) The Prime Minister shall, where an application for authorization has been filed pursuant to the provisions of paragraph (1) of the preceding Article, examine whether or not the application satisfies the following requirements:

一 定款等の規定が法令に適合し、かつ、資金需要者等の利益の保護を図り、貸金業の適正な運営に資するために十分であること。

(i) The provisions of the Articles of Incorporation, etc. are in compliance with laws and regulations and are sufficient for protecting the interests of Persons Seeking Funds, etc. and contributing to the proper management of Money Lending Business; and

二 当該申請に係る協会がこの法律の規定に適合するように組織されるものであること。

と。

(ii) The Association to which the application pertains is organized in compliance with the provisions of this Act.

2 内閣総理大臣は、前項の規定により審査した結果、その申請が同項の基準に適合していると認めるときは、次の各号のいずれかに該当する場合を除き、設立の認可をしなければならない。

(2) When, as a result of the examination under the provisions of the preceding paragraph, the Prime Minister finds that the application satisfies the requirements prescribed in that paragraph, he/she shall grant his/her authorization for establishment, except in the following cases:

一 認可申請者がこの法律の規定により罰金以上の刑に処せられ、その刑の執行を終わった後又は執行を受けることがないこととなつた日から五年を経過するまでの者であるとき。

(i) Where the applicant for authorization has been sentenced to a fine or a severer punishment under the provisions of this Act and five years have not elapsed since the day on which execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence;

二 認可を受けようとする協会の役員のうち第六条第一項第一号から第六号までのいずれかに該当する者があるとき。

(ii) Where the officers of the Association for which authorization is sought include a person who falls under the category of any of the persons listed in Article 6, paragraph (1), item (i) through item (vi); or

三 認可申請書又はその添付書類のうち虚偽の記載があるとき。

(iii) Where the written application for authorization or the documents attached thereto contain any false statement.

(認可の取消し)

(Rescission of Authorization)

第二十九条 内閣総理大臣は、協会がその設立の認可を受けた時点において前条第二項各号のいずれかに該当していたことが判明したときは、その認可を取り消すことができる。

Article 29 When an Association is found to have fallen under any of the items of paragraph (2) of the preceding Article at the time when authorization of establishment was granted, the Prime Minister may rescind the authorization.

(営利追求の禁止)

(Prohibition of Profit-Seeking)

第三十条 協会は、営利の目的をもつて業務を行つてはならない。

Article 30 An Association shall not conduct its business for the purpose of profit.



(定款)

(Articles of Incorporation)

第三十一条 協会の定款には、次に掲げる事項を記載しなければならない。

Article 31 The articles of incorporation of an Association shall state the following:

一 目的

(i) The purpose of the Association;

二 名称

(ii) The name of the Association;

三 主たる事務所その他の事務所の所在地

(iii) The location of the Association's principal office or other office;

四 協会員に関する事項

(iv) Matters concerning Association members;

五 総会に関する事項

(v) Matters concerning general meetings of members;

六 役員に関する事項

(vi) Matters concerning officers;

七 理事会その他の会議に関する事項

(vii) Matters concerning councils and other conferences;

八 協会員の役員（業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者をいい、いかなる名称を有する者であるかを問わず、法人に対し、これらの者と同等以上の支配力を有するものと認められる者として内閣府令で定めるものを含む。第三十七条第五項において同じ。）及び使用人の資質の向上に関する事項

(viii) Matters concerning the improvement of the abilities of the Officers

(meaning members in charge of executing business, a director, executive officer, representative person, administrator, or any other person equivalent thereto, and including a person specified by a Cabinet Office Ordinance who, irrespective of title, is found to have control over the juridical person which is equivalent to or greater than that of any of these persons; the same shall apply in Article 37, paragraph (5)) and employees of an Association member;

九 業務規程その他の規則の作成及び変更に関する事項

(ix) Matters concerning the creation of and changes to the operational rules and other rules;

十 協会員の法令、法令に基づく行政官庁の処分又は定款等の遵守の状況の調査に関する事項

(x) Matters concerning investigation of an Association member's compliance with laws and regulations or with dispositions made by a government agency under laws and regulations or the Articles of Incorporation, etc.;

十一 会費に関する事項

(xi) Matters concerning membership fees; and

十二 会計及び資産に関する事項

(xii) Matters concerning accounting and assets.

(業務規程の記載事項)

(Matters to Be Specified in the Operational Rules)

第三十二条 協会は、その業務規程において、次に掲げる事項を定めなければならない。

Article 32 An Association shall specify the following matters in its operational rules:

一 協会員が営む貸金業に係る過剰貸付けの防止に関する事項（次号に掲げるものを除く。）

(i) Matters concerning the prevention of excessive Loans pertaining to the Money Lending Business managed by an Association member (excluding those listed in the following item);

二 協会員がその貸金業の業務に関して資金需要者である個人の顧客と締結する極度方式基本契約で定められた条件のうち、一定期間における最低の返済額その他の返済に関する事項

(ii) The minimum amount of repayment for a specified period and other matters concerning repayment which are included in the predetermined conditions under a Basic Contract for a Revolving Credit Loan to be concluded by an Association member with an individual customer who is a person seeking funds in relation to the member's money lending operations;

三 協会員がその貸金業の業務に関して行う広告の内容、方法、頻度及び審査に関する事項

(iii) Matters concerning the contents, methods, frequency, and examination of the advertising to be conducted by an Association member in relation to the member's money lending operations;

四 協会員がその貸金業の業務に関して行う勧誘に関する事項

(iv) Matters concerning solicitation to be conducted by an Association member in relation to the member's money lending operations;

五 協会員がその貸金業の業務に関して行う債権の取立てに関する事項

(v) Matters concerning the collection of claims to be conducted by an Association member in relation to the member's money lending operations;

六 協会員に対する監査に関する事項

(vi) Matters concerning the supervision of an Association member;

七 協会員が営む貸金業の業務に対する資金需要者等（債務者等であつた者を含む。）からの苦情の解決に関する事項

(vii) Matters concerning the settlement of complaints from Persons Seeking Funds, etc. (including those who were Obligors, etc.) in relation to the money lending operations performed by an Association member;

八 資金需要者等に対する借入れ及び返済に関する相談又は助言その他の支援に関する事項

(viii) Matters concerning consultation or advice or any other support for  
Persons Seeking Funds, etc. with regard to their borrowing or repayment;

九 貸金業の業務に従事する者に対する研修に関する事項

(ix) Matters concerning training of persons engaging in money lending  
operations; and

十 前各号に掲げるもののほか、協会の目的を達成するために必要な事項

(x) In addition to what is listed in the preceding items, any other matters  
necessary for achieving the Association's purpose.

(定款等の変更の認可等)

(Authorization, etc. of Changes to the Articles of Incorporation, etc.)

第三十三条 協会は、定款又は業務規程を変更しようとするときは、内閣総理大臣の認可を受けなければならない。

Article 33 (1) When an Association wishes to change its articles of incorporation or operational rules, it shall obtain authorization therefor from the Prime Minister.

2 協会は、第二十七条第一項第二号又は第三号に掲げる事項について変更があつたときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。協会の規則（定款及び業務規程を除く。）の作成、変更又は廃止があつたときも、同様とする。

(2) An Association shall, where there has been a change to any of the matters listed in Article 27, paragraph (1), item (ii) or item (iii), notify the Prime Minister to that effect without delay. The same shall apply where an Association has created, changed or abolished its rules (excluding the articles of incorporation and the operational rules).

(支部)

(Branches)

第三十四条 協会は、都道府県の区域ごとに支部を設けなければならない。

Article 34 (1) An Association shall establish branches in each prefectural area.

2 支部は、協会の目的の達成に資するため、支部に所属する協会員に対する指導、連絡及び監督を行う。

(2) Each branch shall, for the purpose of contributing to the achievement of the Association's purpose, provide guidance for, maintain liaison with, and conduct supervision on Association members that belong to that branch.

(会長又は理事の行為についての損害賠償責任)

(Liability for Damages Due to Acts of the President or Directors)

第三十五条 協会は、会長又は理事がその職務を行うことについて他人に加えた損害を賠償する責任を負う。

Article 35 An Association shall be liable for compensating for any damage its president or director has caused to another person in the course of his/her

duties.

(協会の住所)

(Association's Address)

第三十六条 協会の住所は、その主たる事務所の所在地にあるものとする。

Article 36 The address of an Association shall be the location of its principal office.

## 第二節 協会員

### Section 2 Association Members

(協会の資格及び協会への加入の制限)

(Qualification as an Association Member and Restrictions on Membership)

第三十七条 協会の協会員は、貸金業者に限る。

Article 37 (1) Only a Money Lender shall be qualified to be an Association member.

2 協会は、すべての貸金業者のうち政令で定める割合以上の貸金業者をその協会員としなければならない。

(2) An Association shall accept, as Association members, Money Lenders who account for a percentage specified by a Cabinet Order of all Money Lenders.

3 協会員は、当該協会の営業所又は事務所の所在地を含む都道府県の区域に設けられている協会の支部に所属するものとする。

(3) Each Association member shall belong to the Association's branch that has been established within the prefectural area that includes the location of the Association member's business office(s) or other office(s).

4 協会は、その定款において、第六項の場合を除くほか、貸金業者は何人も協会員として加入することができる旨を定めなければならない。

(4) An Association shall stipulate in its articles of incorporation that any Money Lender may join as an Association member, except in the case set forth in paragraph (6).

5 協会は、その定款において、協会員に、法令及び協会の定款等を遵守するための当該協会員又はその役員若しくは使用人が遵守すべき規則及び管理体制を整備させることにより、法令又は協会の定款等に違反する行為を防止して、資金需要者等の信頼を確保することに努める旨を定めなければならない。

(5) An Association shall stipulate in its articles of incorporation that by having each Association member establish rules to be observed by the Association member and the officers and employees thereof as well as an administrative infrastructure for the purpose of ensuring compliance with laws and regulations and the Association's Articles of Incorporation, etc., the Association will endeavor to prevent any violation of laws and regulations or of its Articles of Incorporation, etc., and to secure the confidence of Persons Seeking Funds,

etc.

6 協会は、その定款において、法令若しくは法令に基づく内閣総理大臣若しくは都道府県知事の処分に違反する行為をして、貸金業の業務の停止を命ぜられ、又は法令、法令に基づく行政官庁の処分若しくは当該協会の定款等に違反する行為をして、協会から除名の処分を受けたことがある者については、その者が協会員として加入することを拒否することができる旨を定めることができる。

(6) An Association may stipulate in its articles of incorporation that with regard to a person who has ever been ordered to suspend money lending operations for a violation of laws and regulations or of a disposition given by the Prime Minister or prefectural governor under laws and regulations, or who has ever been expelled from the Association for a violation of laws and regulations, a disposition made by a government agency under laws and regulations, or the Association's Articles of Incorporation, etc., the Association may refuse to allow such person to join as an Association member.

7 協会は、協会員の名簿を公衆の縦覧に供しなければならない。

(7) An Association shall provide its register of Association members for public inspection.

8 協会に加入していない者は、その名称又は商号中に、協会員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。

(8) A person who has not joined an Association shall not use, in its name or trade name, any term due to which the person is likely to be mistaken as an Association member.

(協会員に対する処分等)

(Disposition on Association Members, etc.)

第三十八条 協会は、その定款において、協会員が、法令、法令に基づく行政官庁の処分又は当該協会の定款等に違反する行為をした場合に、当該協会員に対し、過怠金を課し、定款の定める協会員の権利の停止若しくは制限を命じ、又は除名する旨を定めなければならない。

Article 38 An Association shall stipulate in its articles of incorporation that where an Association member has committed a violation of laws and regulations, a disposition made by a government agency under laws and regulations, or the Association's Articles of Incorporation, etc., the Association will impose a monetary fine on the Association member, order suspension or restriction of the rights given the Association member under the articles of incorporation, or expel the Association member.

### 第三節 管理

#### Section 3 Administration

(役員を選任及びその職務権限)

(Appointment of Officers and Their Authority)

第三十九条 協会に、役員として、会長一人、理事二人以上及び監事二人以上を置く。

Article 39 (1) An Association shall have one president, two or more directors, and two or more auditors as its officers.

2 会長は、協会を代表し、その事務を総理する。

(2) The president shall represent the Association and preside over its affairs.

3 理事は、定款の定めるところにより、協会を代表し、会長を補佐して協会の事務を掌理し、会長に事故があるときはその職務を代理し、会長が欠員のときはその職務を行う。

(3) The directors shall, as provided by the articles of incorporation, represent the Association, administer the Association's affairs while assisting the president, perform the president's duties in his/her place when the president is unable to attend to his/her duties, and perform the president's duties when the post is vacant.

4 監事は、協会の事務を監査する。

(4) The auditors shall audit the affairs of the Association.

5 役員が第六条第一項第一号から第六号までのいずれかに該当することとなつたときは、その職を失う。

(5) An officer of an Association shall lose his/her position when he/she has come to fall under any of Article 6, paragraph (1), item (i) through item (vi).

(役員の解任命令)

(Orders of Dismissal for Officers)

第四十条 内閣総理大臣は、不正の手段により役員となつた者のあることを発見したとき、又は役員が法令、法令に基づく行政官庁の処分若しくは定款若しくは業務規程に違反したときは、協会に対し、当該役員 of 解任を命ずることができる。

Article 40 Where the Prime Minister has discovered that an officer of an Association has acquired his/her position by wrongful means, or where an officer of an Association has violated laws and regulations, a disposition made by a government agency under laws and regulations, or the Association's articles of incorporation or operational rules, he/she may order the Association to dismiss such officer.

(仮理事又は仮監事)

(Provisional Director or Provisional Auditor)

第四十一条 内閣総理大臣は、理事又は監事の職務を行う者のない場合において、必要があると認めるときは、仮理事又は仮監事を選任することができる。

Article 41 The Prime Minister may, where there is no person to perform the duties of a director or auditor and when he/she finds it necessary, appoint a provisional director or provisional auditor.

(秘密保持義務)

(Obligation of Confidentiality)

第四十一条の二 協会の役員若しくは職員又はこれらの職にあつた者は、その職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 41-2 An officer or employee of an Association or a person who was formerly in such a position shall not disclose to another person or misappropriate any confidential information he/she has learned during the course of his/her duties.

#### 第四節 監督

#### Section 4 Supervision

(定款等の変更命令)

(Order for Changes to the Articles of Incorporation, etc.)

第四十一条の三 内閣総理大臣は、協会の定款等又は業務の運営若しくは財産の状況に関し、資金需要者等の利益の保護のため必要かつ適当であると認めるときは、その必要の限度において、当該協会に対し、定款等の変更その他監督上必要な措置をとることを命ずることができる。

Article 41-3 Where the Prime Minister, with regard to the Articles of Incorporation, etc. of an Association or the management of its business or status of its property, finds it necessary and appropriate to protect the interests of Persons Seeking Funds, etc., he/she may, within the extent necessary, order the Association to change its Articles of Incorporation, etc. or to take any other necessary supervisory measures.

(法令違反等による認可の取消し、業務の停止、役員解任等)

(Rescission of Authorization, Suspension of Business, and Dismissal of Officers, etc. Due to the Violation of Laws and Regulations, etc.)

第四十一条の四 内閣総理大臣は、協会が法令、法令に基づく行政官庁の処分若しくは当該協会の定款等（以下この条において「法令等」という。）に違反した場合又は協会員が法令等に違反する行為をしたにもかかわらず、当該協会員に対し法令等を遵守させるために協会がこの法律、この法律に基づく命令若しくは定款等により認められた権能を行使せずその他必要な措置をとることを怠つた場合において、資金需要者等の利益の保護のため必要かつ適当であると認めるときは、その設立の認可を取り消し、一年以内の期間を定めてその業務の全部若しくは一部の停止を命じ、その業務の方法の変更若しくはその業務の一部の禁止を命じ、その役員解任を命じ、又は定款等に定める必要な措置をとることを命ずることができる。

Article 41-4 Where an Association has violated laws and regulations, a disposition made by a government agency under laws and regulations, or its Articles of Incorporation, etc. (hereinafter collectively referred to as "Laws and Regulations, etc." in this Article) or where, despite the fact that an Association

member has violated Laws and Regulations, etc., the Association has failed to exercise the powers vested therein under this Act, under any order issued under this Act, or under its Articles of Incorporation, etc., or where it has failed to take any other necessary measures for having that Association member observe Laws and Regulations, etc., the Prime Minister may, when he/she finds it necessary and appropriate to protect the interests of Persons Seeking Funds, etc., rescind the authorization of the establishment of the Association, specify a period of no longer than one year and order the suspension of the Association's business in whole or in part, order a change in its operational method or prohibition of its business in part, order the dismissal of its officer, or order any other necessary measures specified in its Articles of Incorporation, etc.

(報告徴収及び立入検査)

(Collection of Reports and On-Site Inspections)

第四十一条の五 内閣総理大臣は、資金需要者等の利益の保護を図るため必要があると認めるときは、協会に対し、その業務若しくは財産に関して報告若しくは資料の提出を命じ、又は当該職員に、協会の事務所に立ち入らせ、当該協会の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 41-5 (1) The Prime Minister may, when he/she finds it necessary in order to protect the interests of Persons Seeking Funds, etc., order an Association to submit reports or materials with regard to its business or the status of its property, and may have the relevant officials enter the Association's office, ask questions with regard to the status of the Association's business or property, and inspect books, documents, and any other articles.

2 内閣総理大臣は、資金需要者等の利益の保護を図るため特に必要があると認めるときは、その必要の限度において、協会から業務の委託を受けた者に対し、当該協会の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に、当該協会から業務の委託を受けた者の営業所若しくは事務所に立ち入らせ、当該協会の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the Prime Minister finds it particularly necessary in order to protect the interests of Persons Seeking Funds, etc., he/she may, within the extent necessary, order a person who has been entrusted by an Association with its business, to submit reports or materials that are informative with regard to the Association's business or property, and may have the relevant officials enter the business office or other office of such person who has been entrusted by the Association with its business, ask questions with regard to the status of the Association's business or property, and inspect books, documents and any other articles.

3 前二項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係



者の請求があつたときは、これを提示しなければならない。

(3) An official who conducts an on-site inspection pursuant to the provisions of the preceding two paragraphs shall carry a certificate of identification and present it when requested by any person concerned.

4 第一項及び第二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。

(4) The authority to conduct an on-site inspection under the provisions of paragraph (1) or paragraph (2) shall not be construed as being for criminal investigation.

(内閣総理大臣への提出書類)

(Documents to Be Submitted to the Prime Minister)

第四十一条の六 協会は、事業年度ごとに、次に掲げる書類を作成し、毎事業年度経過後三月以内に、内閣総理大臣に提出しなければならない。

Article 41-6 An Association shall, for each business year, prepare the following documents, and submit them to the Prime Minister within three months after the end of each business year:

一 前事業年度の事業概況報告書及び当該事業年度の事業計画書

(i) A business summary report for the previous business year and a business plan for the current business year;

二 前事業年度末における財産目録

(ii) The inventory of property as of the end of the previous business year; and

三 前事業年度の収支決算書及び当該事業年度の収支予算書

(iii) The settlement of accounts for the previous business year and the budget statements for the current business year.

## 第五節 雑則

### Section 5 Miscellaneous Provisions

(苦情への対応)

(Response to Complaints)

第四十一条の七 協会は、資金需要者等（債務者等であつた者を含む。）から協会員が営む貸金業の業務に関する苦情について解決の申出があつたときは、その相談に応じ、申出人に必要な助言をし、その苦情に係る事情を調査するとともに、当該協会員に対し、その苦情の内容を通知してその迅速な処理を求めなければならない。

Article 41-7 (1) Where a Person Seeking Funds, etc. (including a person who was formerly an Obligor, etc.) has requested to settle a complaint about an Association member's money lending operations, the Association shall respond to such request, giving the necessary advice to such person and investigating the circumstances pertaining to the complaint, as well as notifying said Association member of the details of such complaint and requesting the prompt

handling thereof.

2 協会は、前項の申出に係る苦情の解決について必要があると認めるときは、当該協会会員に対し、文書若しくは口頭による説明を求め、又は資料の提出を求めることができる。

(2) Where the Association finds it necessary for the settlement of a complaint filed under the preceding paragraph, it may request the Association member to explain in writing or verbally, or to submit any relevant materials.

3 協会会員は、協会から前項の規定による求めがあつたときは、正当な理由がないのに、これを拒んではならない。

(3) An Association member shall not refuse a request made under the preceding paragraph by the Association without justifiable grounds.

4 協会は、第一項の申出、当該苦情に係る事情及びその解決の結果について協会会員に周知しなければならない。

(4) The Association shall inform the Association member of the request for the settlement of a complaint under paragraph (1), the circumstances with regard to the complaint and the results of the settlement thereof.

(内閣総理大臣又は都道府県知事に対する協力)

(Cooperation with the Prime Minister or Prefectural Governor)

第四十一条の八 内閣総理大臣又は都道府県知事は、この法律の円滑な実施を図るため、内閣府令で定めるところにより、この法律の規定に基づく登録の申請、届出その他必要な事項について、協会に協力させることができる。

Article 41-8 The Prime Minister or prefectural governor may, in order to ensure smooth enforcement of this Act, have an Association cooperate with him/her in the application of registration, notification, and other necessary matters under the provisions of this Act.

(協会による啓発活動等)

(Awareness-Raising Activities, etc. by Associations)

第四十一条の九 協会は、金融に係る知識の普及、啓発活動及び広報活動を通じて、資金需要者等の利益の保護の促進に努めなければならない。

Article 41-9 The Association shall endeavor to promote protection of the interests of Persons Seeking Funds, etc. through dissemination of financial knowledge, enlightenment activities, and publicity campaigns.

(協会の登記)

(Registration of the Association)

第四十一条の十 協会は、政令で定めるところにより、登記しなければならない。

Article 41-10 (1) An Association shall be registered pursuant to the provision of a Cabinet Order.

2 協会は、その主たる事務所の所在地において、設立の登記をすることによつて成立

する。

(2) An Association shall be established by registering its establishment at the location of its principal office.

3 第一項の規定により登記しなければならない事項は、登記の後でなければ、これをもつて第三者に対抗することができない。

(3) The matters that are required to be registered under paragraph (1) may not be duly asserted against a third party until after registration.

(協会の解散)

(Dissolution of the Association)

第四十一条の十一 協会は、次の事由により解散する。

Article 41-11 (1) An Association shall be dissolved based on the following grounds:

一 定款に定める事由の発生

(i) The occurrence of causes specified in its articles of incorporation;

二 総会の決議

(ii) A resolution made at a general meeting;

三 破産手続開始の決定

(iii) A ruling to commence bankruptcy proceedings; or

四 協会の設立の認可の取消し

(iv) The rescission of authorization for establishment of the Association.

2 協会の解散に関する総会の決議は、内閣総理大臣の認可を受けなければ、その効力を生じない。

(2) A resolution made at a general meeting concerning dissolution of an Association shall not become effective unless it is authorized by the Prime Minister.

3 協会が第一項第一号の規定により解散したときは、その代表者であつた者は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(3) When an Association has dissolved pursuant to item (i) of paragraph (1), the former representative person shall notify the Prime Minister to that effect without delay.

4 協会について破産手続開始若しくは破産手続終結の決定があつた場合又は破産手続開始の決定の取消し若しくは破産手続廃止の決定が確定した場合には、裁判所書記官は、その旨を内閣総理大臣に通知しなければならない。

(4) With regard to an Association, when an order for the commencement of bankruptcy proceedings or an order for the termination of bankruptcy proceedings has been rendered, or when rescission of an order for the commencement of bankruptcy proceedings or an order for the discontinuance of bankruptcy proceedings has become final and binding, the court clerk shall notify the Prime Minister to that effect.

5 前各項に定めるもののほか、協会の解散に関し必要な事項は、政令で定める。

(5) In addition to what is provided for in the preceding paragraphs, matters necessary for the dissolution of an Association shall be specified by a Cabinet Order.

(認可等の公示)

(Public Notice of Authorization, etc.)

第四十一条の十二 内閣総理大臣は、次に掲げる場合には、その旨（第一号に掲げる場合にあってはその旨及び認可を受けた協会の定款等、第三号に掲げる場合にあってはその旨及び変更後の定款又は業務規程、第四号に掲げる場合にあってはその旨及び届出があつた事項）を官報で公示しなければならない。

Article 41-12 In the following cases, the Prime Minister shall give public notice to that effect in an official gazette (in the case set forth in item (i), to that effect and of the Articles of Incorporation, etc. of the authorized Association; in the case set forth in item (iii), to that effect and of the changed articles of incorporation and operational rules; and in the case set forth in item (iv), to that effect and of the notified matters):

一 第二十六条第二項の認可をしたとき。

(i) When the Prime Minister has granted an authorization under Article 26, paragraph (2);

二 第二十九条の規定により認可を取り消したとき。

(ii) When the Prime Minister has rescinded an authorization pursuant to Article 29;

三 第三十三条第一項の認可をしたとき。

(iii) When the Prime Minister has granted an authorization under Article 33, paragraph (1);

四 第三十三条第二項の届出があつたとき。

(iv) When an Association has made a notification under Article 33, paragraph (2);

五 第四十一条の三の規定により定款等の変更その他監督上必要な措置をとることを命じたとき。

(v) When the Prime Minister has ordered an Association to change its Articles of Incorporation, etc. or to take other necessary supervisory measures under Article 41-3;

六 第四十一条の四の規定により認可を取り消し、業務の停止を命じ、その業務の方法の変更若しくはその業務の禁止を命じ、その役員の解任を命じ、又は定款等に定める必要な措置をとることを命じたとき。

(vi) When the Prime Minister has rescinded his/her authorization for the establishment of an Association, ordered the suspension of an Association's business, ordered a change to its operational methods or prohibition of its business, ordered the dismissal of its officer, or ordered any other necessary measures specified in its Articles of Incorporation, etc., pursuant to Article

41-4;

七 前条第二項の認可をしたとき。

(vii) When the Prime Minister has granted an authorization set forth in paragraph (2) of the preceding Article;

八 前条第三項の届出があつたとき。

(viii) When a notification under paragraph (3) of the preceding Article has been made; or

九 前条第四項の通知を受けたとき。

(ix) When the Prime Minister has received a notification under paragraph (4) of the preceding Article.

### 第三章の二 指定信用情報機関

#### Chapter III-2 Designated Credit Bureaus

##### 第一節 通則

##### Section 1 General Rules

(信用情報提供等業務を行う者の指定)

(Designation of a Person to Conduct Credit Information Services)

第四十一条の十三 内閣総理大臣は、次に掲げる要件を備える者を、その申請により、この章の定めるところにより信用情報提供等業務を行う者として、指定することができる。

Article 41-13 (1) The Prime Minister may designate a person who satisfies the following requirements as a person to perform Credit Information Services, subject to his/her application and pursuant to the provisions of this Chapter:

一 法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含み、外国の法令に準拠して設立された法人その他の外国の団体を除く。以下この章において同じ。）であること。

(i) That the person is a juridical person (including an association or foundation without juridical personality having a representative person or administrator, and excluding a juridical person established in compliance with laws and regulations of a foreign state and other foreign associations; hereinafter the same shall apply in this Chapter);

二 第四十一条の三十三第一項の規定によりこの項の規定による指定を取り消され、その取消の日から五年を経過しない者でないこと。

(ii) That the person is not a person whose designation set forth in this paragraph has been rescinded pursuant to Article 41-33, paragraph (1) and for whom five years have not elapsed from the date of said rescission;

三 この法律若しくは個人情報保護に関する法律（平成十五年法律第五十七号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなつた日から五年を経過しない者でないこと。

(iii) That the person is not a person who has been sentenced to a fine (including a punishment under laws and regulations of a foreign state equivalent thereto) for having violated the provisions of this Act, the Act on the Protection of Personal Information (Act No. 57 of 2003), or the provisions of laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed since the day on which the execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence;

四 役員（業務を執行する社員（業務を執行する社員が法人であるときは、その職務を行うべき者を含む。））、取締役、執行役、会計参与（会計参与が法人であるときは、その職務を行うべき社員を含む。））、監査役、代表者若しくは管理人又はこれらに準ずる者をいう。以下この章において同じ。）のうちに、次のいずれかに該当する者がいないこと。

(iv) That the person has no Officer (meaning a member in charge of executing business (including, in cases where the member in charge of executing business is a juridical person, a person who is to perform its duties), director, executive officer, accounting advisor (including, in cases where an accounting advisor is a juridical person, the member who is to perform its duties), auditor, representative person, administrator, or any other person equivalent thereto; the same shall apply in this Chapter) who falls under any of the following sub-items:

イ 成年被後見人若しくは被保佐人又は外国の法令上これらと同様に取り扱われている者

(a) An adult ward or a person under curatorship, or a person who is treated in the same manner under laws and regulations of a foreign state;

ロ 破産者で復権を得ないもの又は外国の法令上これと同様に取り扱われている者

(b) A bankrupt person who has not had his/her rights restored or a person who is treated in the same manner under laws and regulations of a foreign state;

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

(c) A person who has been sentenced to imprisonment without work or a severer punishment (including a punishment under laws and regulations of a foreign state equivalent thereto) and for whom five years have not elapsed since the day on which the execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence;

ニ 第四十一条の三十三第一項の規定によりこの項の規定による指定を取り消された場合又はこの法律に相当する外国の法令の規定により当該外国において受けている当該指定に類する行政処分を取り消された場合において、その取消しの日前

三十日以内にその法人の役員（外国の法令上これと同様に取り扱われている者を含む。ホにおいて同じ。）であつた者でその取消しの日から五年を経過しない者

(d) Where the designation provided in this paragraph has been rescinded pursuant to Article 41-33, paragraph (1) or an administrative disposition equivalent thereto which has been issued in a foreign state under laws and regulations thereof that are equivalent to this Act has been rescinded, a person who, within 30 days prior to the day of rescission, was an officer of the juridical person (including a person who is treated in the same manner under laws and regulations of a foreign state; the same shall apply in sub-item (e)) and for whom five years have not elapsed since the day of rescission;

ホ 第四十一条の三十三第一項の規定又はこの法律に相当する外国の法令の規定により解任を命ぜられた役員でその処分を受けた日から五年を経過しない者

(e) An officer whose dismissal has been ordered under Article 41-33, paragraph (1) or the provisions of laws and regulations of a foreign state equivalent to this Act, and for whom five years have not elapsed since the day of such disposition; or

へ この法律若しくは個人情報保護に関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(f) A person who has been sentenced to a fine (including a punishment under laws and regulations of a foreign state equivalent thereto) for having violated the provisions of this Act, the Act on the Protection of Personal Information, or the provisions of laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed since the day on which the execution of the sentence was completed or since the day on which said person ceased to be subject to execution of the sentence.

五 その取り扱う信用情報の規模として内閣府令で定めるものが、信用情報提供等業務を適正かつ効率的に行うに足りるものとして内閣府令で定める基準に適合するものであること。

(v) That the amount of Credit Information handled by the person as provided by a Cabinet Office Ordinance satisfies the standard specified by a Cabinet Office Ordinance as being sufficient to conduct Credit Information Services properly and efficiently;

六 信用情報提供等業務を遂行するために必要と認められる財産的基礎で内閣府令で定めるものを有すると認められること。

(vi) That the person is found to have the financial basis necessary for conducting Credit Information Services as provided by a Cabinet Office Ordinance; and

七 その人的構成に照らして、信用情報提供等業務を適正かつ確実に遂行することが

できる知識及び経験を有し、かつ、十分な社会的信用を有すると認められること。

(vii) In light of its personnel structure, the person is found to have sufficient knowledge and experience for conducting Credit Information Services properly and reliably and have sufficient social credibility.

2 内閣総理大臣は、前項の規定による指定をしたときは、指定信用情報機関の商号又は名称及び主たる営業所又は事務所の所在地並びに当該指定をした日を官報で公示しなければならない。

(2) When the Prime Minister has made a designation under the preceding paragraph, he/she shall give public notice of the trade name or name of the Designated Credit Bureau, the location of its principal business office or office, and the date of its designation in an official gazette.

(指定の申請)

(Application for Designation)

第四十一条の十四 前条第一項の規定による指定を受けようとする者は、次に掲げる事項を記載した指定申請書を内閣総理大臣に提出しなければならない。

Article 41-14 (1) A person who wishes to receive the designation provided in paragraph (1) of the preceding Article shall submit a written application for designation to the Prime Minister in which the following matters are stated:

一 商号又は名称

(i) The trade name or name;

二 主たる営業所又は事務所その他信用情報提供等業務を行う営業所又は事務所の名称及び所在地

(ii) The name and location of its principal business office or office, or of the business office or office where the Credit Information Services are to be conducted;

三 役員の氏名又は商号若しくは名称

(iii) The names or trade names of its Officers; and

四 信用情報提供等業務及び信用情報提供等業務に付随する業務以外の業務を行うときは、その業務の内容

(iv) When the person conducts any business other than Credit Information Services and business incidental thereto, the details of such business.

2 前項の指定申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents shall be attached to the written application for designation set forth in the preceding paragraph:

一 前条第一項第三号及び第四号に掲げる要件に該当することを誓約する書面

(i) A document pledging that the person satisfies the requirements set forth in paragraph (1), item (iii), and item (iv) of the preceding Article;

二 定款及び法人の登記事項証明書（これらに準ずるものを含む。）

(ii) The articles of incorporation and a certificate of registered matters of the juridical person (including the documents equivalent to these);



三 業務規程

(iii) The operational rules;

四 財産目録、貸借対照表及び損益計算書又は収支計算書並びに事業報告書

(iv) An inventory of property, balance sheet, profit and loss statement or income and expenditure statement, and business report; and

五 前各号に掲げるもののほか、内閣府令で定める書類

(v) In addition to what is listed in the preceding items, documents specified by a Cabinet Office Ordinance.

3 前項の場合において、定款、財産目録、貸借対照表、損益計算書若しくは収支計算書又は事業報告書が電磁的記録で作成されているときは、書類に代えて当該電磁的記録を添付することができる。

(3) In the case referred to in the preceding paragraph, when the articles of incorporation, inventory of property, balance sheet, profit and loss statement or income and expenditure statement, or business reports have been prepared in the form of Electromagnetic Records, such Electromagnetic Records may be attached in lieu of the above-mentioned documents.

(指定信用情報機関の役員の兼職の制限)

(Restriction on Concurrent Positions Being Held by Officers of a Designated Credit Bureau)

第四十一条の十五 指定信用情報機関の代表者及び常務に従事する役員は、内閣総理大臣の認可を受けた場合を除くほか、貸金業者その他の内閣府令で定める法人の代表者となり、若しくは常務に従事し、又は貸金業その他の内閣府令で定める事業を営んではならない。

Article 41-15 The representative person of a Designated Credit Bureau or an Officer who regularly engages in the business of a Designated Credit Bureau shall not, except in the case where he/she has obtained authorization from the Prime Minister, become a representative person of a Money Lender or other juridical person specified by a Cabinet Office Ordinance, nor shall he/she engage in the ordinary business thereof or conduct Money Lending Business or any other business specified by a Cabinet Office Ordinance.

(秘密保持義務)

(Obligation of Confidentiality)

第四十一条の十六 指定信用情報機関の役員若しくは職員又はこれらの職にあつた者は、信用情報提供等業務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 41-16 An officer or employee of a Designated Credit Bureau or a person who was formerly in such a position shall not disclose to another person or misappropriate any confidential information he/she has learned during the course of Credit Information Services.

## 第二節 業務 Section 2 Operations

(指定信用情報機関の業務)

(Business of a Designated Credit Bureau)

第四十一条の十七 指定信用情報機関は、この章の規定及び業務規程の定めるところにより、信用情報提供等業務を行うものとする。

Article 41-17 A Designated Credit Bureau shall, pursuant to the provisions of this Chapter and its operational rules, conduct Credit Information Services.

(兼業の制限)

(Restriction on Additional Business)

第四十一条の十八 指定信用情報機関は、信用情報提供等業務及び信用情報提供等業務に付随する業務のほか、他の業務を行うことができない。ただし、当該指定信用情報機関が信用情報提供等業務を適正かつ確実にを行うにつき支障を生ずるおそれがないと認められるものについて、内閣府令で定めるところにより、内閣総理大臣の承認を受けたときは、この限りでない。

Article 41-18 (1) A Designated Credit Bureau shall not engage in business other than Credit Information Service and business incidental thereto; provided, however, that this shall not apply to business which is found not to hinder the proper and sound implementation of Credit Information Services by the Designated Credit Bureau and which are approved by the Prime Minister pursuant to the provisions of a Cabinet Office Ordinance.

2 指定信用情報機関は、前項ただし書の承認を受けた業務を廃止したときは、内閣府令で定めるところにより、その旨を内閣総理大臣に届け出なければならない。

(2) A Designated Credit Bureau shall, when it has abolished business approved under the proviso to the preceding paragraph, notify the Prime Minister to that effect as provided by a Cabinet Office Ordinance.

3 第四十一条の十四第一項の指定申請書に申請者が信用情報提供等業務及び信用情報提供等業務に付随する業務以外の業務を行う旨の記載がある場合において、当該申請者が第四十一条の十三第一項の指定を受けたときは、当該業務を行うことにつき第一項ただし書の承認を受けたものとみなす。

(3) In cases where a written application for designation set forth in Article 41-14, paragraph (1) states to the effect that the applicant conducts business other than Credit Information Services and business incidental thereto, and when the applicant has received a designation under Article 41-13, paragraph (1), he/she shall be deemed to have been approved to conduct said business under the proviso to paragraph (1).

(信用情報提供等業務の一部の委託)

(Partial Entrustment of Credit Information Services)

第四十一条の十九 指定信用情報機関は、内閣府令で定めるところにより、信用情報提供等業務の一部を、内閣総理大臣の承認を受けて、他の者に委託することができる。

Article 41-19 (1) A Designated Credit Bureau may, pursuant to the provisions of a Cabinet Office Ordinance, entrust part of its Credit Information Services to others with approval from the Prime Minister.

2 前項の規定による委託を受けた者は、当該委託を受けた信用情報提供等業務の一部を、当該委託をした指定信用情報機関の同意を得て、更に他の者に委託することができる。

(2) A person who has been entrusted under the preceding paragraph may further entrust part of the entrusted Credit Information Services to others with the consent of the Designated Credit Bureau which made such entrustment.

3 前項の規定による委託を受けた者は、当該委託を受けた信用情報提供等業務の一部を、同項に規定する委託を受けた者及び同項の指定信用情報機関の同意を得て、更に他の者に委託することができる。

(3) A person who has been entrusted under the preceding paragraph may further entrust part of the entrusted Credit Information Services to others with the consent of the person who has been entrusted under paragraph (1) and of the Designated Credit Bureau set forth in that paragraph.

(業務規程の認可)

(Authorization of the Operational Rules)

第四十一条の二十 指定信用情報機関は、信用情報提供等業務に係る次に掲げる事項に関する業務規程を定め、内閣総理大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 41-20 (1) A Designated Credit Bureau shall provide operational rules concerning the following matters which pertain to its Credit Information Services, and shall obtain authorization thereof from the Prime Minister. The same shall apply when said rules are to be changed:

一 貸金業者との信用情報の提供を内容とする契約（以下「信用情報提供契約」という。）の締結に関する事項

(i) Matters concerning the conclusion of a contract with a Money Lender under which the Designated Credit Bureau undertakes to provide Credit Information (hereinafter such contract shall be referred to as a "Credit Information Contract");

二 信用情報の収集及び提供に関する事項

(ii) Matters concerning the collection and provision of Credit Information;

三 信用情報の漏えい、滅失又はき損の防止その他の信用情報の安全管理に関する事項

(iii) Matters concerning the prevention of leakage, loss, or damage of Credit Information and other matters concerning the safety management of Credit Information;

四 信用情報の正確性の確保に関する事項

(iv) Matters concerning maintaining the accuracy of Credit Information;

五 料金に関する事項

(v) Matters concerning fees;

六 他の指定信用情報機関があるときは、当該他の指定信用情報機関に対する個人信用情報の提供に関する事項その他の当該他の指定信用情報機関との信用情報提供等業務の連携に関する事項（第四十一条の二十四第二項の規定により手数料を徴収する場合にあつては、当該手数料に関する事項を含む。）

(vi) Where there are other Designated Credit Bureaus, matters concerning the provision of Personal Credit Information thereto and matters concerning coordination with said other Designated Credit Bureaus with regard to Credit Information Services (in the case of collecting fees under Article 41-24, paragraph (2), matters concerning said fees shall be included);

七 信用情報提供契約を締結した相手方である貸金業者（以下「加入貸金業者」という。）に対する監督に関する事項

(vii) Matters concerning the supervision of a Money Lender who is the counterparty to a Credit Information Contract (hereinafter such Money Lender shall be referred to as "Member Money Lender");

八 信用情報提供等業務の一部を他の者に委託する場合におけるその委託した業務の適正かつ確実な遂行を確保するための措置に関する事項

(viii) Where the Designated Credit Bureau has entrusted part of its Credit Information Services to others, matters concerning measures necessary for ensuring the proper and sound implementation of entrusted business;

九 苦情の処理に関する事項

(ix) Matters concerning the handling of complaints; and

十 前各号に掲げるもののほか、信用情報提供等業務の実施に必要な事項として内閣府令で定める事項

(x) In addition to what is listed in the preceding items, matters necessary for conducting Credit Information Services as specified by a Cabinet Office Ordinance.

2 前項第二号に掲げる事項に関する業務規程は、次に掲げる事項を内容とするものでなければならない。

(2) The operational rules concerning the matters listed in item (ii) of the preceding paragraph shall provide the following matters:

一 加入貸金業者から資金需要者等に係る信用情報の提供を依頼された場合には、当該資金需要者等に係るすべての信用情報を提供すること。

(i) When a Designated Credit Bureau receives a request to provide Credit Information pertaining to a Person Seeking Funds, etc. from a Member Money Lender, it shall provide all of the Credit Information pertaining to said Person Seeking Funds, etc.; and

二 加入貸金業者から、その保有する個人信用情報について、資金需要者等ごとに当

該資金需要者等に係るすべての個人信用情報の提供を受けること。

(ii) A Designated Credit Bureau shall receive from Member Money Lenders all Personal Credit Information pertaining to each Person Seeking Funds, etc. held by Member Money Lenders.

3 第一項第五号に掲げる事項に関する業務規程は、信用情報提供等業務に関する料金が能率的な業務運営の下における適正な原価に照らし公正妥当なものであることを内容とするものでなければならない。

(3) The operational rules concerning the matters listed in item (v) of paragraph (1) shall provide for fees for Credit Information Services that are proper and fair in light of appropriate costs under efficient business management.

4 内閣総理大臣は、第一項の認可をした業務規程が信用情報提供等業務の適正かつ確実な実施上不適当となつたと認めるときは、指定信用情報機関に対し、その業務規程を変更すべきことを命ずることができる。

(4) When the Prime Minister finds that the operational rules approved thereby under paragraph (1) have become inappropriate for implementing Credit Information Services properly and reliably, he/she may order the Designated Credit Bureau to change said operational rules.

(差別的取扱いの禁止)

(Prohibition on Discriminatory Treatment)

第四十一条の二十一 指定信用情報機関は、貸金業者が信用情報提供契約の締結を希望する場合には、正当な理由なくこれを拒否してはならない。

Article 41-21 (1) A Designated Credit Bureau shall not refuse a Money Lender's request to conclude a Credit Information Contract without justifiable grounds.

2 指定信用情報機関は、特定の加入貸金業者に対し不当な差別的取扱いをしてはならない。

(2) No Designated Credit Bureau shall treat any particular Member Money Lender in an unjust and discriminatory way.

(記録の保存)

(Preservation of Records)

第四十一条の二十二 指定信用情報機関は、内閣府令で定めるところにより、信用情報提供等業務に関する記録を作成し、これを保存しなければならない。

Article 41-22 A Designated Credit Bureau shall, pursuant to the provisions of a Cabinet Office Ordinance, prepare and preserve records of its Credit Information Services.

(加入貸金業者に対する監督)

(Supervision of Member Money Lenders)

第四十一条の二十三 指定信用情報機関は、加入貸金業者が指定信用情報機関から提供を受けた信用情報をその顧客である資金需要者等の返済能力の調査（指定信用情報機

関が第四十一条の十八第一項ただし書の承認を受けて加入貸金業者の顧客の金銭債務の弁済能力の調査（当該返済能力の調査を除く。）のために信用情報の提供を行っている場合には、当該弁済能力の調査を含む。）以外の目的で使用しないよう加入貸金業者に対する必要かつ適切な監督を行わなければならない。

Article 41-23 A Designated Credit Bureau shall conduct the necessary and proper supervision of Member Money Lenders so that the Member Money Lenders do not use the Credit Information provided by said Designated Credit Bureau for any purpose other than investigation of the capacity of a Person Seeking Funds, etc. who is its customer to perform a monetary debt (in cases where the Designated Credit Bureau is providing Credit Information to the Member Money Lender for their investigation of a customer's capacity for performance (excluding the above-mentioned investigation of capacity for performance) with approval under the proviso to Article 41-18, paragraph (1), such investigation of capacity for performance shall be included).

（指定信用情報機関の情報提供）

(Provision of Information Held by Designated Credit Bureaus)

第四十一条の二十四 指定信用情報機関は、他の指定信用情報機関の加入貸金業者の依頼に基づき当該他の指定信用情報機関から個人信用情報の提供の依頼を受けたときは、正当な理由がある場合を除き、当該依頼に応じ、個人信用情報を提供しなければならない。

Article 41-24 (1) When another Designated Credit Bureau, based on a request from its Member Money Lender, has requested that a Designated Credit Bureau provide it with Personal Credit Information, said Designated Credit Bureau shall, in response to such a request, provide said Personal Credit Information, unless there are justifiable grounds for not doing so.

2 指定信用情報機関は、前項の規定による個人信用情報の提供に関し、手数料を徴収することができる。

(2) A Designated Credit Bureau may collect fees with regard to the provision of Personal Credit Information under the preceding paragraph.

3 指定信用情報機関は、前項の規定により手数料を徴収する場合には、第一項の規定による個人信用情報の提供に関する能率的な業務運営の下における適正な原価に照らし公正妥当な手数料を定めなければならない。

(3) A Designated Credit Bureau shall, in collecting fees pursuant to the preceding paragraph, fix the fees in a proper and fair fashion in light of appropriate costs under efficient business management concerning the provision of Personal Credit Information under paragraph (1).

4 第四十一条の十六及び第四十一条の二十二の規定は、第一項の規定による個人信用情報の提供に係る業務について準用する。

(4) The provisions of Article 41-16 and Article 41-22 shall apply mutatis mutandis to business pertaining to the provision of Personal Credit

Information under paragraph (1).

(加入貸金業者の名簿の縦覧)

(Public Inspection of Member Money Lenders' Registries)

第四十一条の二十五 指定信用情報機関は、加入貸金業者の名簿を公衆の縦覧に供しなければならない。

Article 41-25 A Designated Credit Bureau shall make the Member Money Lenders' registry available for public inspection.

(名称の使用制限)

(Restriction on the Use of Names)

第四十一条の二十六 指定信用情報機関でない者（割賦販売法（昭和三十六年法律第一百五十九号）第三十五条の三の三十六第一項の規定による指定を受けた者を除く。）は、その名称又は商号中に、指定信用情報機関と誤認されるおそれのある文字を用いてはならない。

Article 41-26 No person other than a Designated Credit Bureau (excluding those designated under Article 35-3-36, paragraph (1) of the Installment Sales Act (Act No. 159 of 1961)) shall use in its name or trade name any term due to which the person is likely to be mistaken as a Designated Credit Bureau.

### 第三節 監督

#### Section 3 Supervision

(変更の届出)

(Notification of Changes)

第四十一条の二十七 指定信用情報機関は、第四十一条の十四第一項第一号から第三号までのいずれかに掲げる事項に変更があつたときは、その旨を内閣総理大臣に届け出なければならない。

Article 41-27 (1) When any of the matters listed in Article 41-14, paragraph (1), item (i) through item (iii) has been changed, a Designated Credit Bureau shall notify the Prime Minister to that effect.

2 内閣総理大臣は、前項の規定により指定信用情報機関の商号若しくは名称又は主たる営業所若しくは事務所の所在地の変更の届出があつたときは、その旨を官報で公示しなければならない。

(2) When a notification of a change to the trade name or name or the location of the principal business office or office of a Designated Credit Bureau has been made under the preceding paragraph, the Prime Minister shall give public notice to that effect in an official gazette.

(信用情報提供契約の締結等の届出)

(Notification of the Conclusion, etc. of a Credit Information Contract)

第四十一条の二十八 指定信用情報機関は、次の各号のいずれかに該当するときは、内閣府令で定めるところにより、その旨を内閣総理大臣に届け出なければならない。

**Article 41-28** When a Designated Credit Bureau falls under any of the following items, it shall notify the Prime Minister to that effect as provided by a Cabinet Office Ordinance:

一 貸金業者と信用情報提供契約を締結したとき、又は当該信用情報提供契約を終了したとき。

(i) When a Designated Credit Bureau has concluded a Credit Information Contract with a Money Lender or has terminated said Credit Information Contract;

二 第四十一条の十五の規定による認可又は第四十一条の十八第一項ただし書の規定による承認を受けた事項を実行したとき。

(ii) When a Designated Credit Bureau has put the matters authorized under Article 41-15 or matters approved under the proviso to Article 41-18, paragraph (1) into practice; and

三 前二号に掲げるもののほか、内閣府令で定めるとき。

(iii) In addition to what is listed in the preceding two items, the cases specified by a Cabinet Office Ordinance.

(業務及び財産に関する報告書の提出)

(Submission of Reports on Business and Property)

第四十一条の二十九 指定信用情報機関は、事業年度ごとに、当該事業年度に係る業務及び財産に関する報告書を作成し、内閣総理大臣に提出しなければならない。

**Article 41-29** (1) A Designated Credit Bureau shall prepare reports on its business and property each business year, and shall submit them to the Prime Minister.

2 前項の報告書に関する記載事項、提出期日その他必要な事項は、内閣府令で定める。

(2) Matters to be stated, the date of submission, and any other necessary matters in relation to the reports set forth in the preceding paragraph shall be specified by a Cabinet Office Ordinance.

(報告徴収及び立入検査)

(Collection of Reports and On-Site Inspections)

第四十一条の三十 内閣総理大臣は、信用情報提供等業務の適正かつ確実な遂行のため必要があると認めるときは、指定信用情報機関に対し、その業務若しくは財産に関して報告若しくは資料の提出を命じ、又は当該職員に、指定信用情報機関の営業所若しくは事務所その他の施設に立ち入らせ、当該指定信用情報機関の業務若しくは財産の状況に関し質問させ、若しくは帳簿書類その他の物件を検査させることができる。

**Article 41-30** (1) The Prime Minister may, when he/she finds it necessary for ensuring the proper and sound implementation of Credit Information Services, order a Designated Credit Bureau to submit reports or materials with regard to



the status of its business or property, and may have the relevant officials enter the Designated Credit Bureau's business office, office or other facilities, ask questions with regard to the status of the business or property of said Designated Credit Bureau, and inspect books, documents, and any other articles.

2 内閣総理大臣は、信用情報提供等業務の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、指定信用情報機関の利用者若しくは第四十一条の十九各項の規定による委託を受けた者に対し、当該指定信用情報機関の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に、これらの者の営業所若しくは事務所に立ち入らせ、当該指定信用情報機関の業務若しくは財産の状況に関して質問させ、若しくはこれらの者の帳簿書類その他の物件を検査させることができる。

(2) When the Prime Minister finds it particularly necessary for ensuring the proper and sound implementation of Credit Information Services, he/she may, within the extent necessary, order the customers of a Designated Credit Bureau or a person who has been entrusted under the paragraphs of Article 41-19 to submit reports or materials that are informative with regard to the Designated Credit Bureau's business or property, and may have the relevant officials enter the business office or other office of the above-mentioned persons, ask questions with regard to the status of the Designated Credit Bureau's business or property, and inspect books, documents, and any other articles.

3 前二項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者の請求があつたときは、これを提示しなければならない。

(3) An official who conducts an on-site inspection pursuant to the provisions of the preceding two paragraphs shall carry a certificate of identification and present it when requested by any person concerned.

4 第一項及び第二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。

(4) The authority to conduct on-site inspections under the provisions of paragraph (1) or paragraph (2) shall not be construed as being for criminal investigation.

(業務改善命令)

(Order to Improve Business Operations)

第四十一条の三十一 内閣総理大臣は、指定信用情報機関の信用情報提供等業務の運営に関し、信用情報提供等業務の適正かつ確実な遂行を確保するため必要があると認めるときは、その必要の限度において、当該指定信用情報機関に対して、その業務の運営又は財産の状況の改善に必要な措置を命ずることができる。

Article 41-31 With regard to the operation of the Credit Information Services of a Designated Credit Bureau, when the Prime Minister finds it necessary for ensuring the proper and sound implementation of Credit Information Services,

he/she may, within the extent necessary, order said Designated Credit Bureau to take necessary measures to improve its business operations or the condition of its property.

(信用情報提供等業務の休廃止)

(Suspension or Abolition of Credit Information Services)

第四十一条の三十二 指定信用情報機関は、信用情報提供等業務の全部又は一部の休止（次項に規定する理由によるものを除く。）をし、又は廃止をしようとするときは、内閣総理大臣の認可を受けなければならない。

Article 41-32 (1) When a Designated Credit Bureau intends to suspend or abolish its Credit Information Services in whole or in part (excluding those based on the grounds in the following paragraph), it shall obtain authorization therefor from the Prime Minister.

2 指定信用情報機関が、天災その他のやむを得ない理由により信用情報提供等業務の全部又は一部を休止した場合には、直ちにその旨を、理由を付して内閣総理大臣に届け出るとともに、加入貸金業者及び他の指定信用情報機関に通知しなければならない。指定信用情報機関がその休止した当該信用情報提供等業務の全部又は一部を再開するときも、同様とする。

(2) When, as a result of a natural disaster or for any other compelling reason, a Designated Credit Bureau has suspended its Credit Information Services in whole or in part, it shall immediately make a notification to the Prime Minister to that effect and shall indicate the reason therefor, as well as notifying the Member Money Lender and other Designated Credit Bureaus. The same shall apply when the Designated Credit Bureau resumes the suspended Credit Information Services in whole or in part.

3 前二項の規定により指定信用情報機関による信用情報提供等業務が休止している場合において、貸金業者が指定信用情報機関の保有する信用情報の全部又は一部を使用することができないときは、第十三条第二項（同条第五項において準用する場合を含む。）又は第十三条の三第一項若しくは第二項の規定は、適用しない。

(3) In the case where the Designated Credit Bureau's Credit Information Services are under suspension pursuant to the preceding two paragraphs, and Money Lenders are not able to access the Credit Information held by the Designated Credit Bureau in whole or in part, the provisions of Article 13, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to paragraph (5) of that Article) and Article 13-3, paragraph (1) and paragraph (2) shall not apply.

(指定の取消し等)

(Rescission, etc. of a Designation)

第四十一条の三十三 内閣総理大臣は、指定信用情報機関が次の各号のいずれかに該当するときは、第四十一条の十三第一項の規定による指定若しくは第四十一条の十八第

一項ただし書の承認を取り消し、六月以内の期間を定めて、その業務の全部若しくは一部の停止を命じ、又はその役員 of 解任を命ずることができる。

Article 41-33 (1) When a Designated Credit Bureau falls under any of the following items, the Prime Minister may rescind its designation under Article 41-13, paragraph (1) or the approval given under the proviso to Article 41-18, paragraph (1), or may order said Designated Credit Bureau to suspend its business operations in whole or in part for a fixed period of not longer than six months, or to dismiss its officer:

一 第四十一条の十三第一項第三号から第七号までに掲げる要件に該当しないこととなつたとき、又は指定を受けた時点において同項各号のいずれかに該当していなかつたことが判明したとき。

(i) When the Designated Credit Bureau has come to no longer satisfy the requirements listed in item (iii) through item (vii) of Article 41-13, paragraph (1), or when the Designated Credit Bureau is found not to have fallen under any of the items of Article 41-13, paragraph (1) at the time of receiving the designation;

二 不正の手段により第四十一条の十三第一項の規定による指定を受けたとき。

(ii) When the Designated Credit Bureau has received the designation under Article 41-13, paragraph (1) by wrongful means; or

三 法令又は法令に基づく処分に違反したとき。

(iii) When the Designated Credit Bureau has violated the provisions of laws and regulations or dispositions issued under laws and regulations.

2 内閣総理大臣は、前項の規定により第四十一条の十三第一項の規定による指定を取り消したときは、その旨を官報で公示しなければならない。

(2) When the Prime Minister has rescinded a designation under Article 41-13, paragraph (1) pursuant to the provisions of the preceding paragraph, he/she shall give public notice to that effect in an official gazette.

(信用情報提供等業務移転命令)

(Order to Transfer Credit Information Services)

第四十一条の三十四 内閣総理大臣は、指定信用情報機関が次の各号のいずれかに該当するときは、当該指定信用情報機関に対し、信用情報提供等業務の全部又は一部を他の指定信用情報機関に行わせることを命ずることができる。

Article 41-34 (1) The Prime Minister may, when a Designated Credit Bureau falls under any of the following items, order said Designated Credit Bureau to have another Designated Credit Bureau conduct its Credit Information Services in whole or in part:

一 前条第一項の規定により第四十一条の十三第一項の規定による指定を取り消し、又はその業務（信用情報提供等業務に限る。）の全部若しくは一部の停止を命ずるとき。

(i) When the Designated Credit Bureau has had its designation under Article

- 41-13, paragraph (1) rescinded or has been ordered to suspend its business operations in whole or in part (limited to Credit Information Services), pursuant to paragraph (1) of the preceding Article;
- 二 第四十一条の三十二第一項の認可をするとき。
- (ii) When the Designated Credit Bureau has obtained authorization under Article 41-32, paragraph (1);
- 三 弁済期にある債務の弁済が信用情報提供等業務の継続に著しい支障を来すこととなる事態又は破産手続開始の原因となる事実が生ずるおそれがあると認められるとき。
- (iii) When it is found that circumstances wherein performance of the obligations on which performance is due would cause a substantial detriment to the continuation of Credit Information Services or a fact which would give rise to the commencement of bankruptcy proceedings is likely to occur; or
- 四 指定信用情報機関が天災その他の事由により信用情報提供等業務の全部又は一部を実施することが困難となったとき。
- (iv) When it has become difficult for the Designated Credit Bureau to implement its Credit Information Services in whole or in part due to a natural disaster or for any other reason.
- 2 内閣総理大臣は、前項の規定による命令をしたときは、その旨を官報で公示しなければならない。
- (2) When the Prime Minister has issued orders under the preceding paragraph, he/she shall give public notice to that effect in an official gazette.

#### 第四節 加入貸金業者

##### Section 4 Member Money Lenders

(個人信用情報の提供)

(Provision of Personal Credit Information)

第四十一条の三十五 加入貸金業者は、指定信用情報機関と信用情報提供契約を締結したときは、当該信用情報提供契約の締結前に締結した資金需要者である個人の顧客を相手方とする貸付けに係る契約（極度方式基本契約その他の内閣府令で定めるものを除く。次項において同じ。）で当該信用情報提供契約を締結した時点において貸付けの残高があるものに係る次に掲げる事項を、当該指定信用情報機関に提供しなければならない。

Article 41-35 (1) When a Member Money Lender has concluded a Credit Information Contract with a Designated Credit Bureau, he/she shall provide said Designated Credit Bureau with the following matters pertaining to the loan contract which was concluded prior to the conclusion of said Credit Information Contract with an individual customer who is a person seeking funds (excluding Basic Contracts for a Revolving Credit Loan and other contracts specified by a Cabinet Office Ordinance; the same shall apply in the

following paragraph) and which has an outstanding Loan balance at the time of conclusion of said Credit Information Contract:

一 当該顧客の氏名及び住所その他の当該顧客を識別することができる事項として内閣府令で定めるもの

(i) The name or address of the customer or any other matters to identify the customer as provided by a Cabinet Office Ordinance;

二 契約年月日

(ii) The date of the contract;

三 貸付けの金額

(iii) The amount of the Loan; and

四 前三号に掲げるもののほか、内閣府令で定める事項

(iv) In addition to what is listed in the preceding three items, the matters specified by a Cabinet Office Ordinance.

2 加入貸金業者は、資金需要者である個人の顧客を相手方とする貸付けに係る契約を締結したときは、遅滞なく、当該貸付けに係る契約に係る個人信用情報を信用情報提供契約を締結した指定信用情報機関（以下「加入指定信用情報機関」という。）に提供しなければならない。

(2) When a Member Money Lender has concluded a loan contract with an individual customer who is a person seeking funds, he/she shall provide the Personal Credit Information obtained through said loan contract to the Designated Credit Bureau with which he/she has concluded a Credit Information Contract (hereinafter referred to as a "Member Designated Credit Bureau").

3 前二項の規定による個人信用情報の提供をした加入貸金業者は、当該提供をした個人信用情報に変更があつたときは、遅滞なく、その変更内容を加入指定信用情報機関に提供しなければならない。

(3) A Member Money Lender that has provided Personal Credit Information under the preceding two paragraphs shall, when there is any change in the provided Personal Credit Information, inform the Member Designated Credit Bureau of that change without delay.

（指定信用情報機関への信用情報の提供等に係る同意の取得等）

(Obtaining, etc. Consent to Provide, etc. Credit Information to Designated Credit Bureaus)

第四十一条の三十六 加入貸金業者は、加入指定信用情報機関に資金需要者等に係る信用情報の提供の依頼（当該資金需要者等に係る他の指定信用情報機関が保有する個人信用情報の提供の依頼を含む。）をする場合には、内閣府令で定める場合を除き、あらかじめ、当該資金需要者等から書面又は電磁的方法による同意を得なければならない。

Article 41-36 (1) When a Member Money Lender requests that a Member Designated Credit Bureau provide him/her with the Credit Information of a

Person Seeking Funds, etc. (including requests for the provision of the Personal Credit Information of said Person Seeking Funds, etc. that is held by other Designated Credit Bureaus), he/she shall, except in the case specified by a Cabinet Office Ordinance, obtain the consent of the Person Seeking Funds, etc. in advance, in writing or by Electromagnetic Means.

2 加入貸金業者は、資金需要者である個人の顧客を相手方として貸付けに係る契約（内閣府令で定めるものを除く。）を締結しようとする場合には、あらかじめ、次に掲げる同意を当該顧客から書面又は電磁的方法により得なければならない。ただし、当該契約が当該顧客を相手方とする加入前極度方式貸付契約（当該加入指定信用情報機関との信用情報提供契約の締結前に締結した極度方式基本契約に基づく極度方式貸付けに係る契約をいう。）である場合は、この限りでない。

(2) When a Member Money Lender intends to conclude a loan contract with an individual customer who is a person seeking funds (excluding contracts specified by a Cabinet Office Ordinance), he/she shall obtain the customer's consent to the following, in writing or by Electromagnetic Means; provided, however, that this shall not apply to cases where such contract is a Contract for a Revolving Credit Loan Concluded Prior to the Relevant Credit Information Contract concluded with said customer (meaning a contract for a Revolving Credit Loan under a Basic Contract for a Revolving Credit Loan concluded prior to the conclusion of the Credit Information Contract with the relevant Member Designated Credit Bureau):

一 当該顧客に関する個人信用情報を加入指定信用情報機関に提供する旨の同意

(i) Consent to the customer's Personal Credit Information being provided to the Member Designated Credit Bureau;

二 前号の個人信用情報を加入指定信用情報機関が当該加入指定信用情報機関の他の加入貸金業者に提供する旨の同意

(ii) Consent to the Personal Credit Information set forth in the preceding item being provided by the Member Designated Credit Bureau to other Member Money Lenders; and

三 第一号の個人信用情報を第四十一条の二十四第一項の規定による依頼に応じ、他の指定信用情報機関の加入貸金業者に提供する旨の同意

(iii) Consent to the Personal Credit Information set forth in item (i) being provided to the Member Money Lender of other Designated Credit Bureaus in response to a request made under Article 41-24, paragraph (1).

3 加入貸金業者は、前二項の同意を得た場合には、内閣府令で定めるところにより、当該同意に関する記録を作成し、保存しなければならない。

(3) When a Member Money Lender has obtained consent under the preceding two paragraphs, he/she shall prepare and preserve records on said consent as provided by a Cabinet Office Ordinance.

(加入指定信用情報機関の商号等の公表)

(Publication of Trade Names, etc. of Member Designated Credit Bureaus)

第四十一条の三十七 加入貸金業者は、加入指定信用情報機関の商号又は名称を公表しなければならない。

Article 41-37 A Member Money Lender shall make public the trade name or name of its Member Designated Credit Bureau.

(目的外使用等の禁止)

(Prohibition of Use, etc. for Other Purpose)

第四十一条の三十八 加入貸金業者又はその役員若しくは職員は、次に掲げる調査（以下「返済能力等調査」という。）以外の目的のために加入指定信用情報機関に信用情報の提供の依頼（第一号の資金需要者等及び第二号の主たる債務者に係る他の指定信用情報機関が保有する個人信用情報の提供の依頼を含む。）をし、又は加入指定信用情報機関から提供を受けた信用情報を返済能力等調査以外の目的に使用し、若しくは第三者に提供してはならない。

Article 41-38 (1) No Member Money Lender or officer or employee thereof shall request a Member Designated Credit Bureau to provide Credit Information for purposes other than the following investigation (hereinafter referred to as "Investigation of Repayment Capacity, etc.") (including requests to provide the Personal Credit Information of a Person Seeking Funds, etc. as set forth in item (i) or of the principal obligor under item (ii) which is held by other Designated Credit Bureaus), nor shall such persons use or provide to a third party the Credit Information provided by a Member Designated Credit Bureau for purposes other than the Investigation of Repayment Capacity, etc.:

一 当該加入貸金業者の顧客である資金需要者等の借入金の返済能力その他の金銭債務の弁済能力の調査

(i) Investigation on the capacity of a Person Seeking Funds, etc. who is a customer of the Member Money Lender to repay his/her borrowings and his/her capacity to perform other monetary debts; and

二 前号に掲げるもののほか、当該加入貸金業者が締結する保証契約に係る主たる債務者の借入金の返済能力その他の金銭債務の弁済能力の調査

(ii) In addition to what is listed in the preceding item, investigation on the capacity of the principal obligor under the guarantee contract concluded by a Member Money Lender, with regard to the repayment of his borrowings and performance of any other monetary debts.

2 加入貸金業者又はその役員若しくは職員は、加入指定信用情報機関から提供を受けた信用情報について、これらの者に該当しなくなつた後において、当該信用情報を使用し、又は第三者に提供してはならない。

(2) When a Member Money Lender or an officer or employee thereof has come to no longer hold such position, he/she shall not thereafter use nor provide to a third party the Credit Information provided by a Member Designated Credit Bureau.

## 第四章 雑則

### Chapter IV Miscellaneous Provisions

(高金利を定めた金銭消費貸借契約の無効)

(Invalidity of Contracts for Monetary Loans with High Interest Rates)

第四十二条 貸金業を営む者が業として行う金銭を目的とする消費貸借の契約（手形の割引、売渡担保その他これらに類する方法によつて金銭を交付する契約を含む。）において、年百九・五パーセント（二月二十九日を含む一年については年百九・八パーセントとし、一日当たりについては〇・三パーセントとする。）を超える割合による利息（債務の不履行について予定される賠償額を含む。）の契約をしたときは、当該消費貸借の契約は、無効とする。

Article 42 (1) With regard to a contract for monetary loans made by a Money Lender on a regular basis (including contracts where money is to be delivered based on a discount of negotiable instruments, security by sale, or any other method similar thereto), where a contract for interest whose interest rate exceeds 109.5% per annum (in the case of a leap year, such interest rate shall be 109.8% per annum, and the per diem interest rate shall be 0.3%) has been concluded (agreed liquidated damages for default shall be included as interest), said contract for monetary loans shall be void.

2 出資の受入れ、預り金及び金利等の取締りに関する法律第五条の四第一項から第四項までの規定は、前項の利息の契約について準用する。

(2) Article 5-4, paragraph (1) through paragraph (4) of the Act Regulating the Receipt of Contributions, Receipt of Deposits and Interest Rates shall apply mutatis mutandis to a contract for interest as set forth in the preceding paragraph.

(登録の取消し等に伴う取引の結了)

(Completion of Transactions upon Rescission of Registration, etc.)

第四十三条 貸金業者について、第三条第二項若しくは第十条第二項の規定により登録が効力を失つたとき、第二十四条の六の四第一項、第二十四条の六の五第一項若しくは第二十四条の六の六第一項の規定により登録が取り消されたとき、又は第十条第三項の規定により引き続き貸金業を営むことができる期間を経過したときは、当該貸金業者であつた者又はその一般承継人は、当該貸金業者が締結した貸付けの契約に基づく取引を結了する目的の範囲内においては、なお貸金業者とみなす。

Article 43 With regard to a Money Lender when his/her registration has ceased to be effective pursuant to Article 3, paragraph (2) or Article 10, paragraph (2) or has been rescinded under Article 24-6-4, paragraph (1), Article 24-6-5, paragraph (1), or Article 24-6-6, paragraph (1), or when the period allowed to continue the Money Lending Business has expired under Article 10, paragraph (3), the person who was a Money Lender or his/her general successor shall be



deemed to be a Money Lender for the purpose of completing transactions under Contracts for Loans concluded by said Money Lender.

(財務大臣への資料提出等)

(Submission of Materials to the Ministry of Finance, etc.)

第四十四条 財務大臣は、その所掌に係る金融破綻処理制度及び金融危機管理に関し、貸金業に係る制度の企画又は立案をするため必要があると認めるときは、内閣総理大臣に対し、必要な資料の提出及び説明を求めることができる。

Article 44 (1) When the Minister of Finance finds it necessary for planning or drafting systems for Money Lending Business, in relation to systems for the disposal of failed financial systems and for financial risk management under his/her jurisdiction, he/she may request that the Prime Minister provide the necessary materials or explanation therefor.

2 財務大臣は、その所掌に係る金融破綻処理制度及び金融危機管理に関し、貸金業に係る制度の企画又は立案をするため特に必要があると認めるときは、その必要の限度において、貸金業者（内閣総理大臣の登録を受けた者に限る。）、貸金業協会その他の関係者に対し、資料の提出、説明その他の協力を求めることができる。

(2) When the Minister of Finance finds it particularly necessary for planning or drafting systems for the Money Lending Business in relation to systems for the disposal of failed financial systems and for financial risk management under his/her jurisdiction, he/she may, to the extent necessary, request that a Money Lender (limited to one who has been registered by the Prime Minister), Money Lenders' Association, or any other person concerned provide materials, explanations, and other cooperation.

(登録等に関する意見聴取)

(Hearing of Opinions Concerning Registration, etc.)

第四十四条の二 内閣総理大臣又は都道府県知事は、第五条第一項の登録をしようとするときは第六条第一項第六号又は第八号から第十三号までに該当する事由（同項第八号から第十号まで又は第十三号に該当する事由にあつては、同項第六号に係るものに限る。以下「意見陳述事由」という。）、第八条第二項の登録をしようとするときは第六条第一項第八号から第十号まで又は第十三号に該当する事由（同項第六号に係るものに限る。）の有無について、内閣総理大臣にあつては警察庁長官、都道府県知事にあつては警視総監又は道府県警察本部長（以下「警察本部長」という。）の意見を聴くものとする。

Article 44-2 (1) Where the Prime Minister or prefectural governor intends to make a registration under Article 5, paragraph (1) or a registration under Article 8, paragraph (2), the Prime Minister or prefectural governor shall hear the opinions of the Commissioner-General of the National Police Agency or the Superintendent-General of the Metropolitan Police Department or the chief of prefectural police headquarters (hereinafter referred to as the "Chief of Police"),

with regard to the existence or absence of any of the grounds set forth in Article 6, paragraph (1), item (vi) or item (viii) through item (xiii) (in the case of the grounds set forth in Article 6, paragraph (1), item (viii) through item (x) or item (xiii), limited to those pertaining to Article 6, paragraph (1), item (vi); hereinafter referred to as "Grounds Requiring the Statement of Opinions") for the former registration, or any of the grounds set forth in Article 6, paragraph (1), item (viii) through item (x) or item (xiii) (limited to those pertaining to Article 6, paragraph (1), item (vi)) for the latter registration.

2 内閣総理大臣は、主任者登録をしようとするときは第二十四条の二十七第一項第六号に該当する事由、第二十六条第二項の認可をしようとするときは第二十八条第二項第二号に該当する事由（第六条第一項第六号に係るものに限る。）の有無について、警察庁長官の意見を聴くものとする。

(2) The Prime Minister shall, when he/she intends to grant a person Registration as a Chief or authorization under Article 26, paragraph (2), hear the opinion of the Commissioner-General of the National Police Agency with regard to the existence or absence of the grounds set forth in Article 24-27, paragraph (1), item (vi) and Article 28, paragraph (2), item (ii) (limited to those pertaining to Article 6, paragraph (1), item (vi)).

3 内閣総理大臣又は都道府県知事は、第二十四条の六の四の規定による命令又は同条第一項若しくは第二十四条の六の五第一項の規定による登録の取消しをしようとするときは、意見陳述事由又は第十二条の五、第二十一条第一項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項において準用する場合を含む。）、第二十四条第三項、第二十四条の二第三項若しくは第二十四条の三第三項の規定に違反する事実（次条において「意見陳述事実」という。）の有無について、内閣総理大臣にあつては警察庁長官、都道府県知事にあつては警察本部長の意見を聴くことができる。

(3) The Prime Minister or prefectural governor may, when he/she intends to issue orders under Article 24-6-4 or rescind a registration under Article 24-6-4, paragraph (1) or Article 24-6-5, paragraph (1), hear the opinions of the Commissioner-General of the National Police Agency or the Chief of Police with regard to the existence or absence of Grounds Requiring the Statement of Opinions or facts in violation of the provisions of Article 12-5, Article 21, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2)), Article 24, paragraph (3), Article 24-2, paragraph (3), or Article 24-3, paragraph (3) (such a fact shall be referred to as a "Fact Requiring the Statement of Opinions" in the following Article).

4 内閣総理大臣は、第二十四条の三十の規定による主任者登録の取消しをしようとするときは、同条第一号に該当する事由（第二十四条の二十七第一項第六号に係るものに限る。）の有無について、警察庁長官の意見を聴くことができる。

(4) The Prime Minister may, when he/she intends to rescind a person's Registration as a Chief under Article 24-30, hear the opinion of the Commissioner-General of the National Police Agency with regard to the existence or absence of grounds falling under item (i) of that Article (limited to those pertaining to Article 24-27, paragraph (1), item (vi)).

(内閣総理大臣等への意見)

(Opinions Heard by the Prime Minister, etc.)

第四十四条の三 警察庁長官又は警察本部長は、貸金業者、貸金業務取扱主任者又は第二十六条第二項の認可を受けようとする貸金業協会の役員について、意見陳述事由又は意見陳述事実があると疑うに足りる相当な理由があるため、内閣総理大臣又は都道府県知事が当該貸金業者、当該貸金業務取扱主任者又は同項の認可を受けようとする者に対して適当な措置をとることが必要であると認める場合には、警察庁長官にあつては内閣総理大臣、警察本部長にあつては都道府県知事に対し、その旨の意見を述べることができる。

Article 44-3 Where the Commissioner-General of the National Police Agency or the Chief of Police has reasonable grounds to suspect the existence of any Grounds Requiring the Statement of Opinions or Facts Requiring the Statement of Opinions with regard to a Money Lender, a Chief of Money Lending Operations, or an officer of a Money Lenders' Association who intends to obtain authorization under Article 26, paragraph (2), and therefor finds it necessary for the Prime Minister or prefectural governor to take appropriate measures against the Money Lender, the Chief of Money Lending Operations, or such person who intends to obtain authorization under Article 26, paragraph (2), the Commissioner-General of the National Police Agency or the Chief of Police may state his/her opinion to that effect to the Prime Minister or prefectural governor, respectively.

(取立てを行う者に対する質問)

(Questions to the Person Conducting Collection)

第四十四条の四 警察本部長は、貸金業者又は貸金業者の貸付けの契約に基づく債権の取立てについて貸金業者その他の者から委託を受けた者による貸付けの契約に基づく債権の取立てが行われているものと認められ、その取立てを行う者について意見陳述事由があると疑うに足りる相当な理由があり、かつ、警察庁長官又は警察本部長が前二条の規定に基づき意見を述べるために必要であると認められる場合には、当該都道府県警察の警察職員に、その取立てを行う者に対し、貸金業者の商号、名称又は氏名並びにその取立てを行う者の氏名及びその弁済受領権限の基礎となる事実について質問させることができる。

Article 44-4 (1) When the Chief of Police finds that a Money Lender or a person entrusted by a Money Lender or by any other person with the Money Lender's collection of claims under a Contract for a Loan conducts the collection of

claims under a Contract for a Loan, where the Chief of Police has reasonable grounds to suspect the existence of any Grounds Requiring the Statement of Opinions with regard to the Money Lender or such person who conducts collection, and finds it necessary in order for himself/herself or the Commissioner-General of the National Police Agency to state an opinion pursuant to the preceding two Articles, the Chief of Police may have the police officials of the prefectural police ask questions with regard to the Money Lender's name or trade name and the name of the person who conducts collection, as well as about the facts upon which the relevant person's right to receive performance is based.

2 第二十四条の六の十第五項及び第六項の規定は、前項の場合について準用する。

(2) The provisions of Article 24-6-10, paragraph (5) and paragraph (6) shall apply mutatis mutandis to the case referred to in the preceding paragraph.

(権限の委任)

(Delegation of Authority)

第四十五条 内閣総理大臣は、この法律による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 45 (1) The Prime Minister shall delegate his/her authority under this Act (excluding the part of the authority specified by a Cabinet Order) to the Commissioner of the Financial Services Agency.

2 金融庁長官は、政令で定めるところにより、前項の規定により委任された権限の一部を財務局長又は財務支局長に委任することができる。

(2) The Commissioner may, pursuant to the provisions of a Cabinet Order, delegate part of the authority delegated thereto under the provisions of the preceding paragraph to the Director of a Local Finance Bureau or Local Finance Branch Bureau.

(経過措置)

(Transitional Measures)

第四十五条の二 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要とされる範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 45-2 In the case where an order is established, revised, or abolished under the provisions of this Act, the necessary transitional measures (including transitional measures concerning penal provisions) may be prescribed in said order, to the extent considered reasonable for the establishment, revision, or abolition of said order.

(命令への委任)

(Delegation to Order)

第四十六条 この法律に定めるもののほか、この法律の規定に基づく登録の申請、届出の手續その他この法律を実施するために必要な事項は、内閣府令で定める。

Article 46 (1) In addition to what is provided for in this Act, the procedures for applications for registration and notifications under the provisions of this Act and other matters necessary for the enforcement of this Act shall be specified by a Cabinet Office Ordinance.

2 第四十四条の二から第四十四条の四までの規定により警察庁長官又は警察本部長の権限に属する事務を実施するために必要な事項は、国家公安委員会規則で定める。

(2) The matters necessary for administration of the affairs placed under the authority of the Commissioner-General of the National Police Agency or Chief of Police pursuant to the provisions of Article 44-2 through Article 44-4 shall be specified by the Rules of the National Public Safety Commission.

## 第五章 罰則

### Chapter V Penal Provisions

第四十七条 次の各号のいずれかに該当する者は、十年以下の懲役若しくは三千万円以下の罰金に処し、又はこれを併科する。

Article 47 A person who falls under any of the following items shall be punished by imprisonment with work for not more than ten years, a fine of not more than 30 million yen, or both:

一 不正の手段によつて第三条第一項の登録を受けた者

(i) A person who was registered under Article 3, paragraph (1) by wrongful means;

二 第十一条第一項の規定に違反した者

(ii) A person who has violated the provisions of Article 11, paragraph (1); or

三 第十二条の規定に違反した者

(iii) A person who has violated the provisions of Article 12.

第四十七条の二 第二十四条の六の四第一項の規定による業務の停止の命令に違反して業務を営んだ者は、五年以下の懲役若しくは千万円以下の罰金に処し、又はこれを併科する。

Article 47-2 A person who has engaged in business operations in violation of an order of suspension of business operations issued under the provisions of Article 24-6-4, paragraph (1) shall be punished by imprisonment with work for not more than five years, a fine of not more than ten million yen, or both.

第四十七条の三 次の各号のいずれかに該当する者は、二年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。情を知つて、第六号又は第七号に該当する者から信用情報の提供を受けた者も、同様とする。

Article 47-3 (1) A person who falls under any of the following items shall be

punished by imprisonment with work for not more than two years, a fine of not more than three million yen, or both. The same shall apply to a person who has knowingly received Credit Information from a person who falls under item (vi) or item (vii):

一 第四条第一項の登録申請書又は同条第二項の書類に虚偽の記載をして提出した者

(i) A person who has made false statements in and submitted a written application for registration as set forth in Article 4, paragraph (1) or any of the documents set forth in paragraph (2) of that Article;

二 第十一条第二項又は第三項の規定に違反した者

(ii) A person who has violated the provisions of Article 11, paragraph (2) or paragraph (3);

三 第二十一条第一項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項、第二十四条の五第二項及び第二十四条の六において準用する場合を含む。）の規定に違反した者

(iii) A person who has violated the provisions of Article 21, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), Article 24-5, paragraph (2) and Article 24-6);

四 第四十一条の四の規定による命令（役員解任の命令を除く。）に違反した者

(iv) A person who has violated an order issued under the provisions of Article 41-4 (excluding an order of dismissal of an officer);

五 第四十一条の十六（第四十一条の二十四第四項において準用する場合を含む。）の規定に違反して秘密を漏らし、又は盗用した者

(v) A person who has disclosed to another person or appropriated confidential information in violation of Article 41-16 (including the cases where it is applied mutatis mutandis pursuant to Article 41-24, paragraph (4));

六 第四十一条の三十八第一項の規定に違反して返済能力等調査以外の目的のために加入指定信用情報機関に信用情報の提供の依頼をし、又は加入指定信用情報機関から提供を受けた信用情報を返済能力等調査以外の目的に使用し、若しくは第三者に提供をした者

(vi) A person who has requested that a Member Designated Credit Bureau provide Credit Information for purposes other than Investigation of Repayment Capacity, etc., or who has used or provided to a third party the Credit Information provided by the Member Designated Credit Bureau for purposes other than Investigation of Repayment Capacity, etc., in violation of Article 41-38, paragraph (1); or

七 第四十一条の三十八第二項の規定に違反して加入指定信用情報機関から提供を受けた信用情報を使用し、又は第三者に提供した者

(vii) A person who has used or provided to a third party the Credit Information provided by the Member Designated Credit Bureau in violation of Article 41-38, paragraph (2).

2 第二十四条の十二第一項の規定に違反した者は、二年以下の懲役又は三百万円以下の罰金に処する。

(2) A person who has violated the provisions of Article 24-12, paragraph (1) shall be punished by imprisonment with work for not more than two years or a fine of not more than three million yen.

第四十八条 次の各号のいずれかに該当する者は、一年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 48 (1) A person who falls under any of the following items shall be punished by imprisonment with work for not more than one year, a fine of not more than three million yen, or both:

一 第十二条の五の規定に違反した者

(i) A person who has violated the provisions of Article 12-5;

一の二 第十二条の六（第一号に係る部分に限る。）の規定に違反して虚偽のことを告げた者

(i)-2 A person who has made false statements in violation of Article 12-6, paragraph (limited to the part concerning item (i));

一の三 第十二条の七（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項において準用する場合を含む。）の規定に違反した者

(i)-3 A person who has violated the provisions of Article 12-7 (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2));

一の四 第十三条第二項（同条第五項において準用する場合を含む。）の場合において、指定信用情報機関が保有する信用情報を使用した調査をせずに、同条第二項に規定する貸付けの契約を個人である顧客等と締結し、又は同条第五項に規定する極度方式基本契約の極度額を増額した者

(i)-4 In the case of Article 13, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to paragraph (5) of that Article), a person who has concluded a Contract for a Loan as set forth in paragraph (2) of that Article with a Customer, etc. who is an individual, or who has increased the maximum amount under the Basic Contract for a Revolving Credit Loan as provided in paragraph (5) of that Article, without conducting an investigation using the Credit Information held by a Designated Credit Bureau;

一の五 第十三条の三第一項又は第二項の規定に違反した者

(i)-5 A person who has violated Article 13-3, paragraph (1) or paragraph (2);

二 第十五条第一項に規定する事項を表示せず、若しくは説明せず、又は虚偽の表示若しくは説明をした者

(ii) A person who has failed to indicate or explain matters set forth in Article

15, paragraph (1) or a person who has used false indication or made false explanation;

二の二 第十五条第二項の規定に違反して第四条第一項第七号に掲げる事項に係るもの以外のものを表示し、又は記録した者

(ii)-2 A person who has indicated or recorded matters other than those pertaining to the matters listed in Article 4, paragraph (1), item (vii), in violation of Article 15, paragraph (2);

三 第十六条第一項の規定に違反して著しく事実に相違する表示若しくは説明をし、又は人を誤認させるような表示若しくは説明をした者

(iii) A person who has given an indication or explanation that is significantly contradictory to facts or likely to mislead people, in violation of Article 16, paragraph (1);

三の二 第十六条の二第一項、第二項又は第三項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項において準用する場合を含む。）の規定に違反して書面を交付せず、又はこれらの規定（第十六条の二第三項にあつては、第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項において準用する場合を含む。）に規定する事項を記載しない書面若しくは虚偽の記載をした書面を交付した者

(iii)-2 A person who has failed to deliver documents, in violation of Article 16-2, paragraph (1), paragraph (2), or paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2)), or who has delivered documents lacking the matters provided in Article 16-2, paragraph (1), paragraph (2), or paragraph (3) (including, with regard to the matters listed in Article 16-2, paragraph (3), the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2)), or those containing false statements;

三の三 第十六条の三第一項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項において準用する場合を含む。以下この号において同じ。）の規定に違反して書面を交付せず、又は第十六条の三第一項に規定する事項を記載しない書面若しくは虚偽の記載をした書面を交付した者

(iii)-3 A person who has failed to deliver documents, in violation of Article 16-3, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2); hereinafter the same shall apply in this item), or who has delivered documents lacking the matters provided in Article 16-3, paragraph (1), or



those containing false statements;

四 第十七条（第六項及び第七項を除く。）又は第十八条第一項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項においてこれらの規定を準用する場合を含む。）の規定に違反して書面を交付せず、又はこれらの規定（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項において準用する場合を含む。）に規定する事項を記載しない書面若しくは虚偽の記載をした書面を交付した者

(iv) A person who has failed to deliver documents, in violation of Article 17 (excluding paragraph (6) and paragraph (7)) or Article 18, paragraph (1) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2)), or who has delivered documents lacking the matters provided in Article 17 (excluding paragraph (vi) and paragraph (vii)) and Article 18, paragraph (1) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), or Article 24-5, paragraph (2)), or those containing false statements;

四の二 第二十条第一項又は第二項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項、第二十四条の五第二項及び第二十四条の六においてこれらの規定を準用する場合を含む。）の規定に違反した者

(iv)-2 A person who has violated the provisions of Article 20, paragraph (1) or paragraph (2) (including cases where these provisions are applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), Article 24-5, paragraph (2), and Article 24-6);

五 第二十条第三項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項において準用する場合を含む。以下この号において同じ。）の規定に違反して書面を交付せず、又は第二十条第三項に規定する事項を記載しない書面若しくは虚偽の記載をした書面を交付した者

(v) A person who has failed to deliver documents, in violation of Article 20, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2); hereinafter the same shall apply in this item), or who has delivered documents lacking the matters provided in Article 20, paragraph (3) or those containing false statements;

五の二 第二十条の二（第一号に係る部分に限り、第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項、第二十四条の五第二項

及び第二十四条の六において準用する場合を含む。以下この号において同じ。)の規定に違反して、第二十条の二に規定する預金通帳等の引渡し若しくは提供を求め、又はこれらを保管した者

(v)-2 A person who has requested to have a Deposit Passbook, etc. as prescribed in Article 20-2 delivered or provided to him/her, or who has retained a Deposit Passbook, etc. in violation of that Article (limited to the part pertaining to item (i), and the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), Article 24-5, paragraph (2), and Article 24-6 shall be included; hereinafter the same shall apply in this item);

五の三 第二十条の二(第二号に係る部分に限り、第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項、第二十四条の五第二項及び第二十四条の六において準用する場合を含む。)の規定に違反した者

(v)-3 A person who has violated the provisions of Article 20-2, paragraph (limited to the part pertaining to item (ii) and including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), Article 24-5, paragraph (2), and Article 24-6);

六 第二十四条第三項の規定に違反して、同項第一号又は第二号に該当する者であることを知りながら、これを相手方として、貸付けの契約に基づく債権の債権譲渡等をした者

(vi) A person who has, in violation of Article 24, paragraph (3), made an Assignment, etc. of Claims with regard to the claims under a Contract for a Loan knowing that the counterparty falls under the provisions of item (i) or item (ii) of that Article;

七 第二十四条の二第三項の規定に違反して、同項第一号又は第二号に該当する者であることを知りながら、これを相手方として、貸付けに係る契約について保証契約を締結した者

(vii) A person who has, in violation of Article 24-2, paragraph (3), concluded a guarantee contract in relation to a loan contract knowing that the counterparty falls under the provisions of Article 24-2, paragraph (3), item (i) or item (ii);

八 第二十四条の三第三項の規定に違反して、同項第一号又は第二号に該当する者であることを知りながら、これを相手方として、貸付けの契約に基づく債務の弁済を委託した者

(viii) A person who has, in violation of Article 24-3, paragraph (3), entrusted the performance of obligations under a Contract for a Loan knowing that the entrusted person falls under Article 24-3, paragraph (3), item (i) or item (ii);

八の二 第二十四条の六の三の規定による命令に違反した者

(viii)-2 A person who has violated an order issued under the provisions of Article 24-6-3;

八の三 第二十四条の六の九の規定による事業報告書を提出せず、又は虚偽の記載をした事業報告書を提出した者

(viii)-3 A person who has failed to submit a business report required under the provisions of Article 24-6-9, or who has submitted a business report containing false statements;

八の四 第二十四条の六の十第一項又は第二項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項においてこれらの規定を準用する場合を含む。）の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をした者

(viii)-4 A person who has failed to submit reports or materials required under the provisions of Article 24-6-10, paragraph (1) or paragraph (2) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2)), or who has submitted false reports or materials;

八の五 第二十四条の六の十第三項又は第四項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項においてこれらの規定を準用する場合を含む。）の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又は検査を拒み、妨げ、若しくは忌避した者

(viii)-5 A person who has failed to answer to the relevant official's questions under Article 24-6-10, paragraph (3) or paragraph (4) (including the cases where these provisions are applied mutatis mutandis pursuant to the provisions of Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2)) who has given false answers to such questions, or who has refused, obstructed, or evaded an inspection conducted under these provisions;

八の六 第二十四条の六の十一第三項又は第四項の規定に違反して、三十日以内に、社内規則の作成若しくは変更をせず、若しくは内閣総理大臣若しくは都道府県知事の承認を受けず、又は承認を受けた社内規則を内閣総理大臣若しくは都道府県知事の承認を受けずに変更し、若しくは廃止した者

(viii)-6 A person who has, in violation of Article 24-6-11, paragraph (3) or paragraph (4), failed to create or change the Internal Rules or obtain approval from the Prime Minister or prefectural governor within 30 days, or who has changed or abolished the approved Internal Rules without obtaining approval from the Prime Minister or prefectural governor for such a change or abolition;

八の七 第二十七条第一項の認可申請書又は同条第二項の書類に虚偽の記載をして提出した者

(viii)-7 A person who has made false statements in and submitted a written application for authorization set forth in Article 27, paragraph (1) or any of

- the documents set forth in paragraph (2) of that Article;
- 九 第四十一条の五第一項又は第二項の規定による報告若しくは資料の提出をせず、若しくは虚偽の報告若しくは資料の提出をし、又は当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくは検査を拒み、妨げ、若しくは忌避した者
- (ix) A person who has failed to submit the reports or materials required under the provisions of Article 41-5, paragraph (1) or paragraph (2), who has submitted false reports or materials, or who has failed to answer the relevant official's questions, given false answers to such questions, or refused, obstructed, or evaded an inspection conducted under these provisions;
- 九の二 第四十一条の十四第一項の指定申請書又は同条第二項の書類に虚偽の記載をして提出した者
- (ix)-2 A person who has made false statements in and submitted a written application for a designation as set forth in Article 41-14, paragraph (1) or documents prescribed in paragraph (2) of that Article;
- 九の三 第四十一条の二十九第一項の規定による業務及び財産に関する報告書を提出せず、又は虚偽の記載をした業務及び財産に関する報告書を提出した者
- (ix)-3 A person who has failed to submit a report on the status of his/her business and property as required under Article 41-29, paragraph (1), or who has submitted a report on his/her status of business and property that contains false statements;
- 九の四 第四十一条の三十第一項又は第二項の規定による報告若しくは資料の提出をせず、若しくは虚偽の報告若しくは資料の提出をし、又は当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくは検査を拒み、妨げ、若しくは忌避した者
- (ix)-4 A person who has failed to submit reports or materials under Article 41-30, paragraph (1) or paragraph (2), who has submitted false reports or materials, or who has failed to answer the relevant official's questions, given false answers to such questions, or refused, obstructed, or evaded an inspection conducted under these provisions;
- 九の五 第四十一条の三十一の規定による命令に違反した者
- (ix)-5 A person who has violated an order issued under Article 41-31;
- 九の六 第四十一条の三十五の規定に違反した者
- (ix)-6 A person who has violated the provisions of Article 41-35;
- 九の七 第四十一条の三十六第一項又は第二項の規定に違反した者
- (ix)-7 A person who has violated the provisions of Article 41-36, paragraph (1) or paragraph (2);
- 十 第四十四条の四第一項の規定による質問に対して答弁をせず、又は虚偽の答弁をした者
- (x) A person who has failed to answer to the questions asked under the provisions of Article 44-4, paragraph (1) or who has given false answers to such questions.

2 第二十四条の十九第二項又は第二十四条の四十六の規定による命令に違反した場合には、その違反行為をした指定試験機関又は登録講習機関の役員又は職員は、一年以下の懲役又は三百万円以下の罰金に処する。

(2) In the case of violation of an order issued under Article 24-19, paragraph (2) or Article 24-46, an officer or employee of a Designated Examining Agency or a Registered Training Agency who has committed such violation shall be punished by imprisonment with work for not more than one year or a fine of not more than three million yen.

第四十八条の二 第三十条の規定に違反した者は、一年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

Article 48-2 A person who has violated the provisions of Article 30 shall be punished by imprisonment with work for not more than one year, a fine of not more than one million yen, or both.

第四十八条の三 第四十一条の二の規定に違反して職務に関して知り得た秘密を漏らし、又は盗用した者は、一年以下の懲役若しくは五十万円以下の罰金に処し、又はこれを併科する。

Article 48-3 A person who has, in violation of Article 41-2, disclosed to another person or misappropriated any confidential information he/she has learned during the course of his/her duties shall be punished by imprisonment with work for not more than one year, a fine of not more than 500,000 yen, or both.

第四十九条 次の各号のいずれかに該当する者は、百万円以下の罰金に処する。

Article 49 A person who falls under any of the following items shall be punished by a fine of not more than one million yen:

一 第十二条の三第一項の規定に違反して、貸金業務取扱主任者を置かなかつた者

(i) A person who has, in violation of Article 12-3, paragraph (1), failed to assign a Chief of Money Lending Operations;

二 第十二条の三第四項の規定に違反した者

(ii) A person who has violated the provisions of Article 12-3, paragraph (4);

三 第十二条の四第一項の規定に違反した者

(iii) A person who has violated the provisions of Article 12-4, paragraph (1);

三の二 第十三条第三項（同条第五項において準用する場合を含む。）又は第十三条の三第三項の規定に違反した者

(iii)-2 A person who has violated the provisions of Article 13, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to paragraph (5) of that Article) or Article 13-3, paragraph (3);

三の三 第十三条第四項（同条第五項において準用する場合を含む。）又は第十三条の三第四項の規定に違反して調査に関する記録を作成せず、若しくは虚偽の記録を作成し、又はこれを保存しなかつた者

(iii)-3 A person who has failed to prepare records on an investigation, who has prepared records containing false statements, or who has failed to preserve them in violation of Article 13, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to paragraph (5) of that Article) or Article 13-3, paragraph (4);

四 第十四条に規定する事項を掲示せず、又は虚偽の掲示をした者

(iv) A person who has failed to post the matters provided in Article 14 or who has made a false posting thereof;

五 第十九条（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項において準用する場合を含む。以下この号において同じ。）の規定に違反して帳簿を備え付けず、これに第十九条に規定する事項を記載せず、若しくは虚偽の記載をし、又はこれを保存しなかつた者

(v) A person who has failed to keep books in violation of Article 19 (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), and Article 24-5, paragraph (2); hereinafter the same shall apply in this item), who has failed to state the matters set forth in Article 19 or has made false statements therein, or who has failed to preserve them;

六 第十九条の二後段（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項及び第二十四条の五第二項において準用する場合を含む。）の規定に違反して、相当の理由がないのに、帳簿の閲覧又は謄写の請求を拒んだ者

(vi) A person who has, in violation of the second sentence of Article 19-2 (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2) or Article 24-5, paragraph (2)), refused requests to inspect or copy its books without reasonable grounds;

七 第二十一条第二項又は第三項（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項、第二十四条の五第二項及び第二十四条の六においてこれらの規定を準用する場合を含む。）に違反して、第二十一条第二項各号（第二十四条第二項、第二十四条の二第二項、第二十四条の三第二項、第二十四条の四第二項、第二十四条の五第二項及び第二十四条の六においてこれらの規定を準用する場合を含む。）に掲げる事項を記載せず、若しくは虚偽の記載をし、若しくは記録をせず、若しくは虚偽の記録をし、又は相手方から請求があつた場合に取立てを行う者の氏名その他の事項を明らかにしなかつた者

(vii) A person who has, in violation of Article 21, paragraph (2) or paragraph (3) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), Article 24-5, paragraph (2), or Article 24-6), failed to state the matters set forth in the items of Article 21,

paragraph (2) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), Article 24-5, paragraph (2), or Article 24-6), who has made false statements, failed to record or made a false record, or who has failed to disclose the name of the person conducting collection or other matters in response to a request from the other party;

七の二 第二十三条の規定に違反した者

(vii)-2 A person who has violated the provisions of Article 23;

八 第二十四条第一項（同条第二項及び第二十四条の六において準用する場合を含む。）、第二十四条の二第一項（第二十四条の六において準用する場合を含む。）、第二十四条の三第一項（第二十四条の六において準用する場合を含む。）、第二十四条の四第一項（同条第二項及び第二十四条の六において準用する場合を含む。）又は第二十四条の五第一項（同条第二項及び第二十四条の六において準用する場合を含む。）の規定に違反した者

(viii) A person who has violated the provisions of Article 24, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (2) and Article 24-6), Article 24-2, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24-6), Article 24-3, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24-6), Article 24-4, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24-4, paragraph (2) and Article 24-6), or Article 24-5, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 24-5, paragraph (2) and Article 24-6);

九 第三十七条第八項の規定に違反した者

(ix) A person who has violated the provisions of Article 37, paragraph (8); or

十 第四十一条の二十二（第四十一条の二十四第四項において準用する場合を含む。）の規定による記録の作成若しくは保存をせず、又は虚偽の記録を作成した者

(x) A person who has failed to prepare or preserve the record set forth in Article 41-22 (including the cases where it is applied mutatis mutandis pursuant to Article 41-24, paragraph (4)) or who has created a false record.

第五十条 次の各号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 50 (1) A person who falls under any of the following items shall be punished by a fine of not more than 500,000 yen:

一 第八条第一項又は第十条第一項の規定による届出をせず、又は虚偽の届出をした者

(i) A person who has failed to give a notification required under the provisions of Article 8, paragraph (1) or Article 10, paragraph (1), or who has given a false notification;

二 第八条第三項の書類に虚偽の記載をして提出した者

(ii) A person who has made false statements in and submitted a document set forth in Article 8, paragraph (3);

二の二 第十二条の四第二項の規定に違反して従業者名簿を備え付けず、これに同項に規定する事項を記載せず、若しくは虚偽の記載をし、又はこれを保存しなかつた者

(ii)-2 A person who has, in violation of Article 12-4, paragraph (2), failed to prepare a roster of employees, who has failed to state matters prescribed in that paragraph or made a false statement therein, or who has failed to preserve them;

三 第二十四条の六の二の規定による届出をせず、又は虚偽の届出をした者

(iii) A person who has failed to give a notification required under the provisions of Article 24-6-2 or who has given a false notification;

四 第四十一条の十八第一項の規定に違反して、他の業務を行つた者

(iv) A person who has carried out other business, in violation of Article 41-18, paragraph (1);

五 第四十一条の二十第一項の規定に違反して業務規程を定めず、若しくは内閣総理大臣の認可を受けず、又は内閣総理大臣の認可を受けずに業務規程の変更をした者

(v) A person who has, in violation of Article 41-20, paragraph (1), failed to provide operational rules or to obtain authorization thereof from the Prime Minister, or who has changed his/her operational rules without obtaining authorization therefor from the Prime Minister; or

六 第四十一条の三十二第一項の規定に違反した者

(vi) A person who has violated the provisions of Article 41-32, paragraph (1).

2 次に掲げる違反があつた場合においては、その違反行為をした指定試験機関の役員若しくは職員若しくは指定試験機関から業務の委託を受けた者（法人である場合にあっては、その役員又は職員）又は登録講習機関（法人である場合にあっては、その役員又は職員）は、五十万円以下の罰金に処する。

(2) In the case where any of the following violations has been committed, an officer or employee of the Designated Examining Agency, a person who has been entrusted with business by the Designated Examining Agency (in the case of a juridical person, its officer or employee) or Registered Training Agency (in the case of a juridical person, its officer or employee) which has committed the violation shall be punished by a fine of not more than 500,000 yen:

一 第二十四条の十五又は第二十四条の四十七の規定に違反して帳簿を備えず、これらの規定に規定する事項を記載せず、若しくは虚偽の記載をし、又はこれを保存しなかつたとき。

(i) When a person has, in violation of Article 24-15 or Article 24-47, failed to keep books, has failed to state matters provided in those provisions or has made false statement therein, or who has failed to preserve them;

二 第二十四条の十七第一項若しくは第二項又は第二十四条の四十九第一項の規定に



よる報告若しくは資料の提出をせず、若しくは虚偽の報告若しくは資料の提出をし、又は当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくは検査を拒み、妨げ、若しくは忌避したとき。

(ii) When a person has failed to submit reports or materials under Article 24-17, paragraph (1) or paragraph (2) or Article 24-49, paragraph (1), has submitted false reports or materials, or who has failed to answer the relevant official's questions, given false answers to such questions, or refused, obstructed, or evaded an inspection conducted under these provisions; or

三 第二十四条の十八第一項の規定による許可を受けないで、又は第二十四条の四十三の規定による届出をしないで、試験事務又は講習事務の全部を廃止したとき。

(iii) When a person has abolished the whole of its Examination Affairs or Training Affairs without obtaining permission under Article 24-18, paragraph (1) or without making a notification under Article 24-43.

第五十条の二 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 50-2 A person who falls under any of the following items shall be punished by a fine of not more than 300,000 yen:

一 第三十三条第一項の規定に違反した者

(i) A person who has violated the provisions of Article 33, paragraph (1);

二 第三十三条第二項前段の規定による届出をせず、又は虚偽の届出をした者

(ii) A person who has failed to give a notification required under the first sentence of Article 33, paragraph (2), or who has given a false notification;

三 第四十一条の二十七第一項又は第四十一条の二十八の規定による届出をせず、又は虚偽の届出をした者

(iii) A person who has failed to give a notification required under Article 41-27, paragraph (1) or Article 41-28, or who has given a false notification; or

四 第四十一条の三十二第二項の規定による届出をせず、若しくは虚偽の届出をし、又は同項の規定による通知をせず、若しくは虚偽の通知をした者

(iv) A person who has failed to give a notification under Article 41-32, paragraph (2), who has given a false notification, or who has failed to give notice as provided in that paragraph or has given false notice.

第五十条の三 貸金業協会の役員（仮理事及び仮監事を含む。）又は職員が、その職務に関して、賄賂を収受し、又はその要求若しくは約束をしたときは、五年以下の懲役に処する。

Article 50-3 (1) When an officer (including a provisional director or provisional auditor) or employee of the Money Lenders' Association has accepted, requested, or promised bribes with regard to his/her duties, he/she shall be punished by imprisonment with work for not more than five years.

2 前項の場合において、収受した賄賂は、これを没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

(2) In the case referred to in the preceding paragraph, accepted bribes shall be confiscated. When such a bribe cannot be confiscated in whole or in part, the value equivalent thereto shall be collected.

3 第一項の賄賂を供与し、又はその申込み若しくは約束をした者は、三年以下の懲役又は三百万円以下の罰金に処する。

(3) A person who has given a bribe as set forth in paragraph (1) or who has offered or promised one shall be punished by imprisonment with work for not more than three years or a fine of not more than 3 million yen.

第五十条の四 前条第一項の罪は、日本国外において同項の罪を犯した者にも適用する。

Article 50-4 (1) The crimes set forth in paragraph (1) of the preceding Article shall also be applied to a person who has committed crimes prescribed in that paragraph outside Japan.

2 前条第三項の罪は、刑法第二条の例に従う。

(2) The crimes set forth in paragraph (3) of the preceding Article shall be dealt with according to the provisions of Article 2 of the Penal Code.

第五十一条 法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含む。以下この項及び次項において同じ。）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て次の各号に掲げる規定の違反行為をしたときは、行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

Article 51 (1) When the representative person or administrator of a juridical person (including an association or foundation without juridical personality and which has a representative person or administrator; hereinafter the same shall apply in this paragraph and the following paragraph), or an agent, employee, or any other worker of a juridical person or an individual has committed a violation of the provisions listed in the following items with regard to the business operations of the juridical person or individual, not only shall the offender be punished but the juridical person shall be punished by the fine prescribed in the following items and the individual shall be punished by the fine prescribed in respective Articles set forth therein:

一 第四十七条、第四十七条の二、第四十七条の三第一項第四号又は第四十八条第一項第八号の七若しくは第九号 一億円以下の罰金刑

(i) Article 47, Article 47-2, Article 47-3, paragraph (1), item (iv) or Article 48, paragraph (1), item (viii)-7 or item (ix): A fine of not more than 100 million yen;

二 第四十七条の三から第五十条の二まで（第四十七条の三第一項第四号及び第二項、第四十八条第一項第八号の七及び第九号並びに第二項、第四十八条の三並びに第五十条第二項を除く。） 各本条の罰金刑

(ii) Article 47-3 through Article 50-2 (excluding Article 47-3, paragraph (1),

item (iv) and paragraph (2), Article 48, paragraph (1), item (viii)-7 and item (ix) and paragraph (2), Article 48-3, and Article 50, paragraph (2)): The fine prescribed in the respective Articles.

2 前項の規定により第四十七条又は第四十七条の二の違反行為につき法人又は人に罰金刑を科する場合における時効の期間は、これらの規定の罪についての時効の期間による。

(2) The period of prescription in cases where a juridical person or an individual is punished by a fine for a violation set forth in Article 47 or Article 47-2 pursuant to the preceding paragraph shall depend on the period of prescription for the crimes set forth in these provisions.

3 人格のない社団又は財団について第一項の規定の適用がある場合には、その代表者又は管理人が、その訴訟行為につきその人格のない社団又は財団を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。

(3) Where the provisions of paragraph (1) apply to an association or foundation without juridical personality, the representative person or administrator thereof shall represent the association or foundation without juridical personality with respect to its procedural acts, and the provisions concerning criminal proceedings applicable for the case where a juridical person stands as the accused or suspect shall apply mutatis mutandis.

第五十一条の二 第四十一条の三の規定による命令に違反した場合においては、その行為をした貸金業協会の役員（仮理事及び仮監事を含む。）は、百万円以下の過料に処する。

Article 51-2 In the case of a violation of an order issued under the provisions of Article 41-3, the officer (including a provisional director or provisional auditor) of a Money Lenders' Association who has committed the act in question shall be punished by a non-penal fine of not more than one million yen.

第五十一条の三 次の各号のいずれかに該当する場合においては、その行為をした貸金業協会の役員（仮理事を含む。）若しくは代表者であつた者、登録講習機関（その登録講習機関が法人であるときは、その取締役、執行役、会計参与若しくはその職務を行うべき社員、監査役、理事、監事、代表者、業務を執行する社員又は清算人）又は指定信用情報機関の取締役、執行役、会計参与若しくはその職務を行うべき社員、監査役、理事、監事、代表者、業務を執行する社員若しくは清算人は、三十万円以下の過料に処する。

Article 51-3 (1) In any of the cases listed in the following items, a person who was an officer (including a provisional director) or representative person of a Money Lenders' Association a Registered Training Agency (in the case where the Registered Training Agency is a juridical person, its director, executing officer, accounting advisor, or a member who performed such duties, or its auditor, director, representative person, a member in charge of executing its

business, or its liquidator) or a director, executive officer, accounting advisor, or a member who performed such duties, or an auditor, director, representative person, member in charge of executing business, or liquidator of a Designated Credit Bureau and who has committed the act in question shall be punished by a non-penal fine of not more than 300,000 yen:

一 第二十四条の四十四第一項の規定に違反して財務諸表等を作成せず、若しくは財務諸表等に記載すべき事項を記載せず、若しくは虚偽の記載をし、若しくは財務諸表等を備え置かず、又は正当な理由がないのに同条第二項の規定による請求を拒んだとき。

(i) When the person has failed to prepare Financial Statements, etc., in violation of Article 24-44, paragraph (1), has failed to state the matters which should be contained in Financial Statements, etc., has made a false statement, failed to keep Financial Statements, etc., or refused a request made under Article 24-44, paragraph (2) without justifiable grounds;

二 第三十三条第二項後段又は第四十一条の十一第三項の規定による届出をせず、又は虚偽の届出をしたとき。

(ii) Where the person has failed to give a notification required under the provisions of the second sentence of Article 33, paragraph (2) or Article 41-11, paragraph (3), or has given a false notification;

三 第三十七条第七項の規定に違反したとき。

(iii) Where the person has violated the provisions of Article 37, paragraph (7);

四 第四十一条の十第一項の規定に違反したとき。

(iv) Where the person has violated the provisions of Article 41-10, paragraph (1);

五 第四十一条の十五の規定に違反して、内閣総理大臣の認可を受けずに、法人の代表者となり、若しくは常務に従事し、又は事業を営んだとき。

(v) Where the person has, in violation of Article 41-15, become a representative person of a juridical person, is regularly engaged in its business, or has conducted business without obtaining authorization from the Prime Minister;  
or

六 第四十一条の二十五の規定に違反したとき。

(vi) Where the person has violated the provisions of Article 41-25.

2 第二十五条第五項の規定に違反した者は、三十万円以下の過料に処する。

(2) A person who has violated the provisions of Article 25, paragraph (5) shall be punished by a non-penal fine of not more than 300,000 yen.

第五十二条 次の各号のいずれかに該当する場合には、その行為をした者（その者が法人であるときは、その取締役、執行役、会計参与若しくはその職務を行うべき社員、監査役、理事、監事、代表者、業務を執行する社員又は清算人）は、十万円以下の過料に処する。

Article 52 A person who has conducted the acts falling under either of the

following items (in the case such person is a juridical person, its director, executing officer, accounting advisor, or a member who is to perform such duties, or its auditor, director, representative person, member in charge of executing business, or liquidator) shall be punished by a non-penal fine of not more than 100,000 yen:

一 第二十二條（第二十四條第二項、第二十四條の二第二項、第二十四條の三第二項、第二十四條の四第二項及び第二十四條の五第二項において準用する場合を含む。）の規定に違反したとき。

(i) Where the person has violated the provisions of Article 22 (including the cases where it is applied *mutatis mutandis* pursuant to Article 24, paragraph (2), Article 24-2, paragraph (2), Article 24-3, paragraph (2), Article 24-4, paragraph (2), or Article 24-5, paragraph (2)); or

二 第四十一條の二十六の規定に違反したとき。

(ii) Where the person has violated the provisions of Article 41-26.