保険業法

Insurance Business Act

（平成七年六月七日法律第百五号）

(Act No. 105 of June 7, 1995)

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附　則

Supplementary Provisions

第一編　総則

Part I General Provisions

（目的）

(Purpose)

第一条　この法律は、保険業の公共性にかんがみ、保険業を行う者の業務の健全かつ適切な運営及び保険募集の公正を確保することにより、保険契約者等の保護を図り、もって国民生活の安定及び国民経済の健全な発展に資することを目的とする。

Article 1 The purpose of this Act is, in view of the public nature of the Insurance Business, to protect Policyholders, etc. by ensuring the sound and appropriate business operation of persons conducting Insurance Business and by ensuring fairness in Insurance Solicitation, and thereby to contribute to the stability of the lives of the citizens and to the sound development of the national economy.

（定義）

(Definitions)

第二条　この法律において「保険業」とは、人の生存又は死亡に関し一定額の保険金を支払うことを約し保険料を収受する保険、一定の偶然の事故によって生ずることのある損害をてん補することを約し保険料を収受する保険その他の保険で、第三条第四項各号又は第五項各号に掲げるものの引受けを行う事業（次に掲げるものを除く。）をいう。

Article 2 (1) The term "Insurance Business" as used in this Act means the business (except business listed in the following items) of underwriting the risks listed in the items of Article 3, paragraph (4) or the items of Article 3, paragraph (5) with insurance for which premiums are received under a contract for the payment of a fixed amount of insurance proceeds in connection with the life or death of an individual, with insurance for which premiums are received under a contract for compensation of damages caused by specific and accidental events, or with any other class of insurance.

一　他の法律に特別の規定のあるもの

(i) Those provided in other Acts.

二　次に掲げるもの

(ii) The following business:

イ　地方公共団体がその住民を相手方として行うもの

(a) That which a local government enters into with its residents as the other parties;

ロ　一の会社等（会社（外国会社を含む。以下この号において同じ。）その他の事業者（政令で定める者を除く。）をいう。）又はその役員若しくは使用人（役員又は使用人であった者を含む。以下この号において同じ。）が構成する団体がその役員若しくは使用人又はこれらの者の親族（政令で定める者に限る。以下この号において同じ。）を相手方として行うもの

(b) That which a company, etc. (meaning a company (including a foreign company; hereinafter the same shall apply in this item) or any other enterprise (excluding any enterprise specified by Cabinet Order)) or an organization comprised of officers or employees (including former officers or employees; hereinafter the same shall apply in this item) enters into with its officers or employees, or their relatives (limited to those specified by Cabinet Order; hereinafter the same shall apply in this item) as the other parties;

ハ　一の労働組合がその組合員（組合員であった者を含む。）又はその親族を相手方として行うもの

(c) That which a labor union enters into with its union members (including former union members) or their relatives as the other parties;

ニ　会社が同一の会社の集団（一の会社及び当該会社の子会社の集団をいう。）に属する他の会社を相手方として行うもの

(d) That which one company enters into with another company that belongs to the same group (meaning the group of a company and its Subsidiary Companies) as the other party;

ホ　一の学校（学校教育法（昭和二十二年法律第二十六号）第一条に規定する学校をいう。）又はその学生が構成する団体がその学生又は生徒を相手方として行うもの

(e) That which a school (meaning a school as prescribed in Article 1 of the School Education Act (Act No. 26 of 1947)) or an organization comprised of its students enters into with its students as the other parties;

ヘ　一の地縁による団体（地方自治法（昭和二十二年法律第六十七号）第二百六十条の二第一項に規定する地縁による団体であって、同条第二項各号に掲げる要件に該当するものをいう。）がその構成員を相手方として行うもの

(f) That which a regional organization (meaning a regional organization as prescribed in Article 260-2, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) that falls under the requirements listed in the items of paragraph (2) of that Article) enters into with its members as the other party; and

ト　イからヘまでに掲げるものに準ずるものとして政令で定めるもの

(g) Business specified by Cabinet Order as being equivalent to those listed from (a) to (f) inclusive.

三　政令で定める人数以下の者を相手方とするもの（政令で定めるものを除く。）

(iii) That for which the other parties are persons whose number does not exceed the number specified by Cabinet Order (except those specified by Cabinet Order).

２　この法律において「保険会社」とは、第三条第一項の内閣総理大臣の免許を受けて保険業を行う者をいう。

(2) The term "Insurance Company" as used in this Act means a person who conducts Insurance Business under the license from the Prime Minister prescribed in Article 3, paragraph (1).

３　この法律において「生命保険会社」とは、保険会社のうち第三条第四項の生命保険業免許を受けた者をいう。

(3) The term "Life Insurance Company" as used in this Act means an Insurance Company which has obtained the life insurance business license set forth in Article 3, paragraph (4).

４　この法律において「損害保険会社」とは、保険会社のうち第三条第五項の損害保険業免許を受けた者をいう。

(4) The term "Non-Life Insurance Company" as used in this Act means an Insurance Company which has obtained the non-life insurance business license set forth in Article 3, paragraph (5).

５　この法律において「相互会社」とは、保険業を行うことを目的として、この法律に基づき設立された保険契約者をその社員とする社団をいう。

(5) The term "Mutual Company" as used in this Act means an association established pursuant to this Act for the purpose of conducting Insurance Business, whose policyholders are the members thereof.

６　この法律において「外国保険業者」とは、外国の法令に準拠して外国において保険業を行う者（保険会社を除く。）をいう。

(6) The term "Foreign Insurer" as used in this Act means a person conducting Insurance Business in a foreign state in accordance with the laws and regulations of the foreign state (excluding Insurance Companies).

７　この法律において「外国保険会社等」とは、外国保険業者のうち第百八十五条第一項の内閣総理大臣の免許を受けた者をいう。

(7) The term "Foreign Insurance Company, etc." as used in this Act means a Foreign Insurer which has obtained the license from the Prime Minister set forth in Article 185, paragraph (1).

８　この法律において「外国生命保険会社等」とは、外国保険会社等のうち第百八十五条第四項の外国生命保険業免許を受けた者をいう。

(8) The term "Foreign Life Insurance Company, etc." as used in this Act means a Foreign Insurance Company, etc. which has obtained the foreign life insurance business license set forth in Article 185, paragraph (4).

９　この法律において「外国損害保険会社等」とは、外国保険会社等のうち第百八十五条第五項の外国損害保険業免許を受けた者をいう

(9) The term "Foreign Non-Life Insurance Company, etc." as used in this Act means a Foreign Insurance Company, etc. which has obtained the foreign non-life insurance business license set forth in Article 185, paragraph (5).

１０　この法律において「外国相互会社」とは、外国の法令に準拠して設立された相互会社と同種の外国の法人又はこれに類似する外国の法人をいう。

(10) The term "Foreign Mutual Company" as used in this Act means a foreign juridical person akin to a Mutual Company, or a similar foreign juridical person, which was established in accordance with the laws and regulations of a foreign state.

１１　この法律において「総株主等の議決権」とは、総株主又は総出資者の議決権（株式会社にあっては、株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法（平成十七年法律第八十六号）第八百七十九条第三項（特別清算事件の管轄）の規定により議決権を有するものとみなされる株式についての議決権を含む。以下この条、次条、第百条の二の二、第百六条、第百七条、第百二十七条、第二百六十条、第二編第十一章及び第十二章並びに第三百三十三条において同じ。）をいう。

(11) The term "All Shareholders' Voting Rights, etc." as used in this Act means voting rights of all shareholders or investors (in the case of a Stock Company, excluding voting rights related to shares which do not allow exercising voting rights for any of the matters which may be resolved at a shareholders' meeting, but including voting rights related to shares for which holders are deemed to have voting rights pursuant to the provisions of Article 879, paragraph (3) (Jurisdiction Over a Special Liquidation Case) of the Companies Act (Act No. 86 of 2005); the same shall apply hereinafter in this Article, the following Article, Article 100-2-2, Article 106, Article 107, Article 127, Article 260, Part II, Chapters XI and XII and Article 333).

１２　この法律において「子会社」とは、会社がその総株主等の議決権の百分の五十を超える議決権を保有する他の会社をいう。この場合において、会社及びその一若しくは二以上の子会社又は当該会社の一若しくは二以上の子会社がその総株主等の議決権の百分の五十を超える議決権を保有する他の会社は、当該会社の子会社とみなす。

(12) The terms "Subsidiary Company" and "Subsidiary" as used in this Act mean a company in which another company holds voting rights exceeding 50 percent of All Shareholders' Voting Rights, etc. In such a case, if a first company and one or more of its Subsidiary Companies, or if one or more of the Subsidiary Companies of such first company, own voting rights exceeding 50 percent of All Shareholders' Voting Rights, etc. in a second company, said second company shall be deemed to be the Subsidiary Company of the first company.

１３　この法律において「主要株主基準値」とは、総株主の議決権の百分の二十（会社の財務及び営業又は事業の方針の決定に対して重要な影響を与えることが推測される事実が存在するものとして内閣府令で定める要件に該当する者が当該会社の議決権の保有者である場合にあっては、百分の十五）をいう。

(13) The term "Major Shareholder Threshold" as used in this Act means 20 percent (15 percent in the case where a person who satisfies the requirements specified by Cabinet Office Ordinance as one with regard to which a fact exists that is expected to have a material effect on the decisions on the financial and business policies of the company, holds voting rights in the company) of all shareholders' voting rights.

１４　この法律において「保険主要株主」とは、保険会社の主要株主基準値以上の数の議決権の保有者（他人（仮設人を含む。）の名義をもって保有する者を含む。以下同じ。）であって、第二百七十一条の十第一項の認可を受けて設立され、又は同項若しくは同条第二項ただし書の認可を受けているものをいう。

(14) The term "Insurance Company's Major Shareholder" as used in this Act means a person that holds a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold (including a person who holds such number of voting rights in the name of another person (or under a fictitious name); the same shall apply hereinafter), and is established under the authorization set forth in Article 271-10, paragraph (1) or has obtained the authorization prescribed in Article 271-10, paragraph (1) or the proviso to Article 271-10, paragraph (2).

１５　第十二項又は前項の場合において、会社又は議決権の保有者が保有する議決権には、金銭又は有価証券の信託に係る信託財産として所有する株式又は持分に係る議決権（委託者又は受益者が行使し、又はその行使について当該会社若しくは当該議決権の保有者に指図を行うことができるものに限る。）その他内閣府令で定める議決権を含まないものとし、信託財産である株式又は持分に係る議決権で、当該会社又は当該議決権の保有者が委託者若しくは受益者として行使し、又はその行使について指図を行うことができるもの（内閣府令で定める議決権を除く。）及び社債、株式等の振替に関する法律（平成十三年法律第七十五号）第百四十七条第一項又は第百四十八条第一項の規定により発行者に対抗することができない株式に係る議決権を含むものとする。

(15) In the case prescribed in paragraph (12) and the preceding paragraph, the voting rights held by a company or a person who holds voting rights shall not include any voting rights from shares or equity interests held in the form of trust property pertaining to a monetary or securities trust (limited to cases where the settlor or the beneficiary may exercise the voting rights or may give instructions to the company or the holder of the voting rights on the exercise of such voting rights) or any of the voting rights specified by Cabinet Office Ordinance, but shall include voting rights from the Shares or equity interests which are held as trust property and whose voting rights the other company or the person holding voting rights in the Insurance Company may, as a settlor or beneficiary, exercise or give instructions on the exercise (excluding those specified by Cabinet Office Ordinance) and any voting rights from the shares which cannot be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Transfer of Bonds, Shares, etc. (Act No. 75 of 2001).

１６　この法律において「保険持株会社」とは、保険会社を子会社とする持株会社（私的独占の禁止及び公正取引の確保に関する法律（昭和二十二年法律第五十四号）第九条第四項第一号（持株会社）に規定する持株会社をいう。以下同じ。）であって、第二百七十一条の十八第一項の認可を受けて設立され、又は同項若しくは同条第三項ただし書の認可を受けているものをいう。

(16) The term "Insurance Holding Company" as used in this Act means a Holding Company (meaning a Holding Company as prescribed in Article 9, paragraph (4), item (i) (Holding Company) of the Act on Prohibiting Private Monopolies and Ensuring Fair Trade (Act No. 54 of 1947); the same shall apply hereinafter) whose Subsidiary Companies are Insurance Companies, which has been established under the authorization set forth in Article 271-18, paragraph (1) or which obtains authorization prescribed in Article 271-18, paragraph (1) or the proviso to paragraph (3).

１７　この法律において「少額短期保険業」とは、保険業のうち、保険期間が二年以内の政令で定める期間以内であって、保険金額が千万円を超えない範囲内において政令で定める金額以下の保険（政令で定めるものを除く。）のみの引受けを行う事業をいう。

(17) The term "Low-Cost, Short-Term Insurance Business" as used in this Act means, within the Insurance Business, the business of underwriting only insurance that has a term of coverage of within the period of two years or less specified by Cabinet Order, and for which the insurance proceeds do not exceed the amount of ten million yen or less specified by Cabinet Order (except those specified by Cabinet Order).

１８　この法律において「少額短期保険業者」とは、第二百七十二条第一項の登録を受けて少額短期保険業を行う者をいう。

(18) The term "Low-Cost, Short-Term Insurer" as used in this Act means a person who has obtained the registration set forth in Article 272, paragraph (1) and who conducts Low-Cost, Short-Term Insurance Business.

１９　この法律において「生命保険募集人」とは、生命保険会社（外国生命保険会社等を含む。以下この項において同じ。）の役員（代表権を有する役員並びに監査役及び監査委員会の委員（以下「監査委員」という。）を除く。以下この条において同じ。）若しくは使用人若しくはこれらの者の使用人又は生命保険会社の委託を受けた者（法人で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。）若しくはその者の役員若しくは使用人で、その生命保険会社のために保険契約の締結の代理又は媒介を行うものをいう。

(19) The term "Life Insurance Agent" as used in this Act means an officer (excluding officers with the authority of representation and company auditors and members of audit committees (hereinafter referred to as "Audit Committee Members"); hereinafter the same shall apply in this Article) or employee of a Life Insurance Company (including Foreign Life Insurance Companies, etc.; hereinafter the same shall apply in this paragraph) or the employee of such a person, and any person delegated by a Life Insurance Company (including an association or foundation that is not a juridical person and has provisions on representative persons or administrators) or the officer or employee of such a person, who acts as an agent or intermediary for the conclusion of an insurance contract on behalf of the Life Insurance Company.

２０　この法律において「損害保険募集人」とは、損害保険会社（外国損害保険会社等を含む。次項において同じ。）の役員若しくは使用人、損害保険代理店又はその役員若しくは使用人をいう。

(20) The term "Non-Life Insurance Agent" as used in this Act means an officer or employee of a Non-Life Insurance Company (including Foreign Companies, etc.; the same shall apply in the following paragraph), Non-Life Insurance Representative, or the officer or employee of such a person.

２１　この法律において「損害保険代理店」とは、損害保険会社の委託を受けて、その損害保険会社のために保険契約の締結の代理又は媒介を行う者（法人で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。）で、その損害保険会社の役員又は使用人でないものをいう。

(21) The term "Non-Life Insurance Representative" as used in this Act means a person delegated by a Non-Life Insurance Company, who acts as an agent or intermediary for the conclusion of insurance contracts on its behalf (including an association or foundation that is not a juridical person and has provisions on representative persons or administrators), and who is not an officer or employee of the Non-Life Insurance Company.

２２　この法律において「少額短期保険募集人」とは、少額短期保険業者の役員若しくは使用人又は少額短期保険業者の委託を受けた者（法人で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。）若しくはその者の役員若しくは使用人で、その少額短期保険業者のために保険契約の締結の代理又は媒介を行うものをいう。

(22) The term "Low-Cost, Short-Term Insurance Agent" as used in this Act means an officer or employee of a Low-Cost, Short-Term Insurer, or a person delegated by a Low-Cost, Short-Term Insurer (including an association or foundation that is not a juridical person and has provisions on representative persons or administrators) or an officer or employee of such a person, who acts as an agent or intermediary for the conclusion of insurance contracts on behalf of the Low-Cost, Short-Term Insurer.

２３　この法律において「保険募集人」とは、生命保険募集人、損害保険募集人又は少額短期保険募集人をいう。

(23) The term "Insurance Agent" as used in this Act means a Life Insurance Agent, a Non-Life Insurance Agent, or a Low-Cost, Short-Term Insurance Agent.

２４　この法律において「所属保険会社等」とは、生命保険募集人、損害保険募集人又は少額短期保険募集人が保険募集を行う保険契約の保険者となるべき保険会社（外国保険会社等を含む。）又は少額短期保険業者をいう。

(24) The term "Affiliated Insurance Company, etc." as used in this Act means the Insurance Company (including foreign insurance companies, etc.) or the Low-Cost, Short-Term Insurer, which is to be the insurer in the insurance contracts offered by Life Insurance Agents, Non-Life Insurance Agents, or Low-Cost, Short-Term Insurance Agents.

２５　この法律において「保険仲立人」とは、保険契約の締結の媒介であって生命保険募集人、損害保険募集人及び少額短期保険募集人がその所属保険会社等のために行う保険契約の締結の媒介以外のものを行う者（法人で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。）をいう。

(25) The term "Insurance Broker" as used in this Act means a person who acts as an intermediary for the conclusion of an insurance contract other than the intermediation that Life Insurance Agents, Non-Life Insurance Representatives, and Low-Cost, Short-Term Insurance Agents (including an association or foundation that is not a juridical person and has provisions on representative persons or administrators) carry out on behalf of their Affiliated Insurance Companies, etc.

２６　この法律において「保険募集」とは、保険契約の締結の代理又は媒介を行うことをいう。

(26) The term "Insurance Solicitation" as used in this Act means acting as an agent or intermediary for conclusion of an insurance contract.

２７　この法律において「公告方法」とは、株式会社及び外国会社である外国保険会社等にあっては会社法第二条第三十三号（定義）に規定する公告方法をいい、相互会社及び外国保険会社等（外国会社を除く。以下この項において同じ。）にあっては相互会社及び外国保険会社等が公告（この法律又は他の法律の規定により官報に掲載する方法によりしなければならないものとされているものを除く。）をする方法をいう。

(27) The term "Method of Public Notice" as used in this Act means the Method of Public Notice prescribed in Article 2, item (xxxiii) (Definitions) of the Companies Act with regard to stock companies and foreign companies that are foreign insurance companies, etc. and the method by which mutual companies and foreign insurance companies, etc. (excluding foreign companies; hereinafter the same shall apply in this paragraph) give public notice with regard to mutual companies and foreign insurance companies, etc. (except cases where provisions of this Act or other Acts prescribe that a method of publication in the official gazette is to be used).

２８　この法律において「指定紛争解決機関」とは、第三百八条の二第一項の規定による指定を受けた者をいう。

(28) The term "Designated Dispute Resolution Organization" as used in this Act means a person who has obtained the designation under Article 308-2, paragraph (1).

２９　この法律において「生命保険業務」とは、生命保険会社が第九十七条、第九十八条及び第九十九条の規定により行う業務並びに他の法律により行う業務並びに当該生命保険会社のために生命保険募集人が行う保険募集をいう。

(29) The term "Life Insurance Services" as used in this Act means business conducted by a Life Insurance Company pursuant to the provisions of Article 97, Article 98 and Article 99; business conducted by a Life Insurance Company pursuant to the provisions of any other laws; and Insurance Solicitation in which a Life Insurance Agent engages for said Life Insurance Company.

３０　この法律において「損害保険業務」とは、損害保険会社が第九十七条、第九十八条及び第九十九条の規定により行う業務（自動車損害賠償保障法（昭和三十年法律第九十七号）第五条（責任保険又は責任共済の契約の締結強制）に規定する責任保険に係る保険金等（同法第十六条の二（休業による損害等に係る保険金等の限度）に規定する保険金等をいう。）の支払及び支払に係る手続に関する業務（第三十二項及び第三十四項において「自動車損害賠償責任保険事業」という。）を除く。）並びに他の法律により行う業務並びに当該損害保険会社のために損害保険募集人が行う保険募集をいう。

(30) The term "Non-Life Insurance Services" as used in this Act means business conducted by a Non-Life Insurance Company pursuant to the provisions of Article 97, Article 98 and Article 99 (excluding business for paying Insurance Proceeds, etc. (meaning the Insurance Proceeds, etc. set forth in Article 16-2 (Limitations on Insurance Proceeds, etc. for Damages, etc. Caused by an Absence from Work) of the Automobile Liability Insurance Act (Act No. 97 of 1955)) from liability insurance as set forth in Article 5 (Compulsory Execution of Contracts for Liability Insurance or Mutual Aid Liability Insurance) of that Act (referred to as the "Automobile Damage Liability Insurance Business" in paragraphs (32) and (34))); business conducted by a Non-Life Insurance Company pursuant to the provisions of any other laws; and Insurance Solicitation in which a Non-Life Insurance Agent engages for said Non-Life Insurance Company.

３１　この法律において「外国生命保険業務」とは、外国生命保険会社等が第百九十九条において準用する第九十七条、第九十八条、第九十九条及び第百条の規定により行う業務並びに当該外国生命保険会社等のために生命保険募集人が行う保険募集をいう。

(31) The term "Foreign Life Insurance Services" as used in this Act means business conducted by a Foreign Life Insurance Company, etc. pursuant to the provisions of Article 97, Article 98, Article 99 and Article 100 as applied mutatis mutandis pursuant to Article 199; and Insurance Solicitation in which a Life Insurance Agent engages for said Foreign Life Insurance Company, etc.

３２　この法律において「外国損害保険業務」とは、外国損害保険会社等が第百九十九条において準用する第九十七条、第九十八条、第九十九条及び第百条の規定により行う業務（自動車損害賠償責任保険事業を除く。）並びに当該外国損害保険会社等のために損害保険募集人が行う保険募集をいう。

(32) The term "Foreign Non-Life Insurance Services" as used in this Act means business conducted by a Foreign Non-Life Insurance Company, etc. pursuant to the provisions of Article 97, Article 98, Article 99 and Article 100 as applied mutatis mutandis pursuant to Article 199 (excluding the Automobile Damage Liability Insurance Business); and Insurance Solicitation in which a Non-Life Insurance Agent engages for said Foreign Non-Life Insurance Company, etc.

３３　この法律において「特定生命保険業務」とは、第二百十九条第四項の特定生命保険業免許を受けた同条第一項の特定法人の同項の引受社員が第百九十九条において準用する第九十七条、第九十八条、第九十九条及び第百条の規定により行う業務並びに当該引受社員のために生命保険募集人が行う保険募集をいう。

(33) The term "Specified Life Insurance Services" as used in this Act means business that the Underwriting Member referred to in Article 219, paragraph (1), of a Specified Juridical Person referred to in said paragraph, which has obtained a specified life insurance business license under paragraph (4) of that Article, conducts pursuant to the provisions of Article 97, Article 98, Article 99 and Article 100 as applied mutatis mutandis pursuant to Article 199; and Insurance Solicitation in which a Life Insurance Agent engages for said Underwriting Member.

３４　この法律において「特定損害保険業務」とは、第二百十九条第五項の特定損害保険業免許を受けた同条第一項の特定法人の同項の引受社員が第百九十九条において準用する第九十七条、第九十八条、第九十九条及び第百条の規定により行う業務（自動車損害賠償責任保険事業を除く。）並びに当該引受社員のために損害保険募集人が行う保険募集をいう。

(34) The term "Specified Non-Life Insurance Services" as used in this Act means business that the Underwriting Member referred to in Article 219, paragraph (1), of a Specified Juridical Person as set forth in said paragraph, which has obtained a specified non-life insurance business license under paragraph (5) of that Article, conducts pursuant to the provisions of Article 97, Article 98, Article 99 and Article 100 as applied mutatis mutandis pursuant to Article 199 (excluding the Automobile Damage Liability Insurance Business); and Insurance Solicitation in which a Non-Life Insurance Agent engages for said Underwriting Member.

３５　この法律において「少額短期保険業務」とは、少額短期保険業者が第二百七十二条の十一第一項の規定により行う業務及び当該少額短期保険業者のために少額短期保険募集人が行う保険募集をいう。

(35) The term "Low-Cost, Short-Term Insurance Services" as used in this Act means business that a Low-Cost, Short-Term Insurer conducts pursuant to the provisions of Article 272-11, paragraph (1); and Insurance Solicitation in which a Low-Cost, Short-Term Insurance Agent engages for said Low-Cost, Short-Term Insurer.

３６　この法律において「保険仲立人保険募集」とは、保険仲立人が行う保険契約の締結の媒介をいう。

(36) The term "Insurance Solicitation by Insurance Brokers" as used in this Act means the intermediation that Insurance Brokers performs for the conclusion of insurance contracts.

３７　この法律において「保険業務等」とは、生命保険業務、損害保険業務、外国生命保険業務、外国損害保険業務、特定生命保険業務、特定損害保険業務、少額短期保険業務又は保険仲立人保険募集をいう。

(37) The term "Insurance Services, etc." as used in this Act means Life Insurance Services, Non-Life Insurance Services, Foreign Life Insurance Services, Foreign Non-Life Insurance Services, Specified Life Insurance Services, Specified Non-Life Insurance Services, Low-Cost, Short-Term Insurance Services, and Insurance Solicitation by Insurance Brokers.

３８　この法律において「苦情処理手続」とは、保険業務等関連苦情（保険業務等に関する苦情をいう。第三百八条の七、第三百八条の八及び第三百八条の十二において同じ。）を処理する手続をいう。

(38) The term "Complaint Processing Procedures" as used in this Act means procedures for processing the Complaints Related to Insurance Services, etc. (meaning complaints related to Insurance Services, etc; the same shall apply in Article 308-7, Article 308-8 and Article 308-12).

３９　この法律において「紛争解決手続」とは、保険業務等関連紛争（保険業務等に関する紛争で当事者が和解をすることができるものをいう。第三百八条の七、第三百八条の八及び第三百八条の十三から第三百八条の十五までにおいて同じ。）について訴訟手続によらずに解決を図る手続をいう。

(39) The term "Dispute Resolution Procedures" as used in this Act means procedures to resolve Disputes Related to Insurance Services, etc. (meaning disputes related to Insurance Services, etc. that can be settled between the parties; the same shall apply in Article 308-7, Article 308-8 and Articles 308-13 to 308-15 inclusive) without using court proceedings.

４０　この法律において「紛争解決等業務」とは、苦情処理手続及び紛争解決手続に係る業務並びにこれに付随する業務をいう。

(40) The term "Dispute Resolution Services, etc." as used in this Act means business for Complaint Processing Procedures and Dispute Resolution Procedures as well as business incidental thereto.

４１　この法律において「紛争解決等業務の種別」とは、紛争解決等業務に係る生命保険業務、損害保険業務、外国生命保険業務、外国損害保険業務、特定生命保険業務、特定損害保険業務、少額短期保険業務及び保険仲立人保険募集の種別をいう。

(41) The term "Category of Dispute Resolution Services, etc." as used in this Act means categorization of Dispute Resolution Services, etc. as being for Life Insurance Services, Non-Life Insurance Services, Foreign Life Insurance Services, Foreign Non-Life Insurance Services, Specified Life Insurance Services, Specified Non-Life Insurance Services, Low-Cost, Short-Term Insurance Services, or for Insurance Solicitation by Insurance Brokers.

４２　この法律において「手続実施基本契約」とは、紛争解決等業務の実施に関し指定紛争解決機関と保険業関係業者（保険会社、外国保険会社等、第二百二十三条第一項の免許特定法人、少額短期保険業者又は保険仲立人をいう。以下同じ。）との間で締結される契約をいう。

(42) The term "Basic Contract for the Implementation of Dispute Resolution Procedures" as used in this Act means a contract concluded between a Designated Dispute Resolution Organization and an Insurance Service Provider (meaning an Insurance Company, Foreign Life Insurance Company, etc., Licensed Specified Juridical Person as defined in Article 223, paragraph (1), Low-Cost, Short-Term Insurer, or Insurance Broker; the same shall apply hereinafter) with regard to the implementation of Dispute Resolution Services, etc.

第二条の二　次の各号に掲げる者は、それぞれ当該各号に定める数の保険会社等（保険会社又は少額短期保険業者をいう。以下同じ。）の議決権の保有者とみなして、第二編第十一章第一節及び第二節、第十二章並びに第十三章、第五編並びに第六編の規定を適用する。

Article 2-2 (1) Any person listed in the following items shall be deemed to be a holder of voting rights in an Insurance Company, etc. (meaning Insurance Companies or Low-Cost, Short-Term Insurers; the same shall apply hereinafter) amounting to the number specified in those items, and the provisions of Part II, Chapter XI, Sections 1 and 2, Chapters XII and XIII, and Parts V and VI shall apply to such person:

一　法人でない団体（法人に準ずるものとして内閣府令で定めるものに限る。）　当該法人でない団体の名義をもって保有される保険会社等の議決権の数

(i) An organization that is not a juridical person (limited to an organization specified by Cabinet Office Ordinance as those equivalent to a juridical person): the number of voting rights in the Insurance Company, etc. that the organization holds in its own name;

二　内閣府令で定めるところにより連結してその計算書類その他の書類を作成するものとされる会社（次号において「連結基準対象会社」という。）であって、その連結する会社その他の法人（前号に掲げる法人でない団体を含む。以下この項において「会社等」という。）のうちに保険会社等を含むもののうち、他の会社の計算書類その他の書類に連結される会社以外の会社　当該会社の当該保険会社等に対する実質的な影響力を表すものとして内閣府令で定めるところにより計算される数

(ii) A company required to prepare its financial statements and other documents on a consolidated basis pursuant to the provisions of Cabinet Office Ordinance (referred to as "Company Subject to Standards for Consolidation" in the following item), for which the companies and other juridical persons to be consolidated (including organizations that are not juridical persons as listed in the preceding item; and hereinafter referred to as "Companies, etc." in this paragraph) include an Insurance Company, etc., and that is not consolidated in any other company's financial statements or other documents: the number calculated pursuant to the provisions of Cabinet Office Ordinance as representing the company's substantial influence on the Insurance Company, etc.;

三　連結基準対象会社以外の会社等（保険会社等の議決権の保有者である会社等に限り、前号に掲げる会社の計算書類その他の書類に連結されるものを除く。）が会社等集団（当該会社等及び当該会社等が他の会社等に係る議決権の過半数を保有していることその他の当該会社等と密接な関係を有する会社等として内閣府令で定める会社等の集団をいう。以下この項において同じ。）に属し、かつ、当該会社等集団が当該会社等集団に属する全部の会社等の保有する一の保険会社等の議決権の数を合算した数（以下この号及び次号において「会社等集団保有議決権数」という。）が当該保険会社等の主要株主基準値以上の数である会社等集団（以下この号及び次号において「特定会社等集団」という。）である場合において、当該特定会社等集団に属する会社等のうち、その会社等に係る議決権の過半数の保有者である会社等がない会社等　当該特定会社等集団に係る会社等集団保有議決権数

(iii) Where a Company, etc. (excluding one that is consolidated in the financial statements and other documents of a company that falls under the type of company listed in the preceding item, limited to one that holds voting rights in an Insurance Company, etc.) that is not a Company Subject to Standards for Consolidation belongs to a Group of Companies, etc. (meaning the group of the relevant Company, etc., the group of another Company, etc. in which the relevant Company, etc. holds majority voting rights, or the group of a Company, etc. specified by Cabinet Office Ordinance as a Company, etc. to which the relevant Company, etc. is otherwise closely related; hereinafter the same shall apply in this paragraph), and where the total number of voting rights held in an Insurance Company, etc. by all of the Companies etc. belonging to the Group of Companies, etc (hereinafter referred to as the "Number of Voting Rights Held by the Group of Companies, etc." in this item and the next item) is equal to or exceeds the Major Shareholder Threshold (such Group of Companies, etc. are hereinafter referred to as "Specified Group of Companies, etc." in this item and the next item), a Company, etc. in the Specified Group of Companies, etc., in which no other Company, etc. holds majority voting rights: the Number of Voting Rights Held by the Group of Companies, etc. in the Specified Group of Companies, etc.;

四　特定会社等集団に属する会社等のうちに前号に掲げる会社等がない場合において、当該特定会社等集団に属する会社等のうちその貸借対照表上の資産の額が最も多い会社等　当該特定会社等集団に係る会社等集団保有議決権数

(iv) Where no Company, etc. in a Specified Group of Companies, etc. falls under the type of Company, etc. listed in the preceding item, a Company, etc. whose assets in the balance sheet are the largest among the Companies, etc. belonging to the Specified Group of Companies, etc.: the Number of Voting Rights Held by the Group of Companies, etc. in the Specified Group of Companies, etc.

五　保険会社等の議決権の保有者である会社等（第二号から前号までに掲げる者を含む。以下この号において同じ。）に係る議決権の過半数の保有者である個人のうち、当該個人がその議決権の過半数の保有者である会社等がそれぞれ保有する一の保険会社等の議決権の数（当該会社等が前各号に掲げる者であるときは、それぞれ当該各号に定める数）を合算した数（当該個人が当該保険会社等の議決権の保有者である場合にあっては、当該合算した数に当該個人が保有する当該保険会社等の議決権の数を加算した数。以下この号において「合算議決権数」という。）が当該保険会社等の総株主の議決権の百分の二十以上の数である者　当該個人に係る合算議決権数

(v) An individual who, by virtue of holding majority voting rights in Companies, etc. that hold voting rights in an Insurance Company, etc. (including any of the persons listed from item (ii) to the preceding item inclusive; hereinafter the same shall apply in this item), is deemed to hold at least 20 percent of all shareholders' voting rights in the Insurance Company, etc., in terms of the number of voting rights held in the Insurance Company, etc. by such Companies, etc. (for those falling under any of the categories listed in the preceding items, the number specified in the relevant item), taken together (counting in any voting rights held by said individual in the Insurance Company, etc.; the number thus calculated is hereinafter referred to as the "Grand Total Number of Voting Rights" in this item): the Grand Total Number of Voting Rights for the individual.

六　保険会社等の議決権の保有者（前各号に掲げる者を含む。以下この号において同じ。）のうち、その保有する当該保険会社等の議決権の数（当該議決権の保有者が前各号に掲げる者であるときは、それぞれ当該各号に定める数）とその共同保有者（保険会社等の議決権の保有者が、当該保険会社等の議決権の他の保有者（前各号に掲げる者を含む。）と共同して当該議決権に係る株式を取得し、若しくは譲渡し、又は当該保険会社等の株主としての議決権その他の権利を行使することを合意している場合における当該他の保有者（当該議決権の保有者が第二号に掲げる会社である場合においては当該会社の計算書類その他の書類に連結される会社等を、当該議決権の保有者が第三号又は第四号に掲げる会社等である場合においては当該会社等が属する会社等集団に属する当該会社等以外の会社等を、当該議決権の保有者が前号に掲げる個人である場合においては当該個人がその議決権の過半数の保有者である会社等を除き、当該議決権の保有者と政令で定める特別な関係を有する者を含む。）をいう。）の保有する当該保険会社等の議決権の数（当該共同保有者が前各号に掲げる者であるときは、それぞれ当該各号に定める数）を合算した数（以下この号において「共同保有議決権数」という。）が当該保険会社等の総株主の議決権の百分の二十以上の数である者　共同保有議決権数

(vi) A person who holds voting rights in an Insurance Company, etc. (including a person falling under any of the categories listed in the preceding items; hereinafter the same shall apply in this item) who is deemed to hold at least 20 percent of all shareholders' voting rights in the Insurance Company, etc., in terms of the number of voting rights held by said person in the Insurance Company, etc. (for a person falling under any of the categories listed in the preceding items, the number specified in the relevant item) and the number of voting rights held in the same Insurance Company, etc. by his/her Joint Holder(s) (meaning any other holder(s) of voting rights in the Insurance Company, etc. (including those falling under any of the categories listed in the preceding times) who has (have) agreed with said person on concerted action in acquiring or transferring the shares pertaining to the voting rights, or in exercising the voting and other rights as shareholders of that Insurance Company, etc. (excluding, where the person who holds the voting rights is a company falling under the category listed in item (ii), any Company, etc. to be consolidated in the financial statements and other documents of said company; excluding, where the person who holds the voting rights is a Company, etc. falling under the category prescribed in item (iii) or (iv), any other Company, etc. in the Group of Companies, etc. to which said Company, etc. belongs; and excluding, where the person who holds the voting rights is an individual falling under the category listed in the preceding item, any Company, etc. in which the individual holds majority voting rights; but including any person who has a special relationship as specified by Cabinet Order with the person who holds the voting rights)) (for a Joint Holder falling under any of the categories listed in the preceding items, the number prescribed in the relevant item), taken together (the total number thus calculated is hereinafter referred to as the "Number of Voting Rights Jointly Held" in this item): the Number of Voting Rights Jointly Held.

七　前各号に掲げる者に準ずる者として内閣府令で定める者　保険会社等に対する実質的な影響力を表すものとして内閣府令で定めるところにより計算される数

(vii) A person specified by Cabinet Office Ordinance as being equivalent to a person listed in any of the preceding items: the number calculated pursuant to the provisions of Cabinet Office Ordinance as representing the person's substantive influence on the Insurance Companies, etc.

２　前条第十五項の規定は、前項各号の場合において同項各号に掲げる者が保有するものとみなされる議決権又は議決権の保有者が保有する議決権について準用する。

(2) In the case referred to in the items of the preceding paragraph, the provisions of paragraph (15) of the preceding Article, shall apply mutatis mutandis to voting rights deemed to be held by a person listed in any of items of that paragraph and voting rights held by the holder of the voting rights.

第二編　保険会社等

Part II Insurance Company, etc.

第一章　通則

Chapter I General Rules

（免許）

(Licenses)

第三条　保険業は、内閣総理大臣の免許を受けた者でなければ、行うことができない。

Article 3 (1) No person may conduct Insurance Business without having first obtained a license from the Prime Minister.

２　前項の免許は、生命保険業免許及び損害保険業免許の二種類とする。

(2) The license set forth in the preceding paragraph consists of two types: a life insurance business license and the non-life insurance business license.

３　生命保険業免許と損害保険業免許とは、同一の者が受けることはできない。

(3) The same person may not obtain both a life insurance business license and the non-life insurance business license.

４　生命保険業免許は、第一号に掲げる保険の引受けを行い、又はこれに併せて第二号若しくは第三号に掲げる保険の引受けを行う事業に係る免許とする。

(4) A life insurance business license shall be a license for business undertakings for underwriting classes of insurance as listed in item (i) or for underwriting classes of insurance as listed in item (ii) or (iii) in addition to the classes listed in item (i).

一　人の生存又は死亡（当該人の余命が一定の期間以内であると医師により診断された身体の状態を含む。以下この項及び次項において同じ。）に関し、一定額の保険金を支払うことを約し、保険料を収受する保険（次号ハに掲げる死亡のみに係るものを除く。）

(i) Insurance for which premiums are received under a contract to pay fixed insurance proceeds in connection with the survival or death of individuals (including the physical state of an individual whom a doctor has diagnosed as having no longer than a certain period of time left to live; hereinafter the same shall apply in this paragraph and the following paragraph) (excluding that pertaining only to death, as under the following sub-item (c)).

二　次に掲げる事由に関し、一定額の保険金を支払うこと又はこれらによって生ずることのある当該人の損害をてん補することを約し、保険料を収受する保険

(ii) Insurance for which insurance premiums are received under a contract to pay fixed insurance proceeds in connection with the following events or to compensate for damages to the individual caused by such events:

イ　人が疾病にかかったこと。

(a) That an individual has contracted a disease;

ロ　傷害を受けたこと又は疾病にかかったことを原因とする人の状態

(b) An individual's condition that was caused by an injury or disease;

ハ　傷害を受けたことを直接の原因とする人の死亡

(c) An individual's death that was directly caused by an injury;

ニ　イ又はロに掲げるものに類するものとして内閣府令で定めるもの（人の死亡を除く。）

(d) Cases specified by Cabinet Office Ordinance as those similar to what is listed in (a) or (b) (excluding the death of an individual); and

ホ　イ、ロ又はニに掲げるものに関し、治療（治療に類する行為として内閣府令で定めるものを含む。）を受けたこと。

(e) Treatment (including those specified by Cabinet Office Ordinance as procedures similar to treatment) concerning those listed in (a), (b), or (d).

三　次項第一号に掲げる保険のうち、再保険であって、前二号に掲げる保険に係るもの

(iii) Under the classes of insurance listed in item (i) of the following paragraph, reinsurance pertaining to the classes of insurance listed in the preceding two items.

５　損害保険業免許は、第一号に掲げる保険の引受けを行い、又はこれに併せて第二号若しくは第三号に掲げる保険の引受けを行う事業に係る免許とする。

(5) A non-life insurance business license shall be a license for business undertakings for underwriting the classes of insurance as listed in item (i) or for underwriting the classes of insurance as listed in item (ii) or (iii) in addition to the classes listed in item (i).

一　一定の偶然の事故によって生ずることのある損害をてん補することを約し、保険料を収受する保険（次号に掲げる保険を除く。）

(i) Insurance for which premiums are received under a contract to compensate for damages caused by specific accidental events (excluding the classes of insurance listed in the following item).

二　前項第二号に掲げる保険

(ii) Classes of insurance listed in item (ii) of the preceding paragraph.

三　前項第一号に掲げる保険のうち、人が外国への旅行のために住居を出発した後、住居に帰着するまでの間（以下この号において「海外旅行期間」という。）における当該人の死亡又は人が海外旅行期間中にかかった疾病を直接の原因とする当該人の死亡に関する保険

(iii) Among the classes of insurance listed in item (i) of the preceding paragraph, insurance related to the death of an individual between the time he/she leaves his/her residence for overseas travel and the time he/she returns to his/her residence (hereinafter referred to in this item as "Overseas Travel Period") or the death of an individual directly caused by a disease contracted during the Overseas Travel Period.

６　保証証券業務（契約上の債務又は法令上の義務の履行を保証することを約し、その対価を受ける業務のうち、保険数理に基づき、当該対価を決定し、準備金を積み立て、再保険による危険の分散を行うことその他保険に固有の方法を用いて行うものをいう。）による当該保証は、前項第一号に掲げる保険の引受けとみなし、当該保証に係る対価は、同号の保険に係る保険料とみなす。

(6) Sureties from surety bond services (meaning business for guaranteeing the performance of contractual obligations or legal and regulatory obligations and receiving consideration therefor, which is conducted out by setting the amount of consideration, establishing a reserve, and distributing the risks through reinsurance, based on actuarial science, or by using any other methods inherent to insurance) shall be deemed to be the underwriting of the classes of insurance listed in item (i) of the preceding paragraph, and the consideration pertaining to the surety shall be deemed to be the insurance premium pertaining to the classes of insurance set forth in that item.

（免許申請手続）

(License Application Procedures)

第四条　前条第一項の免許を受けようとする者は、次に掲げる事項を記載した免許申請書を内閣総理大臣に提出しなければならない。

Article 4 (1) A person who seeks to obtain a license set forth in paragraph (1) of the preceding Article shall submit to the Prime Minister a written application for the license detailing the following particulars:

一　商号又は名称

(i) Trade name or company name;

二　資本金の額又は基金の総額

(ii) Amount of capital or total amount of funds;

三　取締役及び監査役（委員会設置会社（指名委員会、監査委員会及び報酬委員会（第十章を除き、以下「委員会」という。）を置く株式会社又は相互会社をいう。以下同じ。）にあっては、取締役及び執行役）の氏名

(iii) Name of the director and company auditor (director and executive officer in the case of a company with committees (meaning a Stock Company or Mutual Company with a nominating committee, audit committee, and compensation committee (hereinafter referred to as "Committees" except for Chapter X); the same shall apply hereinafter)).

四　受けようとする免許の種類

(iv) Type of license desired; and

五　本店又は主たる事務所の所在地

(v) Location of the head office or principal office.

２　前項の免許申請書には、次に掲げる書類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 following documents and other documents specified by Cabinet Office Ordinance shall be attached to the written application for a license set forth in the preceding paragraph:

一　定款

(i) Articles of incorporation;

二　事業方法書

(ii) Statement of business procedures;

三　普通保険約款

(iii) General policy conditions; and

四　保険料及び責任準備金の算出方法書

(iv) Statement of calculation procedures for insurance premiums and policy reserves.

３　前項の場合において、同項第一号の定款が電磁的記録（電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものとして内閣府令で定めるものをいう。以下同じ。）で作成されているときは、書類に代えて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, if the articles of incorporation under item (i) of that paragraph have been created as electromagnetic records (meaning a record that is created by an electronic method, magnetic method or any other method which does not allow recognition by human sensory perception and is specified by Cabinet Office Ordinance as suitable for use in information processing by a computer; the same shall apply hereinafter), the electromagnetic records may be attached in place of the documents.

４　第二項第二号から第四号までに掲げる書類には、内閣府令で定める事項を記載しなければならない。

(4) The documents listed in paragraph (2), items (ii) to (iv) inclusive must detail the particulars specified by Cabinet Office Ordinance.

（免許審査基準）

(Licensing Examination Standards)

第五条　内閣総理大臣は、第三条第一項の免許の申請があったときは、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 5 (1) Whenever an application has been filed for a license set forth in Article 3, paragraph (1), the Prime Minister shall examine whether it conforms to the following standards:

一　当該申請をした者（以下この項において「申請者」という。）が保険会社の業務を健全かつ効率的に遂行するに足りる財産的基礎を有し、かつ、申請者の当該業務に係る収支の見込みが良好であること。

(i) the person who filed the application (hereinafter referred to as the "Applicant" in this paragraph) has a sufficient financial basis to perform the business of an Insurance Company soundly and efficiently, and that said Applicant has favorable prospects for income and expenditures pertaining to said business;

二　申請者が、その人的構成等に照らして、保険会社の業務を的確、公正かつ効率的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者であること。

(ii) in light of such particulars as personnel structure, etc., the Applicant has the knowledge and experience necessary to perform the business of an Insurance Company appropriately, fairly, and efficiently, and that said Applicant sufficient social credibility; and

三　前条第二項第二号及び第三号に掲げる書類に記載された事項が次に掲げる基準に適合するものであること。

(iii) the particulars detailed in the documents listed in paragraph (2), items (ii) and (iii) of the preceding Article conform to the following standards:

イ　保険契約の内容が、保険契約者、被保険者、保険金額を受け取るべき者その他の関係者（以下「保険契約者等」という。）の保護に欠けるおそれのないものであること。

(a) the contents of the insurance contracts have no risk of lacking in protection for the policyholders, the persons to be insured, beneficiaries of insurance proceeds, and other relevant persons (hereinafter referred to as "Policyholders, etc.");

ロ　保険契約の内容に関し、特定の者に対して不当な差別的取扱いをするものでないこと。

(b) no specific persons are subject to unfair or discriminatory treatment under the contents of the insurance contracts;

ハ　保険契約の内容が、公の秩序又は善良の風俗を害する行為を助長し、又は誘発するおそれのないものであること。

(c) the contents of the insurance contracts pose no risk of encouraging or inducing conduct that is harmful to public policy and good morals;

ニ　保険契約者等の権利義務その他保険契約の内容が、保険契約者等にとって明確かつ平易に定められたものであること。

(d) the rights and obligations of the Policyholders, etc. and other contents of the insurance contracts are specified clearly and simply for the Policyholders, etc.; and

ホ　その他内閣府令で定める基準

(e) any other standards specified by Cabinet Office Ordinance.

四　前条第二項第四号に掲げる書類に記載された事項が次に掲げる基準に適合するものであること。

(iv) the particulars detailed in the documents listed in paragraph (2), item (iv) of the preceding Article conform to the following standards:

イ　保険料及び責任準備金の算出方法が、保険数理に基づき、合理的かつ妥当なものであること。

(a) the calculation procedures for insurance premiums and policy reserves are reasonable and proper, based on actuarial science;

ロ　保険料に関し、特定の者に対して不当な差別的取扱いをするものでないこと。

(b) no specific persons are subject to unfair or discriminatory treatment with regard to insurance premiums; and

ハ　その他内閣府令で定める基準

(c) any other standards specified by Cabinet Office Ordinance.

２　内閣総理大臣は、前項に定める審査の基準に照らし公益上必要があると認めるときは、その必要の限度において、第三条第一項の免許に条件を付し、及びこれを変更することができる。

(2) If and to the extent that the Prime Minister finds it necessary for the public interest in light of examination standards prescribed in the preceding paragraph, he/she may impose conditions on the license referred to in Article 3, paragraph (1) or change such conditions.

（機関）

(Administrative Organs)

第五条の二　保険会社は、株式会社又は相互会社であって次に掲げる機関を置くものでなければならない。

Article 5-2 An Insurance Company shall be a Stock Company or a Mutual Company and shall have in place the following administrative organs:

一　取締役会

(i) Board of directors;

二　監査役会又は委員会

(ii) Board of company auditors or committees; and

三　会計監査人

(iii) Accounting auditor.

（資本金の額又は基金の総額）

(Amount of Capital or Total Amount of Funds)

第六条　保険会社の資本金の額又は基金（第五十六条の基金償却積立金を含む。）の総額は、政令で定める額以上でなければならない。

Article 6 (1) The amount of capital or total amount of funds (including the reserves for redemption of funds set forth in Article 56) of an Insurance Company shall be equal to or greater than the amount specified by Cabinet Order.

２　前項の政令で定める額は、十億円を下回ってはならない。

(2) The amount specified by Cabinet Order under the preceding paragraph shall not be less than one billion yen.

（商号又は名称）

(Trade Names and Names)

第七条　保険会社は、その商号又は名称中に、生命保険会社又は損害保険会社であることを示す文字として内閣府令で定めるものを使用しなければならない。

Article 7 (1) An Insurance Company shall, in its trade name or name, use terms specified by Cabinet Office Ordinance for indicating that it is a Life Insurance Company or a Non-Life Insurance Company.

２　保険会社でない者は、その商号又は名称中に保険会社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。

(2) No person other than an Insurance Company shall use, in its trade name or name, any term which would indicate that the person is an Insurance Company.

（名義貸しの禁止）

(Prohibition on Name Lending)

第七条の二　保険会社は、自己の名義をもって、他人に保険業を行わせてはならない。

Article 7-2 An Insurance Company shall not cause another person to conduct Insurance Business in the name of the Insurance Company.

（取締役等の兼職制限）

(Prohibition on the Concurrent Holding of Positions by Directors, etc.)

第八条　保険会社の常務に従事する取締役（委員会設置会社にあっては、執行役）は、内閣総理大臣の認可を受けた場合を除き、他の会社の常務に従事してはならない。

Article 8 (1) Directors engaging in the day-to-day business of an Insurance Company (in the case of a company with committees, executive officer) shall not conduct the day-to-day business of any other company, except for the cases authorized by the Prime Minister.

２　内閣総理大臣は、前項の認可の申請があったときは、当該申請に係る事項が当該保険会社の業務の健全かつ適切な運営を妨げるおそれがないと認める場合でなければ、これを認可してはならない。

(2) Whenever an application has been filed for the authorization referred to in the preceding paragraph, the Prime Minister may only grant the authorization if he/she finds that the particulars given in the application are unlikely to interfere with the sound and appropriate business operation of the Insurance Company.

（取締役等の適格性）

(Eligibility of Directors, etc.)

第八条の二　保険会社の常務に従事する取締役（委員会設置会社にあっては、執行役）は、保険会社の経営管理を的確、公正かつ効率的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者でなければならない。

Article 8-2 (1) Directors engaging in the day-to-day business of an Insurance Company (in the case of a company with committees, executive officer) shall have the knowledge and experience to carry out business management of an Insurance Company appropriately, fairly and efficiently, and shall have sufficient social credibility.

２　破産手続開始の決定を受けて復権を得ない者又は外国の法令上これと同様に取り扱われている者は、保険会社の取締役、執行役又は監査役となることができない。

(2) No person who has become subject to the ruling for the commencement of bankruptcy proceedings and who has not been restored his/her rights, or a person who is treated the same as such a person under the laws and regulations of a foreign state, shall be appointed as a director, executive officer or auditor of an Insurance Company.

第二章　保険業を営む株式会社及び相互会社

Chapter II Stock Companies That Conduct Insurance Business and Mutual Companies

第一節　保険業を営む株式会社の特例

Section 1 Special Provisions on Stock Companies That Conduct Insurance Business

（公告方法）

(Methods of Public Notice)

第九条　保険業を営む株式会社（以下この節において「株式会社」という。）は、公告方法として、次に掲げる方法のいずれかを定款で定めなければならない。

Article 9 (1) A Stock Company that conducts Insurance Business (hereinafter referred to as a "Stock Company" in this Section) shall specify any of the following methods as the Method of Public Notice in its articles of incorporation:

一　時事に関する事項を掲載する日刊新聞紙に掲載する方法

(i) Publication in a daily newspaper that publishes the particulars of current events; or

二　電子公告（株式会社及び外国会社である外国保険会社等にあっては会社法第二条第三十四号（定義）に規定する電子公告をいい、相互会社及び外国保険会社等（外国会社を除く。）にあっては公告方法のうち、電磁的方法（同号に規定する電磁的方法をいう。）により不特定多数の者が公告すべき内容である情報の提供を受けることができる状態に置く措置であって同号に規定するものをとる方法をいう。以下同じ。）

(ii) Electronic Public Notice (for Stock Companies and Foreign Insurance Companies, etc. that are foreign companies, meaning the Electronic Public Notice provided for in Article 2, item (xxxiv) (Definitions) of the Companies Act, and for Mutual Companies and a Foreign Insurance Companies, etc. (that are other than foreign companies), any of those Method of Public Notice meeting the definition provided in that item which allow many and unspecified persons to access the information that is published by electromagnetic means (meaning the electromagnetic means defined in that item); the same shall apply hereinafter).

２　会社法第九百四十条第一項（第二号を除く。）及び第三項（電子公告の公告期間等）の規定は、株式会社が電子公告によりこの法律の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of Article 940, paragraph (1) (excluding item (ii)) and paragraph (3) (Period of Public Notice, etc. by Electronic Public Notice) of the Companies Act shall apply mutatis mutandis to the cases where a Stock Company gives public notice under this Act in the form of an electronic public notice. In this case, any other necessary technical changes in interpretation shall be specified by Cabinet Order.

（募集株式等の申込み）

(Offer for Offered Shares, etc.)

第十条　株式会社は、会社法第五十九条第一項（設立時募集株式の申込み）、第二百三条第一項（募集株式の申込み）又は第二百四十二条第一項（募集新株予約権の申込み）の規定による通知をする場合には、それぞれ、同法第五十九条第一項各号、第二百三条第一項各号又は第二百四十二条第一項各号に掲げる事項のほか、第百十三条後段（第二百七十二条の十八において準用する場合を含む。）の定款の定めがあるときは、その定めを通知しなければならない。

Article 10 A Stock Company shall, whenever it gives notice pursuant to the provisions of Article 59, paragraph (1) (Subscription for Shares Solicited at Incorporation), Article 203, paragraph (1) (Applications for Offered Shares) or Article 242, paragraph (1) (Subscription for Offered Share Options) of the Companies Act, give notice of the particulars listed in the items of Article 59, paragraph (1), the items of Article 203, paragraph (1) or the items of Article 242, paragraph (1), respectively, as well as any provisions in its articles of incorporation as set forth in the second sentence of Article 113 (including the cases where it is applied mutatis mutandis pursuant to Article 272-18).

（基準日）

(Reference Date)

第十一条　株式会社に対する会社法第百二十四条第二項（基準日）の規定の適用については、同項中「三箇月」とあるのは、「三箇月（定時株主総会において議決権を行使する権利その他内閣府令で定める権利については、四箇月）」とする。

Article 11 For the purpose of applying to a Stock Company the provisions of Article 124, paragraph (2) (Record Date) of the Companies Act, the term "three months" in that paragraph shall be deemed to be replaced with "three months (or four months for the right to exercise a voting right at an annual shareholders' meeting and any other right specified by Cabinet Office Ordinance."

（取締役等の資格等）

(Qualifications, etc. of Directors, etc.)

第十二条　株式会社に対する会社法第三百三十一条第一項第三号（取締役の資格等）（同法第三百三十五条第一項（監査役の資格等）及び第四百二条第四項（執行役の選任等）において準用する場合を含む。）の規定の適用については、同号中「この法律」とあるのは、「保険業法、この法律」とする。

Article 12 (1) For the purpose of applying the provisions of Article 331, paragraph (1), item (iii) (Qualifications of Directors) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 335, paragraph (1) (Qualifications of Company Auditors) and Article 402, paragraph (4) (Election of Executive Officers) of that Act) to a Stock Company, the term "this Act" in that item shall be deemed to be replaced with "the Insurance Business Act, this Act."

２　会社法第三百三十一条第二項ただし書（同法第三百三十五条第一項において準用する場合を含む。）、第三百三十二条第二項（取締役の任期）（同法第三百三十四条第一項（会計参与の任期）において準用する場合を含む。）、第三百三十六条第二項（監査役の任期）、第三百八十九条第一項（定款の定めによる監査範囲の限定）及び第四百二条第五項ただし書の規定は、株式会社については、適用しない。

(2) The provisions of the proviso to Article 331, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 335, paragraph (1) of the Companies Act), Article 332, paragraph (2) (Directors' Terms of Office) (including the cases where it is applied mutatis mutandis pursuant to Article 334, paragraph (1) (Accounting advisors' terms of office), Article 336, paragraph (2) (Company Auditors' Terms of Office), Article 389, paragraph (1) (Limitation of Scope of Audit by Provisions of Articles of Incorporation), and the proviso to Article 402, paragraph (5) of the Companies Act shall not apply to a Stock Company.

（株主総会参考書類及び議決権行使書面等）

(Voting Forms, etc. and Reference Documents for Shareholders' Meetings)

第十三条　株式会社に対する会社法第三百一条第一項（株主総会参考書類及び議決権行使書面の交付等）、第四百三十二条第一項（会計帳簿の作成及び保存）、第四百三十五条第一項及び第二項（計算書類等の作成及び保存）、第四百三十六条第一項及び第二項（計算書類等の監査等）、第四百三十九条（会計監査人設置会社の特則）並びに第四百四十条第一項（計算書類の公告）の規定の適用については、これらの規定中「法務省令」とあるのは、「内閣府令」とする。

Article 13 For the purpose of applying the provisions of Article 301, paragraph (1) (Delivery of Voting Forms and Reference Documents for a Shareholders' Meeting), Article 432, paragraph (1) (Preparation and Retention of Account Books), Article 435, paragraphs (1) and (2) (Preparation and Retention of Financial Statements, etc.), Article 436, paragraphs (1) and (2) (Audit of Financial Statements, etc.), Article 439 (Special Provisions on Companies with Accounting Auditors), and Article 440, paragraph (1) (Public Notice of Financial Statements) of the Companies Act to a Stock Company, the term "Ordinance of the Ministry of Justice" in said provisions shall be deemed to be replaced with "Cabinet Office Ordinance."

（会計帳簿の閲覧等の請求の適用除外等）

(Exclusion from Application, etc. of Provisions Regarding Requests to Inspect, etc. Account Books)

第十四条　会社法第四百三十三条（会計帳簿の閲覧等の請求）の規定は、株式会社の会計帳簿又はこれに関する資料については、適用しない。

Article 14 (1) The provisions of Article 433 (Request to Inspect Account Books) of the Companies Act shall not apply to account books of a Stock Company and materials relating thereto.

２　株式会社に対する会社法第四百四十二条第三項（計算書類等の備置き及び閲覧等）の規定の適用については、同項中「及び債権者」とあるのは、「、保険契約者、保険金額を受け取るべき者その他の債権者及び被保険者」とする。

(2) For the purpose of applying the provisions of Article 442, paragraph (3) (Retention and Inspection of Financial Statements, etc.) of the Companies Act to a Stock Company, the term "and creditors" in that paragraph shall be deemed to be replaced with ", Policyholders, beneficiaries of insurance proceeds, and other creditors and insurers."

（準備金）

(Reserves)

第十五条　会社法第四百四十五条第四項（資本金の額及び準備金の額）の規定にかかわらず、剰余金の配当をする場合には、株式会社は、内閣府令で定めるところにより、当該剰余金の配当により減少する剰余金の額に五分の一を乗じて得た額を資本準備金又は利益準備金（以下「準備金」と総称する。）として計上しなければならない。

Article 15 Notwithstanding the provisions of Article 445, paragraph (4) (Amounts of Capital and Amounts of Reserves) of the Companies Act, in the case where a Stock Company pays dividends of surplus, it shall record the amount equivalent to one-fifth of the amount of the deduction from surplus as a result of the payments of such dividends of surplus as capital reserves or retained earnings reserves (hereinafter referred to as "Reserves"), pursuant to the provisions of Cabinet Office Ordinance.

（資本金等の額の減少に係る書類の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents, etc. Related to a Reduction of Capital, etc.)

第十六条　株式会社は、資本金又は準備金（以下この節において「資本金等」という。）の額の減少（減少する準備金の額の全部を資本金とする場合を除く。）の決議に係る株主総会（会社法第四百四十七条第三項（資本金の額の減少）又は第四百四十八条第三項（準備金の額の減少）に規定する場合にあっては、取締役会）の会日の二週間前から資本金等の額の減少の効力を生じた日後六月を経過する日まで、資本金等の額の減少に関する議案その他の内閣府令で定める事項を記載し、又は記録した書類又は電磁的記録を各営業所に備え置かなければならない。ただし、準備金の額のみを減少する場合であって、次のいずれにも該当するときは、この限りでない。

Article 16 (1) A Stock Company shall keep at each of its business offices the documents or electromagnetic records in which any proposal for a reduction (excluding the cases where the whole of the amount by which the Reserves are reduced is appropriated to the capital) of the capital or Reserves (hereinafter referred to as "capital, etc." in this Section) and any other particulars specified by Cabinet Office Ordinance are detailed or recorded, for a period ranging from two weeks before the date of the shareholders' meeting related to the resolution on the reduction (or, the date of the board of directors meeting where Article 447, paragraph (3) (Reductions in Amount of Capital) or Article 448, paragraph (3) (Reductions in Amount of Reserves) of the Companies Act Applies) to six months from the Effective Date of the reduction of the capital, etc.; provided, however, that this shall not apply to the cases where only the amount of the Reserves is reduced and all of the following are met:

一　定時株主総会において会社法第四百四十八条第一項各号に掲げる事項を定めること。

(i) An annual shareholders' meeting has decided on the particulars listed in the items of Article 448, paragraph (1) inclusive of the Companies Act; and

二　会社法第四百四十八条第一項第一号の額が前号の定時株主総会の日（同法第四百三十九条前段（会計監査人設置会社の特則）に規定する場合にあっては、同法第四百三十六条第三項（計算書類等の監査等）の承認があった日）における欠損の額として内閣府令で定める方法により算定される額を超えないこと。

(ii) The amount set forth in Article 448, paragraph (1), item (i) of the Companies Act does not exceed the amount calculated in the manner specified by Cabinet Office Ordinance as the amount of the deficit as of the date of the annual shareholders' meeting referred to in the preceding item (or, in the cases provided for in the first sentence of Article 439 (Special Provisions on Companies with Accounting Auditors) of that Act, the date of authorization under Article 436, paragraph (3) (Audit of Financial Statements, etc.).

２　株式会社の株主及び保険契約者その他の債権者は、株式会社の営業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該株式会社の定めた費用を支払わなければならない。

(2) Shareholders, Policyholders and other creditors of a Stock Company may make the following requests at any time during the operating hours of the company; provided, however, that they pay the fees determined by the Stock Company if making a request falling under item (ii) or (iv):

一　前項の書類の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書類の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であって内閣府令で定めるものをいう。以下同じ。）であって株式会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means (meaning any of the methods using an electronic data processing system or any other information and communication technology and specified by Cabinet Office Ordinance; the same shall apply hereinafter) designated by the Stock Company, or to be issued a document detailing such particulars.

３　会社法第四百五十九条第一項（剰余金の配当等を取締役会が決定する旨の定款の定め）の規定による定款の定めがある場合における第一項第一号の規定の適用については、同号中「定時株主総会」とあるのは、「定時株主総会又は会社法第四百三十六条第三項の取締役会」とする。

(3) For the purpose of applying the provisions of paragraph (1), item (i) to the cases where the articles of incorporation include provisions as set forth in Article 459, paragraph (1) (Provisions in the Articles of Incorporation for the Board of Directors to Determine Dividends of Surplus) of the Companies Act, the term "annual shareholders' meeting" in that item shall be deemed to be replaced with "annual shareholders' meeting or the board of directors under Article 436, paragraph (3) of the Companies Act."

（債権者の異議）

(Objections by the Creditors)

第十七条　株式会社が資本金等の額を減少する場合（減少する準備金の額の全部を資本金とする場合を除く。）には、当該株式会社の保険契約者その他の債権者は、当該株式会社に対し、資本金等の額の減少について異議を述べることができる。ただし、準備金の額のみを減少する場合であって、前条第一項各号のいずれにも該当するときは、この限りでない。

Article 17 (1) Where a Stock Company reduces the amount of its capital, etc. (excluding the cases where the whole of the amount by which the Reserves are reduced is appropriated to the capital), Policyholders or other creditors of such Stock Company may raise their objections to the reduction in the amount of the capital, etc. to the Stock Company; provided, however, that this shall not apply to the cases where only the amount of the Reserves is reduced and all items of paragraph (1) of the preceding Article are met.

２　前項の規定により株式会社の保険契約者その他の債権者が異議を述べることができる場合には、当該株式会社は、次に掲げる事項を官報及び当該株式会社の定款で定めた公告方法により公告しなければならない。ただし、第三号の期間は、一月を下ることができない。

(2) Where Policyholders or other creditors of a Stock Company may raise their objections pursuant to the provisions of the preceding paragraph, said Stock Company shall give public notice of the following particulars below in the official gazette and by the Method of Public Notice stipulated in the company's articles of incorporation; provided, however, that the period under item (iii) may not be less than one month:

一　当該資本金等の額の減少の内容

(i) The details of such reduction in the amount of the capital, etc.;

二　当該株式会社の計算書類に関する事項として内閣府令で定めるもの

(ii) The particulars specified by Cabinet Office Ordinance regarding the financial statements of such Stock Company;

三　保険契約者その他の債権者が一定の期間内に異議を述べることができる旨

(iii) That Policyholders or other creditors may raise their objections within a certain period of time; 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, any particulars specified by Cabinet Office Ordinance.

３　保険契約者その他の債権者が前項第三号の期間内に異議を述べなかったときは、当該保険契約者その他の債権者は、当該資本金等の額の減少について承認をしたものとみなす。

(3) Where Policyholders or other creditors do not raise any objections within the period under item (iii) of the preceding paragraph, such Policyholders or other creditors shall be deemed to have approved such reduction in the amount of the capital, etc.

４　保険契約者その他の債権者が第二項第三号の期間内に異議を述べたときは、第一項の株式会社は、当該保険契約者その他の債権者に対し、弁済し、若しくは相当の担保を提供し、又は当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等（信託会社（信託業法（平成十六年法律第百五十四号）第二条第二項（定義）に規定する信託会社をいう。以下同じ。）及び信託業務を営む金融機関（金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第一条第一項（信託業務の認可）の認可を受けた金融機関をいう。）をいう。以下同じ。）に相当の財産を信託しなければならない。ただし、当該資本金等の額の減少をしても当該保険契約者その他の債権者を害するおそれがないときは、この限りでない。

(4) Where Policyholders or other creditors raise objections within the period under paragraph (2), item (iii), the Stock Company in paragraph (1) shall make payment or provide equivalent security to such policyholders or other creditors, or entrust equivalent property to a trust company, etc. (meaning a trust company as defined in Article 2, paragraph (2) (Definitions) of the Trust Business Act (Act No. 154 of 2004); the same shall apply hereinafter) or financial institution conducting Trust Business (meaning a financial institution approved under Article 1, paragraph (1) (Authorization for Trust Business) of the Act on Provision, etc. of Trust Business by Financial Institutions (Act No. 43 of 1943)); the same shall apply hereinafter) for the purpose of ensuring that such Policyholders or other creditors receive the payment; provided, however, that this shall not apply to the cases where the reduction of the capital, etc. poses no risk of harming the interest of such Policyholders or other creditors.

５　前項の規定は、保険契約者その他保険契約に係る権利を有する者の当該権利（第二項の規定による公告の時において既に保険事故の発生その他の事由により生じている保険金請求権その他の政令で定める権利（以下この節及び第三節並びに第八章第二節及び第三節において「保険金請求権等」という。）を除く。）については、適用しない。

(5) The provisions of the preceding paragraph shall not apply to the Policyholders or to any rights held by other persons pertaining to insurance contracts (excluding insurance claims that have already arisen at the time of public notice under paragraph (2) due to the occurrence of insured events or for other reasons, and any other right specified by Cabinet Order (referred to as "Insurance Claims, etc." hereinafter in this Section, as well as in Section 3 and Chapter VIII, Sections 2 and 3)).

６　第二項第三号の期間内に異議を述べた保険契約者（同項の規定による公告の時において既に保険金請求権等が生じている保険契約（当該保険金請求権等に係る支払により消滅することとなるものに限る。）に係る保険契約者を除く。以下この項及び次条第四項において同じ。）の数が保険契約者の総数の五分の一を超え、かつ、当該異議を述べた保険契約者の保険契約に係る債権（保険金請求権等を除く。）の額に相当する金額として内閣府令で定める金額が保険契約者の当該金額の総額の五分の一を超えるときは、資本金等の額の減少に係る会社法第四百四十七条第一項（資本金の額の減少）又は第四百四十八条第一項（準備金の額の減少）の決議は、効力を有しない。

(6) Any resolution pertaining to the reduction of the capital, etc. under Article 447, paragraph (1) (Reductions in Amount of Capital) or Article 448, paragraph (1) (Reductions in Amount of Reserves) of the Companies Act shall be invalid if the number of Policyholders who have raised their objections within the period set forth in paragraph (2), item (iii) (excluding the holders of policies under which Insurance Claims, etc. had already arisen at the time of public notice under that paragraph (but limited to those policies that would be terminated with the payment of the Insurance Claims, etc.); hereinafter the same shall apply in this paragraph, as well as in paragraph (4) of the following Article) exceeds one fifth of the total number of Policyholders, and the amount specified by Cabinet Office Ordinance as the credits (excluding Insurance Claims, etc.) belonging to the insurance contracts of the Policyholders who have stated such objections exceeds one fifth of the total amount of credits belonging to the Policyholders.

７　前各項に定めるもののほか、これらの規定の適用に関し必要な事項は、政令で定める。

(7) In addition to what is provided for in the preceding paragraphs, any necessary particulars for the application of those provisions shall be specified by Cabinet Order.

（効力の発生）

(Effectuation)

第十七条の二　次の各号に掲げる額の減少は、当該各号に定める日にその効力を生ずる。ただし、前条の規定による手続が終了していないとき、又は同条第六項の規定により資本金等の額の減少に係る会社法第四百四十七条第一項（資本金の額の減少）若しくは第四百四十八条第一項（準備金の額の減少）の決議が効力を有しないこととなったときは、この限りでない。

Article 17-2 (1) The reduction of the amounts listed in the following items takes effect on the dates specified by the items, respectively; provided, however, that this shall not apply to the cases where the procedure under the preceding Article has not been completed, or if a resolution pertaining to the reduction of the capital, etc. under Article 447, paragraph (1) (Reductions in Amount of Capital) or Article 448, paragraph (1) (Reductions in Amount of Reserves) of the Companies Act becomes null or void pursuant to the provisions of Article 17, paragraph (6):

一　資本金の額の減少　会社法第四百四十七条第一項第三号の日

(i) Reduction of the capital: the date specified in Article 447, paragraph (1), item (iii) of the Companies Act; and

二　準備金の額の減少　会社法第四百四十八条第一項第三号の日

(ii) Reduction of Reserves: the date specified in Article 448, paragraph (1), item (iii) of the Companies Act.

２　株式会社は、前項各号に定める日前は、いつでも当該日を変更することができる。

(2) A Stock Company may change the dates specified in items (i) and (ii) of the preceding paragraph at any time before the relevant dates.

３　株式会社の資本金の額の減少は、第一項の規定にかかわらず、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。

(3) Notwithstanding the provisions of paragraph (1), any reduction of the capital of a Stock Company shall not be effective unless it is approved by the Prime Minister.

４　前条（資本金の額の減少にあっては、同条及び前項）の規定によりされた資本金等の額の減少は、同条第六項の異議を述べた保険契約者及び保険契約者に係る保険契約に係る権利（保険金請求権等を除く。）を有する者についても、その効力を生ずる。

(4) Any reduction of the capital, etc. pursuant to the provisions of the preceding Article (or, pursuant to the provisions of that Article and the preceding paragraph for any reduction of the capital) shall also be effective against the Policyholders who have stated their objections under that Article, paragraph (6) and other persons who hold any right (other than Insurance Claims, etc.) pertaining to insurance contracts involving the Policyholders.

（登記に関する特例）

(Special Provisions on Registration)

第十七条の三　株式会社の資本金の額の減少による変更の登記の申請書には、商業登記法（昭和三十八年法律第百二十五号）第十八条、第十九条（申請書の添付書面）及び第四十六条（添付書面の通則）に規定する書類のほか、次に掲げる書類を添付しなければならない。

Article 17-3 (1) The following documents shall be attached to a written application for a registration of change due to a reduction of the capital of a Stock Company, in addition to the documents specified in Articles 18, Article 19 (Documents Attached to Written Applications) and Article 46 (General Rules on Attached Documents) of the Commercial Registration Act (Act No. 125 of 1963):

一　第十七条第二項の規定による公告をしたことを証する書面

(i) A document certifying that the public notice under Article 17, paragraph (2) has been given;

二　第十七条第四項の異議を述べた保険契約者その他の債権者があるときは、当該保険契約者その他の債権者に対し、弁済し、相当の担保を提供し、若しくは当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託したこと又は当該資本金の額の減少をしても当該保険契約者その他の債権者を害するおそれがないことを証する書面

(ii) Where any Policyholder or other creditor has stated objection under Article 17, paragraph (4), a document certifying that the company has made payment or provided equivalent security to such Policyholder or other creditor, or has entrusted equivalent property to a trust company, etc. for the purpose of ensuring that such Policyholder or other creditor receive the payment, or that the reduction of the capital poses no risk of harming the interest of such Policyholder or other creditor; and

三　第十七条第六項の異議を述べた保険契約者の数が同項の保険契約者の総数の五分の一を超えなかったことを証する書面又はその者の同項の内閣府令で定める金額が同項の金額の総額の五分の一を超えなかったことを証する書面

(iii) A document certifying that the number of Policyholders who stated their objections under Article 17, paragraph (6) has not exceeded one fifth of the total number of Policyholders as indicated in that paragraph, or a document certifying that the amount specified by Cabinet Office Ordinance as belonging to such Policyholders as indicated in that paragraph has not exceeded one fifth of the total amount as indicated in that paragraph.

２　商業登記法第七十条（資本金の額の減少による変更の登記）の規定は、株式会社の資本金の額の減少による変更の登記については、適用しない。

(2) The provisions of Article 70 (Registration of Changes Due to a Reduction of Capital) of the Commercial Registration Act shall not apply to a registration of change due to a reduction of the capital of a Stock Company.

（資本金等の額の減少に関する書面等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents, etc. Related to a Reduction of Capital, etc.)

第十七条の四　株式会社は、資本金等の額の減少がその効力を生じた日から六月間、第十七条に規定する手続の経過その他の資本金等の額の減少に関する事項として内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各営業所に備え置かなければならない。

Article 17-4 (1) A Stock Company shall keep at each of its business offices the documents or electromagnetic records in which the progress of the procedures provided for in Article 17 and any other particulars specified by Cabinet Office Ordinance as related to the reduction of the capital, etc. are detailed or recorded, for six months from the Effective Date of the reduction of the capital, etc.

２　株式会社の株主及び保険契約者その他の債権者は、株式会社の営業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該株式会社の定めた費用を支払わなければならない。

(2) Shareholders, Policyholders and other creditors of a Stock Company may make the following requests at any time during the operating hours of the company; provided, however, that they pay the fees determined by the Stock Company if making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって株式会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means designated by the Stock Company, or to be issued a document detailing such particulars.

（適用除外等）

(Exclusions from Application, etc.)

第十七条の五　会社法第四百四十九条（債権者の異議）の規定は、株式会社の資本金等の額の減少については、適用しない。

Article 17-5 (1) The provisions of Article 449 (Objections by the Creditors) of the Companies Act shall not apply to the reduction of the capital, etc. of a stock company.

２　株式会社に対する会社法第七百四十条第一項（債権者の異議手続の特則）の規定の適用については、同項中「又は第八百十条」とあるのは「若しくは第八百十条」と、「の規定」とあるのは「又は保険業法第十七条、第七十条、第百六十五条の七（同法第百六十五条の十二において準用する場合を含む。）、第百六十五条の二十四若しくは第百七十三条の四の規定」とする。

(2) For the purpose of applying to a Stock Company the provisions of Article 740, paragraph (1) (Special Provisions on Objection Procedures for Creditors) of the Companies Act, the following text shall be inserted after the term "Article 810" in that paragraph: ", or Article 17, Article 70, Article 165-7 (including the cases where it is applied mutatis mutandis pursuant to Article 165-12 of the Insurance Business Act), Article 165-24 or Article 173-4 of the Insurance Business Act."

（株主に対する剰余金の配当の制限等）

(Restrictions, etc. on Dividends of Surplus to Shareholders, etc.)

第十七条の六　株式会社は、第百十三条前段（第二百七十二条の十八において準用する場合を含む。）の規定により貸借対照表の資産の部に計上した金額がある場合には、その全額を償却した後でなければ、次に掲げる行為をしてはならない。

Article 17-6 (1) Where any amount is credited to assets in the balance sheet pursuant to the provisions of the first sentence of Article 113 (including the cases where it is applied mutatis mutandis pursuant to Article 272-18), a Stock Company shall not take any of the following actions unless such amount has been fully amortized.

一　会社法第百三十八条第一号ハ又は第二号ハ（譲渡等承認請求の方法）の請求に応じて行う当該株式会社の株式の買取り

(i) Purchase of any share of the Stock Company at a request made under sub-item (c) of item (i) or sub-item (c) of item (ii) of Article 138 (Method for Requests for Authorization of Transfer) of the Companies Act;

二　会社法第百五十六条第一項（株式の取得に関する事項の決定）の規定による決定に基づく当該株式会社の株式の取得（同法第百六十三条（子会社からの株式の取得）に規定する場合又は同法第百六十五条第一項（市場取引等による株式の取得）に規定する場合における当該株式会社による株式の取得に限る。）

(ii) Acquisition of any share of the Stock Company based on a decision under Article 156, paragraph (1) (Determination of Matters Regarding Acquisition of Shares) of the Companies Act (but limited to acquisition of any share of the Stock Company where Article 163 (Acquisition of Shares from Subsidiaries) or Article 165, paragraph (1) (Acquisition of Shares by Market Transactions) of that Act applies);

三　会社法第百五十七条第一項（取得価格等の決定）の規定による決定に基づく当該株式会社の株式の取得

(iii) Acquisition of any share of the Stock Company based on a decision under Article 157, paragraph (1) (Determination of Acquisition Price) of the Companies Act;

四　会社法第百七十三条第一項（効力の発生）の規定による当該株式会社の株式の取得（金銭その他の財産を交付しない場合を除く。）

(iv) Acquisition of any share of the Stock Company under Article 173, paragraph (1) (Effectuation) of the Companies Act (excluding the cases where no money or other property is delivered);

五　会社法第百七十六条第一項（売渡しの請求）の規定による請求に基づく当該株式会社の株式の買取り

(v) Purchase of any share of the Stock Company at a request made under Article 176, paragraph (1) (Demand for Sale) of the Companies Act;

六　会社法第百九十七条第三項（株式の競売）の規定による当該株式会社の株式の買取り

(vi) Purchase of any share of the Stock Company under Article 197, paragraph (3) (Auction of Shares) of the Companies Act;

七　会社法第二百三十四条第四項（一に満たない端数の処理）（同法第二百三十五条第二項（一に満たない端数の処理）において準用する場合を含む。）の規定による当該株式会社の株式の買取り

(vii) Purchase of any share of the Stock Company under Article 234, paragraph (4) (Treatment of Fractions) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 235, paragraph (2) (Treatment of Fractions) of that Act); and

八　剰余金の配当

(viii) Dividend of surplus.

２　会社法第四百六十三条第二項（株主に対する求償権の制限等）の規定は、前項の規定に違反して株式会社が同項各号に掲げる行為をした場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of Article 463, paragraph (2) (Restrictions on Remedy Over Against Shareholders) of the Companies Act shall apply mutatis mutandis to the cases where a Stock Company, in violation of the provisions of the preceding paragraph, has taken any of the actions listed in the items of that Article. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

３　株式会社に対する会社法第四百四十六条第七号（剰余金の額）並びに第四百六十一条第二項第二号イ及び第六号（配当等の制限）の規定の適用については、これらの規定中「法務省令」とあるのは、「内閣府令」とする。

(3) For the purpose of applying to a Stock Company the provisions of Article 446, item (vii) (Amounts of Surplus), Article 461, paragraph (2), item (ii), sub-item (a) and item (vi) of that paragraph (Restriction on Dividends) of the Companies Act, the term "Ordinance of the Ministry of Justice" in these items shall be deemed to be replaced with "Cabinet Office Ordinance."

（設立の登記に係る登記事項）

(Particulars Registered in Registering Incorporation)

第十七条の七　株式会社の設立の登記には、会社法第九百十一条第三項各号（株式会社の設立の登記）に掲げる事項のほか、第百十三条後段（第二百七十二条の十八において準用する場合を含む。）の定款の定めがあるときは、その定めを登記しなければならない。

Article 17-7 (1) In registering the incorporation of a Stock Company, the particulars listed in the items of Article 911, paragraph (3) (Registration of a Stock Company's Incorporation) of the Companies Act shall be registered, along with any provisions in its articles of incorporation in the second sentence of Article 113 (including the cases where it is applied mutatis mutandis pursuant to Article 272-18).

２　株式会社において前項に規定する事項に変更が生じたときは、二週間以内に、その本店の所在地において、変更の登記をしなければならない。

(2) Where any change has occurred in the particulars prescribed in the preceding paragraph, the Stock Company shall complete the registration of such a change within two weeks at the location of its head office.

第二節　相互会社

Section 2 Mutual Companies

第一款　通則

Subsection 1 General Rules

（法人格）

(Juridical Personality)

第十八条　相互会社は、法人とする。

Article 18 A Mutual Company shall be a juridical person.

（住所）

(Address)

第十九条　相互会社の住所は、その主たる事務所の所在地にあるものとする。

Article 19 The address of a Mutual Company shall be at the location of its principal office.

（名称）

(Name)

第二十条　相互会社は、その名称中に相互会社という文字を用いなければならない。

Article 20 A Mutual Company shall use the term "Sogo-Kaisha" (which means "Mutual Company") in its name.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第二十一条　会社法第八条（会社と誤認させる名称等の使用の禁止）の規定は相互会社であると誤認されるおそれのある商号又は名称の使用について、同法第九条（自己の商号の使用を他人に許諾した会社の責任）の規定は相互会社について、同法第一編第三章第一節（会社の使用人）の規定は相互会社の使用人について、同章第二節（第十八条を除く。）（会社の代理商）の規定は相互会社のために取引の代理又は媒介をする者について、同編第四章（第二十四条を除く。）（事業の譲渡をした場合の競業の禁止等）の規定は相互会社が事業を譲渡し、又は事業若しくは営業を譲り受けた場合について、それぞれ準用する。この場合において、同法第十条（支配人）中「会社（外国会社を含む。以下この編において同じ。）」とあるのは「相互会社」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。

Article 21 (1) The provisions of Article 8 (Prohibition on the Use of a Name, etc. That is Likely to Be Mistaken for That of a Company) of the Companies Act shall apply mutatis mutandis to the use of a misleading trade name or any other name that might evoke a Mutual Company; the provisions of Article 9 (Liability of a Company That Permits Others to Use Its Trade Name) of that Act shall apply mutatis mutandis to a Mutual Company; the provisions of Part I, Chapter III, Section 1 (Employees of a Company) of that Act shall apply mutatis mutandis to the employees of a Mutual Company; the provisions of Section 2 of said Chapter (excluding Article 18) (Commercial Agents of a Company) shall apply mutatis mutandis to a person acting as an agent or intermediary in transactions for a Mutual Company; and the provisions of Chapter IV of said Part (excluding Article 24) (Non Competition after Assignment of Business) shall apply mutatis mutandis to the cases where a Mutual Company either assigns its business, or takes over any business or operations, respectively. In this case, the term "Company (including a Foreign Company, hereinafter the same shall apply in this Part)" in Article 10 (Managers) of that Act shall be deemed to be replaced with "Mutual Company"; any other necessary technical changes in interpretation shall be specified by Cabinet Order.

２　商法（明治三十二年法律第四十八号）第二編第一章（第五百一条から第五百三条まで及び第五百二十三条を除く。）（総則）の規定は相互会社の行う行為について、同編第二章（売買）の規定は相互会社が商人又は相互会社（外国相互会社を含む。）との間で行う売買について、同編第三章（交互計算）の規定は相互会社が平常取引をする者との間で行う相殺に係る契約について、同編第五章（第五百四十五条を除く。）（仲立営業）の規定は相互会社が行う他人間の商行為の媒介について、同編第六章（第五百五十八条を除く。）（問屋営業）及び同法第五百九十三条（寄託）の規定は相互会社について、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。

(2) The provisions of Part II, Chapter I (excluding Article 501 to 503 inclusive and Article 523) (General Provisions) of the Commercial Code (Act No. 48 of 1899) shall apply mutatis mutandis to the actions taken by a Mutual Company; the provisions of Chapter II of said Part (Buying and Selling) shall apply mutatis mutandis to the buying and selling carried out by a Mutual Company with a merchant or another Mutual Company (including any Foreign Mutual Company); the provisions of Chapter III of said Part (Current Account) shall apply mutatis mutandis to the contracts pertaining to set-offs carried out by a Mutual Company with its usual counter Parties; the provisions of Chapter V of said Part (excluding Article 545) (Brokerage Services) shall apply mutatis mutandis a Mutual Company's actions as an intermediary with regard to commercial transactions between third Parties; and the provisions of Chapter VI of said Part (excluding Article 558) (Commission Agent Services) and Article 593 (Deposits)) of said Code shall apply mutatis mutandis to a Mutual Company, respectively. In this case, any other necessary technical changes in interpretation shall be specified by Cabinet Order.

３　この編（前節、第一項、第六十七条の二及び第二百十七条第三項を除く。）及び第六編（第三百三十二条の二を除く。）の規定において会社法の規定を準用する場合には、同法の規定（当該規定において準用する同法の他の規定を含む。）中「電磁的記録」とあるのは「電磁的記録（保険業法第四条第三項に規定する電磁的記録をいう。）」と、「電磁的方法」とあるのは「電磁的方法（保険業法第十六条第二項第四号に規定する電磁的方法をいう。）」と、「法務省令」とあるのは「内閣府令」と読み替えるものとする。

(3) For the purpose of applying mutatis mutandis the provisions of the Companies Act to the provisions of this Part (excluding the preceding Section, paragraph (1), Article 67-2 and Article 217, paragraph (3)) and Part VI (excluding Article 332-2), the term "electromagnetic record" in the provisions of that Act (including other provisions of that Act as applied mutatis mutandis pursuant to the relevant provisions) shall be deemed to be replaced with "electromagnetic record (meaning the electromagnetic record prescribed in Article 4, paragraph (3) of the Insurance Business Act)"; the term "electromagnetic means" in that Act shall be deemed to be replaced with "electromagnetic means (meaning the electromagnetic means defined in Article 16, paragraph (2), item (iv) of the Insurance Business Act)"; and the term "Ordinance of the Ministry of Justice" in that Act shall be deemed to be replaced with "Cabinet Office Ordinance," respectively.

４　この節（第一項、第四款第一目及び第二目並びに第六十七条の二を除く。）及び第八章第四節の規定において会社法の規定を準用する場合には、特別の定めがある場合を除き、同法の規定（当該規定において準用する同法の他の規定を含む。）中「株式会社」とあり、及び「取締役会設置会社」とあるのは「相互会社」と、「株主」とあるのは「社員」と、「子会社」とあるのは「実質子会社（保険業法第三十三条の二第一項に規定する実質子会社をいう。）」と、「本店」とあるのは「主たる事務所」と、「支店」とあるのは「従たる事務所」と、「営業時間」とあるのは「事業時間」と、「株主総会」とあるのは「社員総会（総代会を設けているときは、総代会）」と、「定時株主総会」とあるのは「定時社員総会（総代会を設けているときは、定時総代会）」と読み替えるものとする。

(4) For the purpose of applying mutatis mutandis the provisions of the Companies Act to the provisions of this Section (excluding paragraph (1), Divisions 1 and 2 of Subsection 4, and Article 67-2) and Chapter VIII, Section 4, the terms "Stock Company" and "Company with a Board of Directors" in the provisions of that Act (including other provisions of that Act as applied mutatis mutandis pursuant to the relevant provisions) shall be deemed to be replaced with "Mutual Company"; the term "shareholder" in that Act shall be deemed to be replaced with "member"; the term "Subsidiary Company" in that Act shall be deemed to be replaced with "de facto Subsidiary Company (meaning a de facto Subsidiary Company as defined in Article 33-2, paragraph (1) of the Insurance Business Act)"; the term "head office" in that Act shall be deemed to be replaced with "principal office"; the term "branch office" in that Act shall be deemed to be replaced with "secondary office"; the term "operating hours" in that Act shall be deemed to be replaced with "business hours"; the term "shareholders' meeting" in that Act shall be deemed to be replaced with "general members' council meeting (or, General Representative Members' Council Meeting, where the company has such a council)"; and the term "annual shareholders' meeting" in that Act shall be deemed to be replaced with "annual general members' council meeting (or the annual General Representative Members' Council Meeting, where the company has such a council)," respectively, unless provided otherwise.

第二款　設立

Subsection 2 Incorporation

（定款）

(Articles of Incorporation)

第二十二条　相互会社を設立するには、発起人が定款を作成し、その全員がこれに署名し、又は記名押印しなければならない。

Article 22 (1) In order to incorporate a Mutual Company, the incorporators shall prepare its articles of incorporation, and all incorporators shall sign or affix the names and seals to it.

２　前項の定款は、電磁的記録をもって作成することができる。この場合において、当該電磁的記録に記録された情報については、内閣府令で定める署名又は記名押印に代わる措置をとらなければならない。

(2) The articles of incorporation set forth in the preceding paragraph may be prepared in the form of electromagnetic record. In this case, actions specified by Cabinet Office Ordinance shall be taken in lieu of the signing or the affixing of the names and seals, with respect to the data recorded on such electromagnetic record.

（定款の記載又は記録事項）

(Particulars Detailed or Recorded in the Articles of Incorporation)

第二十三条　相互会社の定款には、次に掲げる事項を記載し、又は記録しなければならない。

Article 23 (1) The following particulars must be detailed or recorded in the articles of incorporation of a Mutual Company:

一　目的

(i) Purpose(s);

二　名称

(ii) Name;

三　主たる事務所の所在地

(iii) Location of the principal office;

四　基金（第五十六条の基金償却積立金を含む。）の総額

(iv) Total amount of funds (including the reserves for redemption of funds under Article 56);

五　基金の拠出者の権利に関する定め

(v) Provisions on the rights of fund contributors;

六　基金の償却の方法

(vi) Method of redemption of funds;

七　剰余金の分配の方法

(vii) Method of distributing dividends of surplus;

八　公告方法

(viii) Method of Public Notice; and

九　発起人の氏名又は名称及び住所

(ix) Name and address of the incorporator.

２　前項第八号に掲げる公告方法は、次に掲げる方法のいずれかとする。

(2) The Method of the Public Notice listed in item (viii) of the preceding paragraph shall be either:

一　時事に関する事項を掲載する日刊新聞紙に掲載する方法

(i) Publication in a daily newspaper that publishes the particulars of current events; or

二　電子公告

(ii) Electronic public notice.

３　相互会社が前項第二号に掲げる方法を公告方法とする旨を定款で定める場合には、その定款には、電子公告を公告方法とする旨を定めれば足りる。この場合においては、事故その他やむを得ない事由によって電子公告による公告をすることができない場合の公告方法として、同項第一号に掲げる方法を定めることができる。

(3) Provisions in the articles of incorporation to the effect that electronic public notice is to be the Method of Public Notice shall suffice for a Mutual Company to designate the method listed in item (ii) of the preceding paragraph as its Method of Public Notice in its articles of incorporation. In this case, the company may designate the method listed in item (i) of the preceding paragraph as the Method of Public Notice in case the electronic means is not available for public notice due to an accident or for any other compelling reason.

４　会社法第三十条（定款の認証）の規定は、前条第一項の定款の認証について準用する。この場合において、同法第三十条第二項中「第三十三条第七項若しくは第九項又は第三十七条第一項若しくは第二項」とあるのは「保険業法第二十四条第二項において準用する第三十三条第七項又は第九項」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。

(4) The provisions of Article 30 (Certification of the Articles of Incorporation) of the Companies Act shall apply mutatis mutandis to certification of the articles of incorporation set forth in paragraph (1) of the preceding Article. In this case, the term "Article 33, paragraph (7) or (9), or Article 37, paragraph (1) or (2)" in Article 30, paragraph (2) of that Act shall be deemed to be replaced with "Article 33, paragraph (7) or (9) as applied mutatis mutandis pursuant to Article 24, paragraph (2) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第二十四条　相互会社を設立する場合には、次に掲げる事項は、第二十二条第一項の定款に記載し、又は記録しなければ、その効力を生じない。

Article 24 (1) Where a Mutual Company is to be incorporated, the following particulars shall not become effective unless they are detailed or recorded in the articles of incorporation referred to in Article 22, paragraph (1):

一　相互会社の成立後に譲り受けることを約した財産及びその価額並びにその譲渡人の氏名又は名称

(i) Property that it is agreed will be assigned to the Mutual Company after the establishment thereof, the value thereof, and the name of the assignor;

二　相互会社の成立により発起人が受ける報酬その他の特別の利益及びその発起人の氏名又は名称

(ii) Compensation or any other special benefit which the incorporators are to obtain by establishing the Mutual Company, and the names of such incorporators; and

三　相互会社の負担する設立に関する費用（定款の認証の手数料その他相互会社に損害を与えるおそれがないものとして内閣府令で定めるものを除く。）

(iii) Expenses for the incorporation that are borne by the Mutual Company (excluding the fees for the certification of the articles of incorporation and the other expenses specified by Cabinet Office Ordinance as posing no risk of harming the interest of the Mutual Company).

２　会社法第三十三条（定款の記載又は記録事項に関する検査役の選任）、第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第二号及び第五号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、相互会社の定款に前項各号に掲げる事項についての記載又は記録があるときの検査役による当該事項の調査について準用する。この場合において、同法第三十三条第八項中「その設立時発行株式の引受けに係る意思表示を取り消す」とあるのは「その職を辞する」と、同条第十項第一号中「第二十八条第一号及び第二号」とあり、並びに同項第二号及び第三号中「第二十八条第一号又は第二号」とあるのは「保険業法第二十四条第一項第一号」と、同項第一号中「同条第一号及び第二号」とあるのは「同号」と、同条第十一項第三号中「第三十八条第一項」とあるのは「保険業法第三十条の十第一項」と、「同条第二項第二号」とあるのは「同項」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 33 (Election of an Inspector of Matters Specified or Recorded in the Articles of Incorporation), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to items (ii) and (v)) (Hearing of Statements), Article 871 (Appending of Reasons), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeals), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to investigations by an inspector of any of the particulars listed in the items of the preceding paragraph where the Article of incorporation of a Mutual Company include any entry or record of that particular. In this case, the term "rescind the manifestation of his/her intention to subscribe for the relevant Shares Issued at Incorporation" in Article 33, paragraph (8) of that Act shall be deemed to be replaced with "resign from his/her office"; the term "Article 28, items (i) and (ii)" in paragraph (10), item (i) and the term "Article 28, item (i) or (ii)" in items (ii) and (iii) of that Article shall be deemed to be replaced with "Article 24, paragraph (1), item (i) of the Insurance Business Act," the term "items (i) and (ii) of that Article" in Article 33, paragraph (10), item (i) of that Act shall be deemed to be replaced with "that item," and the terms "Article 38, paragraph (1)" and "item (ii) of paragraph (2) of the same Article" in Article 33, paragraph (11), item (iii) of that Act shall be deemed to be replaced with "Article 30-10, paragraph (1) of the Insurance Business Act" and "that paragraph," respectively; any other necessary technical changes in interpretation shall be specified by Cabinet Order.

第二十五条　第二十三条第一項各号及び前条第一項各号に掲げる事項のほか、相互会社の定款には、この法律の規定により定款の定めがなければその効力を生じない事項及びその他の事項でこの法律の規定に違反しないものを記載し、又は記録することができる。

Article 25 In addition to the particulars listed in the items of Article 23, paragraph (1) and the items of paragraph (1) of the preceding Article, any other particulars may be detailed or recorded in the articles of incorporation of a Mutual Company, including those which, pursuant to the provisions of this Act, do not take effect unless prescribed in the articles of incorporation, so long as they do not violate the provisions of this Act.

（定款の備置き及び閲覧等）

(Retention and Inspection, etc. of the Articles of Incorporation)

第二十六条　発起人（相互会社の成立後にあっては、当該相互会社）は、定款を発起人が定めた場所（相互会社の成立後にあっては、各事務所）に備え置かなければならない。

Article 26 (1) The incorporators (or the Mutual Company after the establishment of such Mutual Company) shall keep the articles of incorporation at the place designated by the incorporators (or each office of the Mutual Company after the establishment of such Mutual Company).

２　発起人（相互会社の成立後にあっては、その社員及び債権者）は、発起人が定めた時間（相互会社の成立後にあっては、その事業時間）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、第二号又は第四号に掲げる請求をするには、発起人（相互会社の成立後にあっては、当該相互会社）の定めた費用を支払わなければならない。

(2) The incorporators (after the establishment of the Mutual Company, the members and creditors of such Mutual Company) may make the following requests at any time during the hours designated by the incorporators (after the establishment of such Mutual Company, during its business hours); provided, however, that they pay the fees determined by the incorporators (after the establishment of the Mutual Company, such Mutual Company) if making a request falling under item (ii) or (iv):

一　定款が書面をもって作成されているときは、当該書面の閲覧の請求

(i) Where the articles of incorporation have been prepared in writing, a request to inspect them;

二　前号の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the articles of incorporation referred to in the preceding item;

三　定款が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) Where the articles of incorporation are prepared in the form of electromagnetic record, a request to inspect anything that shows the particulars recorded in such electromagnetic records in a manner specified by Cabinet Office Ordinance; or

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って発起人（相互会社の成立後にあっては、当該相互会社）の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding item by the electromagnetic means designated by the incorporators (after the establishment of the Mutual Company, such Mutual Company), or to be issued a document detailing such particulars.

３　定款が電磁的記録をもって作成されている場合であって、従たる事務所における前項第三号及び第四号に掲げる請求に応じることを可能とするための措置として内閣府令で定めるものをとっている相互会社についての第一項の規定の適用については、同項中「各事務所」とあるのは、「主たる事務所」とする。

(3) Where the articles of incorporation are prepared in the form of electromagnetic record, for the purpose of applying the provisions of paragraph (1) to a Mutual Company that adopts the measures specified by Cabinet Office Ordinance as the measures that enable its secondary offices to respond to the requests listed in items (iii) and (iv) of the preceding paragraph, the term "each office" shall be deemed to be replaced with "principal office."

（相互会社の設立時の基金の募集）

(Solicitation of Funds at Incorporation by a Mutual Company)

第二十七条　発起人は、この款の定めるところにより、相互会社の設立に際して基金の総額を募集しなければならない。

Article 27 The incorporators shall solicit contributions to the total amount of funds in incorporating a Mutual Company pursuant to the provisions of this Subsection.

（基金の拠出の申込み）

(Offers to Contribute Funds)

第二十八条　発起人は、前条の募集に応じて基金の拠出の申込みをしようとする者に対し、次に掲げる事項を通知しなければならない。

Article 28 (1) The incorporators shall notify those who seek to offer contributions of funds in response to the solicitation under the preceding Article of the following particulars:

一　定款の認証の年月日及びその認証をした公証人の氏名

(i) Date of the articles of incorporation and the name of the notary who certified them;

二　第二十三条第一項各号及び第二十四条第一項各号に掲げる事項

(ii) Particulars listed in the items of Article 23, paragraph (1) and the items of Article 24, paragraph (1);

三　基金の拠出に係る銀行等（銀行（銀行法（昭和五十六年法律第五十九号）第二条第一項（定義等）に規定する銀行をいう。以下同じ。）、信託会社その他これに準ずるものとして内閣府令で定めるものをいう。以下この編において同じ。）の払込みの取扱いの場所

(iii) Location of the bank(s), etc. (meaning any bank (meaning a bank as set forth in Article 2, paragraph (1) (Definitions, etc) of the Banking Act (Act No. 59 of 1981), trust company, or any other institution specified by Cabinet Office Ordinance as equivalent to a bank or trust company; hereinafter the same shall apply in this Part) where the payment of contribution of funds is handled; 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, any other particulars specified by Cabinet Office Ordinance.

２　前条の募集に応じて基金の拠出の申込みをする者は、次に掲げる事項を記載した書面を発起人に交付しなければならない。

(2) A person who offers to contribute funds in response to the solicitation under the preceding Article shall submit to the incorporators a document detailing the following particulars:

一　申込みをする者の氏名又は名称及び住所

(i) Name and address of the person making the offer; and

二　拠出しようとする基金の額

(ii) Planned amount of funds to contribute.

３　前項の申込みをする者は、同項の書面の交付に代えて、政令で定めるところにより、発起人の承諾を得て、同項の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、当該申込みをした者は、同項の書面を交付したものとみなす。

(3) A person who makes an offer under the preceding paragraph may, in lieu of submitting the document prescribed in that paragraph, and pursuant to the provisions of Cabinet Order, provide the particulars that are required to be included in such document by electromagnetic means, with the consent of the incorporators. In this case, the person who has made the offer shall be deemed to have submitted the document prescribed in that paragraph.

４　発起人は、第一項各号に掲げる事項について変更があったときは、直ちに、その旨及び当該変更があった事項を第二項の申込みをした者（以下この款において「申込者」という。）に通知しなければならない。

(4) The incorporators shall immediately notify a person who has made an offer under paragraph (2) (hereinafter referred to as "Offeror" in this Subsection) of any changes in the particulars listed in the items of paragraph (1) and of the particulars affected by the changes.

５　発起人が申込者に対してする通知又は催告は、第二項第一号の住所（当該申込者が別に通知又は催告を受ける場所又は連絡先を発起人に通知した場合にあっては、その場所又は連絡先）にあてて発すれば足りる。

(5) It shall be sufficient for a notice or demand to be sent by the incorporators to an Offeror at the address specified under paragraph (2), item (i) (where the Offeror has notified the incorporators of a different place or contact address for the receipt of notices or demands, to such place or contact address).

６　前項の通知又は催告は、その通知又は催告が通常到達すべきであった時に、到達したものとみなす。

(6) The notice or demand under the preceding paragraph shall be deemed to have arrived at the time such notice or demand would normally have arrived.

（基金の割当て）

(Allocation of Funds)

第二十九条　発起人は、申込者の中から基金を拠出すべき者を定め、かつ、その者に割り当てる拠出すべき基金の額を定めなければならない。この場合において、発起人は、当該申込者が拠出すべき基金の額を、前条第二項第二号の額よりも減少することができる。

Article 29 (1) The incorporators shall select among the Offerors the persons who must contribute funds, and shall determine the amount of contribution to be allocated to each of them. In this case, the incorporators may reduce the amounts of the contributions of funds to be made by such Offerors from the amount prescribed in paragraph (2), item (ii) of the preceding Article.

２　発起人は、前項の規定による定めをした後遅滞なく、申込者に対し、当該申込者が拠出すべき基金の額を通知しなければならない。

(2) The incorporators shall, without delay following any decision under the preceding paragraph, notify the Offerors of the amount of contributions of funds to be made by each of them.

（設立時に募集をする基金の拠出の申込み及び割当てに関する特則）

(Special Provisions on Offers to Contribute Funds as Solicited at Incorporation and the Allocation Thereof)

第三十条　前二条の規定は、設立時に募集をする基金を拠出しようとする者がその総額の拠出を行う契約を締結する場合には、適用しない。

Article 30 The provisions of the preceding two Articles shall not apply to the cases where a person who seeks to contribute funds as solicited at incorporation concludes a contract stipulating the contribution of the total amount of such funds.

（基金の引受け）

(Fund Subscription)

第三十条の二　次の各号に掲げる者は、当該各号に定める基金の額について設立時に募集をする基金の引受人となる。

Article 30-2 The persons listed in the following items shall be fund subscribers solicited at incorporation in the amounts specified in the items:

一　申込者　発起人の割り当てた拠出すべき基金の額

(i) Offerors: the amount of their contributions of funds as allocated thereto by the incorporators; and

二　前条の契約により設立時に募集をする基金の総額を引き受けた者　その者が引き受けた基金の額

(ii) A person who, under a contract as set forth in the previous Article, has subscribed for the total amount of funds solicited at incorporation: the amount of funds subscribed for.

（基金の払込み）

(Payment of Funds)

第三十条の三　設立時に募集をする基金の引受人は、第二十九条第二項の規定による通知を受けた後遅滞なく、第二十八条第一項第三号に掲げる払込みの取扱いの場所において、それぞれ、設立時に募集をする基金の拠出に係る金銭の全額の払込みを行わなければならない。

Article 30-3 (1) Each fund subscriber solicited at incorporation shall, without delay following the receipt of the notice under Article 29, paragraph (2), pay the full amount of money pertaining to his/her contribution of funds solicited at incorporation, at the place of payment listed in Article 28, paragraph (1), item (iii).

２　設立時に募集をする基金の引受人のうち前項の払込みをしていないものがある場合には、発起人は、当該払込みをしていない設立時に募集をする基金の引受人に対して、期日を定め、その期日までに当該払込みをしなければならない旨を通知しなければならない。

(2) The incorporators shall notify any fund subscriber solicited at incorporation who has not made the payment set forth in the preceding paragraph to the effect that such payment is to be made by a date designated thereby.

３　前項の規定による通知は、同項に規定する期日の二週間前までにしなければならない。

(3) The notice under the preceding paragraph shall be given no later than two weeks before the date prescribed in that paragraph.

４　第一項の規定による払込みをすることにより相互会社の設立時の基金の拠出者となる権利の譲渡は、成立後の相互会社に対抗することができない。

(4) No assignment of the right to become a fund subscriber of a Mutual Company at its incorporation by making a payment pursuant to the provisions of paragraph (1) may be duly asserted against the Mutual Company thus established.

５　第二項の規定による通知を受けた設立時に募集をする基金の引受人は、同項に規定する期日までに払込みをしないときは、当該払込みをすることにより相互会社の設立時の基金の拠出者となる権利を失う。

(5) A fund subscriber solicited at incorporation who has received the notice under paragraph (2) shall, if he/she fails to make the payment by the date prescribed in that paragraph, lose his/her right to become a fund contributor of a Mutual Company at incorporation by making such payment.

（払込金の保管証明）

(Certificate of Deposit for Monies Paid)

第三十条の四　発起人は、前条第一項の規定による払込みの取扱いをした銀行等に対し、同項の規定により払い込まれた金額に相当する金銭の保管に関する証明書の交付を請求することができる。

Article 30-4 (1) The incorporators may request the bank, etc. that handled the payment pursuant to the provisions of paragraph (1) of the preceding Article to issue a certificate of deposit for monies equivalent to the amount paid in pursuant to the provisions of that paragraph.

２　前項の証明書を交付した銀行等は、当該証明書の記載が事実と異なること又は前条第一項の規定により払い込まれた金銭の返還に関する制限があることをもって成立後の相互会社に対抗することができない。

(2) The bank, etc. that issued the certificate referred to in the preceding paragraph may not assert against the Mutual Company after its establishment anything detailed on such certificate which differs from the truth or the existence of restrictions regarding the return of money paid in pursuant to the provisions of paragraph (1) of the preceding Article.

（引受けの無効又は取消しの制限等）

(Restrictions, etc. on the Invalidation or Recession of Subscription)

第三十条の五　設立時に募集をする基金の引受人は、発起人が定めた時間内は、いつでも、第二十六条第二項各号に掲げる請求をすることができる。ただし、同項第二号又は第四号に掲げる請求をするには、発起人の定めた費用を支払わなければならない。

Article 30-5 (1) Fund subscribers solicited at incorporation may make the requests listed in the items of Article 26, paragraph (2) at any time during the hours designated by the incorporators; provided, however, that they shall pay the fees determined by the incorporators if making a request that falls under item (ii) or (iv) of that paragraph.

２　民法（明治二十九年法律第八十九号）第九十三条ただし書（心裡留保）及び第九十四条第一項（虚偽表示）の規定は、設立時に募集をする基金の拠出の申込み及び割当て並びに第三十条の契約に係る意思表示については、適用しない。

(2) The proviso to Article 93 (Concealment of True Intent) and the provisions of Article 94, paragraph (1) (Fictitious Manifestation of Intention) of the Civil Code (Act No. 89 of 1896) shall not apply to the manifestation of an intention to offer or allocate contributions of funds solicited at incorporation, and a contract under Article 30.

３　設立時に募集をする基金の引受人は、相互会社の成立後は、錯誤を理由として設立時に募集をする基金の拠出の無効を主張し、又は詐欺若しくは強迫を理由として設立時に募集をする基金の拠出の取消しをすることができない。

(3) After the establishment of the Mutual Company, a fund subscriber solicited at incorporation may neither assert the invalidity of his/her contribution of funds solicited at incorporation on the grounds of a mistake, nor may he/she cancel his/her contribution of funds solicited at incorporation on the grounds of fraud or duress.

（社員の募集）

(Solicitation of Members)

第三十条の六　発起人は、この款の定めるところにより、相互会社の設立に際して社員を募集しなければならない。

Article 30-6 (1) The incorporators shall, pursuant to the provisions of this Subsection, solicit members in incorporating a Mutual Company.

２　相互会社の設立に必要な社員の数は、百人以上とする。

(2) One hundred or more members shall be required for incorporating a Mutual Company.

（入社の申込み）

(Application for Membership)

第三十条の七　発起人は、前条第一項の募集に応じて入社の申込みをしようとする者に対し、次に掲げる事項を通知しなければならない。

Article 30-7 (1) The incorporators shall notify those who are willing to apply for membership in response to the solicitation under paragraph (1) of the preceding Article of the following particulars:

一　定款の認証の年月日及びその認証をした公証人の氏名

(i) Date of the articles of incorporation and the name(s) of the notary (or notaries) who certified them;

二　第二十三条第一項各号及び第二十四条第一項各号に掲げる事項

(ii) Particulars listed in the items of Article 23, paragraph (1) and the items of Article 24, paragraph (1);

三　基金の拠出者（基金の引受人を含む。）の氏名又は名称及び住所並びに当該各拠出者が拠出した金額（拠出すべき額を含む。）

(iii) Names and addresses of the fund contributors (including the fund subscribers), and the amount of contribution (including the amount to be contributed) by each of the contributors;

四　設立の時に募集をしようとする社員の数

(iv) Number of the members to be solicited at incorporation;

五　第百十三条後段（第二百七十二条の十八において準用する場合を含む。）の定款の定めがあるときは、その定め

(v) Any provisions in the articles of incorporation under the second sentence of Article 113 (including the cases where it is applied mutatis mutandis pursuant to Article 272-18); 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 five items, any other particular specified by Cabinet Office Ordinance.

２　前条第一項の募集に応じて入社の申込みをする者は、次に掲げる事項を記載して署名した書面を二通作成し、発起人に交付しなければならない。

(2) A person who applies for membership in response to the solicitation under paragraph (1) of the preceding Article shall prepare and submit to the incorporators two copies of a signed document detailing the following particulars:

一　申込みをする者の氏名又は名称及び住所

(i) Name and address of the person applying for membership; and

二　相互会社との間で締結しようとする保険契約に係る保険の種類

(ii) Kind of insurance to which belongs the insurance contract that the person is willing to conclude with the Mutual Company.

３　前項の申込みをする者は、同項の書面の交付に代えて、政令で定めるところにより、発起人の承諾を得て、同項の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、当該申込みをした者は、同項の書面を交付したものとみなす。

(3) A person who files an application under the preceding paragraph may, in lieu of submitting the document prescribed in that paragraph, and pursuant to the provisions of Cabinet Order, provide the particulars that are required to be included in such document by electromagnetic means, with the consent of the incorporators. In this case, the person who has filed the application shall be deemed to have submitted the document prescribed in that paragraph.

４　第三十条の五第二項の規定は、相互会社の成立前における入社の申込みに係る意思表示について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of Article 30-5, paragraph (2) shall apply mutatis mutandis to the manifestation of an intention to apply for membership prior to the establishment of a Mutual Company. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（創立総会）

(Organizational Meetings)

第三十条の八　発起人は、基金の総額についてその拠出に係る払込みが終了し、かつ、前条第二項の書面を発起人に交付した者の数が同条第一項第四号に掲げる数に達したとき（次項において「払込等完了時」という。）は、遅滞なく、相互会社の社員になろうとする者の総会（以下この節において「創立総会」という。）を招集しなければならない。

Article 30-8 (1) If all payments have been completed for contributions comprising the total amount of funds, and the number of persons who have submitted to the incorporators the documents set forth in paragraph (2) of the preceding Article has reached the number set forth in paragraph (1), item (iv) of the same Article (referred to as "Completion of Payments, etc." in the following paragraph), the incorporators shall, without delay, convene a meeting of prospective members of the Mutual Company (hereinafter referred to as an "Organizational Meeting" in this Section).

２　発起人は、払込等完了時以後は、必要があると認めるときは、いつでも、創立総会を招集することができる。

(2) After the Completion of Payments, etc., the incorporators may convene an Organizational Meeting whenever they find it necessary.

３　創立総会は、この節に規定する事項及び相互会社の設立の廃止、創立総会の終結その他相互会社の設立に関する事項に限り、決議をすることができる。

(3) An Organizational Meeting may adopt resolutions only on the particulars provided for in this Section, the discontinuation of the incorporation of the Mutual Company, the conclusion of Organizational Meetings, and other particulars regarding the incorporation of the Mutual Company.

４　社員になろうとする者は、創立総会において、各々一個の議決権を有する。

(4) Each prospective member shall be entitled to one vote at an Organizational Meeting.

５　創立総会の決議は、社員になろうとする者の半数以上が出席し、その議決権の四分の三以上の多数により行う。

(5) Resolutions at an Organizational Meeting are adopted by a three-quarters majority of the votes, provided that at least half of the prospective members are present.

６　会社法第六十七条（創立総会の招集の決定）、第六十八条（第二項各号を除く。）（創立総会の招集の通知）、第七十条、第七十一条（創立総会参考書類及び議決権行使書面の交付等）、第七十三条第四項（創立総会の決議）、第七十四条から第七十六条まで（議決権の代理行使、書面による議決権の行使、電磁的方法による議決権の行使）、第七十八条から第八十条まで（発起人の説明義務、議長の権限、延期又は続行の決議）及び第八十一条（第四項を除く。）（議事録）の規定は相互会社の創立総会について、同法第八百三十条（株主総会等の決議の不存在又は無効の確認の訴え）、第八百三十一条（株主総会等の決議の取消しの訴え）、第八百三十四条（第十六号及び第十七号に係る部分に限る。）（被告）、第八百三十五条第一項（訴えの管轄）、第八百三十六条第一項及び第三項（担保提供命令）、第八百三十七条（弁論等の必要的併合）、第八百三十八条（認容判決の効力が及ぶ者の範囲）、第八百四十六条（原告が敗訴した場合の損害賠償責任）並びに第九百三十七条第一項（第一号トに係る部分に限る。）（裁判による登記の嘱託）の規定は相互会社の創立総会の決議の不存在若しくは無効の確認又は取消しの訴えについて、それぞれ準用する。この場合において、これらの規定（同法第六十七条第二項及び第八百三十一条第一項を除く。）中「設立時株主」とあり、及び同法第六十七条第二項中「設立時株主（創立総会において決議をすることができる事項の全部につき議決権を行使することができない設立時株主を除く。次条から第七十一条までにおいて同じ。）」とあるのは「社員になろうとする者」と、同法第六十八条第一項中「二週間（前条第一項第三号又は第四号に掲げる事項を定めたときを除き、設立しようとする株式会社が公開会社でない場合にあっては、一週間（当該設立しようとする株式会社が取締役会設置会社以外の株式会社である場合において、これを下回る期間を定款で定めた場合にあっては、その期間））」とあるのは「二週間」と、同条第二項中「次に掲げる場合には、前項」とあるのは「前項」と、同条第五項中「第二十七条第五号又は第五十九条第三項第一号」とあるのは「保険業法第三十条の七第二項第一号」と、同法第八百三十一条第一項中「株主等（当該各号の株主総会等が創立総会又は種類創立総会である場合にあっては、株主等、設立時株主、設立時取締役又は設立時監査役）」とあるのは「相互会社の社員、取締役、監査役若しくは清算人（委員会設置会社にあっては、社員、取締役、執行役又は清算人）又は社員になろうとする者、設立時取締役（保険業法第三十条の十第一項に規定する設立時取締役をいう。以下この項において同じ。）若しくは設立時監査役（同条第一項に規定する設立時監査役をいう。以下この項において同じ。）」と、「取締役、監査役又は清算人（当該決議が株主総会又は種類株主総会の決議である場合にあっては第三百四十六条第一項（第四百七十九条第四項において準用する場合を含む。）の規定により取締役、監査役又は清算人としての権利義務を有する者を含み、当該決議が創立総会又は種類創立総会の決議である場合にあっては設立時取締役又は設立時監査役を含む。）」とあるのは「取締役、監査役、清算人、設立時取締役又は設立時監査役」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。

(6) The provisions of Article 67 (Determination to Convene an Organizational Meeting), Article 68 (excluding items in paragraph (2)) (Notices of Convocation for Organizational Meetings), Articles 70 and Article 71 (Delivery of Voting Forms and Reference Documents for an Organizational Meeting), Article 73, paragraph (4) (Resolutions at Organizational Meetings), Article 74 to 76 inclusive (Proxy Voting, Voting in Writing, and Voting by Electromagnetic Means), Article 78 to 80 inclusive (Accountability of Incorporators, Authority of the Chairperson, and Resolutions for Postponement or Adjournment), and Article 81 (excluding paragraph (4)) (Minutes) of the Companies Act shall apply mutatis mutandis to Organizational Meetings of a Mutual Company; and the provisions of Article 830 (Action for a Declaratory Judgment as to the Absence or Invalidity of a Resolution of a Shareholders' Meeting, etc.), Article 831 (Action to Revoke a Resolution of a Shareholders' Meeting, etc.), Article 834 (limited to the segment pertaining to items (xvi) and (xvii)) (Defendant), Article 835, paragraph (1) (Jurisdiction over Actions), Article 836, paragraphs (1) and (3) (Order to Provide Security), Article 837 (Mandatory Consolidation of Oral Arguments, etc.), Article 838 (Persons Affected by a Judgment Being Upheld), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff), and Article 937, paragraph (1) (limited to the segment pertaining to item (i), sub-item (g)) (Commissioning of Registration by Judicial Decision) of that Act shall apply mutatis mutandis to an action for a declaratory judgment as to the absence or invalidity of a resolution of a Mutual Company's Organizational Meeting and to an action to rescind a resolution of a Mutual Company's Organizational Meeting, respectively. In this case, the terms "Shareholders at Incorporation" in those provisions (excluding Article 67, paragraph (2) and Article 831, paragraph (1) of that Act), and "Shareholders at Incorporation (excluding Shareholders at Incorporation who may not exercise their voting rights on all matters which may be resolved at Organizational Meetings. The same shall apply in the following Article to Article 71 inclusive)" in Article 67, paragraph (2) of that Act shall be deemed to be replaced with "prospective members"; the term "two weeks (or one week if the Stock Company to be incorporated is not a Public Company, except in cases where the particulars listed in item (iii) or item (iv) of paragraph (1) of the preceding Article are decided, (or if a shorter period of time is provided for in the articles of incorporation in cases where the Stock Company to be incorporated is a Stock Company other than a Company with Board of Directors, such shorter period of time))" in Article 68, paragraph (1) of that Act shall be deemed to be replaced with "two weeks"; the term "shall be in writing in the following cases" in Article 68, paragraph (2) shall be deemed to be replaced with "shall be in writing"; the term "Article 27, item (v), or Article 59, paragraph (3), item (i)" in Article 68, paragraph (5) shall be deemed to be replaced with "Article 30-7, paragraph (2), item (i) of the Insurance Business Act"; the term "a Shareholder, etc. (or, in cases where the Shareholders' Meeting, etc. set forth in each such item is an Organizational Meeting or a Class Organizational Meeting, a Shareholder, etc., a Shareholder at Incorporation, a Director at Incorporation, or a Company Auditor at Incorporation" in Article 831, paragraph (1) shall be deemed to be replaced with "members, directors, auditors, or liquidators (or, members, directors, executive officers, or liquidators in a company with Committees), or prospective members, directors at incorporation (meaning directors at incorporation as set forth in Article 30-10, paragraph (1) of the Insurance Business Act; hereinafter the same shall apply in this paragraph) or company auditors at incorporation (meaning the company auditors at incorporation set forth in paragraph (1) of that Article; hereinafter the same shall apply in this paragraph) of a Mutual Company"; and the term "a director, company auditor or liquidator pursuant to the provisions of Article 346 (1) (including cases where it is applied mutatis mutandis pursuant to Article 479 (4)), and in cases where such resolution is a resolution at an Organizational Meeting or Class Organizational Meeting, this shall include a Director at Incorporation or a Company Auditor at Incorporation" in the same paragraph of the Companies Act shall be deemed to be replaced with "directors, company auditors, liquidators, directors at incorporation or company auditors at incorporation"; and any other necessary technical changes in interpretation shall be specified by Cabinet Order.

（設立に関する事項の報告）

(Reporting of the Particulars of Incorporation)

第三十条の九　発起人は、相互会社の設立に関する事項を創立総会に報告しなければならない。

Article 30-9 (1) The incorporators shall report the particulars of the incorporation of a Mutual Company at the Organizational Meeting.

２　発起人は、次の各号に掲げる場合には、当該各号に定める事項を記載し、又は記録した書面又は電磁的記録を創立総会に提出し、又は提供しなければならない。

(2) In the cases listed in the following items, the incorporators shall submit or provide at the Organizational Meeting the documents or electromagnetic record in which the particulars specified in the relevant item are detailed or recorded:

一　定款に第二十四条第一項各号に掲げる事項（同条第二項において準用する会社法第三十三条第十項各号に掲げる場合における当該各号に定める事項を除く。）の定めがある場合　第二十四条第二項において準用する同法第三十三条第二項の検査役の第二十四条第二項において準用する同法第三十三条第四項の報告の内容

(i) Where the articles of incorporation provide for the particulars listed in the items of Article 24, paragraph (1) (excluding the particulars specified in the items of Article 33, paragraph (10) of the Companies Act in the cases listed in such items as applied mutatis mutandis pursuant to Article 24, paragraph (2)): the content of the report set forth in Article 33, paragraph (4) as applied mutatis mutandis pursuant to Article 24, paragraph (2) that is to be submitted by the inspector under Article 33, paragraph (2) as applied mutatis mutandis pursuant to Article 24, paragraph (2); and

二　第二十四条第二項において準用する会社法第三十三条第十項第三号に掲げる場合　第二十四条第二項において準用する同法第三十三条第十項第三号に規定する証明の内容

(ii) In the case listed in Article 33, paragraph (10), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 24, paragraph (2): the content of the verification provided in Article 33, paragraph (10), item (iii) of that Act as applied mutatis mutandis pursuant to Article 24, paragraph (2).

（設立時取締役等の選任等）

(Election, etc. of Directors at Incorporation, etc.)

第三十条の十　設立時取締役（相互会社の設立に際して取締役となる者をいう。以下同じ。）、設立時会計参与（相互会社の設立に際して会計参与となる者をいう。以下同じ。）、設立時監査役（相互会社の設立に際して監査役となる者をいう。以下同じ。）又は設立時会計監査人（相互会社の設立に際して会計監査人となる者をいう。以下同じ。）の選任は、創立総会の決議によって行わなければならない。

Article 30-10 (1) The election of the directors at incorporation (meaning the persons who become directors at the incorporation of a Mutual Company; the same shall apply hereinafter), accounting advisors at incorporation (meaning the persons who become accounting advisors at the incorporation of a Mutual Company; the same shall apply hereinafter), auditors at incorporation (meaning the persons who become company auditors at the incorporation of a Mutual Company; the same shall apply hereinafter) and accounting auditors at incorporation (meaning the persons who become accounting auditors at the incorporation of a Mutual Company; the same shall apply hereinafter) shall be made by a resolution of the Organizational Meeting.

２　設立時取締役は、三人以上でなければならない。

(2) Three or more persons shall be elected as directors at incorporation.

３　設立しようとする相互会社が監査役会設置会社（監査役会を置く株式会社又は相互会社をいう。以下同じ。）である場合には、設立時監査役は、三人以上でなければならない。

(3) Three or more persons shall be elected as auditors at incorporation where the Mutual Company to be incorporated is a company with a board of company auditors (meaning a Stock Company or Mutual Company which has a board of company auditors; the same shall apply hereinafter).

４　第八条の二第二項、第五十三条の二第一項（第五十三条の五第一項において準用する場合を含む。）、第五十三条の四において準用する会社法第三百三十三条第一項若しくは第三項又は第五十三条の七において準用する同法第三百三十七条第一項若しくは第三項の規定により成立後の相互会社の取締役、会計参与、監査役又は会計監査人となることができない者は、それぞれ設立時取締役、設立時会計参与、設立時監査役又は設立時会計監査人となることができない。

(4) A person who is precluded from being a director, accounting advisor, company auditor or accounting auditor of the Mutual Company after its establishment, pursuant to the provisions of Article 8-2, paragraph (2), Article 53-2, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 53-5, paragraph (1)), Article 333, paragraph (1) or (3) of the Companies Act as applied mutatis mutandis pursuant to Article 53-4, or Article 337, paragraph (1) or (3) of that Act as applied mutatis mutandis pursuant to Article 53-7 may not be elected as director at incorporation, accounting advisor at incorporation, auditor at incorporation or accounting auditor at incorporation, respectively.

５　第一項の規定により選任された設立時取締役、設立時会計参与、設立時監査役又は設立時会計監査人は、相互会社の成立の時までの間、創立総会の決議によって解任することができる。

(5) Directors at incorporation, accounting advisors at incorporation, auditors at incorporation or accounting auditors at incorporation who are elected pursuant to the provisions of paragraph (1) may be dismissed by a resolution of the Organizational Meeting at any time prior to the establishment of the Mutual Company.

６　会社法第四十七条（設立時代表取締役の選定等）の規定は相互会社（委員会設置会社を除く。）の設立時代表取締役（相互会社の設立に際して代表取締役となる者をいう。以下同じ。）の選定及び解職について、同法第四十八条（設立時委員の選定等）の規定は相互会社（委員会設置会社に限る。）の設立時委員（相互会社の設立に際して委員会の委員となる者をいう。以下同じ。）の選定、設立時執行役（相互会社の設立に際して執行役となる者をいう。以下同じ。）の選任及び設立時代表執行役（相互会社の設立に際して代表執行役となる者をいう。以下同じ。）の選定並びにこれらの者の解職及び解任について、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。

(6) The provisions of Article 47 (Appointment, etc. of Representative Directors at Incorporation) of the Companies Act shall apply mutatis mutandis to the appointment and removal of the representative director at incorporation (meaning the person who becomes representative director at the incorporation of a Mutual Company; the same shall apply hereinafter) of a Mutual Company (other than a company with Committees); and the provisions of Article 48 (Appointment of Committee Members at Incorporation) of that Act shall apply mutatis mutandis to the appointment of committee members at incorporation (meaning the persons who become committee members at the incorporation of a Mutual Company; the same shall apply hereinafter) of a Mutual Company (limited to a company with Committees), the election of its executive officers at incorporation (meaning the persons who become executive officers at the incorporation of a Mutual Company; the same shall apply hereinafter) and the appointment of its representative executive officer at incorporation (meaning the person who becomes representative executive officer at the incorporation of a Mutual Company; the same shall apply hereinafter), and the removal and dismissal of those persons, respectively. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（設立時取締役等による調査）

(Investigations by Directors at Incorporation, etc.)

第三十条の十一　設立時取締役（設立しようとする相互会社が監査役設置会社（監査役を置く株式会社又は相互会社をいう。以下同じ。）である場合にあっては、設立時取締役及び設立時監査役）は、その選任後遅滞なく、次に掲げる事項を調査しなければならない。

Article 30-11 (1) The directors at incorporation (meaning the directors at incorporation and auditors at incorporation where the Mutual Company to be incorporated is a company with auditors (meaning a Stock Company or Mutual Company that has company auditors; the same shall apply hereinafter)) shall investigate the following particulars without delay after their election:

一　第二十四条第二項において準用する会社法第三十三条第十項第一号又は第二号に掲げる場合における現物出資財産等（第二十四条第二項において準用する同法第三十三条第十項第二号に掲げる場合にあっては、同号の有価証券に限る。）について定款に記載され、又は記録された価額が相当であること。

(i) That, with respect to the properties contributed in kind, etc. in the cases listed in Article 33, paragraph (10), item (i) or (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 24, paragraph (2) (if listed in Article 33, paragraph (10), item (ii) as applied mutatis mutandis pursuant to Article 24, paragraph (2), limited to the securities under such item), the value indicated or recorded in the articles of incorporation is reasonable;

二　第二十四条第二項において準用する会社法第三十三条第十項第三号に規定する証明が相当であること。

(ii) That the verification provided for in Article 33, paragraph (10), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 24, paragraph (2) is appropriate;

三　相互会社の設立に際して募集をする基金の総額の引受けがあること。

(iii) That the funds solicited at the incorporation of the Mutual Company have been fully subscribed for;

四　第三十条の三第一項の規定による払込みが完了していること。

(iv) That the payments pursuant to the provisions of Article 30-3, paragraph (1) have been completed;

五　社員になろうとする者が百人以上であること。

(v) That the number of prospective members is no less than one hundred (100); and

六　前各号に掲げる事項のほか、相互会社の設立の手続が法令又は定款に違反していないこと。

(vi) That, in addition to the particulars listed in the preceding five items, the procedures for the incorporation of the Mutual Company do not violate applicable laws and regulations or the articles of incorporation.

２　会社法第九十三条第二項及び第三項（設立時取締役等による調査）並びに第九十四条（設立時取締役等が発起人である場合の特則）の規定は、前項の規定による調査について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of Article 93, paragraphs (2) and (3) (Investigation by Directors at Incorporation), and Article 94 (Special Provisions in Case Directors at Incorporation are Incorporators) of the Companies Act shall apply mutatis mutandis to the investigation under the preceding paragraph. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（設立時の定款の変更等）

(Amendments, etc. to the Articles of Incorporation at Incorporation)

第三十条の十二　発起人は、第二十九条第二項の規定による通知をした以後は、第二十四条第二項において準用する会社法第三十三条第九項の規定にかかわらず、定款の変更をすることができない。

Article 30-12 (1) The incorporators may not effect any amendment to the articles of incorporation once the notice under Article 29, paragraph (2) has been given, notwithstanding the provisions of Article 33, paragraph (9) of the Companies Act as applied mutatis mutandis pursuant to Article 24, paragraph (2).

２　第二十三条第四項において準用する会社法第三十条第二項の規定にかかわらず、創立総会においては、その決議によって、定款の変更をすることができる。

(2) Notwithstanding the provisions of Article 30, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 23, paragraph (4), the articles of incorporation may be amended by a resolution at an Organizational Meeting.

３　創立総会において、第二十四条第一項各号に掲げる事項を変更する定款の変更の決議をした場合には、発起人は、当該決議後二週間以内に限り、その職を辞することができる。

(3) Where an Organizational Meeting has adopted a resolution to amend the articles of incorporation in a manner that modifies any of the particulars listed in the items of Article 24, paragraph (1), the incorporators may resign from their offices, provided that they do so within two weeks of the adoption of the resolution.

（成立の時期）

(Timing of Establishment)

第三十条の十三　相互会社は、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って成立する。

Article 30-13 (1) A Mutual Company shall be established by registering its incorporation at the location of its principal office.

２　第三十条の七第二項の書面を発起人に交付した者は、相互会社が成立し、かつ、当該相互会社が第三条第一項の免許又は第二百七十二条第一項の登録を受けた後、遅滞なく、当該相互会社に保険契約の申込みをしなければならない。

(2) A person who has submitted the document set forth in Article 30-7, paragraph (2) shall, without delay following the establishment of the Mutual Company and after the Mutual Company has received the license prescribed in Article 3, paragraph (1) or made a registration under Article 272, paragraph (1), apply for an insurance contract with the Mutual Company.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第三十条の十四　会社法第二編第一章第八節（第五十二条第二項第二号を除く。）（発起人等の責任）及び第百三条第二項（発起人の責任等）の規定は、相互会社の発起人、設立時取締役又は設立時監査役の責任について準用する。この場合において、同法第五十二条第二項（出資された財産等の価額が不足する場合の責任）中「（第二十八条第一号の財産を給付した者又は同条第二号の財産の譲渡人を除く。第二号において同じ。）」とあるのは「（保険業法第二十四条第一項第一号の財産の譲渡人を除く。）」と、同項第一号中「第二十八条第一号又は第二号」とあるのは「保険業法第二十四条第一項第一号」と、同条第三項中「第三十三条第十項第三号」とあるのは「保険業法第二十四条第二項において準用する第三十三条第十項第三号」と、同法第百三条第二項中「第五十七条第一項の募集をした場合において、当該募集」とあるのは「保険業法第二十七条又は第三十条の六第一項の募集」と、「及び前項」とあるのは「（第五十二条第二項第二号を除く。）」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。

Article 30-14 The provisions of Part II, Chapter I, Section 8 (excluding Article 52, paragraph (2), item (ii)) (Liability of the Incorporators) and Article 103, paragraph (2) (Liability of the Incorporators) of the Companies Act shall apply mutatis mutandis to the liabilities of incorporators, directors at incorporation or auditors at incorporation of a Mutual Company. In this case, the term "(in this paragraph and in item (ii) excluding those who contributed in kind under Article 28, item (i) or the assignor of the properties under item (ii) of the same Article)" in Article 52, paragraph (2) (Liability for Insufficiency of Value of Properties Contributed) of that Act shall be deemed to be replaced with "(excluding the assignor of the properties under Article 24, paragraph (1), item (i) of the Insurance Business Act)"; the term "Article 28, item (i) or (ii)" in Article 52, paragraph (2), item (i) shall be deemed to be replaced with "Article 24, paragraph (1), item (i) of the Insurance Business Act"; the term "Article 33, paragraph (10), item (iii)" in Article 52, paragraph (3) shall be deemed to be replaced with "Article 33, paragraph (10), item (iii) as applied mutatis mutandis pursuant to Article 24, paragraph (2) of the Insurance Business Act"; and in Article 103, paragraph (2) of that Act, the term "In cases where the solicitation under Article 57, paragraph (1) is carried out," shall be deemed to be deleted, and the terms "such solicitation" and "the preceding paragraph" shall be deemed to be replaced with "solicitation under Article 27 or Article 30-6, paragraph (1) of the Insurance Business Act" and "Article 52, paragraph (2) (excluding item (ii))," respectively; any technical change in interpretation shall be specified by Cabinet Order.

（設立の無効の訴え）

(Actions to Invalidate Incorporation)

第三十条の十五　会社法第八百二十八条第一項（第一号に係る部分に限る。）及び第二項（第一号に係る部分に限る。）（会社の組織に関する行為の無効の訴え）、第八百三十四条（第一号に係る部分に限る。）（被告）、第八百三十五条第一項（訴えの管轄）、第八百三十六条第一項及び第三項（担保提供命令）、第八百三十七条から第八百三十九条まで（弁論等の必要的併合、認容判決の効力が及ぶ者の範囲、無効又は取消しの判決の効力）、第八百四十六条（原告が敗訴した場合の損害賠償責任）並びに第九百三十七条第一項（第一号イに係る部分に限る。）（裁判による登記の嘱託）の規定は、相互会社の設立の無効の訴えについて準用する。この場合において、同法第八百二十八条第二項第一号中「株主等（株主、取締役又は清算人（監査役設置会社にあっては株主、取締役、監査役又は清算人、委員会設置会社にあっては株主、取締役、執行役又は清算人）をいう。以下この節において同じ。）」とあるのは「社員、取締役、監査役又は清算人（委員会設置会社にあっては社員、取締役、執行役又は清算人）」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。

Article 30-15 The provisions of Article 828, paragraph (1) (limited to the segment pertaining to item (i)) and paragraph (2) (limited to the segment pertaining to item (i) (Actions to Invalidate Acts Concerning the Organization of a Company), Article 834 (limited to the segment pertaining to item (i)) (Defendant), Article 835, paragraph (1) (Jurisdiction over Actions), Article 836, paragraphs (1) and (3) (Order to Provide Security), Articles 837 to 839 inclusive (Mandatory Consolidation of Oral Arguments, etc., Persons Affected by a Judgment Being Upheld, Effects of a Judgment of Invalidity, Revocation or Rescission), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff), and Article 937, paragraph (1) (limited to the segment pertaining to item (i), sub-item (a)) (Commissioning of Registration by a Judicial Decision) of the Companies Act shall apply mutatis mutandis to an action to invalidate the incorporation of a Mutual Company. In this case, the term "a Shareholder, etc. (meaning a shareholder, director or liquidator (or, for a Company with Company Auditors, it means a shareholder, director, company auditor or liquidator, and for a Company with Committees, it means a shareholder, director, executive officer or liquidator); hereinafter the same shall apply in this Section)" in Article 828, paragraph (2), item (i) of that Act shall be deemed to be replaced with "members, directors, company auditors or liquidators (or members, directors, executive officers, or liquidators in a company with Committees)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第三款　社員の権利義務

Subsection 3 Rights and Obligations of Members

（社員の責任）

(Obligations of Members)

第三十一条　社員の責任は、保険料を限度とする。

Article 31 The obligations of a member shall be limited to the amount of his/her insurance premium payments.

（通知及び催告）

(Notices and Demands)

第三十二条　相互会社への入社の申込みをした者又は社員に対する通知又は催告は、その者が発起人又は相互会社に通知した場所又は連絡先にあてて発すれば足りる。ただし、保険関係に属する事項の通知又は催告については、この限りでない。

Article 32 (1) It shall be sufficient for any notice or demand to an Applicant for membership, or member of a Mutual Company to be sent to the place or contact address of which the Applicant or member has notified the incorporators or Mutual Company; provided, however, that this shall not apply to a notice or demand on any particular pertaining to the insurance relationship.

２　前項本文の通知又は催告は、その通知又は催告が通常到達すべきであった時に、到達したものとみなす。

(2) The notice or demand in the main clause of the preceding paragraph shall be deemed to have arrived at the time when such notice or demand would normally have arrived.

３　第一項本文及び前項の規定は、第四十一条第一項において準用する会社法第二百九十九条第一項の通知に際して社員に書面を交付し、又は当該書面に記載すべき事項を電磁的方法により提供する場合について準用する。この場合において、前項中「到達したもの」とあるのは「当該書面の交付又は当該事項の電磁的方法による提供があったもの」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。

(3) The provisions of the main clause of paragraph (1) and the preceding paragraph shall apply mutatis mutandis to the cases where a document is delivered to the members in giving a notice under Article 299, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 41, paragraph (1) or where the particulars that are required to be included in such document are provided by electromagnetic means. In this case, the term "to have arrived" in the preceding paragraph shall be deemed to be replaced with "to have been effected by delivery of such document or provision of such particulars by electromagnetic means"; and any other necessary technical change in interpretation shall be specified by Cabinet Order.

（社員の名簿）

(Members List)

第三十二条の二　相互会社は、内閣府令で定めるところにより、社員の名簿を作成し、これに社員の名簿に関し必要な事項として内閣府令で定める事項を記載し、又は記録しなければならない。

Article 32-2 (1) A Mutual Company shall, pursuant to the provisions of Cabinet Office Ordinance, prepare a members list in which it details or records the particulars specified by Cabinet Office Ordinance as particulars required for such members list.

２　相互会社は、社員の名簿をその主たる事務所に備え置かなければならない。

(2) A Mutual Company shall keep its members list at its principal office.

３　社員及び債権者は、相互会社の事業時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、当該請求の理由を明らかにしてしなければならない。

(3) A member or creditor may make the following requests at any time during the business hours of the Mutual Company. In this case, however, the member or creditor shall disclose the reason for his/her request:

一　社員の名簿が書面をもって作成されているときは、当該書面の閲覧又は謄写の請求

(i) Where the members list has been prepared in writing, a request to investigate or copy the written document; or

二　社員の名簿が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧又は謄写の請求

(ii) Where the members list has been prepared in the form of electromagnetic record, a request to investigate or copy anything that shows the particulars recorded on such electromagnetic record in a manner specified by Cabinet Office Ordinance.

４　相互会社は、前項の請求があったときは、次のいずれかに該当する場合を除き、これを拒むことができない。

(4) A Mutual Company may not reject any request made under the preceding paragraph unless:

一　当該請求を行う社員又は債権者（以下この項において「請求者」という。）がその権利の確保又は行使に関する調査以外の目的で請求を行ったとき。

(i) The member or creditor making such request (hereinafter referred to as "Requestor" in this paragraph) does so with any other intent than to investigate in connection with the protection or exercise his/her rights;

二　請求者が当該相互会社の業務の遂行を妨げ、又は社員の共同の利益を害する目的で請求を行ったとき。

(ii) The Requestor makes a request with the intent to preclude the Mutual Company from performing its business or to harm the common interest of the members;

三　請求者が当該相互会社の業務と実質的に競争関係にある事業を営み、又はこれに従事するものであるとき。

(iii) The Requestor operates, or engages in, any business that is substantially in a competitive relationship with the business of the Mutual Company;

四　請求者が社員の名簿の閲覧又は謄写によって知り得た事実を利益を得て第三者に通報するため請求を行ったとき。

(iv) The Requestor makes a request with the intent to inform a third party of any fact obtained by investigating or copying the members list for material gain; or

五　請求者が、過去二年以内において、社員の名簿の閲覧又は謄写によって知り得た事実を利益を得て第三者に通報したことがあるものであるとき。

(v) The Requestor has, within the past two years, informed a third party of any fact learned by investigating or copying the members list for material gain.

（基準日）

(Reference Date)

第三十三条　相互会社は、社員として権利を行使すべき者を定めるため、その権利を行使すべき日の前四月以内の一定の日における社員をもって、その権利を行使すべき社員とみなすことができる。

Article 33 (1) For the purpose of identifying the persons who shall exercise their rights as members, a Mutual Company may deem the persons who enjoy its membership on a certain date within four months prior to the date of exercising such rights as the members who shall exercise said rights.

２　相互会社は、前項の一定の日を定めた場合には、その日をその二週間前に公告しなければならない。ただし、定款でその日を指定した場合は、この限りでない。

(2) A Mutual Company that has fixed the "certain date" set forth in the preceding paragraph shall give public notice of such date no later than two weeks before the date; provided, however, that this shall not apply to the cases where said date is fixed by the articles of incorporation.

３　第一項に規定する権利には、この法律に別段の定めがあるもの及び剰余金の分配を受ける権利その他の政令で定める権利を含まないものとする。

(3) The rights set forth in paragraph (1) shall not include any right provided for otherwise in this Act or the rights specified by Cabinet Order such as the right to distribution of surplus.

（社員又は総代の権利の行使に関する利益の供与）

(Benefits Provided for the Exercise of the Rights of a Member or Representative Member)

第三十三条の二　相互会社は、何人に対しても、社員又は総代の権利の行使に関し、財産上の利益の供与（当該相互会社又はその実質子会社（相互会社がその総株主の議決権の過半数を有する株式会社その他の当該相互会社がその経営を支配している法人として内閣府令で定めるものをいう。以下同じ。）の計算においてするものに限る。）をしてはならない。

Article 33-2 (1) A Mutual Company shall not provide a person with economic benefits for the exercise of his/her member's rights or representative member's rights (limited to benefits given on the account of the Mutual Company or its de facto Subsidiary Company (meaning a juridical person whose management is deemed to be controlled by the Mutual Company pursuant to the provisions of Cabinet Office Ordinance, such as a Stock Company in which the Mutual Company holds the majority of all shareholders' voting rights; the same shall apply hereinafter).

２　会社法第百二十条第二項から第五項まで（株主の権利の行使に関する利益の供与）の規定は前項の場合について、同法第七編第二章第二節（第八百四十七条第二項、第八百四十九条第五項並びに第八百五十一条第一項第一号及び第二項を除く。）（株式会社における責任追及等の訴え）の規定はこの項において準用する同法第百二十条第三項の利益の返還を求める訴えについて、それぞれ準用する。この場合において、同法第百二十条第三項及び第四項中「第一項」とあるのは「保険業法第三十三条の二第一項」と、同条第五項中「総株主」とあるのは「総社員」と、同法第八百四十七条第一項（責任追及等の訴え）中「株式を有する株主（第百八十九条第二項の定款の定めによりその権利を行使することができない単元未満株主を除く。）」とあるのは「社員である者」と、同条第三項から第五項まで及び第七項中「株主」とあるのは「社員」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 120, paragraphs (2) to (5) inclusive (Benefits Provided for the Exercise of a Shareholder's Right) of the Companies Act shall apply mutatis mutandis to the case set forth in the preceding paragraph; and the provisions of Part VII, Chapter II, Section 2 (excluding Article 847, paragraph (2), Article 849, paragraph (5), and Article 851, paragraph (1), item (i) and paragraph (2)) (Liability Actions, etc. Against a Stock Company) of that Act shall apply mutatis mutandis to an action for the return of benefits under Article 120, paragraph (3) of that Act as applied mutatis mutandis pursuant to this paragraph, respectively. In this case, the term "paragraph (1)" in Article 120, paragraphs (3) and (4) of that Act shall be deemed to be replaced with "Article 33-2, paragraph (1) of the Insurance Business Act"; the term "all shareholders" in Article 120, paragraph (5) shall be deemed to be replaced with "all members"; the term "A shareholder (excluding a Holder of Shares Less than One Unit who is unable to exercise rights pursuant to the provisions of the articles of incorporation) having the shares" in Article 847, paragraph (1) (Liability Actions, etc.) of that Act shall be deemed to be replaced with "person who has been a member"; and the term "shareholder" in Article 847, paragraph (3) to (5) inclusive and (7) shall be deemed to be replaced with "member"; and any other necessary technical change in interpretation shall be specified by Cabinet Order.

（退社事由）

(Grounds for Withdrawal)

第三十四条　社員は、次に掲げる事由により退社する。

Article 34 (1) A member shall withdraw his/her membership on any of the following grounds:

一　保険関係の消滅

(i) Termination of the insurance relationship; or

二　定款で定める事由の発生

(ii) Occurrence of an event specified in the articles of incorporation.

２　社員が死亡した場合（当該死亡が前項各号に掲げる事由のいずれかに該当する場合を除く。）又は合併により消滅した場合における当該社員の相続人その他の一般承継人は、当該社員の権利及び義務を承継する。

(2) In the event of a member's death (excluding where the death falls under the items of the preceding paragraph) or a member being extinguished in a merger, the heir or any other general successor to the member shall assume the rights and obligations of the member.

３　前項の一般承継人（相続による一般承継人であって、保険料の払込みの全部又は一部を履行していないものに限る。以下この項において同じ。）が二人以上ある場合には、各一般承継人は、連帯して当該保険料の払込みの履行をする責任を負う。

(3) Where the deceased or extinguished member set forth in the previous paragraph has two or more general successors (meaning general successors by inheritance and limited to those who have not effected the payment of insurance premiums in whole or in part; hereinafter the same shall apply in this paragraph), the general successors shall assume the obligation of effecting the insurance premium payments jointly and severally.

４　一般承継人（相続による一般承継人に限る。以下この項において同じ。）が二人以上ある場合には、各一般承継人は、承継した社員としての権利を行使する者一人を定めなければ、当該権利を行使することができない。

(4) If a deceased or extinguished member has two or more general successors (limited to general successors by inheritance; hereinafter the same shall apply in this paragraph), the general successors may not exercise the member's rights that they have assumed, unless they appoint one person to exercise such rights.

（払戻請求権）

(Claims for a Refund)

第三十五条　退社員は、定款又は保険約款の定めるところにより、その権利に属する金額の払戻しを請求することができる。ただし、その者に代わって社員となる者がある場合は、この限りでない。

Article 35 A withdrawn member may, pursuant to the terms of the articles of incorporation or insurance contract, claim refund of the money associated with his/her rights; provided, however, that this shall not apply to the cases where the withdrawn member is replaced by another person.

（時効）

(Prescription)

第三十六条　前条の払戻しを請求する権利は、三年間行わないときは、時効によって消滅する。

Article 36 The claim for refund set forth in the preceding Article shall lapse by prescription, unless exercised within three years.

第四款　機関

Subsection 4 Administrative Organs

第一目　社員総会

Division 1 General Members' Councils

（議決権）

(Voting Rights)

第三十七条　社員は、社員総会において、各々一個の議決権を有する。

Article 37 Each member shall be entitled to one vote at a general members' council meeting.

（社員総会の権限）

(Authority of General Members' Councils)

第三十七条の二　社員総会は、この法律に規定する事項及び定款で定めた事項に限り、決議をすることができる。

Article 37-2 The general members' council may resolve only the matters provided for in this Act and the matters provided for in the articles of incorporation.

（社員総会の決議）

(Resolutions of a General Members' Council)

第三十七条の三　社員総会の決議は、この法律又は定款に別段の定めがある場合を除き、総社員の半数以上が出席し、出席した当該社員の議決権の過半数をもって行う。

Article 37-3 (1) Unless otherwise provided for in this Act or the articles of incorporation, a resolution of the general members' council is adopted by the majority vote of the attending members at a session where at least half of the members are present.

２　社員総会は、第四十一条第一項において準用する会社法第二百九十八条第一項第二号に掲げる事項以外の事項については、決議をすることができない。ただし、第四十一条第一項において準用する同法第三百十六条第一項若しくは第二項に規定する者の選任又は第五十三条の二十三において準用する同法第三百九十八条第二項の会計監査人の出席を求めることについては、この限りでない。

(2) A general members' council may not adopt a resolution on any other matter than matters listed in Article 298, paragraph (1), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 41, paragraph (1); provided, however, that this shall not apply to a request for the appointment of a person set forth in Article 316, paragraph (1) or (2) of that Act as applied mutatis mutandis pursuant to Article 41, paragraph (1), or for the attendance of the accounting auditors set forth in Article 398, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 53-23.

（社員総会招集請求権）

(Right to Demand the Convocation of the General Members' Council)

第三十八条　社員総数の千分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員又は三千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（少額短期保険業者である相互会社のうち政令で定めるもの（以下「特定相互会社」という。）にあっては、政令で定める数以上の社員）で六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者は、取締役に対し、社員総会の目的である事項（社員総会において決議をすることができる事項に限る。以下この目において同じ。）及び招集の理由を示して、社員総会の招集を請求することができる。

Article 38 (1) Members having consecutively for the preceding six months or more (or, in cases where shorter period is prescribed in the articles of incorporation, such period) not less than three thousandths (or in cases where lesser proportion is prescribed in the articles of incorporation, such proportion) of the total membership, or three thousand (or in cases where smaller number is prescribed in the articles of incorporation) or more members of a Mutual Company (or, in mutual Low-Cost, Short-Term Insurers specified by Cabinet Order (hereinafter referred to as a "Specified Mutual Company"), members equal to or exceeding the number specified by Cabinet Order), who have been members of the Mutual Company may,,by showing matters which are a purpose for a general members' council meeting (limited to matters on which the general members' council may adopt a resolution; hereinafter the same shall apply in this Division) and the reason for convocation, demand that the directors call a general members' council meeting.

２　次に掲げる場合には、前項の規定による請求をした社員は、裁判所の許可を得て、社員総会を招集することができる。

(2) In the following cases, members who have made a demand pursuant to the provisions of the preceding paragraph may call a general members' council with the permission of the court.

一　前項の規定による請求の後遅滞なく招集の手続が行われない場合

(i) In cases where the convocation procedures are not effected without delay after the demand pursuant to the provisions of the preceding paragraph; or

二　前項の規定による請求があった日から八週間（これを下回る期間を定款で定めた場合にあっては、その期間）以内の日を社員総会の日とする社員総会の招集の通知が発せられない場合

(ii) In cases where the notice for the convocation of the general members' council which designates, as the date of the general members' council meeting, a date falling within the period of eight weeks (or in cases where any period less than that is provided for in the articles of incorporation, such period) from the day of a demand pursuant to the provisions of the preceding paragraph, is not given.

３　会社法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十一条（理由の付記）、第八百七十四条（第四号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、前項の場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 871 (Appending of Reasons), Article 874 (limited to the segment pertaining to item (iv)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to the previous paragraph. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（提案権）

(Right to Submit Proposals)

第三十九条　社員総数の千分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員又は千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、政令で定める数以上の社員）で六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者は、取締役に対し、一定の事項（社員総会において決議をすることができる事項に限る。）を社員総会の目的とすることを請求することができる。この場合において、その請求は、社員総会の日の八週間（これを下回る期間を定款で定めた場合にあっては、その期間）前までにしなければならない。

Article 39 (1) Members having consecutively for the preceding six months or more (or, in cases where shorter period is prescribed in the articles of incorporation, such period) no less than one thousandth (or in cases where lesser proportion is prescribed in the articles of incorporation, such proportion) of the total membership, or one thousand (or in case where smaller number is prescribed by the articles of incorporation) or more members of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number prescribed by Cabinet Order), who have been members of the Mutual Company, may demand that the directors include certain items (limited to matters on which the general members' council may adopt a resolution) in the agenda for a general members' council meeting. In this case, the demand shall be submitted no later than eight weeks (or any shorter period prescribed by the articles of incorporation) prior to the date of the general members' council meeting.

２　社員は、社員総会において、社員総会の目的である事項につき議案を提出することができる。ただし、当該議案が法令若しくは定款に違反する場合又は実質的に同一の議案につき社員総会において総社員の議決権の十分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上の賛成を得られなかった日から三年を経過していない場合は、この限りでない。

(2) A member may submit a proposal at a general members' council meeting with respect to any agenda item for the meeting; provided, however, that this shall not apply to the cases where the proposal is in violation of any applicable law or regulation or the articles of incorporation, or where three years have not elapsed since the day on which an essentially identical proposal was not approved by at least one tenth (1/10) of the votes of the members (or any smaller proportion prescribed by the articles of incorporation) of the general members' council.

３　社員総数の千分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員又は千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、第一項に規定する政令で定める数以上の社員）で六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者は、取締役に対し、社員総会の日の八週間（これを下回る期間を定款で定めた場合にあっては、その期間）前までに、社員総会の目的である事項につき当該社員が提出しようとする議案の要領を通知すること（第四十一条第一項において準用する会社法第二百九十九条第二項（各号を除く。）又は第三項の通知をする場合にあっては、その通知に記載し、又は記録すること）を請求することができる。ただし、当該議案が法令若しくは定款に違反する場合又は実質的に同一の議案につき社員総会において総社員の議決権の十分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上の賛成を得られなかった日から三年を経過していない場合は、この限りでない。

(3) Members representing at least one thousandth (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or one thousand (or any smaller number prescribed by the articles of incorporation) or more members of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in paragraph (1)), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation), may demand the directors that, no later than eight weeks (or any shorter period prescribed by the articles of incorporation) prior to the date of the general members' council, members be notified of the outline of any proposal to be submitted by said member with respect to an agenda item of the meeting (or, where a notice is to be given under Article 299, paragraph (2) (excluding the items (i) and (ii)) or (3) of the Companies Act as applied mutatis mutandis pursuant to Article 41, paragraph (1), such outline be described in, or recorded on, that notice); provided, however, that this shall not apply to the cases where the proposal is in violation of any applicable law or regulation or the articles of incorporation, or where three years have not elapsed since the day on which an essentially identical proposal was not approved by at least one tenth of the membership (or any smaller proportion prescribed by the articles of incorporation) in the general members' council.

（社員総会検査役選任請求権）

(Right to Demand the Election of Inspector for a General Members' Council)

第四十条　相互会社又は社員総数の千分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員若しくは千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、前条第一項に規定する政令で定める数以上の社員）で六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者は、社員総会に係る招集の手続及び決議の方法を調査させるため、当該社員総会に先立ち、裁判所に対し、検査役の選任の申立てをすることができる。

Article 40 (1) A Mutual Company or members representing at least one thousandth (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or one thousand (or any smaller number prescribed by the articles of incorporation) or more members of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in paragraph (1) of the preceding Article), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation), may file a petition with the court, prior to a session of the general members' council, for the election of an inspector to be retained to investigate the convocation procedures and method of resolution of such a council.

２　会社法第三百六条第三項から第七項まで（株主総会の招集手続等に関する検査役の選任）及び第三百七条（裁判所による株主総会招集等の決定）の規定は、前項の場合について準用する。この場合において、同法第三百六条第三項中「前二項」とあるのは「保険業法第四十条第一項」と、同条第四項及び第七項中「株式会社」とあるのは「相互会社」と、同法第三百七条中「株主総会」とあるのは「社員総会」と、同条第一項第二号中「株主」とあるのは「社員」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 306, paragraphs (3) to (7) inclusive (Election of Inspector on Calling Procedures of Shareholders' Meeting) and Article 307 (Determination by The Court of the Calling of Shareholders' Meeting) of the Companies Act shall apply mutatis mutandis to the preceding paragraph. In this case, the term "preceding two paragraphs" in Article 306, paragraph (3) of that Act shall be deemed to be replaced with "Article 40, paragraph (1) of the Insurance Business Act"; the term "Stock Company" in Article 306, paragraphs (4) and (7) shall be deemed to be replaced with "Mutual Company"; the term "shareholders' meeting" in Article 307 of that Act shall be deemed to be replaced with "general members' council meeting"; and the term "shareholders" in Article 307, paragraph (1), item (ii) of that Act shall be deemed to be replaced with "members"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

３　会社法第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第二号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、前二項の場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (ii)) (Hearing of Statements), Article 871 (Appending of Reasons), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to the preceding two paragraphs. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第四十一条　会社法第二百九十六条（株主総会の招集）、第二百九十八条（第二項ただし書及び第三項を除く。）（株主総会の招集の決定）、第二百九十九条（第二項各号を除く。）（株主総会の招集の通知）、第三百条から第三百二条まで（招集手続の省略、株主総会参考書類及び議決権行使書面の交付等）、第三百十条から第三百十二条まで（議決権の代理行使、書面による議決権の行使、電磁的方法による議決権の行使）、第三百十四条から第三百十七条まで（取締役等の説明義務、議長の権限、株主総会に提出された資料等の調査、延期又は続行の決議）、第三百十八条（第五項を除く。）（議事録）、第三百十九条（第四項を除く。）（株主総会の決議の省略）及び第三百二十条（株主総会への報告の省略）の規定は、相互会社の社員総会について準用する。この場合において、これらの規定中「株式会社」とあり、及び「取締役会設置会社」とあるのは「相互会社」と、「株主」とあるのは「社員」と、「本店」とあるのは「主たる事務所」と、「営業時間」とあるのは「事業時間」と、同法第二百九十六条第一項中「定時株主総会」とあるのは「定時社員総会」と、同条第三項中「次条第四項」とあり、並びに同法第二百九十八条第一項及び第四項中「前条第四項」とあるのは「保険業法第三十八条第二項又は第五十条第二項」と、同条第二項中「（株主総会において決議をすることができる事項の全部につき議決権を行使することができない株主を除く。次条から第三百二条までにおいて同じ。）の数」とあるのは「の数」と、同法第二百九十九条第一項中「二週間（前条第一項第三号又は第四号に掲げる事項を定めたときを除き、公開会社でない株式会社にあっては、一週間（当該株式会社が取締役会設置会社以外の株式会社である場合において、これを下回る期間を定款で定めた場合にあっては、その期間））」とあるのは「二週間」と、同条第二項中「次に掲げる場合には、前項」とあるのは「前項」と、同法第三百一条及び第三百二条中「株主総会参考書類」とあるのは「社員総会参考書類」と、同法第三百十条第七項中「株主（前項の株主総会において決議をした事項の全部につき議決権を行使することができない株主を除く。次条第四項及び第三百十二条第五項において同じ。）」とあるのは「社員」と、同法第三百十六条第二項中「第二百九十七条」とあるのは「保険業法第三十八条」と、同法第三百十八条第三項中「支店」とあるのは「従たる事務所」と、同法第三百十九条第一項中「株主（当該事項について議決権を行使することができるものに限る。）の全員」とあるのは「社員の全員」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。

Article 41 (1) The provisions of Article 296 (Convocation of Shareholders' Meetings), Article 298 (excluding the proviso to paragraphs (2) and (3)) (Determination to Convoke a Shareholders' Meeting), Article 299 (excluding items of paragraph (2)) (Notice of Convocation for a Shareholders' Meeting), Article 300 to 302 inclusive (Omission of Convocation Procedures, Delivery of Voting Forms and Reference Documents for a Shareholders' Meeting), Article 310 to 312 inclusive (Proxy Voting, Voting in Writing, Voting by Electromagnetic Means), Article 314 to 317 inclusive (Accountability of Directors, etc., Authority of Chairperson, Investigation of Materials Submitted to the Shareholders' Meeting, Resolution for Postponement or Adjournment), Article 318 (excluding paragraph (5)) (Minutes), Article 319 (excluding paragraph (4)) (Omission of Resolution of Shareholders' Meetings) and Article 320 (Omission of Reports to Shareholders' Meetings) of the Companies Act shall apply mutatis mutandis to the general members' council of a Mutual Company. In this case, the terms "Stock Company" and "company with board of directors" in those provisions shall be deemed to be replaced with "Mutual Company"; the term "head office" in those provisions shall be deemed to be replaced with "principal office"; the term "operating hours" in those provisions shall be deemed to be replaced with "business hours"; the term "Annual shareholders' meeting" in Article 296, paragraph (1) of that Act shall be deemed to be replaced with "Annual general members' council meeting"; the term "paragraph (4) of the following Article" in Article 296, paragraph (3), and the term "paragraph (4) of the preceding Article" in Article 298, paragraphs (1) and (4) of that Act shall be deemed to be replaced with "Article 38, paragraph (2) and Article 50, paragraph (2) of the Insurance Business Act"; the term "(excluding shareholders who may not exercise their voting rights on all matters which may be resolved at a shareholders' meetings. The same shall apply in the following Article to Article 302 inclusive)" in Article 298, paragraph (2) shall be deemed to be deleted; the term "two weeks (or one week if the Stock Company is not a Public Company, except in cases where the particulars listed in paragraph (1), item (iii) or (iv) of the preceding Article are decided, (or if a shorter period of time is provided for in the articles of incorporation in cases where the Stock Company is a Stock Company other than the Company with Board of Directors, such shorter period of time))" in Article 299, paragraph (1) of that Act shall be deemed to be replaced with "two weeks"; the term "in the following cases" in Article 299, paragraph (2) shall be deemed to be deleted; the term "Reference Documents for a Shareholders' Meeting" in Articles 301 and 302 of that Act shall be deemed to be replaced with "reference documents for a general members' council meeting"; the term "shareholders (excluding the shareholders who may not exercise their voting rights on all matters which may be resolved at the shareholders' meeting under the preceding paragraph. The same shall apply hereinafter in paragraph (4) of the following Article and in Article 312, paragraph (5))" in Article 310, paragraph (7) of that Act shall be deemed to be replaced with "members"; the term "Article 297" in Article 316, paragraph (2) of that Act shall be deemed to be replaced with "Article 38 of the Insurance Business Act"; the term "branch offices" in Article 318, paragraph (3) of that Act shall be deemed to be replaced with "secondary offices"; and the term "all shareholders (limited to those who may exercise their voting rights with respect to such matter)" in Article 319, paragraph (1) of that Act shall be deemed to be replaced with "all members"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

２　会社法第八百三十条（株主総会等の決議の不存在又は無効の確認の訴え）、第八百三十一条（株主総会等の決議の取消しの訴え）、第八百三十四条（第十六号及び第十七号に係る部分に限る。）（被告）、第八百三十五条第一項（訴えの管轄）、第八百三十六条第一項及び第三項（担保提供命令）、第八百三十七条（弁論等の必要的併合）、第八百三十八条（認容判決の効力が及ぶ者の範囲）、第八百四十六条（原告が敗訴した場合の損害賠償責任）並びに第九百三十七条第一項（第一号トに係る部分に限る。）（裁判による登記の嘱託）の規定は、相互会社の社員総会の決議の不存在若しくは無効の確認又は取消しの訴えについて準用する。この場合において、同法第八百三十一条第一項中「株主等（当該各号の株主総会等が創立総会又は種類創立総会である場合にあっては、株主等、設立時株主、設立時取締役又は設立時監査役）」とあるのは「相互会社の社員、取締役、監査役又は清算人（委員会設置会社にあっては、社員、取締役、執行役又は清算人）」と、「取締役、監査役又は清算人（当該決議が株主総会又は種類株主総会の決議である場合にあっては第三百四十六条第一項（第四百七十九条第四項において準用する場合を含む。）の規定により取締役、監査役又は清算人としての権利義務を有する者を含み、当該決議が創立総会又は種類創立総会の決議である場合にあっては設立時取締役又は設立時監査役を含む。）」とあるのは「取締役、監査役又は清算人（保険業法第五十三条の十二第一項（同法第百八十条の五第四項において準用する場合を含む。）の規定により取締役、監査役又は清算人としての権利義務を有する者を含む。）」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 830 (Action for a Declaratory Judgment as to the Absence or Invalidity of a Resolution of a Shareholders' Meeting, etc.), Article 831 (Action to Revoke a Resolution of a Shareholders' Meeting, etc.), Article 834 (limited to the segment pertaining to items (xvi) and (xvii)) (Defendant), Article 835, paragraph (1) (Jurisdiction over Actions), Article 836, paragraphs (1) and (3) (Order to Provide Security), Article 837 (Mandatory Consolidation of Oral Arguments, etc.), Article 838 (Persons Affected by a Judgment Being Upheld), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff), and Article 937, paragraph (1) (limited to the segment pertaining to item (i), sub-item (g)) (Commissioning of Registration by a Judicial Decision) of the Companies Act shall apply mutatis mutandis to an action for a declaratory judgment as to the absence or invalidity of a resolution of the general members' council of a Mutual Company and to an action to rescind a resolution of the general members' council of a Mutual Company. In this case, the term "a Shareholder, etc. (or, in cases where the Shareholders' Meeting, etc. set forth in each such item is an Organizational Meeting or a Class Organizational Meeting, a Shareholder, etc., a Shareholder at Incorporation, a Director at Incorporation or a Company Auditor at Incorporation)" in Article 831, paragraph (1) of that Act shall be deemed to be replaced with "members, directors, company auditors or liquidators of a Mutual Company (or, in a company with Committees, members, directors, executive officers or liquidators)"; and the term "a director, company auditor or liquidator pursuant to the provisions of Article 346 (1) (including cases where it is applied mutatis mutandis pursuant to Article 479 (4)), and in cases where such resolution is the resolution of an Organizational Meeting or Class Organizational Meeting, it shall include a Director at Incorporation or a Company Auditor at Incorporation)" in Article 831, paragraph (1) of that Act shall be deemed to be replaced with "directors, company auditors or liquidators (including a person who assumes the rights and obligations of a director, company auditor or liquidator pursuant to the provisions of Article 53-12, paragraph (1) of the Insurance Business Act (including the cases where it is applied mutatis mutandis pursuant to Article 180-5, paragraph (4) of that Act)"; any other necessary technical replacement of terms shall be specified by Cabinet Order.

第二目　総代会

Division 2 General Representative Members' Councils

（総代会の設置及び総代の任期等）

(Establishment of a General Representative Members' Council and Representative Members' Terms of Office, etc.)

第四十二条　相互会社は、定款で定めるところにより、社員総会に代わるべき機関として、社員のうちから選出された総代により構成される機関（以下「総代会」という。）を設けることができる。

Article 42 (1) A Mutual Company may, pursuant to the provisions of its articles of incorporation, establish an administrative organ composed of the representative members elected from among its members (hereinafter referred to as "General Representative Members' Council"), in lieu of a general members' council.

２　前項の定款には、総代の定数、任期、選出の方法その他の内閣府令で定める事項を定めなければならない。

(2) The articles of incorporation set forth in the preceding paragraph shall specify the particulars prescribed by Cabinet Office Ordinance, such as the number, term of office, and method of election of representative members.

３　総代の任期は、四年を超えることはできない。

(3) The term of office of a representative member shall not exceed four years.

（総代の議決権）

(Voting Rights of Representative Members)

第四十三条　総代は、総代会において、各々一個の議決権を有する。

Article 43 Each representative member shall be entitled to one vote at General Representative Members' Council Meetings.

（総代会の権限）

(Authority of the General Representative Members' Council)

第四十三条の二　総代会は、この法律に規定する事項及び定款に定めた事項に限り、決議をすることができる。

Article 43-2 (1) The General Representative Members' Council may resolve only the matters provided for in this Act and the matters provided for in the articles of incorporation.

２　この法律の規定により社員総会（総代会を設けているときは、総代会）の決議を必要とする事項について、取締役、執行役、取締役会その他の社員総会及び総代会以外の機関が決定することができることを内容とする定款の定めは、その効力を有しない。

(2) Any provisions in the articles of incorporation to the effect that the directors, executive officers, board of directors or any other organ than the general members' council or General Representative Members' Council may decide on a matter which requires a resolution of the general members' council (or General Representative Members' Council, where the company has such a council) pursuant to the provisions of this Act shall be null and void.

（総代会の決議の方法等）

(Method of Adopting, etc. Resolutions of the General Representative Members' Council)

第四十四条　総代会の議事は、この法律又は定款に別段の定めがある場合を除き、総代の半数以上が出席し、出席した者の議決権の過半数で決する。ただし、総代会に出席を必要とする総代の数は、定款の定めによっても総代の総数の三分の一未満とすることはできない。

Article 44 (1) Unless otherwise provided for in this Act or the articles of incorporation, a resolution at a General Representative Members' Council Meeting is adopted by the majority vote of the attending representative members at a session where at least half of the representative members are present; provided, however, the number of the general representatives required to attend the General Representative Members' Council Meeting shall not be less than one-third of the total number of general representatives, notwithstanding the provisions of the articles of incorporation.

２　総代会は、第四十九条第一項において準用する会社法第二百九十八条第一項第二号に掲げる事項以外の事項については、決議をすることができない。ただし、第四十九条第一項において準用する同法第三百十六条第一項若しくは第二項に規定する者の選任又は第五十三条の二十三において準用する同法第三百九十八条第二項の会計監査人の出席を求めることについては、この限りでない。

(2) The General Representative Members' Council may not adopt a resolution on any other matter than matters listed in Article 298, paragraph (1), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 49, paragraph (1); provided, however, that this shall not apply to electing the person set forth in Article 316, paragraph (1) or (2) of that Act as applied mutatis mutandis pursuant to Article 49, paragraph (1), or to requiring the attendance of accounting auditors under Article 398, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 53-23.

（議決権の代理行使）

(Proxy Voting)

第四十四条の二　総代は、定款に定めがある場合には、代理人によってその議決権を行使することができる。この場合において、代理人は一人に限るものとし、かつ、当該総代又は代理人は、当該代理権を証する書面を相互会社に提出しなければならない。

Article 44-2 (1) A representative member may exercise his/her voting right by proxy, where the articles of incorporation include any provisions to that effect. In this case, such representative member shall designate only one proxy, and the representative member or proxy shall submit to the Mutual Company a document certifying the authority of proxy.

２　前項の代理人となることができる者は、総代に限る。

(2) Any proxy under the preceding paragraph shall be a representative member.

３　会社法第三百十条（第一項及び第五項を除く。）（議決権の代理行使）の規定は、第一項の場合について準用する。この場合において、同条第二項中「前項」とあり、及び同条第三項中「第一項」とあるのは「保険業法第四十四条の二第一項」と、同条第三項、第四項、第六項及び第七項中「株式会社」とあるのは「相互会社」と、同条第四項中「第二百九十九条第三項」とあるのは「保険業法第四十九条第一項において準用する第二百九十九条第三項」と、同条第七項中「株主（前項の株主総会において決議をした事項の全部につき議決権を行使することができない株主を除く。次条第四項及び第三百十二条第五項において同じ。）」とあるのは「社員」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。

(3) The provisions of Article 310 (excluding paragraphs (1) and (5)) (Proxy Voting) of the Companies Act shall apply mutatis mutandis to paragraph (1). In this case, the term "preceding paragraph" in paragraph (2) of that Article and the term "paragraph (1)" in paragraph (3) of that Article shall be deemed to be replaced with "Article 44-2, paragraph (1) of the Insurance Business Act"; the term "Stock Company" in Article 310, paragraphs (3), (4), (6) and (7) shall be deemed to be replaced with "Mutual Company"; the term "Article 299, paragraph (3)" in Article 310, paragraph (4) shall be deemed to be replaced with "Article 299, paragraph (3) as applied mutatis mutandis pursuant to Article 49, paragraph (1) of the Insurance Business Act"; and the term "shareholders (excluding the shareholders who may not exercise their voting rights on all matters which may be resolved at the shareholders' meeting under the preceding paragraph. The same shall apply in paragraph (4) of the following Article and in Article 312, paragraph (5))" in Article 310, paragraph (7) shall be deemed to be replaced with "members"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（総代会招集請求権）

(Right to Demand Convocation of a General Representative Members' Council Meeting)

第四十五条　社員総数の千分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員若しくは三千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、第三十八条第一項に規定する政令で定める数以上の社員）で六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者又は九名（これを下回る数を定款で定めた場合にあっては、その数）以上の総代は、取締役に対し、総代会の目的である事項（総代会において決議をすることができる事項に限る。以下この目において同じ。）及び招集の理由を示して、総代会の招集を請求することができる。

Article 45 (1) Members representing at least three thousandths (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or three thousand (or any smaller number prescribed by the articles of incorporation) or more members of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 38, paragraph (1)), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation), or nine (or any smaller number prescribed by the articles of incorporation) or more representative members may demand the directors to convene a General Representative Members' Council Meeting by indicating the proposed agenda for the meeting (limited to matters on which the General Representative Members' Council may adopt a resolution; hereinafter the same shall apply in this Division) and the reason for the convocation.

２　次に掲げる場合には、前項の規定による請求をした社員又は総代は、裁判所の許可を得て、総代会を招集することができる。

(2) In the following cases, a member or a representative member who made a demand pursuant to the provisions of the preceding paragraph may convene the General Representative Members' Council Meeting with the permission of the court.

一　前項の規定による請求の後遅滞なく招集の手続が行われない場合

(i) Where the convening procedure is not effected without delay after a demand pursuant to the provisions of the preceding paragraph; or

二　前項の規定による請求があった日から八週間（これを下回る期間を定款で定めた場合にあっては、その期間）以内の日を総代会の日とする総代会の招集の通知が発せられない場合

(ii) Where a notice for the convocation of a General Representative Members' Council Meeting which designates, as the date of the General Representative Members' Council Meeting, a date falling within the period of eight weeks (or any shorter period prescribed by the articles of incorporation) from the day of a demand pursuant to the provisions of the preceding paragraph, is not given.

３　会社法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十一条（理由の付記）、第八百七十四条（第四号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、前項の場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 871 (Appending of the Reason), Article 874 (limited to the segment pertaining to item (iv)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to the preceding paragraph. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（提案権）

(Right to Submit Proposals)

第四十六条　社員総数の千分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員若しくは千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、第三十九条第一項に規定する政令で定める数以上の社員）で六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者又は三名（これを下回る数を定款で定めた場合にあっては、その数）以上の総代は、取締役に対し、一定の事項（総代会において決議をすることができる事項に限る。）を総代会の目的とすることを請求することができる。この場合において、その請求は、総代会の日の八週間（これを下回る期間を定款で定めた場合にあっては、その期間）前までにしなければならない。

Article 46 (1) Members representing at least one thousandth (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or one thousand (or any smaller number prescribed by the articles of incorporation) or more members of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 39, paragraph (1)), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation), or three (or any smaller number prescribed by the articles of incorporation) or more representative members may demand the directors to include certain items (limited to matters on which the General Representative Members' Council may adopt a resolution) in the agenda for the General Representative Members' Council Meeting. In this case, the demand shall be submitted no later than eight weeks (or any shorter period prescribed by the articles of incorporation) prior to the date of the General Representative Members' Council Meeting.

２　総代は、総代会において、総代会の目的である事項につき議案を提出することができる。ただし、当該議案が法令若しくは定款に違反する場合又は実質的に同一の議案につき総代会において全総代の議決権の十分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上の賛成を得られなかった日から三年を経過していない場合は、この限りでない。

(2) Representative members may submit a proposal at a General Representative Members' Council Meeting with respect to any agenda item for the meeting; provided, however, that this shall not apply to the cases where the proposal is in violation of any applicable law or regulation or the articles of incorporation, or where three years have not elapsed since the day on which an essentially identical proposal was not approved at a General Representative Members' Council Meeting by at least one tenth of the representative members (or any smaller proportion prescribed by the articles of incorporation).

３　社員総数の千分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員若しくは千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、第三十九条第一項に規定する政令で定める数以上の社員）で六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者又は三名（これを下回る数を定款で定めた場合にあっては、その数）以上の総代は、取締役に対し、総代会の日の八週間（これを下回る期間を定款で定めた場合にあっては、その期間）前までに、総代会の目的である事項につき議案の要領を通知すること（第四十九条第一項において準用する会社法第二百九十九条第二項（各号を除く。）又は第三項の通知をする場合にあっては、その通知に記載し、又は記録すること）を請求することができる。ただし、当該議案が法令若しくは定款に違反する場合又は実質的に同一の議案につき総代会において全総代の議決権の十分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上の賛成を得られなかった日から三年を経過していない場合は、この限りでない。

(3) Members representing at least one thousandth (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or one thousand (or any smaller number prescribed by the articles of incorporation) or more members of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 39, paragraph (1)), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation), or three (or any smaller number prescribed by the articles of incorporation) or more representative members may demand the directors that, no later than eight weeks (or any shorter period prescribed by the articles of incorporation) prior to the date of the General Representative Members' Council Meeting, members be notified of the outline of any proposal to be submitted with respect to an agenda item of the meeting (or, where a notice is to be given under Article 299, paragraph (2) (excluding the items) or (3) of the Companies Act as applied mutatis mutandis pursuant to Article 49, paragraph (1), such outline be described in, or recorded on, that notice); provided, however, that this shall not apply to the cases where the proposal is in violation of any applicable law or regulation or the articles of incorporation, or where three years have not elapsed since the day on which an essentially identical proposal was not approved at a General Representative Members' Council Meeting by at least one tenth of the representative members (or any smaller proportion prescribed by the articles of incorporation).

（総代会検査役選任請求権）

(Right to Demand the Election of an Inspector for a General Representative Members' Council Meeting)

第四十七条　相互会社、社員総数の千分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員若しくは千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、第三十九条第一項に規定する政令で定める数以上の社員）で六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者又は三名（これを下回る数を定款で定めた場合にあっては、その数）以上の総代は、総代会に係る招集の手続及び決議の方法を調査させるため、当該総代会に先立ち、裁判所に対し、検査役の選任の申立てをすることができる。

Article 47 (1) A Mutual Company, members representing at least one thousandth (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or one thousand (or any smaller number prescribed by the articles of incorporation) or more members of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 39, paragraph (1)), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation), or three (or any smaller number prescribed by the articles of incorporation) or more representative members may file a petition with the court, prior to the session of the General Representative Members' Council, for the election of an inspector who shall be retained to investigate the convocation procedures and method of resolution related to such a council.

２　会社法第三百六条第三項から第七項まで（株主総会の招集手続等に関する検査役の選任）及び第三百七条（裁判所による株主総会招集等の決定）の規定は、前項の場合について準用する。この場合において、同法第三百六条第三項中「前二項」とあるのは「保険業法第四十七条第一項」と、同条第四項及び第七項中「株式会社」とあるのは「相互会社」と、同法第三百七条中「株主総会」とあるのは「総代会」と、同条第一項第二号中「株主」とあるのは「総代」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 306, paragraphs (3) to (7) inclusive (Election of an Inspector for the Convocation Procedures of a Shareholders' Meeting) and Article 307 (Determination by the Court of the Calling of Shareholders' Meeting) of the Companies Act shall apply mutatis mutandis to the preceding paragraph. In this case, the term "preceding two paragraphs" in Article 306, paragraph (3) of that Act shall be deemed to be replaced with "Article 40, paragraph (1) of the Insurance Business Act"; the term "Stock Company" in Article 306, paragraphs (4) and (7) shall be deemed to be replaced with "Mutual Company"; the term "shareholders' meeting" in Article 307 of that Act shall be deemed to be replaced with "General Representative Members' Council Meeting"; and the term "shareholders" in paragraph (1), item (ii) of that Article shall be deemed to be replaced with "representative members"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

３　会社法第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第二号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、前二項の場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (ii)) (Hearing of Statements), Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to the preceding two paragraphs. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（総代会における参考書類及び議決権行使書面の交付等）

(Delivery, etc. of Reference Documents and Voting Forms for a General Representative Members' Council Meeting)

第四十八条　取締役（第四十五条第二項の規定により社員又は総代が総代会を招集する場合にあっては、当該社員又は総代。以下この条において同じ。）は、次条第一項において読み替えて準用する会社法第二百九十九条第一項の通知に際して、内閣府令で定めるところにより、総代に対し、議決権の行使について参考となるべき事項を記載した書類を交付しなければならない。

Article 48 (1) The directors (or, where members or representative members convene the General Representative Members' Council pursuant to the provisions of Article 45, paragraph (2), such members or representative members; hereinafter the same shall apply in this Article) shall, when dispatching a notice under Article 299, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article with relevant changes in interpretation, give the representative members documents detailing particulars of reference with regard to the exercise of voting rights pursuant to the provisions of Cabinet Office Ordinance.

２　取締役は、次条第一項において読み替えて準用する会社法第二百九十九条第三項の承諾をした総代に対し同項の電磁的方法による通知を発するときは、前項の規定による交付に代えて、その書類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。ただし、総代の請求があったときは、その書類を当該総代に交付しなければならない。

(2) If the directors dispatch notices by electromagnetic means referred to in Article 299, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article with relevant changes in interpretation to the representative members who have given consent under the same paragraph, the directors may, in lieu of giving the documents pursuant to the provisions of the preceding paragraph, provide the particulars that are required to be included in such documents by electromagnetic means; provided, however, that, if requested by any representative member, they shall give these documents to such representative member.

３　取締役は、次条第一項において読み替えて準用する会社法第二百九十八条第一項第三号に掲げる事項を定めた場合には、次条第一項において読み替えて準用する同法第二百九十九条第一項の通知に際して、内閣府令で定めるところにより、総代に対し、総代が議決権を行使するための書面（以下この条において「議決権行使書面」という。）を交付しなければならない。

(3) Where the matters listed in Article 298, paragraph (1), item (iii) of the Companies Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article with relevant changes in interpretation are decided, the directors shall, when giving a notice under Article 299, paragraph (1) of that Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article, provide the representative members with documents to be used by the representative members to exercise their voting rights (hereinafter referred to as "Voting Forms" in this Article) pursuant to the provisions of Cabinet Office Ordinance.

４　取締役は、次条第一項において読み替えて準用する会社法第二百九十九条第三項の承諾をした総代に対し同項の電磁的方法による通知を発するときは、前項の規定による交付に代えて、その議決権行使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。ただし、総代の請求があったときは、その議決権行使書面を当該総代に交付しなければならない。

(4) If the directors give a notice by electromagnetic means referred to in Article 299, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article with relevant changes in interpretation to the representative members who have given consent under the same paragraph, the directors may, in lieu of giving out Voting Forms pursuant to the provisions of the preceding paragraph, provide the particulars that are required to be included in such documents by electromagnetic means; provided, however, that, if requested by any representative member, the directors shall give their voting form to such representative member.

５　取締役は、次条第一項において読み替えて準用する会社法第二百九十八条第一項第四号に掲げる事項を定めた場合には、次条第一項において準用する同法第二百九十九条第三項の承諾をした総代に対する同項の電磁的方法による通知に際して、内閣府令で定めるところにより、総代に対し、その議決権行使書面に記載すべき事項を当該電磁的方法により提供しなければならない。

(5) Where the matters listed in Article 298, paragraph (1), item (iv) of the Companies Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article with relevant changes in interpretation are decided, the directors shall, when giving a notice to the representative members who have given consent under Article 299, paragraph (3) of the Companies Act by electromagnetic means referred to in the same paragraph, provide the representative members with the particulars that are required to be included in the Voting Forms by such electromagnetic means pursuant to the provisions of Cabinet Office Ordinance.

６　取締役は、前項に規定する場合において、次条第一項において読み替えて準用する会社法第二百九十九条第三項の承諾をしていない総代から総代会の日の一週間前までに議決権行使書面に記載すべき事項の電磁的方法による提供の請求があったときは、内閣府令で定めるところにより、直ちに、当該総代に対し、当該事項を電磁的方法により提供しなければならない。

(6) In the cases prescribed in the preceding paragraph, if any representative member who has not given consent under Article 299, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article requests, no later than one week prior to the date of the General Representative Members' Council Meeting, to be provided the particulars that are required to be included in the Voting Forms by electromagnetic means, the directors shall, immediately, provide such particulars to such representative member by electromagnetic means pursuant to the provisions of Cabinet Office Ordinance.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第四十九条　会社法第二百九十六条（株主総会の招集）、第二百九十八条（第二項及び第三項を除く。）（株主総会の招集の決定）、第二百九十九条（第二項各号を除く。）（株主総会の招集の通知）、第三百条（招集手続の省略）、第三百十一条（書面による議決権の行使）、第三百十二条（電磁的方法による議決権の行使）、第三百十四条から第三百十七条まで（取締役等の説明義務、議長の権限、株主総会に提出された資料等の調査、延期又は続行の決議）及び第三百十八条（第五項を除く。）（議事録）の規定は、相互会社の総代会について準用する。この場合において、これらの規定中「株式会社」とあり、及び「取締役会設置会社」とあるのは「相互会社」と、「本店」とあるのは「主たる事務所」と、「営業時間」とあるのは「事業時間」と、これらの規定（同法第二百九十八条第一項（各号を除く。）及び第四項、第三百十一条第四項、第三百十二条第五項、第三百十四条並びに第三百十八条第四項を除く。）中「株主」とあるのは「総代」と、同法第二百九十六条第一項中「定時株主総会」とあるのは「定時総代会」と、同条第三項中「次条第四項」とあるのは「保険業法第四十五条第二項」と、同法第二百九十八条第一項（各号を除く。）及び第四項中「前条第四項」とあるのは「保険業法第四十五条第二項」と、「株主」とあるのは「社員又は総代」と、同法第二百九十九条第一項中「二週間（前条第一項第三号又は第四号に掲げる事項を定めたときを除き、公開会社でない株式会社にあっては、一週間（当該株式会社が取締役会設置会社以外の株式会社である場合において、これを下回る期間を定款で定めた場合にあっては、その期間））」とあるのは「二週間」と、同条第二項中「次に掲げる場合には、前項」とあるのは「前項」と、同法第三百十一条第四項及び第三百十二条第五項中「株主」とあるのは「社員」と、同法第三百十四条中「株主から」とあるのは「総代から」と、「株主の共同」とあるのは「社員の共同」と、同法第三百十六条第二項中「第二百九十七条」とあるのは「保険業法第四十五条」と、同法第三百十八条第三項中「支店」とあるのは「従たる事務所」と、同条第四項中「株主」とあるのは「社員」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。

Article 49 (1) The provisions of Article 296 (Convocation of Shareholders' Meetings), Article 298 (excluding paragraphs (2) and (3)) (Determination to Convoke a Shareholders' Meeting), Article 299 (excluding paragraph (2), items (i) and (ii)) (Notice of Calling of Shareholders' Meetings), Article 300 (Omission of Calling Procedures), Article 311 (Voting in Writing), Article 312 (Voting by Electromagnetic Method), Article 314 to 317 inclusive (Accountability of Directors, etc., Authority of Chairperson, Investigation of Materials Submitted to a Shareholders' Meeting, Resolution for Postponement or Adjournment) and Article 318 (excluding paragraph (5)) (Minutes) of the Companies Act shall apply mutatis mutandis to the General Representative Members' Council of a Mutual Company. In this case, the terms "Stock Company" and "company with board of directors" in those provisions shall be deemed to be replaced with "Mutual Company"; the term "head office" in those provisions shall be deemed to be replaced with "principal office"; the term "operating hours" in those provisions shall be deemed to be replaced with "business hours"; the term "shareholder" in those provisions (excluding Article 298, paragraph (1) (excluding items), Article 298, paragraph (4), Article 311, paragraph (4), Article 312, paragraph (5), Article 314 and Article 318, paragraph (4)) shall be deemed to be replaced with "representative member"; the term "Annual shareholders' meeting" in Article 296, paragraph (1) of that Act shall be deemed to be replaced with "Annual General Representative Members' Council Meeting"; the term "paragraph (4) of the following Article" in Article 296, paragraph (3) shall be deemed to be replaced with "Article 45, paragraph (2) of the Insurance Business Act"; the terms "paragraph (4) of the preceding Article" and "shareholder" in Article 298, paragraph (1) (excluding the items) and Article 298, paragraph (4) of that Act shall be deemed to be replaced with "Article 45, paragraph (2) of the Insurance Business Act" and "member or representative member," respectively; the term "two weeks (or one week if the Stock Company is not a Public Company, except in cases where the particulars listed in items (iii) and (iv), paragraph (1) of the preceding Article are decided, (or if a shorter period of time is provided for in the articles of incorporation in cases where the Stock Company is a Stock Company other than the Company with Board of Directors, such shorter period of time))" in Article 299, paragraph (1) of that Act shall be deemed to be replaced with "two weeks"; the term "in the following cases" in Article 299, paragraph (2) shall be deemed to be deleted; the term "shareholders" in Article 311, paragraph (4) and Article 312, paragraph (5) of that Act shall be deemed to be replaced with "members"; the terms "by the shareholders" and "common interest of the shareholders" in Article 314 of that Act shall be deemed to be replaced with "by the representative members" and "common interest of the representative members," respectively; the term "Article 297" in Article 316, paragraph (2) of that Act shall be deemed to be replaced with "Article 45 of the Insurance Business Act"; the term "branch offices" in Article 318, paragraph (3) of that Act shall be deemed to be replaced with "secondary offices"; and the term "shareholders" in Article 318, paragraph (4) of that Act shall be deemed to be replaced with "members"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

２　会社法第八百三十条（株主総会等の決議の不存在又は無効の確認の訴え）、第八百三十一条（株主総会等の決議の取消しの訴え）、第八百三十四条（第十六号及び第十七号に係る部分に限る。）（被告）、第八百三十五条第一項（訴えの管轄）、第八百三十六条第一項及び第三項（担保提供命令）、第八百三十七条（弁論等の必要的併合）、第八百三十八条（認容判決の効力が及ぶ者の範囲）、第八百四十六条（原告が敗訴した場合の損害賠償責任）並びに第九百三十七条第一項（第一号トに係る部分に限る。）（裁判による登記の嘱託）の規定は、相互会社の総代会の決議の不存在若しくは無効の確認又は取消しの訴えについて準用する。この場合において、同法第八百三十一条第一項中「株主等（当該各号の株主総会等が創立総会又は種類創立総会である場合にあっては、株主等、設立時株主、設立時取締役又は設立時監査役）」とあるのは「相互会社の社員、取締役、監査役又は清算人（委員会設置会社にあっては、社員、取締役、執行役又は清算人）」と、「取締役、監査役又は清算人（当該決議が株主総会又は種類株主総会の決議である場合にあっては第三百四十六条第一項（第四百七十九条第四項において準用する場合を含む。）の規定により取締役、監査役又は清算人としての権利義務を有する者を含み、当該決議が創立総会又は種類創立総会の決議である場合にあっては設立時取締役又は設立時監査役を含む。）」とあるのは「取締役、監査役又は清算人（保険業法第五十三条の十二第一項（同法第百八十条の五第四項において準用する場合を含む。）の規定により取締役、監査役又は清算人としての権利義務を有する者を含む。）」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 830 (Action for a Declaratory Judgment as to the Absence or Invalidity of a Resolution of a Shareholders' Meeting, etc.), Article 831 (Action to Revoke a Resolution of a Shareholders' Meeting, etc.), Article 834 (limited to the segment pertaining to items (xvi) and (xvii)) (Defendant), Article 835, paragraph (1) (Jurisdiction over Actions), Article 836, paragraphs (1) and (3) (Order to Provide Security), Article 837 (Mandatory Consolidation of Oral Arguments, etc.), Article 838 (Persons Affected by a Judgment Being Upheld), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff), and Article 937, paragraph (1) (limited to the segment pertaining to item (i), sub-item (g)) (Commissioning of Registration by Judicial Decision) of the Companies Act shall apply mutatis mutandis to an action for a declaratory judgment as to the absence or invalidity of a resolution of the General Representative Members' Council of a Mutual Company and to an action to revoke a resolution of the General Representative Members' Council of a Mutual Company. In this case, the term "a Shareholder, etc. (or, in cases where the Shareholders' Meeting, etc. set forth respectively in each such item is an Organizational Meeting or a Class Organizational Meetings, a Shareholder, etc., a Shareholder at Incorporation, a Director at Incorporation or a Company Auditor at Incorporation)" in Article 831, paragraph (1) of that Act shall be deemed to be replaced with "members, directors, company auditors or liquidators of a Mutual Company (or, in a company with Committees, members, directors, executive officers or liquidators)"; and the term "a director, company auditor or liquidator pursuant to the provisions of Article 346 (1) (including cases where it is applied mutatis mutandis pursuant to Article 479 (4)), and in cases where such resolution is a resolution of an Organizational Meeting or Class Organizational Meeting, it shall include a Director at Incorporation or a Company Auditor at Incorporation)" in the same Article shall be deemed to be replaced with "directors, company auditors or liquidators (including a person who assumes the rights and obligations of a director, executive officer or liquidator pursuant to the provisions of Article 53-12, paragraph (1) of the Insurance Business Act (including the cases where it is applied mutatis mutandis pursuant to Article 180-5, paragraph (4) of that Act)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（社員総会招集請求権）

(Right to Demand the Convocation of a General Members' Council)

第五十条　第四十二条第一項の規定により総代会が設けられている場合においても、社員総数の千分の五（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員（特定相互会社にあっては、政令で定める数以上の社員）で六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者は、取締役に対し、総代会の廃止又は同条第二項の規定により定款に定めた事項の変更を社員総会の目的として、当該社員総会の目的である事項及び招集の理由を示して、社員総会の招集を請求することができる。

Article 50 (1) Even where a Mutual Company has established a General Representative Members' Council pursuant to the provisions of Article 42, paragraph (1), members representing at least five thousandths (or any smaller proportion prescribed by the articles of incorporation) of the total membership (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation), may demand the directors to convene the general members' council with the purpose of abolishing the General Representative Members' Council or modifying any particular prescribed by the articles of incorporation pursuant to the provisions of paragraph (2) in that Article, by indicating the proposed agenda for the meeting and the reason for the convocation.

２　次に掲げる場合には、前項の規定による請求をした社員は、裁判所の許可を得て、社員総会を招集することができる。

(2) In the following cases, the members who made a demand pursuant to the provisions of the preceding paragraph may convene a general members' council meeting with the permission of the court.

一　前項の規定による請求の後遅滞なく招集の手続が行われない場合

(i) Where the convening procedure is not effected without delay after a demand pursuant to the provisions of the preceding paragraph; or

二　前項の規定による請求があった日から八週間（これを下回る期間を定款で定めた場合にあっては、その期間）以内の日を社員総会の日とする社員総会の招集の通知が発せられない場合

(ii) Where a notice for the convocation of the general members' council which designates, as the date of the general members' council meeting, a date falling within the period of eight weeks (or any shorter period provided for in the articles of incorporation) from the day of a demand pursuant to the provisions of the preceding paragraph, is not given.

３　会社法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十一条（理由の付記）、第八百七十四条（第四号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、前項の場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 871 (Appending of the Reason), Article 874 (limited to the segment pertaining to item (iv)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to the preceding paragraph. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

４　前三項の規定により招集された社員総会において、第四十二条第二項の規定により定款に定めた事項の変更の決議をした場合においては、当該事項に係る定款の変更が効力を生じた日から三年を経過する日までの間は、総代会においては、当該事項に係る定款の変更の決議をすることができない。

(4) Where a resolution modifying any particular prescribed by the articles of incorporation pursuant to the provisions of Article 42, paragraph (2) is adopted by the general members' council convened pursuant to the provisions of the preceding three paragraphs, the General Representative Members' Council may not adopt a resolution amending the articles of incorporation regarding the particular thus modified, unless three years have elapsed since the day on which the amendment of the articles of incorporation came into effect regarding such particular.

第三目　社員総会及び総代会以外の機関の設置等

Division 3 Establishment of Administrative Organs Other than General Members' Councils and General Representative Members' Councils, etc.

（機関）

(Administrative Organs)

第五十一条　相互会社は、次に掲げる機関を置かなければならない。

Article 51 (1) A Mutual Company shall have in place the following administrative organs:

一　取締役会

(i) Board of directors; and

二　監査役又は委員会

(ii) Company auditors or Committees.

２　相互会社は、定款の定めによって、会計参与、監査役会又は会計監査人を置くことができる。

(2) A Mutual Company may have accounting advisors, a board of company auditors or accounting auditors pursuant to the provisions of the articles of incorporation.

３　保険会社である相互会社及び第二百七十二条の四第一項第一号ロに掲げる相互会社（委員会設置会社を除く。）は、監査役会及び会計監査人を置かなければならない。

(3) A Mutual Company that is an Insurance Company and a Mutual Company listed in Article 272-4, paragraph (1), item (i), sub-item (b) (other than a company with Committees) shall have in place a board of company auditors and an accounting auditor.

４　委員会設置会社は、監査役を置いてはならない。

(4) A company with Committees shall not have any company auditors.

５　委員会設置会社は、会計監査人を置かなければならない。

(5) A company with Committees shall have accounting auditors.

（選任）

(Election)

第五十二条　役員（取締役、会計参与及び監査役をいう。以下この目において同じ。）及び会計監査人は、社員総会（総代会を設けているときは、総代会。以下この款において同じ。）の決議によって選任する。

Article 52 (1) Officers (meaning directors, accounting advisors and company auditors; hereinafter the same shall apply in this Division) and accounting auditors shall be elected by a resolution of the general members' council (or General Representative Members' Council, where the company has such a council; hereinafter the same shall apply in this Subsection).

２　前項の決議をする場合には、内閣府令で定めるところにより、役員が欠けた場合又はこの法律若しくは定款で定めた役員の員数を欠くこととなるときに備えて補欠の役員を選任することができる。

(2) In adopting a resolution under the preceding paragraph, substitute officers may be elected as prescribed by Cabinet Office Ordinance as a precaution against cases in which there are no officers in office or where there is a vacancy which results in a shortfall in the number of officers prescribed by this Act or the articles of incorporation.

（相互会社と役員等との関係）

(Relationship between a Mutual Company and Its Officers, etc.)

第五十三条　相互会社と役員及び会計監査人との関係は、委任に関する規定に従う。

Article 53 The relationship held by a Mutual Company with its officers and accounting auditors shall be governed by the provisions on mandate.

（取締役の資格等）

(Qualifications, etc. of Directors)

第五十三条の二　次に掲げる者は、取締役となることができない。

Article 53-2 (1) None of the following persons may act as a director:

一　法人

(i) A juridical person;

二　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

(ii) An adult ward, a person under curatorship, or a person who is similarly treated under foreign laws and regulations;

三　この法律、会社法若しくは一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）の規定に違反し、又は金融商品取引法（昭和二十三年法律第二十五号）第百九十七条（有価証券届出書虚偽記載等の罪）、第百九十七条の二第一号から第十号の三まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）、第百九十九条（報告拒絶等の罪）、第二百条第一号から第十二号の二まで、第二十号若しくは第二十一号（訂正届出書の不提出等の罪）、第二百三条第三項（金融商品取引業者等の役職員に対する贈賄罪）若しくは第二百五条第一号から第六号まで、第十九号若しくは第二十号（特定募集等の通知書の不提出等の罪）の罪、金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）第五百四十九条（詐欺更生罪）、第五百五十条（特定の債権者等に対する担保の供与等の罪）、第五百五十二条から第五百五十五条まで（報告及び検査の拒絶等の罪、業務及び財産の状況に関する物件の隠滅等の罪、管財人等に対する職務妨害の罪）若しくは第五百五十七条（贈賄罪）の罪、民事再生法（平成十一年法律第二百二十五号）第二百五十五条（詐欺再生罪）、第二百五十六条（特定の債権者に対する担保の供与等の罪）、第二百五十八条から第二百六十条まで（報告及び検査の拒絶等の罪、業務及び財産の状況に関する物件の隠滅等の罪、監督委員等に対する職務妨害の罪）若しくは第二百六十二条（贈賄罪）の罪、外国倒産処理手続の承認援助に関する法律（平成十二年法律第百二十九号）第六十五条（報告及び検査の拒絶等の罪）、第六十六条（承認管財人等に対する職務妨害の罪）、第六十八条（贈賄罪）若しくは第六十九条（財産の無許可処分及び国外への持出しの罪）の罪若しくは破産法（平成十六年法律第七十五号）第二百六十五条（詐欺破産罪）、第二百六十六条（特定の債権者に対する担保の供与等の罪）、第二百六十八条から第二百七十二条まで（説明及び検査の拒絶等の罪、重要財産開示拒絶等の罪、業務及び財産の状況に関する物件の隠滅等の罪、審尋における説明拒絶等の罪、破産管財人等に対する職務妨害の罪）若しくは第二百七十四条（贈賄罪）の罪を犯し、刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者

(iii) A person who has been sentenced to a penalty for having violated the provisions of this Act, the Companies Act or the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006), or for having committed: a crime under Article 197 (Crime of False Statements in a Securities Registration Report, etc.), Article 197-2, items (i) to (x)-3 inclusive or (xiii) (Crime of Solicitation of Securities by Unregistered Agents. etc.), Article 198, item (viii) (Crime of Violating a Court's Restrictive Injunction or Order for Suspension), Article 199 (Crime of Refusal to Report, etc.), Article 200, items (i) to (xii)-2 inclusive or item (xxi) (Crime of Non-Submission of a Correction Report, etc.), Article 203, paragraph (3) (Bribery of an Officer or Staff Member of a Financial Instruments Transaction Business Operators, etc.) or Article 205, items (i) to (vi) inclusive, item (xvi) or (xx) (Crime of Non-Submission of Written Notice, etc. on Specified Solicitation, etc.) of the Financial Instruments and Exchange Act (Act No. 25 of 1948); a crime under Article 549 (Crime of Fraudulent Reorganization), Article 550 (Crime of Providing a Specific Creditor, etc. with Collateral, etc.), Article 552 to 555 inclusive (Crime of Refusal to Report or Undergo Investigation, etc., Crime of Destruction of Materials on the Status of Business and Property, etc., Crime of Obstruction of the Duties of a Bankruptcy Trustee, etc.) or Article 557 (Bribery) of the Act on Special Measures, etc. concerning Reorganization Proceedings for Financial Institutions, etc. (Act No. 95 of 1996); a crime under Article 255 (Crime of Fraudulent Rehabilitation), Article 256 (Crime of Providing a Specific Creditor, etc. with Collateral), Article 258 to 260 inclusive (Crime of Refusal to Report or Undergo Investigation, etc., Crime of Destruction of Materials on the Status of Business and Property, etc., Crime of Obstruction of the Duties of a Supervising Commissioner, etc.) or Article 262 (Bribery) of the Civil Rehabilitation Act (Act No. 225 of 1999); a crime under Article 65 (Crime of Refusal to Report or Be Investigated, etc.), Article 66 (Crime of Obstruction of the Duties of a Recognition Trustee, etc.), Article 68 (Bribery) or Article 69 (Crime of Disposal or Export of Property without Permission) of the Act on Recognition of and Assistance for Foreign Insolvency Proceedings (Act No. 129 of 2000); a crime under Article 265 (Crime of Fraudulent Bankruptcy), Article 266 (Crime of Providing a Specific Creditor, etc. with Collateral), Article 268 to 272 inclusive (Crime of Refusal to Explain or Be Investigated, etc., Crime of Refusing to Disclose Important Property, etc., Crime of Destruction of Materials on the Status of Business and Property, etc., Crime of Refusal to Explain at a Hearing, etc., Crime of Obstruction of the Duties of a Bankruptcy Trustee, etc.), or Article 274 (Bribery) of the Bankruptcy Act (Act No. 75 of 2004), for whom two years have not elapsed since the day on which the execution of the sentence was completed or the sentence ceased to apply; or

四　前号に規定する法律の規定以外の法令の規定に違反し、禁錮以上の刑に処せられ、その執行を終わるまで又はその執行を受けることがなくなるまでの者（刑の執行猶予中の者を除く。）

(iv) A person who was sentenced to imprisonment or severer punishment for violating the provisions of laws and regulations other than those provided for in the preceding item, and who has not completed the execution of the sentence or to whom the sentence still applies (excluding persons for whom the execution of the sentence is suspended).

２　委員会設置会社の取締役は、当該委員会設置会社の支配人その他の使用人を兼ねることができない。

(2) A director of a company with Committees may not concurrently serve as a manager or any other employee of such company with Committees.

３　相互会社においては、取締役は、三人以上でなければならない。

(3) A Mutual Company shall have three or more directors.

（取締役の任期）

(Directors' Terms of Office)

第五十三条の三　取締役の任期は、選任後二年以内に終了する事業年度のうち最終のものに関する定時社員総会（総代会を設けているときは、定時総代会。以下この款において同じ。）の終結の時までとする。ただし、定款又は社員総会の決議によって、その任期を短縮することを妨げない。

Article 53-3 (1) Directors' terms of office shall continue until the conclusion of the annual general members' council meeting (or annual General Representative Members' Council Meeting, where the company has such meeting; hereinafter the same shall apply in this Subsection) for the last business year which ends within two years from the time of their election; provided, however, that this shall not preclude the shortening of the their terms of office by the articles of incorporation or by a resolution of the general members' council.

２　委員会設置会社の取締役についての前項の規定の適用については、同項中「二年」とあるのは、「一年」とする。

(2) For the purpose of applying the provisions of the preceding paragraph to the directors of a company with Committees, the term "two years" in that paragraph shall be deemed to be replaced with "one year."

３　会社法第三百三十二条第四項（第三号を除く。）（取締役の任期）の規定は、相互会社の取締役の任期について準用する。この場合において、同項中「前三項」とあるのは「保険業法第五十三条の三第一項及び第二項」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。

(3) The provisions of Article 332, paragraph (4) (excluding item (iii)) (Directors' terms of office) of the Companies Act shall apply mutatis mutandis to the terms of office of the directors of a Mutual Company. In this case, the term "preceding three paragraphs" in that paragraph shall be deemed to be replaced with "Article 53-3, paragraphs (1) and (2) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（会計参与の資格等）

(Qualifications, etc. of Accounting Advisors)

第五十三条の四　会社法第三百三十三条（会計参与の資格等）及び第三百三十四条（同条第一項において準用する同法第三百三十二条第二項及び第四項第三号を除く。）（会計参与の任期）の規定は、相互会社の会計参与について準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 53-4 The provisions of Article 333 (Qualifications of Accounting Advisors) and Article 334 (excluding Article 332, paragraph (2) and Article 332, paragraph (4), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 334, paragraph (1)) (Accounting Advisors' Terms of Office) of the Companies Act shall apply mutatis mutandis to the accounting advisors of a Mutual Company. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（監査役の資格等）

(Qualifications, etc. of Company Auditors)

第五十三条の五　第五十三条の二第一項の規定は、相互会社の監査役について準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 53-5 (1) The provisions of Article 53-2, paragraph (1) shall apply mutatis mutandis to the company auditors of a Mutual Company. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

２　監査役は、相互会社若しくはその実質子会社の取締役若しくは支配人その他の使用人又は当該実質子会社の執行役若しくは会計参与（会計参与が法人であるときは、その職務を行うべき社員）を兼ねることができない。

(2) A company auditor of a Mutual Company may concurrently serve neither as a director, or manager or any other employee of that Mutual Company or its de facto Subsidiary Company, nor as an executive officer or accounting advisor (or, where the accounting advisor is a juridical person, any member of that juridical person who is supposed to carry out relevant duties) of such de facto Subsidiary Company.

３　監査役会設置会社においては、監査役は、三人以上で、そのうち半数以上は、社外監査役（相互会社の監査役であって、過去に当該相互会社又はその実質子会社の取締役、執行役若しくは会計参与（会計参与が法人であるときは、その職務を行うべき社員）又は支配人その他の使用人となったことがないものをいう。以下同じ。）でなければならない。

(3) A company with a board of company auditors shall have three or more company auditors, of whom half or more shall be outside company auditors (meaning those company auditors of a Mutual Company who have never been a director, executive officer or accounting advisor (or, if the accounting advisor is a juridical person, any member of that juridical person who is supposed to carry out relevant duties), or manager or any other employee of the Mutual Company or its de facto Subsidiary Company; the same shall apply hereinafter).

（監査役の任期）

(Company Auditors' Terms of Office)

第五十三条の六　監査役の任期は、選任後四年以内に終了する事業年度のうち最終のものに関する定時社員総会の終結の時までとする。

Article 53-6 (1) Company auditors' terms of office shall continue until the conclusion of the annual general members' council meeting for the last business year which ends within four years from the time of their election.

２　会社法第三百三十六条第三項及び第四項（第二号に係る部分に限る。）（監査役の任期）の規定は、相互会社の監査役について準用する。この場合において、同条第三項中「第一項」とあるのは「保険業法第五十三条の六第一項」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 336, paragraphs (3) and (4) (limited to the segment pertaining to item (ii) (Company Auditors' Terms of Office) of the Companies Act shall apply mutatis mutandis to the company auditors of a Mutual Company. In this case, the term "paragraph (1)" in paragraph (3) of that Article shall be deemed to be replaced with "Article 53-6, paragraph (1) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（会計監査人の資格等）

(Qualifications, etc. of Accounting Auditors)

第五十三条の七　会社法第三百三十七条（会計監査人の資格等）並びに第三百三十八条第一項及び第二項（会計監査人の任期）の規定は相互会社の会計監査人について、同条第三項の規定は第五十三条の十四第五項に規定する相互会社以外の相互会社の会計監査人について、それぞれ準用する。この場合において、同法第三百三十七条第三項第一号中「第四百三十五条第二項」とあるのは「保険業法第五十四条の三第二項」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。

Article 53-7 The provisions of Article 337 (Qualifications of Accounting Auditors) and Article 338, paragraphs (1) and (2) (Accounting Auditors' Terms of Office) of the Companies Act shall apply mutatis mutandis to the accounting auditors of a Mutual Company; and the provisions of Article 338, paragraph (3) of that Act shall apply mutatis mutandis to the accounting auditors of a Mutual Company other than that set forth in Article 53-14, paragraph (5), respectively. In this case, the term "Article 435, paragraph (2)" in Article 337, paragraph (3), item (i) of that Act shall be deemed to be replaced with "Article 54-3, paragraph (2) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（解任）

(Dismissal)

第五十三条の八　相互会社の役員及び会計監査人は、いつでも、社員総会の決議によって解任することができる。

Article 53-8 (1) Officers and accounting auditors of a Mutual Company may be dismissed at any time by a resolution of the general members' council.

２　前項の規定により解任された者は、その解任について正当な理由がある場合を除き、相互会社に対し、解任によって生じた損害の賠償を請求することができる。

(2) A person dismissed pursuant to the provisions of the preceding paragraph shall be entitled to demand from the Mutual Company compensation for damages arising from the dismissal, except in cases where there are justifiable reasons for such dismissal.

（監査役等による会計監査人の解任）

(Dismissal of Accounting Auditors by Company Auditors, etc.)

第五十三条の九　監査役は、会計監査人が次のいずれかに該当するときは、その会計監査人を解任することができる。

Article 53-9 (1) The company auditor may dismiss an accounting auditor if that accounting auditor:

一　職務上の義務に違反し、又は職務を怠ったとき。

(i) has breached his/her professional obligations or neglected his/her duties.

二　会計監査人としてふさわしくない非行があったとき。

(ii) has engaged in conduct unbecoming of an accounting auditor; or

三　心身の故障のため、職務の執行に支障があり、又はこれに堪えないとき。

(iii) has difficulty in, or is unable to cope with the execution of his/her duties due to a mental or physical disorder.

２　前項の規定による解任は、監査役が二人以上ある場合には、監査役の全員の同意によって行わなければならない。

(2) Any dismissal pursuant to the provisions of the preceding paragraph shall be effected by the unanimous consent of all company auditors, where the company has two or more company auditors.

３　第一項の規定により会計監査人を解任したときは、監査役（監査役が二人以上ある場合にあっては、監査役の互選によって定めた監査役）は、その旨及び解任の理由を解任後最初に招集される社員総会に報告しなければならない。

(3) If an accounting auditor is dismissed pursuant to the provisions of paragraph (1), the company auditor (or, where the company has two or more company auditors, a company auditor appointed from among themselves) shall report such fact and the reason for dismissal to the first general members' council meeting convened after the dismissal.

４　監査役会設置会社における前三項の規定の適用については、第一項中「監査役」とあるのは「監査役会」と、第二項中「監査役が二人以上ある場合には、監査役」とあるのは「監査役」と、前項中「監査役（監査役が二人以上ある場合にあっては、監査役の互選によって定めた監査役）」とあるのは「監査役会が選定した監査役」とする。

(4) For the purpose of applying the provisions of the preceding three paragraphs to a company with a board of company auditors, the term "company auditor" in paragraph (1) shall be deemed to be replaced with "board of company auditors"; the term "company auditors, where the company has two or more company auditors" in paragraph (2) shall be deemed to be replaced with "company auditors"; and the term "company auditor (or, where the company has two or more company auditors, a company auditor appointed from among themselves)" in the preceding paragraph shall be deemed to be replaced with "company auditor appointed by the board of company auditors."

５　委員会設置会社における第一項から第三項までの規定の適用については、第一項中「監査役」とあるのは「監査委員会」と、第二項中「監査役が二人以上ある場合には、監査役」とあるのは「監査委員」と、第三項中「監査役（監査役が二人以上ある場合にあっては、監査役の互選によって定めた監査役）」とあるのは「監査委員会が選定した監査委員」とする。

(5) For the purpose of applying the provisions of paragraphs (1) to (3) inclusive to a company with Committees, the term "company auditor" in paragraph (1) shall be deemed to be replaced with "audit committee"; the term "company auditors, where the company has two or more company auditors" in paragraph (2) shall be deemed to be replaced with "Audit Committee Members"; and the term "company auditor (or, where the company has two or more company auditors, a company auditor appointed from among themselves)" in paragraph (3) shall be deemed to be replaced with "audit committee member appointed by the committee."

（役員の選任等のための決議の方法）

(Method of Adopting Resolution for Election, etc. of Officers)

第五十三条の十　第三十七条の三第一項及び第四十四条第一項の規定にかかわらず、役員を選任し、又は解任する社員総会の決議は、社員（総代会を設けているときは、総代）の半数以上（三分の一以上の割合を定款で定めた場合にあっては、その割合以上）が出席し、その議決権の過半数（これを上回る割合を定款で定めた場合にあっては、その割合以上）をもって行う。

Article 53-10 (1) Notwithstanding the provisions of Article 37, paragraph (1) and Article 44, paragraph (1), resolutions of the general members' council for the election or dismissal of officers are adopted by the majority vote (or any larger proportion prescribed by the articles of incorporation) of the attending members (or, where the company has a General Representative Members' Council, representative members) at a session where at least half (or any other proportion larger than one third prescribed by the articles of incorporation) of the members (or representative members) are present.

２　前項の規定にかかわらず、監査役の解任の決議をする場合には、第六十二条第二項に定める決議によらなければならない。

(2) Notwithstanding the provisions of the preceding paragraph, in case where dismissal of a company auditor is to be resolved, it shall be adopted by a resolution set forth in Article 62, paragraph (2).

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第五十三条の十一　会社法第三百四十三条（第四項を除く。）（監査役の選任に関する監査役の同意等）の規定は相互会社の監査役の選任について、同法第三百四十四条（会計監査人の選任に関する監査役の同意等）の規定は相互会社の会計監査人の選任について、同法第三百四十五条（会計参与等の選任等についての意見の陳述）の規定は相互会社の会計参与、監査役又は会計監査人の選任若しくは解任又は辞任についての意見の陳述について、それぞれ準用する。この場合において、同条第三項中「第二百九十八条第一項第一号」とあるのは「保険業法第四十一条第一項又は第四十九条第一項において準用する第二百九十八条第一項第一号」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。

Article 53-11 The provisions of Article 343 (Consent of Company Auditors to Election of Company Auditors) (excluding paragraph (4)) of the Companies Act shall apply mutatis mutandis to the election of the company auditors of a Mutual Company; the provisions of Article 344 (Consent of Company Auditors to the Election of Accounting Auditors) of that Act shall apply mutatis mutandis to the election of the accounting auditors of a Mutual Company; and the provisions of Article 345 (Statement of Opinions on Election of Accounting Advisors, etc.) of that Act shall apply mutatis mutandis to the statement of opinions regarding the election or dismissal, or resignation of the accounting advisors, company auditors or accounting auditors of a Mutual Company. In this case, the term "Article 298, paragraph (1), item (i)" in paragraph (3) of that Article shall be deemed to be replaced with "Article 298, paragraph (1), item (i) as applied mutatis mutandis pursuant to Article 41, paragraph (1) or Article 49, paragraph (1) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（役員等に欠員を生じた場合の措置）

(Measures for Vacancies Arising among the Officers, etc.)

第五十三条の十二　役員が欠けた場合又はこの法律若しくは定款で定めた役員の員数が欠けた場合には、任期の満了又は辞任により退任した役員は、新たに選任された役員（次項の一時役員の職務を行うべき者を含む。）が就任するまで、なお役員としての権利義務を有する。

Article 53-12 (1) Where a Mutual Company has no officers or where any vacancy arises which results in a shortfall in the number of officers prescribed by this Act or the articles of incorporation, an officer who retired from office due to the expiration of his/her term of office or resignation shall retain the rights and obligations of an officer until a newly elected officer (including a person who is to temporarily carry out the duties of an officer under the following paragraph) assumes his/her office.

２　前項に規定する場合において、裁判所は、必要があると認めるときは、利害関係人の申立てにより、一時役員の職務を行うべき者を選任することができる。

(2) In the case prescribed in the preceding paragraph, the court may, if it finds necessary, appoint a person to temporarily carry out the duties of an officer, in response to a petition filed by any interested party.

３　裁判所は、前項の一時役員の職務を行うべき者を選任した場合には、相互会社がその者に対して支払う報酬の額を定めることができる。

(3) The court may, if it has appointed a person to temporarily carry out the duties of an officer under the preceding paragraph, specify the amount of the remuneration to be paid thereto by the Mutual Company.

４　会計監査人が欠けた場合又は定款で定めた会計監査人の員数が欠けた場合において、遅滞なく会計監査人が選任されないときは、監査役は、一時会計監査人の職務を行うべき者を選任しなければならない。

(4) Where a Mutual Company has no accounting auditors or where any vacancy arises which results in a shortfall in the number of accounting auditors prescribed by the articles of incorporation, and an accounting auditor is not elected without delay, the company auditor shall appoint a person to temporarily carry out the duties of an accounting auditor.

５　第五十三条の七において準用する会社法第三百三十七条の規定及び第五十三条の九の規定は、前項の一時会計監査人の職務を行うべき者について準用する。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 Article 337 of the Companies Act as applied mutatis mutandis pursuant to Article 53-7 and the provisions of Article 53-9 shall apply mutatis mutandis to the person who is to temporarily carry out the duties of an accounting auditor under the preceding paragraph. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

６　監査役会設置会社における第四項の規定の適用については、同項中「監査役」とあるのは、「監査役会」とする。

(6) For the purpose of applying the provisions of paragraph (4) to a company with a board of company auditors, the term "company auditor" in that paragraph shall be deemed to be replaced with "board of company auditors."

７　委員会設置会社における第四項の規定の適用については、同項中「監査役」とあるのは、「監査委員会」とする。

(7) For the purpose of applying the provisions of paragraph (4) to a company with Committees, the term "company auditor" in that paragraph shall be deemed to be replaced with "audit committee."

８　会社法第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第二号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）、第八百七十六条（最高裁判所規則）及び第九百三十七条第一項（第二号イ及びハに係る部分に限る。）（裁判による登記の嘱託）の規定は、第二項及び第三項の場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(8) The provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (ii)) (Hearing of Statements), Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act), Article 876 (Supreme Court Rules) and Article 937, paragraph (1) (limited to the segment pertaining to item (ii), sub-items (a) and (c)) (Commissioning of Registration by a Judicial Decision) of the Companies Act shall apply mutatis mutandis to paragraphs (2) and (3). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

第四目　取締役及び取締役会

Division 4 Directors and Boards of Directors

（取締役の権限）

(Authority of the Directors)

第五十三条の十三　次に掲げる取締役は、相互会社の業務を執行する。

Article 53-13 (1) The following directors execute the business of the Mutual Company:

一　代表取締役

(i) A representative director; and

二　代表取締役以外の取締役であって、取締役会の決議によって相互会社の業務を執行する取締役として選定されたもの

(ii) A director other than a representative director, who is appointed by resolution of the board of directors as the director who is to execute the business of the Mutual Company.

２　前項各号に掲げる取締役は、三月に一回以上、自己の職務の執行の状況を取締役会に報告しなければならない。

(2) The directors listed in the items of the preceding paragraph shall report the status of the execution of his/her duties to the board of directors at least once in every three months.

（取締役会の権限等）

(Authority, etc. of the Board of Directors)

第五十三条の十四　取締役会は、すべての取締役で組織する。

Article 53-14 (1) A board of directors shall be composed of all of the directors.

２　取締役会は、次に掲げる職務を行う。

(2) The board of directors shall carry out the following duties:

一　相互会社の業務執行の決定

(i) Deciding the execution of the Mutual Company's business;

二　取締役の職務の執行の監督

(ii) Supervising the execution of duties by directors; and

三　代表取締役の選定及び解職

(iii) Appointing and removing representative directors.

３　取締役会は、取締役の中から代表取締役を選定しなければならない。

(3) The board of directors shall appoint the representative director from among the directors.

４　取締役会は、次に掲げる事項その他の重要な業務執行の決定を取締役に委任することができない。

(4) The board of directors may not delegate decisions on the execution of important business, such as the following particulars, to directors.:

一　重要な財産の処分及び譲受け

(i) The appropriation of and acceptance of assignment of important assets;

二　多額の借財

(ii) Borrowing in a significant large amounts;

三　支配人その他の重要な使用人の選任及び解任

(iii) The election and dismissal of an important employee including a manager;

四　従たる事務所その他の重要な組織の設置、変更及び廃止

(iv) The establishment, modification or abolition of secondary offices and other important structures;

五　第六十一条第一号に掲げる事項その他の社債（同条に規定する社債をいう。）を引き受ける者の募集に関する重要な事項として内閣府令で定める事項

(v) The particulars specified by Cabinet Office Ordinance as important particulars of the solicitation of persons who subscribe for bonds (meaning the bonds as defined in that Article), such as the particular listed in Article 61, item (i);

六　取締役の職務の執行が法令及び定款に適合することを確保するための体制その他相互会社の業務の適正を確保するために必要なものとして内閣府令で定める体制の整備

(vi) Revision of a system necessary for ensuring that the execution of duties by directors complies with laws and regulations and the articles of incorporation, and of any other system specified by Cabinet Office Ordinance as a system necessary for ensuring propriety in the business of a Mutual Company; or

七　第五十三条の三十六において読み替えて準用する会社法第四百二十六条第一項の規定による定款の定めに基づく第五十三条の三十三第一項の責任の免除

(vii) Exemption from liability under Article 53-33, paragraph (1) pursuant to the provisions of the articles of incorporation under Article 426, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-36 with relevant changes in interpretation.

５　保険会社である相互会社及び第二百七十二条の四第一項第一号ロに掲げる相互会社においては、取締役会は、前項第六号に掲げる事項を決定しなければならない。

(5) In a Mutual Company that is an Insurance Company and a Mutual Company listed in Article 272-4, paragraph (1), item (i), sub-item (b), the board of directors shall decide on the particulars listed in item (vi) of the preceding paragraph.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第五十三条の十五　会社法第三百五十条（代表者の行為についての損害賠償責任）、第三百五十二条（取締役の職務を代行する者の権限）、第三百五十四条から第三百五十七条まで（表見代表取締役、忠実義務、競業及び利益相反取引の制限、取締役の報告義務）、第三百五十八条（第一項第二号を除く。）（業務の執行に関する検査役の選任）、第三百五十九条（裁判所による株主総会招集等の決定）、第三百六十条第一項（株主による取締役の行為の差止め）、第三百六十一条（取締役の報酬等）及び第三百六十五条第二項（競業及び取締役会設置会社との取引等の制限）の規定は相互会社の取締役について、同法第三百四十九条第四項及び第五項（株式会社の代表）並びに第三百五十一条（代表取締役に欠員を生じた場合の措置）の規定は相互会社の代表取締役について、同法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十条（第二号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号及び第四号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は相互会社の取締役又は代表取締役について、同法第九百三十七条第一項（第二号イ及びハに係る部分に限る。）（裁判による登記の嘱託）の規定は相互会社の代表取締役について、それぞれ準用する。この場合において、同法第三百五十六条第一項中「株主総会」とあるのは「取締役会」と、同法第三百五十八条第一項中「株主は」とあるのは「社員又は総代は」と、同項第一号中「総株主（株主総会において決議をすることができる事項の全部につき議決権を行使することができない株主を除く。）の議決権の百分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上の議決権を有する株主」とあるのは「社員総数の千分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員又は三千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、保険業法第三十八条第一項に規定する政令で定める数以上の社員）で六箇月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者（総代会を設けているときは、これらの者又は九名（これを下回る数を定款で定めた場合にあっては、その数）以上の総代）」と、同条第七項中「株主」とあるのは「社員又は総代」と、同法第三百五十九条第一項第二号中「株主」とあるのは「社員（総代会を設けているときは、総代）」と、同法第三百六十条第一項中「株式を有する株主」とあるのは「社員である者」と、「著しい損害」とあるのは「回復することができない損害」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。

Article 53-15 The provisions of Article 350 (Liability for Damages Caused by Directors' Actions), Article 352 (Authority of Persons Who Perform Duties on Behalf of Directors), Article 354 to 357 inclusive (Apparent Representative Directors, Duty of Loyalty, Restrictions on Competition and Conflict of Interest Transactions, Director's Duty to Report), Article 358 (excluding paragraph (1), item (ii)) (Election of Inspector of Execution of Operation), Article 359 (Decision by the Court to Call a Shareholders' Meeting), Article 360, paragraph (1) (Prohibition of Directors' Actions by the Shareholders), Article 361 (Remuneration for Directors) and Article 365, paragraph (2) (Restrictions on Competition and Transactions with Companies with a Board of Directors) of the Companies Act shall apply mutatis mutandis to the directors of a Mutual Company; the provisions of Article 349, paragraphs (4) and (5) (Representatives of Companies), and Article 351 (Measures When Vacancy Arises in the Office of a Representative Director) of that Act shall apply mutatis mutandis to the representative director of a Mutual Company; the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 870 (limited to the segment pertaining to item (ii)) (Hearing of Statements), Article 871 (Appending of Reasons), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 874 (limited to the segment pertaining to items (i) and (iv)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of that Act shall apply mutatis mutandis to the directors or representative director of a Mutual Company; and the provisions of Article 937, paragraph (1) (limited to the segment pertaining to item (ii), sub-items (a) and (c)) (Commissioning of Registration by Judicial Decision) of that Act shall apply mutatis mutandis to the representative director of a Mutual Company. In this case, the term "shareholders' meeting" in Article 356, paragraph (1) of that Act shall be deemed to be replaced with "board of directors"; the term "shareholders" in Article 358, paragraph (1) of that Act shall be deemed to be replaced with "members or representative members"; the term "Shareholders who hold not less than 3 percent of the voting rights (or, in cases where a lesser proportion is prescribed in the articles of incorporation, such proportion) of all shareholders (excluding shareholders who may not exercise their voting rights on all matters which may be resolved at shareholders' meetings)" in Article 358, paragraph (1), item (i) of that Act shall be deemed to be replaced with "Members representing at least three thousandths (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or three thousand (or any smaller number prescribed by the articles of incorporation) or more members of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 38, paragraph (1) of the Insurance Business Act), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation) (or, where the company has a General Representative Members' Council, those persons, or nine (or any other smaller number prescribed by the articles of incorporation) or more representative members)"; the term "shareholders" in Article 358, paragraph (7) shall be deemed to be replaced with "members or representative members"; the term "shareholders" in Article 359, paragraph (1), item (ii) of that Act shall be deemed to be replaced with "members (or, where the company has a General Representative Members' Council, representative members)"; and the terms "shareholders having the shares" and "substantial detriment" in Article 360, paragraph (1) of that Act shall be deemed to be replaced with "persons who have been members" and "irreparable damages," respectively; any other necessary technical change in interpretation shall be prescribed by Cabinet Order.

（取締役会の運営）

(Management of Boards of Directors)

第五十三条の十六　会社法第二編第四章第五節第二款（第三百六十七条並びに第三百七十一条第三項及び第五項を除く。）（運営）の規定は相互会社の取締役会の運営について、同法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十条（第一号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定はこの条において読み替えて準用する同法第三百七十一条第二項又は第四項の規定による許可の申立てについて、それぞれ準用する。この場合において、同法第三百七十一条第二項（議事録等）中「株主」とあるのは「社員（総代会を設けているときは、総代）」と、「株式会社の営業時間内は、いつでも」とあるのは「裁判所の許可を得て」と、同条第六項中「親会社若しくは子会社」とあるのは「保険業法第三十三条の二第一項に規定する実質子会社」と、同法第三百七十二条第二項及び第三項（取締役会への報告の省略）中「第三百六十三条第二項」とあるのは「保険業法第五十三条の十三第二項」と、同条第三項中「第四百十七条第四項」とあるのは「保険業法第五十三条の三十第五項において準用する第四百十七条第四項」と、同法第三百七十三条第一項及び第二項（特別取締役による取締役会の決議）中「第三百六十二条第四項第一号及び第二号」とあるのは「保険業法第五十三条の十四第四項第一号及び第二号」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。

Article 53-16 The provisions of Part II, Chapter IV, Section 5, Subsection 2 (excluding Article 367, and Article 371, paragraphs (3) and (5)) (Operations) of the Companies Act shall apply mutatis mutandis to the management of the board of directors of a Mutual Company; and the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 870 (limited to the segment pertaining to item (i)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of that Act shall apply mutatis mutandis to an application for permission under Article 371, paragraph (2) or (4) of that Act as applied mutatis mutandis pursuant to this Article with relevant changes in interpretation. In this case, the terms "shareholder" and "at any time during the business hours of a Stock Company" in Article 371, paragraph (2) (Minutes) of that Act shall be deemed to be replaced with "member (or, where the company has a General Representative Members' Council, such representative members)" and "with the permission of the court," respectively; the term "Parent Company or Subsidiary" in Article 371, paragraph (6) shall be deemed to be replaced with "de facto Subsidiary Company as defined in Article 33-2, paragraph (1) of the Insurance Business Act"; the term "Article 363, paragraph (2)" in Article 372, paragraphs (2) and (3) (Omission of Report to Board of Directors) of that Act shall be deemed to be replaced with "Article 53-13, paragraph (2) of the Insurance Business Act"; the term "Article 417, paragraph (4)" in Article 372, paragraph (3) shall be deemed to be replaced with "Article 417, paragraph (4) as applied mutatis mutandis pursuant to Article 53-30, paragraph (5) of the Insurance Business Act"; and the term "Article 362, paragraph (4), items (i) and (ii)" in Article 373, paragraphs (1) and (2) (Resolution of board of directors by special directors) of that Act shall be deemed to be replaced with "Article 53-14, paragraph (4), items (i) and (ii) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第五目　会計参与

Division 5 Accounting Advisors

（会計参与の権限等）

(Authority, etc. of Accounting Advisors)

第五十三条の十七　会社法第二編第四章第六節（第三百七十八条第一項第二号及び第三項を除く。）（会計参与）の規定は、相互会社の会計参与について準用する。この場合において、同法第三百七十四条第一項（会計参与の権限）中「第四百三十五条第二項」とあるのは「保険業法第五十四条の三第二項」と、「附属明細書、臨時計算書類（第四百四十一条第一項に規定する臨時計算書類をいう。以下この章において同じ。）」とあるのは「附属明細書」と、「第四百四十四条第一項」とあるのは「保険業法第五十四条の十第一項」と、同条第五項中「第三百三十三条第三項第二号又は第三号」とあるのは「保険業法第五十三条の四において準用する第三百三十三条第三項第二号又は第三号」と、同法第三百七十六条第一項（取締役会への出席）中「第四百三十六条第三項、第四百四十一条第三項又は第四百四十四条第五項」とあるのは「保険業法第五十四条の四第三項又は第五十四条の十第五項」と、同条第三項中「第三百六十八条第二項」とあるのは「保険業法第五十三条の十六において準用する第三百六十八条第二項」と、同法第三百七十八条第一項第一号（会計参与による計算書類等の備置き等）中「第三百十九条第一項」とあるのは「保険業法第四十一条第一項において準用する第三百十九条第一項」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。

Article 53-17 The provisions of Part II, Chapter IV, Section 6 (excluding Article 378, paragraph (1), item (ii) and Article 378, paragraph (3)) (Accounting Advisors) of the Companies Act shall apply mutatis mutandis to the accounting advisors of a Mutual Company. In this case, the terms "Article 435, paragraph (2)," "supplementary schedules thereof, the Temporary Financial Statements (referring to the Temporary Financial Statements provided for in Article 441, paragraph (1), hereinafter the same shall apply in this Chapter)" and "Article 444, paragraph (1)" in Article 374, paragraph (1) (Authority of Accounting Advisors) of that Act shall be deemed to be replaced with "Article 54-3, paragraph (2) of the Insurance Business Act," "annex detailed statement thereto" and "Article 54-10, paragraph (1) of the Insurance Business Act," respectively; the term "Article 333, paragraph (3), item (ii) or (iii)" in Article 374, paragraph (5) shall be deemed to be replaced with "Article 333, paragraph (3), item (ii) or (iii) as applied mutatis mutandis pursuant to Article 53-4 of the Insurance Business Act"; the term "Article 436, paragraph (3), Article 441, paragraph (3) or Article 444, paragraph (5)" in Article 376, paragraph (1) (Attendance at board of directors meetings) of that Act shall be deemed to be replaced with "Article 54-4, paragraph (3) or Article 54-10, paragraph (5) of the Insurance Business Act"; the term "Article 368, paragraph (2)" in Article 376, paragraph (3) of that Act shall be deemed to be replaced with "Article 368, paragraph (2) as applied mutatis mutandis pursuant to Article 53-16 of the Insurance Business Act"; and the term "Article 319, paragraph (1)" in Article 378, paragraph (1), item (i) (Retention and Inspection of Financial Statements by Accounting Advisors) of that Act shall be deemed to be replaced with "Article 319, paragraph (1) as applied mutatis mutandis pursuant to Article 41, paragraph (1) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第六目　監査役及び監査役会

Division 6 Company Auditors and Board of Company Auditors

（監査役の権限）

(Authority of Company Auditors)

第五十三条の十八　監査役は、取締役（会計参与設置会社（会計参与を置く株式会社又は相互会社をいう。以下同じ。）にあっては、取締役及び会計参与）の職務の執行を監査する。この場合において、監査役は、内閣府令で定めるところにより、監査報告を作成しなければならない。

Article 53-18 (1) The company auditors shall audit the execution of duties by directors (or, in a company with accounting advisors (meaning a Stock Company or Mutual Company which has accounting advisors; the same shall apply hereinafter), directors and accounting advisors). In this case, the company auditors shall prepare audit reports pursuant to the provisions of Cabinet Office Ordinance.

２　監査役は、いつでも、取締役及び会計参与並びに支配人その他の使用人に対して事業の報告を求め、又は相互会社の業務及び財産の状況を調査することができる。

(2) The company auditors may at any time request a business report from the directors and accounting advisors, and managers and other employees, or investigate the status of the business and property of the Mutual Company.

３　監査役は、その職務を行うため必要があるときは、相互会社の実質子会社に対して事業の報告を求め、又はその実質子会社の業務及び財産の状況を調査することができる。

(3) The company auditors may, if it is necessary for the purpose of carrying out their duties, request a business report from a de facto Subsidiary Company of the Mutual Company, or investigate the status of the business and property of such de facto Subsidiary Company.

４　前項の実質子会社は、正当な理由があるときは、同項の報告又は調査を拒むことができる。

(4) The de facto Subsidiary Company set forth in the preceding paragraph may refuse to submit reports or undergo investigation as set forth in that paragraph if there are justifiable grounds for it to do so.

（監査役会の権限）

(Authority of Board of Company Auditors)

第五十三条の十九　監査役会は、すべての監査役で組織する。

Article 53-19 (1) The board of company auditors shall be composed of all company auditors.

２　監査役会は、次に掲げる職務を行う。ただし、第三号の決定は、監査役の権限の行使を妨げることはできない。

(2) The board of company auditors shall carry out the following duties; provided, however, that a decision under item (iii) may not preclude company auditors from exercising their authority:

一　監査報告の作成

(i) Preparing audit reports;

二　常勤の監査役の選定及び解職

(ii) Appointing and removing full-time company auditors; and

三　監査の方針、監査役会設置会社の業務及び財産の状況の調査の方法その他の監査役の職務の執行に関する事項の決定

(iii) Deciding on the particulars of the execution of the duties of company auditors, such as audit policy and method of investigating the status of the business and property of the company with board of company auditors.

３　監査役会は、監査役の中から常勤の監査役を選定しなければならない。

(3) The board of company auditors shall appoint full-time company auditors from among the company auditors.

４　監査役は、監査役会の求めがあるときは、いつでもその職務の執行の状況を監査役会に報告しなければならない。

(4) The company auditors shall report the status of the execution of their duties to the board of company auditors whenever the latter so requests.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第五十三条の二十　会社法第三百八十二条から第三百八十八条まで（取締役への報告義務、取締役会への出席義務等、株主総会に対する報告義務、監査役による取締役の行為の差止め、監査役設置会社と取締役との間の訴えにおける会社の代表、監査役の報酬等、費用等の請求）の規定は、相互会社の監査役について準用する。この場合において、同法第三百八十三条第一項中「第三百七十三条第一項」とあるのは「保険業法第五十三条の十六において準用する第三百七十三条第一項」と、同条第二項中「第三百六十六条第一項ただし書」とあるのは「保険業法第五十三条の十六において準用する第三百六十六条第一項ただし書」と、同条第四項中「第三百七十三条第二項」とあるのは「保険業法第五十三条の十六において準用する第三百七十三条第二項」と、同法第三百八十六条第一項中「第三百四十九条第四項、第三百五十三条及び第三百六十四条」とあり、及び同条第二項中「第三百四十九条第四項」とあるのは「保険業法第五十三条の十五において準用する第三百四十九条第四項」と、同項第一号中「第八百四十七条第一項」とあるのは「保険業法第五十三条の三十七において準用する第八百四十七条第一項」と、同項第二号中「第八百四十九条第三項」とあるのは「保険業法第五十三条の三十七において準用する第八百四十九条第三項」と、「第八百五十条第二項」とあるのは「保険業法第五十三条の三十七において準用する第八百五十条第二項」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。

Article 53-20 The provisions of Article 382 to 388 inclusive (Duty to Report to Directors, Duty to Attend Board of Directors Meetings, Duty to Report to Shareholders' Meetings, Prohibition of Directors' Actions by the Company Auditors, Representation of Company in Actions between Company with Auditors and Directors, Remunerations for Company Auditors, Requests for Indemnification of Expenses) of the Companies Act shall apply mutatis mutandis to the company auditors of a Mutual Company. In this case, the term "Article 373, paragraph (1)" in Article 383, paragraph (1) of that Act shall be deemed to be replaced with "Article 373, paragraph (1) as applied mutatis mutandis pursuant to Article 53-16 of the Insurance Business Act"; the term "proviso to Article 366, paragraph (1)" in Article 383, paragraph (2) shall be deemed to be replaced with "proviso to Article 366, paragraph (1) as applied mutatis mutandis pursuant to Article 53-16 of the Insurance Business Act"; the term "Article 373, paragraph (2)" in Article 383, paragraph (4) shall be deemed to be replaced with "Article 373, paragraph (2) as applied mutatis mutandis pursuant to Article 53-16 of the Insurance Business Act"; the term "Article 349, paragraph (4), Article 353 and Article 364" in Article 386, paragraph (1) of that Act and the term "Article 349, paragraph (4)" in Article 386, paragraph (2) shall be deemed to be replaced with "Article 349, paragraph (4) as applied mutatis mutandis pursuant to Article 53-15 of the Insurance Business Act"; the term "Article 847, paragraph (1)" in Article 386, paragraph (2), item (i) of that Act shall be deemed to be replaced with "Article 847, paragraph (1) as applied mutatis mutandis pursuant to Article 53-37 of the Insurance Business Act"; and the terms "Article 849, paragraph (3)" and "Article 850, paragraph (2)" in Article 386, paragraph (2), item (ii) of that Act shall be deemed to be replaced with "Article 849, paragraph (3) as applied mutatis mutandis pursuant to Article 53-37 of the Insurance Business Act" and "Article 850, paragraph (2) as applied mutatis mutandis pursuant to Article 53-37 of the Insurance Business Act," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（監査役会の運営）

(Management of Boards of Company Auditors)

第五十三条の二十一　会社法第二編第四章第八節第二款（運営）の規定は相互会社の監査役会の運営について、同法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十条（第一号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定はこの条において準用する同法第三百九十四条第二項（同条第三項において準用する場合を含む。以下この条において同じ。）の規定による許可の申立てについて、それぞれ準用する。この場合において、同法第三百九十四条第二項（議事録）中「株主」とあるのは「社員（総代会を設けているときは、総代）」と、同条第三項中「役員の責任を追及するため必要があるとき及び親会社社員がその権利を行使するため必要があるとき」とあるのは「役員の責任を追及するため必要があるとき」と、同条第四項中「親会社若しくは子会社」とあるのは「保険業法第三十三条の二第一項に規定する実質子会社」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。

Article 53-21 The provisions of Part II, Chapter IV, Section 8, Subsection 2 (Operations) of the Companies Act shall apply mutatis mutandis to the management of the board of company auditors of a Mutual Company; and the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 870 (limited to the segment pertaining to item (i)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of that Act shall apply mutatis mutandis to the application for permission under Article 394, paragraph (2) of that Act (including the cases where it is applied mutatis mutandis pursuant to Article 394, paragraph (3); hereinafter the same shall apply in this Article) as applied mutatis mutandis pursuant to this Article. In this case, the term "shareholder" in Article 394, paragraph (2) (Minutes) of that Act shall be deemed to be replaced with "member (or, where the company has a General Representative Members' Council, representative member)"; the term "and to the cases where it is necessary for the purpose of exercising the rights of a Member of the Parent Company" in Article 394, paragraph (3) shall be deemed to be deleted; and the term "Parent Company or Subsidiary" in Article 394, paragraph (4) shall be deemed to be replaced with "de facto Subsidiary Company as defined in Article 33-2, paragraph (1) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第七目　会計監査人

Division 7 Accounting Auditors

（会計監査人の権限等）

(Authority, etc. of Accounting Auditors)

第五十三条の二十二　会計監査人は、次款の定めるところにより、相互会社の計算書類（第五十四条の三第二項に規定する計算書類をいう。以下この款において同じ。）及びその附属明細書並びに連結計算書類（第五十四条の十第一項に規定する連結計算書類をいう。）を監査する。この場合において、会計監査人は、内閣府令で定めるところにより、会計監査報告を作成しなければならない。

Article 53-22 (1) The accounting auditors shall audit the financial statements (meaning the financial statements as defined in Article 54-3, paragraph (2); hereinafter the same shall apply in this Subsection), annexed detailed statements thereto and consolidated financial statements (meaning the consolidated financial statements as defined in Article 54-10, paragraph (1)) of the Mutual Company pursuant to the provisions of the following Subsection. In this case, the accounting auditors shall prepare accounting audit reports pursuant to the provisions of Cabinet Office Ordinance.

２　会計監査人は、いつでも、次に掲げるものの閲覧及び謄写をし、又は取締役及び会計参与並びに支配人その他の使用人に対し、会計に関する報告を求めることができる。

(2) The accounting auditors may at any time inspect and copy the following materials or request reports on accounting from the directors and accounting advisors and managers or other employees:

一　会計帳簿（第五十四条の二第一項に規定する会計帳簿をいう。以下この款において同じ。）又はこれに関する資料が書面をもって作成されているときは、当該書面

(i) Any account book (meaning the accounting book as defined in Article 54-2, paragraph (1); hereinafter the same shall apply in this Subsection) or related material prepared in writing; and

二　会計帳簿又はこれに関する資料が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を内閣府令で定める方法により表示したもの

(ii) Where account books or related materials are prepared in the form of electromagnetic record, anything that displays the data recorded on such electromagnetic record in a manner specified by Cabinet Office Ordinance.

３　会計監査人は、その職務を行うため必要があるときは、会計監査人設置会社（会計監査人を置く株式会社又は相互会社をいう。以下同じ。）の実質子会社に対して会計に関する報告を求め、又は会計監査人設置会社若しくはその実質子会社の業務及び財産の状況の調査をすることができる。

(3) The accounting auditors may, if it is necessary for the purpose of carrying out their duties, request a report on accounting from a de facto Subsidiary Company of the company with accounting auditors, or investigate the status of the business and property of the company with accounting auditors or such de facto Subsidiary Company.

４　前項の実質子会社は、正当な理由があるときは、同項の報告又は調査を拒むことができる。

(4) The de facto Subsidiary Company set forth in the preceding paragraph may refuse to submit a report or undergo investigation as set forth in that paragraph if there are justifiable grounds for it to do so.

５　会計監査人は、その職務を行うに当たっては、次のいずれかに該当する者を使用してはならない。

(5) The accounting auditors shall not employ a person falling under any of the following items in carrying out their duties:

一　第五十三条の七において準用する会社法第三百三十七条第三項第一号又は第二号に掲げる者

(i) A person listed in Article 337, paragraph (3), item (i) or (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 53-7;

二　会計監査人設置会社又はその実質子会社の取締役、執行役、会計参与若しくは監査役又は支配人その他の使用人である者

(ii) A person who is a director, executive officer, accounting advisor or company auditor, or manager or any other employee of the company with accounting auditors or its de facto Subsidiary Company; or

三　会計監査人設置会社又はその実質子会社から公認会計士又は監査法人の業務以外の業務により継続的な報酬を受けている者

(iii) A person who is in continuous receipt of remuneration from the company with accounting auditors or its de facto Subsidiary Company for any business other than those carried out as a certified public accountant or audit firm.

６　相互会社が委員会設置会社である場合における第二項の規定の適用については、同項中「取締役」とあるのは、「取締役、執行役」とする。

(6) For the purpose of applying the provisions of paragraph (2) to a Mutual Company that is a company with Committees, the term "directors" in that paragraph shall be deemed to be replaced with "directors, executive officers."

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第五十三条の二十三　会社法第三百九十七条から第三百九十九条まで（監査役に対する報告、定時株主総会における会計監査人の意見の陳述、会計監査人の報酬等の決定に関する監査役の関与）の規定は、相互会社の会計監査人について準用する。この場合において、同法第三百九十八条第一項中「第三百九十六条第一項」とあるのは「保険業法第五十三条の二十二第一項」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。

Article 53-23 The provisions of Article 397 to 399 inclusive (Report to Company Auditors, Statement of Opinions at the Annual Shareholders' Meeting, Involvement of Company Auditors in Decision on Remunerations for Accounting Auditors) of the Companies Act shall apply mutatis mutandis to the accounting auditors of a Mutual Company. In this case, the term "Article 396, paragraph (1)" in Article 398, paragraph (1) of that Act shall be deemed to be replaced with "Article 53-22, paragraph (1) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第八目　委員会及び執行役

Division 8 Committees and Executive Officers

（委員の選定等）

(Appointment, etc. of Committee Members)

第五十三条の二十四　各委員会は、委員三人以上で組織する。

Article 53-24 (1) Each Committee shall be composed of three or more committee members.

２　各委員会の委員は、取締役の中から、取締役会の決議によって選定する。

(2) The members of each Committee shall be appointed from among the directors by a resolution of the board of directors.

３　各委員会の委員の過半数は、社外取締役（相互会社の取締役であって、当該相互会社又はその実質子会社の業務執行取締役（相互会社の第五十三条の十三第一項各号に掲げる取締役及び当該相互会社の業務を執行したその他の取締役をいう。以下同じ。）若しくは執行役又は支配人その他の使用人でなく、かつ、過去に当該相互会社又はその実質子会社の業務執行取締役若しくは執行役又は支配人その他の使用人となったことがないものをいう。以下同じ。）でなければならない。

(3) The majority of the members of each Committee must be outside directors (meaning those directors of a Mutual Company who are neither executive directors (meaning a director of a Mutual Company listed in Article 53-13, paragraph (1), item (i) or (ii) or any other director who has executed the business of the Mutual Company; the same shall apply hereinafter) or executive officers, nor a manager or any other employee of the Mutual Company or its de facto Subsidiary Company, and have never served as an executive director or executive officer, or as a manager or any other employee of the Mutual Company or its de facto Subsidiary Company; the same shall apply hereinafter).

４　監査委員は、委員会設置会社若しくはその実質子会社の執行役若しくは業務執行取締役又は委員会設置会社の実質子会社の会計参与（会計参与が法人であるときは、その職務を行うべき社員）若しくは支配人その他の使用人を兼ねることができない。

(4) An audit committee member may not concurrently serve as an executive officer or executive director of a company with Committees or its de facto Subsidiary Company, or as an accounting advisor (or, where the accounting advisor is a juridical person, any staff member of the juridical person, who is to carry out the relevant duties) or manager or any other employee of a de facto Subsidiary Company of the company with Committees.

（委員の解職等）

(Removal, etc. of Committee Members)

第五十三条の二十五　各委員会の委員は、いつでも、取締役会の決議によって解職することができる。

Article 53-25 (1) A committee member may be removed at any time by a resolution of the board of directors.

２　会社法第四百一条第二項から第四項まで（委員の解職等）、第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第二号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）、第八百七十六条（最高裁判所規則）及び第九百三十七条第一項（第二号イ及びハに係る部分に限る。）（裁判による登記の嘱託）の規定は、委員会設置会社の委員について準用する。この場合において、同法第四百一条第二項中「前条第一項」とあるのは「保険業法第五十三条の二十四第一項」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 401, paragraphs (2) to (4) inclusive (Removal of Committee Members), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (ii)) (Hearing of Statements), Article 871 (Appending of Reasons), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeals), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act), Article 876 (Supreme Court Rules) and Article 937, paragraph (1) (limited to the segment pertaining to item (ii), sub-items (a) and (c)) (Commissioning of Registration by Judicial Decision) of the Companies Act shall apply mutatis mutandis to the committee members of a company with Committees. In this case, the term "paragraph (1) of the preceding Article" in Article 401, paragraph (2) of that Act shall be deemed to be replaced with "Article 53-24, paragraph (1) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（執行役の選任等）

(Election, etc. of Executive Officers)

第五十三条の二十六　委員会設置会社には、一人又は二人以上の執行役を置かなければならない。

Article 53-26 (1) A company with Committees shall have one or more executive officers.

２　執行役は、取締役会の決議によって選任する。

(2) An executive officer shall be elected by a resolution of the board of directors.

３　委員会設置会社と執行役との関係は、委任に関する規定に従う。

(3) The relationship between a company with Committees and its executive officers shall be governed by the provisions on mandate.

４　第五十三条の二第一項の規定は、執行役について準用する。

(4) The provisions of Article 53-2, paragraph (1) shall apply mutatis mutandis to an executive officer.

５　執行役は、取締役を兼ねることができる。

(5) An executive officer may serve concurrently as a director.

６　執行役の任期は、選任後一年以内に終了する事業年度のうち最終のものに関する定時社員総会の終結後最初に招集される取締役会の終結の時までとする。ただし、定款によって、その任期を短縮することを妨げない。

(6) An executive officer's term of office shall continue until the conclusion of the first board of directors meeting convened after the conclusion of the annual general members' council meeting for the last business year ending within one year from the time of their election; provided, however, that this shall not preclude the shortening of his/her term of office by the articles of incorporation.

７　会社法第四百二条第八項（執行役の選任等）の規定は、相互会社の執行役の任期について準用する。この場合において、同項中「前項」とあるのは「保険業法第五十三条の二十六第六項」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。

(7) The provisions of Article 402, paragraph (8) (Election of Executive Officers) of the Companies Act shall apply mutatis mutandis to the terms of office of the executive officers of a Mutual Company. In this case, the term "the preceding paragraph" in that paragraph shall be deemed to be replaced with "Article 53-26, paragraph (6) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（執行役の解任等）

(Dismissal, etc. of Executive Officers)

第五十三条の二十七　執行役は、いつでも、取締役会の決議によって解任することができる。

Article 53-27 (1) An executive officer may be dismissed at any time by a resolution of the board of directors.

２　前項の規定により解任された執行役は、その解任について正当な理由がある場合を除き、委員会設置会社に対し、解任によって生じた損害の賠償を請求することができる。

(2) An executive officer dismissed pursuant to the provisions of the preceding paragraph may demand from the company with Committees compensation for damages arising from the dismissal, unless the company has justifiable grounds for his/her dismissal.

３　第五十三条の二十五第二項において準用する会社法第四百一条第二項から第四項までの規定並びに同法第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第二号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）、第八百七十六条（最高裁判所規則）及び第九百三十七条第一項（第二号イ及びハに係る部分に限る。）（裁判による登記の嘱託）の規定は、執行役が欠けた場合又は定款で定めた執行役の員数が欠けた場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 401, paragraphs (2) to (4) inclusive of the Companies Act as applied mutatis mutandis pursuant to Article 53-25, paragraph (2), and the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (ii)) (Hearing of Statements), Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act), Article 876 (Supreme Court Rules) and Article 937, paragraph (1) (limited to the segment pertaining to item (ii), sub-items (a) and (c)) (Commissioning of Registration by a Judicial Decision) of that Act shall apply mutatis mutandis to the cases where a Mutual Company has no executive officer or any vacancy in the number of executive officers prescribed by the articles of incorporation. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（委員会の権限等）

(Authority, etc. of Committees)

第五十三条の二十八　指名委員会は、社員総会に提出する取締役（会計参与設置会社にあっては、取締役及び会計参与）の選任及び解任に関する議案の内容を決定する。

Article 53-28 (1) The nominating Committee shall determine the contents of proposals to be submitted to the general members' council regarding the election and dismissal of directors (or, in a company with accounting advisors, directors and accounting advisors).

２　監査委員会は、次に掲げる職務を行う。

(2) The audit Committee shall carry out the following duties:

一　執行役等（執行役及び取締役をいい、会計参与設置会社にあっては、執行役、取締役及び会計参与をいう。以下この目において同じ。）の職務の執行の監査及び監査報告の作成

(i) Auditing the execution of duties by executive officers, etc. (meaning executive officers and directors, or, in a company with accounting advisors, executive officers, directors and accounting advisors; hereinafter the same shall apply in this Division) and preparing audit reports; and

二　社員総会に提出する会計監査人の選任及び解任並びに会計監査人を再任しないことに関する議案の内容の決定

(ii) Determining the contents of proposals to be submitted to the general members' council regarding the election and dismissal of accounting auditors, and the non-reappointment of accounting auditors.

３　報酬委員会は、第五十三条の十五において準用する会社法第三百六十一条第一項の規定並びに第五十三条の十七において準用する同法第三百七十九条第一項及び第二項の規定にかかわらず、執行役等の個人別の報酬等（報酬、賞与その他の職務執行の対価として相互会社から受ける財産上の利益をいう。以下この項において同じ。）の内容を決定する。執行役が委員会設置会社の支配人その他の使用人を兼ねているときは、当該支配人その他の使用人の報酬等の内容についても、同様とする。

(3) Notwithstanding the provisions of Article 361, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-15, and the provisions of Article 379, paragraphs (1) and (2) of that Act as applied mutatis mutandis pursuant to Article 53-17, the compensation committee shall determine the contents of remunerations, etc. (meaning the property considerations received from the Mutual Company in exchange for execution of duties, such as remunerations and bonuses; hereinafter the same shall apply in this paragraph) for individual executive officers, etc. Where an executive officer serves concurrently as a manager or any other employee of the company with Committees, the same shall apply to the contents of remunerations, etc. for such manager or other employee.

４　委員がその職務の執行（当該委員が所属する委員会の職務の執行に関するものに限る。以下この項において同じ。）について委員会設置会社に対して次に掲げる請求をしたときは、当該委員会設置会社は、当該請求に係る費用又は債務が当該委員の職務の執行に必要でないことを証明した場合を除き、これを拒むことができない。

(4) A company with Committees may not refuse any of the following requests made to it by a committee member with respect to the execution of his/her duties (limited to a request regarding the execution of the duties of the committee to which he/she belongs; hereinafter the same shall apply in this paragraph), unless the company proves that the expenses or obligations pertaining to the request are not necessary for the execution of the duties of such committee member:

一　費用の前払の請求

(i) A request for advance payment of expenses;

二　支出をした費用及び支出の日以後におけるその利息の償還の請求

(ii) A request for reimbursement of paid expenses and any interest incurred thereon from the date of payment; or

三　負担した債務の債権者に対する弁済（当該債務が弁済期にない場合にあっては、相当の担保の提供）の請求

(iii) A request for payment of any obligation incurred (or, where the obligation is not yet due, furnishing of reasonable security) to the creditor.

５　会社法第四百五条から第四百九条まで（監査委員会による調査、取締役会への報告義務、監査委員による執行役等の行為の差止め、委員会設置会社と執行役又は取締役との間の訴えにおける会社の代表等、報酬委員会による報酬の決定の方法等）の規定は、委員会設置会社の委員会又は委員について準用する。この場合において、同法第四百八条第一項中「第四百二十条第三項において準用する第三百四十九条第四項の規定並びに第三百五十三条及び第三百六十四条」とあるのは「保険業法第五十三条の三十二において準用する第四百二十条第三項において準用する第三百四十九条第四項」と、同条第三項中「第四百二十条第三項において準用する第三百四十九条第四項」とあるのは「保険業法第五十三条の三十二において準用する第四百二十条第三項において準用する第三百四十九条第四項」と、同項第一号中「第八百四十七条第一項」とあるのは「保険業法第五十三条の三十七において準用する第八百四十七条第一項」と、同項第二号中「第八百四十九条第三項」とあるのは「保険業法第五十三条の三十七において準用する第八百四十九条第三項」と、「第八百五十条第二項」とあるのは「同法第五十三条の三十七において準用する第八百五十条第二項」と、同法第四百九条第二項中「第四百四条第三項」とあるのは「保険業法第五十三条の二十八第三項」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) The provisions of Article 405 to 409 inclusive (Investigations by Audit Committees, Duty to Report to the Board of Directors, Prohibition of Executive Officers' Actions, etc. by Audit Committee Members, Representation of a Company with Committees in Actions between the Company and Its Executive Officers or Directors, Methods for Decisions on Remuneration by the Compensation Committee) of the Companies Act shall apply mutatis mutandis to the Committees or committee members of a company with Committees. In this case, the term "provisions of Article 349, paragraph (4) applied mutatis mutandis under Article 420, paragraph (3), and the provisions of Article 353 and Article 364" in Article 408, paragraph (1) of that Act shall be deemed to be replaced with "provisions of Article 349, paragraph (4) as applied mutatis mutandis pursuant to Article 420, paragraph (3) as applied mutatis mutandis pursuant to Article 53-32 of the Insurance Business Act"; the term "Article 349, paragraph (4) applied mutatis mutandis under Article 420, paragraph (3)" in Article 408, paragraph (3) shall be deemed to be replaced with "Article 349, paragraph (4) as applied mutatis mutandis pursuant to Article 420, paragraph (3) as applied mutatis mutandis pursuant to Article 53-32 of the Insurance Business Act"; the term "Article 847, paragraph (1)" in Article 408, paragraph (3), item (i) of that Act shall be deemed to be replaced with "Article 847, paragraph (1) as applied mutatis mutandis pursuant to Article 53-37 of the Insurance Business Act"; the terms "Article 849, paragraph (3)" and "Article 850, paragraph (2)" in Article 408, paragraph (3), item (ii) of that Act shall be deemed to be replaced with "Article 849, paragraph (3) as applied mutatis mutandis pursuant to Article 53-37 of the Insurance Business Act" and "Article 850, paragraph (2) as applied mutatis mutandis pursuant to Article 53-37 of the Insurance Business Act," respectively; and the term "Article 404, paragraph (3)" in Article 409, paragraph (2) of that Act shall be deemed to be replaced with "Article 53-28, paragraph (3) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

６　会社法第二編第四章第十節第三款（委員会の運営）の規定は委員会設置会社の委員会の運営について、同法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十条（第一号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定はこの項において準用する同法第四百十三条第三項（同条第四項において準用する場合を含む。以下この項において同じ。）の規定による許可の申立てについて、それぞれ準用する。この場合において、同条第三項（議事録）中「株主」とあるのは「社員（総代会を設けているときは、総代）」と、同条第四項中「委員の責任を追及するため必要があるとき及び親会社社員がその権利を行使するため必要があるとき」とあるのは「委員の責任を追及するため必要があるとき」と、同条第五項中「又はその親会社若しくは子会社」とあるのは「又はその保険業法第三十三条の二第一項に規定する実質子会社」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。

(6) The provisions of Part II, Chapter IV, Section 10, Subsection 3 (Operation of Committees) of the Companies Act shall apply mutatis mutandis to the management of the Committees of a company with Committees; and the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 870 (limited to the segment pertaining to item (i)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of that Act shall apply mutatis mutandis to the application for permission under Article 413, paragraph (3) of that Act (including the cases where it is applied mutatis mutandis pursuant to Article 413, paragraph (4); hereinafter the same shall apply in this paragraph) as applied mutatis mutandis pursuant to this Article. In this case, the term "shareholder" in Article 413, paragraph (3) (Minutes) shall be deemed to be replaced with "member (or, where the company has a General Representative Members' Council, representative member"; the term "and where it is necessary for the purpose of exercising the rights of a Member of the Parent Company" in Article 413, paragraph (4) shall be deemed to be deleted"; and the term "or its Parent Company or Subsidiary" in Article 413, paragraph (5) of that Act shall be deemed to be replaced with "or its de facto Subsidiary Company as defined in Article 33-2, paragraph (1) of the Insurance Business Act; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（委員会設置会社の取締役の権限）

(Authority of the Directors of a Company with Committees)

第五十三条の二十九　委員会設置会社の取締役は、この法律又はこの法律に基づく命令に別段の定めがある場合を除き、委員会設置会社の業務を執行することができない。

Article 53-29 The directors of a company with Committees may not execute the business of the company with Committees unless otherwise provided for in this Act or any order pursuant to this Act.

（委員会設置会社の取締役会の権限）

(Authority of the Board of Directors of a Company with Committees)

第五十三条の三十　委員会設置会社の取締役会は、第五十三条の十四の規定にかかわらず、次に掲げる職務を行う。

Article 53-30 (1) Notwithstanding the provisions of Article 53-14, the board of directors of a company with Committees shall carry out the following duties:

一　次に掲げる事項その他委員会設置会社の業務執行の決定

(i) Making decisions on the following particulars and any other decision on the execution of the company with Committees' business:

イ　経営の基本方針

(a) Basic management policy;

ロ　監査委員会の職務の執行のため必要なものとして内閣府令で定める事項

(b) Particulars specified by Cabinet Office Ordinance as necessary for the execution of the duties of the audit committee;

ハ　執行役が二人以上ある場合における執行役の職務の分掌及び指揮命令の関係その他の執行役相互の関係に関する事項

(c) In a Mutual Company with two or more executive officers, the particulars of the interrelationship between executive officers, such as allocation of duties and line of control among executive officers;

ニ　第五項において準用する会社法第四百十七条第二項の規定による取締役会の招集の請求を受ける取締役

(d) The directors to receive requests for the convocation of a board of directors meeting under Article 417, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to paragraph (5); and

ホ　執行役の職務の執行が法令及び定款に適合することを確保するための体制その他相互会社の業務の適正を確保するために必要なものとして内閣府令で定める体制の整備

(e) Establishment of a system to ensure that the execution of duties by executive officers conforms to the applicable laws and regulations and the articles of incorporation, as well as any other system required by Cabinet Office Ordinance to ensure the properness of the Mutual Company's business: and

二　執行役等の職務の執行の監督

(ii) Supervising the execution of duties by executive officers, etc.

２　委員会設置会社の取締役会は、前項第一号イからホまでに掲げる事項を決定しなければならない。

(2) The board of directors of a company with Committees shall decide on the particulars listed in item (i), sub-items (a) to (e) inclusive of the preceding paragraph.

３　委員会設置会社の取締役会は、第一項各号に掲げる職務の執行を取締役に委任することができない。

(3) The board of directors of a company with Committees may not delegate to a director the execution of duties listed in paragraph (1), item (i) or (ii).

４　委員会設置会社の取締役会は、その決議によって、委員会設置会社の業務執行の決定を執行役に委任することができる。ただし、次に掲げる事項については、この限りでない。

(4) The board of directors of a company with Committees may, by adopting a resolution, delegate to an executive officer decisions on the execution of the company's business; provided, however, that this shall not apply to the following particulars:

一　第四十一条第一項又は第四十九条第一項において準用する会社法第二百九十八条第一項各号に掲げる事項の決定

(i) Decisions on the particulars listed in the items of Article 298, paragraph (1) of the Companies Act as applied mutatis mutandis to Article 41, paragraph (1) or Article 49, paragraph (1);

二　社員総会に提出する議案（取締役、会計参与及び会計監査人の選任及び解任並びに会計監査人を再任しないことに関するものを除く。）の内容の決定

(ii) Decisions on the contents of proposals to be submitted to the general members' council (excluding those regarding the election and dismissal of directors, accounting advisors and accounting auditors, and the non-reappointment of accounting auditors);

三　第五十三条の十五において準用する会社法第三百五十六条第一項（第五十三条の三十二において準用する同法第四百十九条第二項前段において準用する場合を含む。）の承認

(iii) Authorization under Article 356, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-15 (including the cases where it is applied mutatis mutandis pursuant to the first sentence of Article 419, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 53-32);

四　第五十三条の十六において準用する会社法第三百六十六条第一項ただし書の規定による取締役会を招集する取締役の決定

(iv) Designation of the directors to convene a board of directors meetings under the proviso to Article 366, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-16;

五　第五十三条の二十四第二項の規定による委員の選定及び第五十三条の二十五第一項の規定による委員の解職

(v) Appointment of committee members under Article 53-24, paragraph (2) and removal of committee members under Article 53-25, paragraph (1);

六　第五十三条の二十六第二項の規定による執行役の選任及び第五十三条の二十七第一項の規定による執行役の解任

(vi) Election of executive officers under Article 53-26, paragraph (2) and dismissal of executive officers under Article 53-27, paragraph (1);

七　第五十三条の二十八第五項において準用する会社法第四百八条第一項第一号の規定による委員会設置会社を代表する者の決定

(vii) Designation of persons to represent the company with Committees under Article 408, paragraph (1), item (i) of the Companies Act as applied mutatis mutandis pursuant to Article 53-28, paragraph (5);

八　第五十三条の三十二において準用する会社法第四百二十条第一項前段の規定による代表執行役の選定及び第五十三条の三十二において準用する同法第四百二十条第二項の規定による代表執行役の解職

(viii) Appointment of the representative executive officer under the first sentence of Article 420, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-32 and removal of the representative executive officer under Article 420, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 53-32;

九　第五十三条の三十六において読み替えて準用する会社法第四百二十六条第一項の規定による定款の定めに基づく第五十三条の三十三第一項の責任の免除

(ix) Exemption from liability under Article 53-33, paragraph (1) pursuant to the provisions of the articles of incorporation under Article 426, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-36 with relevant changes in interpretation;

十　第五十四条の四第三項及び第五十四条の十第五項の承認

(x) Authorization under Article 54-4, paragraph (3) and Article 54-10, paragraph (5);

十一　第六十二条の二第一項各号に掲げる行為に係る契約の内容の決定

(xi) Decisions on the contents of any contract involving the actions listed in the items of Article 62-2, paragraph (1);

十二　組織変更計画の内容の決定

(xii) Decisions on the contents of any entity conversion plan; and

十三　合併契約の内容の決定

(xiii) Decisions on the contents of any merger agreement.

５　会社法第四百十七条（委員会設置会社の取締役会の運営）の規定は、委員会設置会社の取締役会の運営について準用する。この場合において、同条第二項中「前条第一項第一号ニ」とあるのは「保険業法第五十三条の三十第一項第一号ニ」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) The provisions of Article 417 (Operations of Board of Directors of Company With Committees) of the Companies Act shall apply mutatis mutandis to the operation of the board of directors of a company with Committees. In this case, the term "paragraph (1), item (i)-2 of the preceding Article" in paragraph (2) of that Article shall be deemed to be replaced with "Article 53-30, paragraph (1), item (i), sub-item (d) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（執行役の権限）

(Authority of Executive Officers)

第五十三条の三十一　執行役は、次に掲げる職務を行う。

Article 53-31 The executive officers shall carry out the following duties:

一　前条第四項の規定による取締役会の決議によって委任を受けた委員会設置会社の業務の執行の決定

(i) Making decisions on the execution of the company with Committees' business as delegated by a resolution of the board of directors under paragraph (4) of the preceding Article; and

二　委員会設置会社の業務の執行

(ii) Executing the company with Committees' business.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第五十三条の三十二　会社法第四百十九条（第二項後段を除く。）（執行役の監査委員に対する報告義務等）、第四百二十一条（表見代表執行役）及び第四百二十二条第一項（株主による執行役の行為の差止め）の規定は委員会設置会社の執行役について、同法第四百二十条（代表執行役）の規定は委員会設置会社の代表執行役について、同法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十条（第二号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号及び第四号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は委員会設置会社の執行役又は代表執行役について、同法第九百三十七条第一項（第二号イ及びハに係る部分に限る。）（裁判による登記の嘱託）の規定は委員会設置会社の代表執行役について、それぞれ準用する。この場合において、同法第四百十九条第二項前段中「第三百五十五条、第三百五十六条及び第三百六十五条第二項」とあるのは「保険業法第五十三条の十五において準用する第三百五十五条、第三百五十六条及び第三百六十五条第二項」と、同条第三項中「第三百五十七条」とあるのは「保険業法第五十三条の十五において準用する第三百五十七条」と、同法第四百二十条第三項中「第三百四十九条第四項及び第五項」とあるのは「保険業法第五十三条の十五において準用する第三百四十九条第四項及び第五項」と、「第三百五十二条」とあるのは「同法第五十三条の十五において準用する第三百五十二条」と、「第四百一条第二項から第四項まで」とあるのは「保険業法第五十三条の二十五第二項において準用する第四百一条第二項から第四項まで」と、同法第四百二十二条第一項中「株式を有する株主」とあるのは「社員である者」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。

Article 53-32 The provisions of Article 419 (excluding the second sentence of paragraph (2)) (Executive Officer's Duty to Report to Audit Committee Members), Article 421 (Apparent Representative Executive Officers) and Article 422, paragraph (1) (Prohibition of Executive Officers' Actions by Shareholders) of the Companies Act shall apply mutatis mutandis to the executive officers of a company with Committees; the provisions of Article 420 (Representative Executive Officers) shall apply mutatis mutandis to the representative executive officer of a company with Committees; the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 870 (limited to the segment pertaining to item (ii)) (Hearing of Statements), Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 874 (limited to the segment pertaining to items (i) and (iv)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of that Act shall apply mutatis mutandis to the executive officers or representative executive officer of a company with Committees; and the provisions of Article 937, paragraph (1) (limited to the segment pertaining to item (ii), sub-items (a) and (c)) (Commissioning of Registration by a Judicial Decision) of that Act shall apply mutatis mutandis to the representative executive officer of a company with Committees. In this case, the term "Article 355, Article 356 and Article 365, paragraph (2)" in the first sentence of Article 419, paragraph (2) of that Act shall be deemed to be replaced with "Article 355, Article 356 and Article 365, paragraph (2) as applied mutatis mutandis pursuant to Article 53-15 of the Insurance Business Act"; the term "Article 357" in Article 419, paragraph (3) shall be deemed to be replaced with "Article 357 as applied mutatis mutandis pursuant to Article 53-15 of the Insurance Business Act"; the terms "Article 349, paragraphs (4) and (5)," "Article 352" and "Article 401, paragraphs (2) to (4) inclusive" in Article 420, paragraph (3) of that Act shall be deemed to be replaced with "Article 349, paragraphs (4) and (5) as applied mutatis mutandis pursuant to Article 53-15 of the Insurance Business Act," "Article 352 as applied mutatis mutandis pursuant to Article 53-15 of that Act" and "Article 401, paragraphs (2) to (4) inclusive as applied mutatis mutandis pursuant to Article 53-25 of the Insurance Business Act," respectively; and the term "shareholders having the shares" in Article 422, paragraph (1) of that Act shall be deemed to be replaced with "persons who have been members"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第九目　役員等の損害賠償責任

Division 9 Officer, etc. Liability

（役員等の相互会社に対する損害賠償責任）

(Officer, etc. Liability to a Mutual Company)

第五十三条の三十三　取締役、執行役、会計参与、監査役又は会計監査人（以下この目において「役員等」という。）は、その任務を怠ったときは、相互会社に対し、これによって生じた損害を賠償する責任を負う。

Article 53-33 (1) Directors, executive officers, accounting advisors, company auditors or accounting auditors (hereinafter referred to as "Officers, etc." in this Division) who have been negligent in their duties shall be liable to the Mutual Company for any damage resulting from such negligence.

２　取締役又は執行役が第五十三条の十五において準用する会社法第三百五十六条第一項（前条において準用する同法第四百十九条第二項前段において準用する場合を含む。以下この項において同じ。）の規定に違反して同法第三百五十六条第一項第一号（競業及び利益相反取引の制限）の取引をしたときは、当該取引によって取締役、執行役又は第三者が得た利益の額は、前項の損害の額と推定する。

(2) Where a director or executive officer has conducted a transaction set forth in Article 356, paragraph (1), item (i) (Restrictions on Competition and Transactions Involving a Conflict of Interest) of the Companies Act in violation of the provisions of Article 356, paragraph (1) of that Act as applied mutatis mutandis pursuant to Article 53-15 (including the cases where it is applied mutatis mutandis pursuant to the first sentence of Article 419, paragraph (2) of that Act as applied mutatis mutandis pursuant to the preceding Article; hereinafter the same shall apply in this paragraph), the amount of the profits obtained by the director, executive officer or a third party as a result of such transaction shall be presumed to be the amount of the damages set forth in the preceding paragraph.

３　第五十三条の十五において準用する会社法第三百五十六条第一項第二号又は第三号（これらの規定を前条において準用する同法第四百十九条第二項前段において準用する場合を含む。）の取引によって相互会社に損害が生じたときは、次に掲げる取締役又は執行役は、その任務を怠ったものと推定する。

(3) Where a Mutual Company incurs any damages as a result of a transaction set forth in Article 356, paragraph (1), item (ii) or (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 53-15 (including the cases where it is applied mutatis mutandis pursuant to the first sentence of Article 419, paragraph (2) of that Act as applied mutatis mutandis pursuant to the preceding Article), the following directors or executive officers shall be presumed to have been negligent in their duties:

一　第五十三条の十五において準用する会社法第三百五十六条第一項（前条において準用する同法第四百十九条第二項前段において準用する場合を含む。）の取締役又は執行役

(i) The directors or executive officers set forth in Article 356, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-15 (including the cases where it is applied mutatis mutandis pursuant to the first sentence of Article 419, paragraph (2) of that Act as applied mutatis mutandis pursuant to the preceding Article);

二　相互会社が当該取引をすることを決定した取締役又は執行役

(ii) The directors or executive officers who decided that the Mutual Company would carry out such transaction; or

三　当該取引に関する取締役会の承認の決議に賛成した取締役（委員会設置会社においては、当該取引が委員会設置会社と取締役との間の取引又は委員会設置会社と取締役との利益が相反する取引である場合に限る。）

(iii) The directors who agreed to the board of directors' resolution approving such a transaction (in a company with Committees, limited to the cases where such transaction is carried out between the company with Committees and the directors or gives rise to a conflict of interest between the company with Committees and the directors).

（相互会社に対する損害賠償責任の免除）

(Exemption from Liability for Damages to a Mutual Company)

第五十三条の三十四　前条第一項の責任は、総社員の同意がなければ、免除することができない。

Article 53-34 Officers, etc. may not be exempted from the liability under paragraph (1) of the preceding Article without the consent of all members.

（役員等の第三者に対する損害賠償責任）

(Officer Liability, etc. for Damages to Third Parties)

第五十三条の三十五　役員等がその職務を行うについて悪意又は重大な過失があったときは、当該役員等は、これによって第三者に生じた損害を賠償する責任を負う。

Article 53-35 (1) Officers, etc. shall be liable for any damages incurred by a third party as a result of their bad faith or gross negligence in carrying out their duties.

２　次の各号に掲げる者が、当該各号に定める行為をしたときも、前項と同様とする。ただし、その者が当該行為をすることについて注意を怠らなかったことを証明したときは、この限りでない。

(2) The provisions of the preceding paragraph shall also apply where the persons listed in the following items have acted as provided for in the relevant items; provided, however, that this shall not apply to the cases where such persons prove that they did not fail to exercise due care in carrying out their duties:

一　取締役及び執行役　次に掲げる行為

(i) Directors and executive officers: the following actions:

イ　基金の募集若しくは社債（第六十一条に規定する社債をいう。）を引き受ける者の募集をする際に通知しなければならない重要な事項についての虚偽の通知又は当該募集のための当該相互会社の事業その他の事項に関する説明に用いた資料についての虚偽の記載若しくは記録

(a) Giving false notice with respect to an important particular of which notice is required to by given in soliciting funds or subscribers for company bonds (meaning the company bonds as defined in Article 61), or including a false detail or record in a material used in explaining the business or any other particular of the Mutual Company for the purpose of such solicitation;

ロ　計算書類及び事業報告並びにこれらの附属明細書に記載し、又は記録すべき重要な事項についての虚偽の記載又は記録

(b) Including a false detail or record of an important particular that must be entered or recorded in financial statements and business reports, and annexed detailed statements thereto;

ハ　虚偽の登記

(c) Making a false registration; and

ニ　虚偽の公告（第五十四条の七第三項に規定する措置を含む。）

(d) Giving a false public notice (including the measures provided for in Article 54-7, paragraph (3));

二　会計参与　計算書類及びその附属明細書並びに会計参与報告に記載し、又は記録すべき重要な事項についての虚偽の記載又は記録

(ii) Accounting advisors: including a false detail or record with regard to an important particular that must be detailed or recorded in financial statements and annexed detailed statements thereto, and accounting advisors' reports:

三　監査役及び監査委員　監査報告に記載し、又は記録すべき重要な事項についての虚偽の記載又は記録

(iii) Auditors and Audit Committee Members: including a false detail or record with regard to an important particular that must be detailed or recorded in an audit report: and

四　会計監査人　会計監査報告に記載し、又は記録すべき重要な事項についての虚偽の記載又は記録

(iv) Accounting auditors: including a false detail or record with regard to an important particular that must be detailed or recorded in an accounting audit report.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第五十三条の三十六　会社法第四百二十五条（第一項第二号、第四項後段及び第五項を除く。）（責任の一部免除）、第四百二十六条（第四項を除く。）（取締役等による免除に関する定款の定め）、第四百二十七条（責任限定契約）、第四百二十八条（取締役が自己のためにした取引に関する特則）及び第四百三十条（役員等の連帯責任）の規定は、相互会社の役員等の損害賠償責任について準用する。この場合において、これらの規定中「第四百二十三条第一項」とあるのは「保険業法第五十三条の三十三第一項」と、「第四百二十四条」とあるのは「保険業法第五十三条の三十四」と、同法第四百二十五条第一項中「決議」とあるのは「保険業法第六十二条第二項に規定する決議」と、同法第四百二十六条第二項中「についての取締役の同意を得る場合及び当該責任の免除に関する」とあるのは「に関する」と、同条第五項中「総株主（第三項の責任を負う役員等であるものを除く。）の議決権の百分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上の議決権を有する株主」とあるのは「社員総数（第三項の責任を負う役員等である社員の数を除く。）の千分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員（特定相互会社にあっては、保険業法第三十八条第一項に規定する政令で定める数以上の社員）」と、同法第四百二十七条第五項中「第四百二十五条第四項及び第五項」とあるのは「第四百二十五条第四項前段」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。

Article 53-36 The provisions of Article 425 (excluding paragraph (1), item (ii), the second sentence of paragraphs (4) and (5)) (Partial Exemption from Liability), Article 426 (excluding paragraph (4)) (Provisions of the Articles of Incorporation on Exemption by Directors), Article 427 (Limited Liability Contracts), Article 428 (Special Provisions on Transactions Carried Out by a Director for Himself/Herself) and Article 430 (Officers' Joint and Several Liability, etc.) of the Companies Act shall apply mutatis mutandis to the liability for damages of the Officers, etc. of a Mutual Company. In this case, the terms "Article 423, paragraph (1)" and "Article 424" in those provisions shall be deemed to be replaced with "Article 53-33, paragraph (1) of the Insurance Business Act" and "Article 53-34 of the Insurance Business Act," respectively; the term "resolution" in Article 425, paragraph (1) of that Act shall be deemed to be replaced with "the resolution set forth in Article 62, paragraph (2) of the Insurance Business Act"; the term "the consent of directors with respect to an exemption from liability under the provisions of the articles of incorporation pursuant to the provisions of that paragraph (limited to exemptions from liability for directors (excluding those who are Audit Committee Members) and executive officers) is to be obtained, and to the cases where a proposal regarding such exemption from liability" in Article 426, paragraph (2) of that Act shall be deemed to be replaced with "a proposal regarding an exemption from liability pursuant to the provisions of the articles of incorporation under that paragraph (limited to exemptions from liability for directors (excluding those who are Audit Committee Members) and executive officers)"; the term "shareholders having not less than 3 percent (or, in cases where lesser proportion is prescribed in the articles of incorporation, such proportion) of the voting rights of all shareholders (excluding Officers, etc. subject to the liability referred to in paragraph (3))" in Article 426, paragraph (5) shall be deemed to be replaced with "members representing at least three thousandths (or any smaller proportion prescribed by the articles of incorporation) of the total membership (excluding the number of members who are Officers, etc. subject to the liability referred to in paragraph (3)) of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 38, paragraph (1) of the Insurance Business Act)"; and the term "Article 425, paragraphs (4) and (5)" in Article 427, paragraph (5) of that Act shall be deemed to be replaced with "the first sentence of Article 425, paragraph (4)"; any other necessary technical change in interpretation shall be prescribed by Cabinet Order.

（相互会社における責任追及等の訴え）

(Liability Actions, etc. Against a Mutual Company)

第五十三条の三十七　会社法第七編第二章第二節（第八百四十七条第二項、第八百四十九条第五項並びに第八百五十一条第一項第一号及び第二項を除く。）（株式会社における責任追及等の訴え）の規定は相互会社における責任を追及する訴えについて、同章第三節（第八百五十四条第一項第一号イ及び第二号並びに第二項から第四項までを除く。）（株式会社の役員の解任の訴え）及び同法第九百三十七条第一項（第一号ヌに係る部分に限る。）（裁判による登記の嘱託）の規定は相互会社の役員の解任の訴えについて、それぞれ準用する。この場合において、同法第八百四十七条第一項（責任追及等の訴え）中「株式を有する株主（第百八十九条第二項の定款の定めによりその権利を行使することができない単元未満株主を除く。）」とあるのは「社員である者」と、「第四百二十三条第一項」とあるのは「保険業法第五十三条の三十三第一項」と、同条第三項から第五項まで及び第七項中「株主」とあるのは「社員」と、同法第八百五十四条第一項第一号（株式会社の役員の解任の訴え）中「総株主（次に掲げる株主を除く。）の議決権の百分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上の議決権を」とあるのは「社員総数の千分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員又は三千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、保険業法第三十八条第一項に規定する政令で定める数以上の社員）で」と、「有する株主」とあるのは「社員である者（総代会を設けているときは、これらの者又は九名（これを下回る数を定款で定めた場合にあっては、その数）以上の総代）」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。

Article 53-37 The provisions of Part VII, Chapter II, Section 2 (excluding Article 847, paragraph (2), Article 849, paragraph (5), Article 851, paragraph (1), item (i) and Article 851, paragraph (2)) (Liability Actions, etc. Against a Stock Company) of the Companies Act shall apply mutatis mutandis to an action for accountability in a Mutual Company; and the provisions of Section 3 of said Chapter (excluding Article 854, paragraph (1), item (i), sub-item (a) and Article 854, paragraphs (2) to (4) inclusive) (Action to Dismiss the Officer of a Stock Company) and Article 937, paragraph (1) (limited to the segment pertaining to item (i), sub-item (j)) (Commissioning of Registration by a Judicial Decision) of that Act shall apply mutatis mutandis to an action to dismiss the officer of a Mutual Company. In this case, the terms "A shareholder (excluding a Holder of Shares Less than One Unit who is unable to exercise rights pursuant to the provisions of the articles of incorporation) having the shares" and "Article 423, paragraph (1)" in Article 847, paragraph (1) (Action to Dismiss the Officer of a Stock Company) of that Act shall be deemed to be replaced with "persons who have been members" and "Article 53-33, paragraph (1) of Insurance Business Act," respectively; the term "shareholder" in Article 847, paragraphs (3) to (5) inclusive and (7) shall be deemed to be replaced with "member"; and the provisions of Article 854, paragraph (1), item (i) of that Act shall be deemed to be replaced with "members representing at least three thousandths (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or three thousand (or any smaller number prescribed by the articles of incorporation) or more members of a Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 38, paragraph (1) of the Insurance Business Act), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation) (or, where the company has a General Representative Members' Council, those members or nine (or any smaller number prescribed by the articles of incorporation) or more representative members"; any other necessary technical change in interpretation shall be prescribed by Cabinet Order.

第五款　相互会社の計算等

Subsection 5 Mutual Companies' Accounting, etc.

第一目　会計の原則

Division 1 Accounting Principles

第五十四条　相互会社の会計は、一般に公正妥当と認められる企業会計の慣行に従うものとする。

Article 54 A Mutual Company's accounting shall be subject to such business accounting practices that are generally accepted as fair and adequate.

第二目　計算書類等

Division 2 Financial Statements, etc.

（会計帳簿の作成及び保存等）

(Preparation and Retention, etc. of Accounting Books)

第五十四条の二　相互会社は、内閣府令で定めるところにより、適時に、正確な会計帳簿を作成しなければならない。

Article 54-2 (1) A Mutual Company shall prepare accurate account books in a timely manner pursuant to the provisions of Cabinet Office Ordinance.

２　相互会社は、会計帳簿の閉鎖の時から十年間、その会計帳簿及びその事業に関する重要な資料を保存しなければならない。

(2) A Mutual Company shall retain its account books and important materials regarding its business for ten years from the time of the closing of the account books.

３　裁判所は、申立てにより又は職権で、訴訟の当事者に対し、会計帳簿の全部又は一部の提出を命ずることができる。

(3) The court may, upon petition or by its own authority, order a party to litigation to submit its accounting books in whole or in part.

（計算書類等の作成及び保存）

(Preparation and Retention of Financial Statements, etc.)

第五十四条の三　相互会社は、内閣府令で定めるところにより、その成立の日における貸借対照表を作成しなければならない。

Article 54-3 (1) A Mutual Company shall prepare a balance sheet as of the date of its establishment pursuant to the provisions of Cabinet Office Ordinance.

２　相互会社は、内閣府令で定めるところにより、各事業年度に係る計算書類（貸借対照表、損益計算書、剰余金の処分又は損失の処理に関する議案その他相互会社の財産及び損益の状況を示すために必要かつ適当なものとして内閣府令で定めるものをいう。以下この款において同じ。）及び事業報告並びにこれらの附属明細書を作成しなければならない。

(2) A Mutual Company shall, pursuant to the provisions of Cabinet Office Ordinance, prepare financial statements (meaning the balance sheet, profit and loss statement, proposal on appropriation of surplus or disposal of losses and any other statement specified by Cabinet Office Ordinance as necessary and appropriate in order to indicate the status of the Mutual Company's property and profits or losses; hereinafter the same shall apply in this Division) and a business report for each business year and their annexed detailed statements.

３　計算書類及び事業報告並びにこれらの附属明細書は、電磁的記録をもって作成することができる。

(3) The financial statements, business report, and annexed detailed statements may be prepared in the form of electromagnetic record.

４　相互会社は、計算書類を作成した時から十年間、当該計算書類及びその附属明細書を保存しなければならない。

(4) A Mutual Company shall retain its financial statements and annexed detailed statements thereto for ten years from the time of preparation of the financial statements.

（計算書類等の監査等）

(Auditing, etc. of Financial Statements, etc.)

第五十四条の四　相互会社（会計監査人設置会社を除く。）においては、前条第二項の計算書類及び事業報告並びにこれらの附属明細書は、内閣府令で定めるところにより、監査役の監査を受けなければならない。

Article 54-4 (1) In a Mutual Company (other than a company with accounting auditors), the financial statements and business report and their annexed detailed statements under paragraph (2) of the preceding Article, shall be audited by the company auditors pursuant to the provisions of Cabinet Office Ordinance.

２　会計監査人設置会社においては、次の各号に掲げるものは、内閣府令で定めるところにより、当該各号に定める者の監査を受けなければならない。

(2) In a company with accounting auditors, the documents listed in the following items shall be audited by the persons listed in the relevant items pursuant to the provisions of Cabinet Office Ordinance:

一　前条第二項の計算書類及びその附属明細書　監査役（委員会設置会社にあっては、監査委員会）及び会計監査人

(i) The financial statements and annexed detailed statements thereto set forth in paragraph (2) of the preceding Article: the company auditors (or, in a company with Committees, the audit committee) and accounting auditors; and

二　前条第二項の事業報告及びその附属明細書　監査役（委員会設置会社にあっては、監査委員会）

(ii) The business report and annexed detailed statements thereto set forth in paragraph (2) of the preceding Article: the company auditors (or, in a company with Committees, the audit committee).

３　前二項の監査を受けた計算書類及び事業報告並びにこれらの附属明細書は、取締役会の承認を受けなければならない。

(3) The financial statements and business report, and annexed detailed statements thereto audited under the preceding two paragraphs shall be approved by the board of directors.

（計算書類等の社員への提供）

(Provision of Financial Statements, etc. to Members)

第五十四条の五　取締役は、定時社員総会（総代会を設けているときは、定時総代会。以下この款において同じ。）の招集の通知に際して、内閣府令で定めるところにより、社員（総代会を設けているときは、総代。以下この款において同じ。）に対し、前条第三項の承認を受けた計算書類及び事業報告（監査報告又は会計監査報告を含む。）を提供しなければならない。

Article 54-5 In giving a notice of convocation of the annual general members' council meeting (or, where the company has a General Representative Members' Council Meeting, such a council meeting; hereinafter the same shall apply in this Subsection), the directors shall, pursuant to the provisions of Cabinet Office Ordinance, provide the members (or, in a Mutual Company with a General Representative Members' Council, representative members; hereinafter the same shall apply in this Subsection) with the financial statements and business report (including any audit report or accounting audit report) that have been approved under paragraph (3) of the preceding Article.

（計算書類等の定時社員総会への提出等）

(Submission, etc. of Financial Statements, etc. at the Annual General Members' Council Meeting)

第五十四条の六　取締役は、第五十四条の四第三項の承認を受けた計算書類及び事業報告を定時社員総会に提出し、又は提供しなければならない。

Article 54-6 (1) The directors shall submit or provide the financial statements and business report approved under Article 54-4, paragraph (3) at the annual general members' council meeting.

２　前項の規定により提出され、又は提供された計算書類は、定時社員総会の承認を受けなければならない。

(2) The financial statements submitted or provided pursuant to the provisions of the preceding paragraph shall be approved at the annual general members' council meeting.

３　取締役は、第一項の規定により提出され、又は提供された事業報告の内容を定時社員総会に報告しなければならない。

(3) The directors shall report the contents of the business report submitted or provided pursuant to the provisions of paragraph (1) at the annual general members' council meeting.

４　会計監査人設置会社において、第五十四条の四第三項の承認を受けた計算書類が法令及び定款に従い相互会社の財産及び損益の状況を正しく表示しているものとして内閣府令で定める要件に該当する場合における前二項の規定の適用については、第二項中「計算書類」とあるのは「剰余金の処分又は損失の処理に関する議案」と、前項中「事業報告」とあるのは「計算書類（剰余金の処分又は損失の処理に関する議案を除く。）及び事業報告」とする。

(4) In a company with accounting auditors, for the purpose of applying the provisions of the preceding two paragraphs to the cases where the financial statements approved under Article 54-4, paragraph (3) satisfy the requirements specified by Cabinet Office Ordinance for accurate indication of the status of a Mutual Company's property and profits or losses in compliance with the applicable laws and regulations and the articles of incorporation, the term "financial statements" in paragraph (2) shall be deemed to be replaced with "proposal on appropriation of surplus or disposal of losses"; and the term "business report" in the preceding paragraph shall be deemed to be replaced with "financial statements (excluding the proposal on appropriation of surplus or disposal of losses) and business report."

（計算書類の公告）

(Public Notice of Financial Statements)

第五十四条の七　相互会社は、内閣府令で定めるところにより、定時社員総会の終結後遅滞なく、貸借対照表（第五十三条の十四第五項に規定する相互会社にあっては、貸借対照表及び損益計算書）を公告しなければならない。

Article 54-7 (1) A Mutual Company shall, pursuant to the provisions of Cabinet Office Ordinance, give public notice of its balance sheet (or, in a Mutual Company set forth in Article 53-14, paragraph (5), its balance sheet and profit and loss statement) without delay after the conclusion of the annual general members' council meeting.

２　前項の規定にかかわらず、その公告方法が時事に関する事項を掲載する日刊新聞紙に掲載する方法である相互会社は、同項に規定する貸借対照表の要旨を公告することで足りる。

(2) Notwithstanding the provisions of the preceding paragraph, it shall be sufficient for a Mutual Company which adopts, as its Method of Public Notice, publication in a daily newspaper that publishes the particulars of current events, to give public notice of the gist of the balance sheet set forth in that paragraph.

３　前項の相互会社は、内閣府令で定めるところにより、定時社員総会の終結後遅滞なく、第一項に規定する貸借対照表の内容である情報を、定時社員総会の終結の日後五年を経過する日までの間、継続して電磁的方法により不特定多数の者が提供を受けることができる状態に置く措置をとることができる。この場合においては、前二項の規定は、適用しない。

(3) Pursuant to the provisions of Cabinet Office Ordinance, the Mutual Company set forth in the preceding paragraph may, without delay after the conclusion of the annual general members' council meeting, take measures to make the information contained in the balance sheet provided for in paragraph (1) constantly available to many and unspecified persons by electromagnetic means for a period of five years from the date on which the annual general members' council meeting was concluded. The provisions of the preceding two paragraphs shall not apply in this case.

４　金融商品取引法第二十四条第一項（有価証券報告書の提出）の規定により有価証券報告書を内閣総理大臣に提出しなければならない相互会社については、前三項の規定は、適用しない。

(4) The provisions of the preceding three paragraphs shall not apply to a Mutual Company which is to submit its securities report to the Prime Minister pursuant to the provisions of Article 24, paragraph (1) (Submission of Securities Report) of the Financial Instruments and Exchange Act.

（計算書類等の備置き及び閲覧等）

(Retention and Inspection, etc. of Financial Statements, etc.)

第五十四条の八　相互会社は、各事業年度に係る計算書類及び事業報告並びにこれらの附属明細書（監査報告又は会計監査報告を含む。以下この条において「計算書類等」という。）を、定時社員総会の日の二週間前の日（第四十一条第一項において準用する会社法第三百十九条第一項の場合にあっては、同項の提案があった日）から五年間、その主たる事務所に備え置かなければならない。

Article 54-8 (1) A Mutual Company shall retain its financial statements and business report for each business year, and their annexed detailed statements (including the audit report or accounting audit report; hereinafter referred to as "Financial Statements, etc." in this Article) at its principal office for a period of five years from the day that is two weeks before the date of the annual general members' council meeting (or, in the case of Article 319, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 41, paragraph (1), the date of the proposal set forth in that paragraph).

２　相互会社は、各事業年度に係る計算書類等の写しを、定時社員総会の日の二週間前の日（第四十一条第一項において準用する会社法第三百十九条第一項の場合にあっては、同項の提案があった日）から三年間、その従たる事務所に備え置かなければならない。ただし、計算書類等が電磁的記録で作成されている場合であって、従たる事務所における次項第三号及び第四号に掲げる請求に応じることを可能とするための措置として内閣府令で定めるものをとっているときは、この限りでない。

(2) A Mutual Company shall keep the copies of its Financial Statements, etc. for each business year at its secondary offices for a period of three years from the day that is two weeks before the date of its annual general members' council meeting (or, in the case of Article 319, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 41, paragraph (1), the date of the proposal set forth in that paragraph); provided, however, that this shall not apply to the cases where the Financial Statements, etc. have been prepared in the form of electromagnetic records, if the Mutual Company adopts the measures specified by Cabinet Office Ordinance in order to enable its secondary offices to meet the requests listed in items (iii) and (iv) of the following paragraph.

３　相互会社の保険契約者、保険金額を受け取るべき者その他の債権者及び被保険者は、相互会社の事業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該相互会社の定めた費用を支払わなければならない。

(3) The creditors and insured persons of a Mutual Company, such as Policyholders and beneficiaries of insurance proceeds, may make the following requests at any time during the business hours of the Mutual Company; provided, however, that they pay the fees determined by the Mutual Company in making a request falling under item (ii) or (iv):

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

(i) Where the Financial Statements, etc. have been prepared in writing, a request to inspect or copy such documents;

二　前号の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents referred to in the preceding item;

三　計算書類等が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) Where the Financial Statements, etc. are prepared in the form of electromagnetic records, a request to inspect anything that shows the particulars recorded in the electromagnetic records in a manner specified by Cabinet Office Ordinance; or

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って相互会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding item by the electromagnetic means determined by the Mutual Company, or to be issued a document detailing such particulars.

（計算書類等の提出命令）

(Order to Submit Financial Statements, etc.)

第五十四条の九　裁判所は、申立てにより又は職権で、訴訟の当事者に対し、計算書類及びその附属明細書の全部又は一部の提出を命ずることができる。

Article 54-9 The court may, upon petition or by its own authority, order a party to litigation to submit in whole or in Part the financial statements and annexed detailed statements thereto.

（連結計算書類）

(Consolidated Financial Statements)

第五十四条の十　会計監査人設置会社は、内閣府令で定めるところにより、各事業年度に係る連結計算書類（当該会計監査人設置会社及びその実質子会社から成る企業集団の財産及び損益の状況を示すために必要かつ適当なものとして内閣府令で定めるものをいう。以下この条において同じ。）を作成することができる。

Article 54-10 (1) A company with accounting auditors may, pursuant to the provisions of Cabinet Office Ordinance, prepare consolidated financial statements (meaning those statements specified by Cabinet Office Ordinance as necessary and appropriate in order to indicate the status of the property and profits or losses of a corporate group comprised of the company with accounting auditors and its de facto Subsidiary Companies; hereinafter the same shall apply in this Article) for each business year.

２　連結計算書類は、電磁的記録をもって作成することができる。

(2) Consolidated financial statements may be prepared in the form of electromagnetic records.

３　事業年度の末日において第五十三条の十四第五項に規定する相互会社であって金融商品取引法第二十四条第一項（有価証券報告書の提出）の規定により有価証券報告書を内閣総理大臣に提出しなければならないものは、当該事業年度に係る連結計算書類を作成しなければならない。

(3) An entity that is a Mutual Company set forth in Article 53-14, paragraph (5) as of the last day of a business year shall submit a securities report to the Prime Minister pursuant to the provisions of Article 24, paragraph (1) of the Financial Instruments and Exchange Act and shall prepare consolidated financial statements for the business year.

４　連結計算書類は、内閣府令で定めるところにより、監査役（委員会設置会社にあっては、監査委員会）及び会計監査人の監査を受けなければならない。

(4) Consolidated financial statements shall be audited by the company auditors (or, in a company with Committees, the audit committee) and accounting auditors, pursuant to the provisions of Cabinet Office Ordinance.

５　前項の監査を受けた連結計算書類は、取締役会の承認を受けなければならない。

(5) The consolidated financial statements audited under the preceding paragraph shall be approved by the board of directors.

６　第五十四条の五並びに第五十四条の六第一項及び第三項の規定は、連結計算書類について準用する。この場合において、同項中「事業報告の内容」とあるのは「連結計算書類の内容及び第五十四条の十第四項の監査の結果」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。

(6) The provisions of Article 54-5 and Article 54-6, paragraphs (1) and (3) shall apply mutatis mutandis to consolidated financial statements. In this case, the term "contents of the business report" in Article 54-6, paragraph (3) shall be deemed to be replaced with "contents of the consolidated financial statements and the result of audit under Article 54-10, paragraph (4)"; any technical change in interpretation shall be specified by Cabinet Order.

第三目　基金利息の支払、基金の償却及び剰余金の分配

Division 3 Payment of Interest on Funds, Redemption of Funds and Distributions of Surplus

（基金利息の支払等の制限）

(Restrictions on Payment of Interest on Funds, etc.)

第五十五条　基金利息の支払は、貸借対照表上の純資産額から次に掲げる金額の合計額を控除した額（第五十五条の三第三項第一号において「利息支払限度額」という。）を限度として行うことができる。

Article 55 (1) Payment of interest on funds may be made in an amount not exceeding the amount of net assets on the balance sheet after the sum total of the following amounts (referred to as "maximum limit of interest payment" in Article 55-3, paragraph (3), item (i)) has been deducted therefrom:

一　基金の総額

(i) The total amount of funds;

二　損失てん補準備金及び第五十六条の基金償却積立金の額（第五十九条第二項の規定により取り崩した基金償却積立金の額があるときは、その合計額を含む。次項において同じ。）

(ii) The deficiency reserves and the reserves for redemption of funds set forth in Article 56 (including the total amount of any reduction of the reserves for redemption of funds pursuant to the provisions of Article 59, paragraph (2); the same shall apply in the following paragraph); and

三　その他内閣府令で定める額

(iii) Other amounts specified by Cabinet Office Ordinance.

２　基金の償却又は剰余金の分配は、貸借対照表上の純資産額から次に掲げる金額の合計額を控除した額（第五十五条の三第三項第二号において「償却等限度額」という。）を限度として行うことができる。ただし、第百十三条前段（第二百七十二条の十八において準用する場合を含む。）の規定により貸借対照表の資産の部に計上した額の全額を償却した後でなければ、これを行うことができない。

(2) Redemption of funds or distribution of surplus may be made in an amount not exceeding the amount of net assets on the balance sheet after deducting the sum total of the following amounts (referred to as "maximum limit of redemption, etc." in Article 55-3, paragraph (3), item (ii)); provided, however, that such redemption or distribution may only be effected after the amount credited to assets in the balance sheet pursuant to the provisions of the first sentence of Article 113 (including the cases where it is applied mutatis mutandis pursuant to Article 272-18) has been amortized in full:

一　基金の総額

(i) The total amount of funds;

二　損失てん補準備金及び第五十六条の基金償却積立金の額

(ii) The deficiency reserves and the reserves for redemption of funds set forth in Article 56;

三　前項の基金利息の支払額

(iii) The amount of interest on funds paid under the preceding paragraph;

四　その決算期に積み立てることを要する損失てん補準備金の額

(iv) The deficiency reserves to be set aside for the accounting period; and

五　その他内閣府令で定める額

(v) Other amounts specified by Cabinet Office Ordinance.

３　前二項の規定に違反して、基金利息の支払又は基金の償却若しくは剰余金の分配を行ったときは、当該相互会社の債権者は、これを返還させることができる。

(3) Where a Mutual Company has made any payment of interest on funds, or redemption of funds or distribution of surplus in violation of the provisions of the preceding two paragraphs, a creditor of the Mutual Company may cause it to refund the money thus expended.

（剰余金の分配）

(Distributions of Surplus)

第五十五条の二　剰余金の分配は、公正かつ衡平な分配をするための基準として内閣府令で定める基準に従い、行わなければならない。

Article 55-2 (1) Any distribution of surplus shall be made in conformity with the standards specified by Cabinet Office Ordinance for fair and equitable distribution.

２　相互会社は、その定款において第二十三条第一項第七号に掲げる事項として、毎決算期に剰余金の処分を行う場合には、その対象となる金額として内閣府令で定める金額のうち、当該金額に一定の比率を乗じた額以上の額を、社員に対する剰余金の分配をするための準備金として内閣府令で定めるものに積み立てるべき旨を定めなければならない。

(2) A Mutual Company shall, as the particulars listed in Article 23, paragraph (1), item (vii), prescribe in its articles of incorporation that, where the company makes an appropriation of surplus for each accounting period, it shall set aside at least the amount calculated by multiplying the appropriable amount specified by Cabinet Office Ordinance by a certain proportion as the reserves for distributing surplus to members pursuant to the provisions of Cabinet Office Ordinance.

３　前項に規定する一定の比率は、内閣府令で定める比率を下回ってはならない。

(3) The certain proportion set forth in the preceding paragraph shall not be less than the proportion specified by Cabinet Office Ordinance.

４　相互会社は、その決算の状況に照らしてやむを得ない事情がある場合には、前二項の規定にかかわらず、定款において、当該決算期における剰余金の処分に限り、第二項の内閣府令で定める金額に前項の内閣府令で定める比率を下回る比率を乗じた額を第二項の内閣府令で定める準備金に積み立てる旨を定めることができる。

(4) Notwithstanding the provisions of the preceding two paragraphs, a Mutual Company may, where it faces unavoidable circumstances in light of the status of its settlement of account, prescribe in its articles of incorporation that, so far as the appropriation of surplus for the accounting period is concerned, the company shall set aside as the Reserves specified by Cabinet Office Ordinance under paragraph (2) the amount calculated by multiplying the amount prescribed by Cabinet Office Ordinance under paragraph (2) by a ratio that is smaller than that prescribed by Cabinet Office Ordinance under the preceding paragraph.

５　前項の定款の定めは、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。

(5) Any provisions in the articles of incorporation under the preceding paragraph shall not take effect unless it is approved by the Prime Minister.

（基金利息の支払等に関する責任）

(Liability for Payment of Interest on Funds, etc.)

第五十五条の三　第五十五条第一項の規定に違反して相互会社が基金利息の支払をした場合又は同条第二項の規定に違反して相互会社が基金の償却若しくは剰余金の分配をした場合には、これらの行為（以下この条及び次条において「基金利息の支払等」という。）により金銭の交付を受けた者及び次に掲げる者は、当該相互会社に対し、連帯して、当該金銭の交付を受けた者が交付を受けた金銭の額に相当する金銭を支払う義務を負う。

Article 55-3 (1) Where a Mutual Company has paid any interest on funds in violation of the provisions of Article 55, paragraph (1), or made any redemption of funds or distribution of surplus in violation of the provisions of paragraph (2) of the same Article, the persons who were granted any money due to such action (referred to as "payment of interest on funds, etc." hereinafter in this Article as well as in the following Article) and the persons listed in the following items shall jointly and severally assume the obligation to pay to the Mutual Company the exact amount of money that those recipients have been granted:

一　基金利息の支払等に関する職務を行った業務執行者（業務執行取締役（委員会設置会社にあっては、執行役）その他当該業務執行取締役の行う業務の執行に職務上関与した者として内閣府令で定めるものをいう。）

(i) The executing person who has carried out any duty related to the payment of interest on funds, etc. (meaning the executive director (or, in a company with Committees, executive officer) or any other person specified by Cabinet Office Ordinance as having participated, in the course of functions, in the execution of duties to be carried out by the executive director); and

二　剰余金の処分又は損失の処理に関する議案に係る定時社員総会の決議があった場合（当該決議によって定められた議案の内容が第五十五条第一項又は第二項の規定に違反している場合に限る。）における当該定時社員総会に議案を提案した取締役として内閣府令で定めるもの

(ii) Where the annual general members' council meeting has adopted a resolution pertaining to a proposal related to the appropriation of surplus or disposal of losses (limited to the cases where the contents of the proposal approved by the resolution are in violation of the provisions of Article 55, paragraph (1) or (2)), the person specified by Cabinet Office Ordinance as the director who has presented the proposal to the annual general members' council meeting.

２　前項の規定にかかわらず、同項各号に掲げる者は、その職務を行うについて注意を怠らなかったことを証明したときは、同項の義務を負わない。

(2) Notwithstanding the provisions of the preceding paragraph, a person listed in item (i) or (ii) of that paragraph shall not assume the obligation under that paragraph, if the person proves that he/she did not fail to exercise due care in carrying out his/her duties.

３　第一項の規定により同項各号に掲げる者の負う義務は、免除することができない。ただし、次の各号に掲げる場合において、当該各号に定める額を限度として当該義務を免除することについて総社員の同意があるときは、この限りでない。

(3) A person listed in the items of paragraph (1) may not be exempted from the obligation under that paragraph; provided, however, that this shall not apply if all of the members agree to exempt the person from the obligation to the amount prescribed in the relevant items in the cases listed in the following items:

一　基金利息の支払をした場合　利息支払限度額

(i) In the case of a payment of interest on funds: maximum limit of interest payment; or

二　基金の償却又は剰余金の分配をした場合（第五十五条第二項ただし書に規定する場合を除く。）　償却等限度額

(ii) In the case of a redemption of funds or distribution of surplus (excluding the cases set forth in the proviso to Article 55, paragraph (2)): maximum limit of redemption, etc.

（社員に対する求償権の制限等）

(Restrictions, etc. on Right to Obtain Reimbursement from Members)

第五十五条の四　第五十五条第一項又は第二項の規定に違反して相互会社が基金利息の支払等をした場合において、これらの違反があることにつき善意の社員は、当該社員が交付を受けた金銭について、前条第一項の金銭を支払った同項各号に掲げる者からの求償の請求に応ずる義務を負わない。

Article 55-4 Where a Mutual Company has made any payment of interest on funds, etc. in violation of the provisions of Article 55, paragraph (1) or (2), a member without knowledge of such violation shall not be obliged to meet any request for reimbursement made by a person listed in the items of paragraph (1) of the preceding Article who has paid the money prescribed in that paragraph.

第四目　基金償却積立金及び損失てん補準備金

Division 4 Reserve for Redemption of Funds and Deficiency Reserve

（基金償却積立金の積立て）

(Establishment of Reserve for Redemption of Funds)

第五十六条　基金を償却するときは、その償却する金額に相当する金額を、基金償却積立金として積み立てなければならない。

Article 56 (1) A Mutual Company shall, in redeeming its funds, set aside the amount of money to be redeemed as the reserves for redemption of funds.

２　基金に係る債務の免除を受けたときは、その免除を受けた金額に相当する金額を、基金の総額から控除し、基金償却積立金として積み立てなければならない。

(2) A Mutual Company shall, if it has been released from any debt pertaining to its funds, deduct the amount of debt thus relieved from the total amount of its funds and set it aside as the reserves for redemption of funds.

（基金償却積立金の取崩し）

(Reduction of Reserve for Redemption of Funds)

第五十七条　相互会社は、社員総会（総代会を設けているときは、総代会）の決議により、基金償却積立金を取り崩すことができる。

Article 57 (1) A Mutual Company may reduce the amount of the reserves for redemption of funds by a resolution of the general members' council (or General Representative Members' Council, where the company has such a council).

２　前項の場合には、第六十二条第二項に定める決議によらなければならない。

(2) The resolution set forth in the preceding paragraph shall be a resolution under Article 62, paragraph (2).

３　第一項の規定による基金償却積立金の取崩しによる変更の登記の申請書には、第六十七条において準用する商業登記法第十八条、第十九条及び第四十六条に定める書類のほか、次に掲げる書類を添付しなければならない。

(3) The documents prescribed in Articles 18, 19 and 46 of the Commercial Registration Act as well as the following documents shall be attached to a written application for registration of change due to any reduction of the reserves for redemption of funds pursuant to the provisions of paragraph (1):

一　次項において読み替えて準用する第十七条第二項の規定による公告をしたことを証する書面

(i) A written statement certifying that the company has given a public notice under Article 17, paragraph (2) as applied mutatis mutandis pursuant to the following paragraph with relevant changes in interpretation;

二　次項において読み替えて準用する第十七条第四項の異議を述べた保険契約者その他の債権者があるときは、当該保険契約者その他の債権者に対し、弁済し、相当の担保を供し、若しくは当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託したこと又は当該基金償却積立金の取崩しをしても当該保険契約者その他の債権者を害するおそれがないことを証する書面

(ii) Where any Policyholder or other creditor has stated his/her objection under Article 17, paragraph (4) as applied mutatis mutandis pursuant to the following paragraph with relevant changes in interpretation, a written statement certifying that the company has made payment or provided equivalent security to such Policyholder or other creditor or entrusted equivalent property to a trust company, etc. for the purpose of ensuring that such Policyholder or other creditor receive the payment, or that the reduction of the reserves for redemption of funds poses no risk of harming the interest of such Policyholder or other creditor; and

三　次項において読み替えて準用する第十七条第六項の異議を述べた保険契約者の数が同項の保険契約者の総数の五分の一を超えなかったことを証する書面又はその者の同項の内閣府令で定める金額が同項の金額の総額の五分の一を超えなかったことを証する書面

(iii) A written statement certifying that the number of the Policyholders who have stated their objections under Article 17, paragraph (6) as applied mutatis mutandis pursuant to the following paragraph with relevant changes in interpretation has not exceeded one fifth of the total number of Policyholders set forth in that paragraph, or a written statement certifying that the amount specified by Cabinet Office Ordinance as belonging to such Policyholders has not exceeded one fifth of the total amount set forth in that paragraph.

４　第十六条第一項（ただし書を除く。）及び第二項、第十七条（第一項ただし書を除く。）、第十七条の二第四項並びに第十七条の四の規定は、第一項の基金償却積立金の取崩しについて準用する。この場合において、これらの規定中「資本金等の額の減少」とあるのは「基金償却積立金の取崩し」と、第十六条第一項中「株式会社は、資本金又は準備金（以下この節において「資本金等」という。）の額の減少（減少する準備金の額の全部を資本金とする場合を除く。）の決議に係る株主総会（会社法第四百四十七条第三項（資本金の額の減少）又は第四百四十八条第三項（準備金の額の減少）に規定する場合にあっては、取締役会）の会日の二週間前から資本金等の額の減少の効力を生じた日後六月を経過する日まで」とあるのは「第五十七条第一項の場合には、相互会社は、同項の決議に係る社員総会（総代会を設けているときは、総代会）の会日の二週間前から基金償却積立金の取崩しをした日後六月を経過する日まで」と、第十七条第一項中「株式会社が資本金等の額を減少する場合（減少する準備金の額の全部を資本金とする場合を除く。）」とあるのは「第五十七条第一項の場合」と、同条第六項中「会社法第四百四十七条第一項（資本金の額の減少）又は第四百四十八条第一項（準備金の額の減少）」とあるのは「第五十七条第一項」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。

(4) The provisions of Article 16, paragraph (1) (excluding the proviso thereto) and (2), Article 17 (excluding the proviso to paragraph (1)), Article 17-2, paragraph (4), and Article 17-4 shall apply mutatis mutandis to a reduction of the reserves for redemption of funds under paragraph (1). In this case, the term "reduction of the capital, etc." in those provisions shall be deemed to be replaced with "reduction of the reserves for redemption of funds"; the terms "A Stock Company" and "ranging from two weeks before the date of the shareholders' meeting pertaining to the resolution on the reduction of the capital, etc. (or, the date of the board of directors meeting where Article 447, paragraph (3) (Reductions in Amount of Capital) or Article 448, paragraph (3) (Reductions in Amount of Reserves) of the Companies Act Applies) to six months from the Effective Date of the reduction of the capital, etc." in Article 16, paragraph (1) shall be deemed to be replaced with "In the case of Article 57, paragraph (1), a Mutual Company" and "ranging from two weeks before the date of the general members' council (or General Representative Members' Council, where the company has such a council) pertaining to the resolution under that paragraph to six months from the date of the reduction of the reserves for redemption of funds" respectively; the term "Where a Stock Company reduces the amount of its capital, etc. (excluding the cases where the whole of the amount by which the Reserves are reduced is appropriated to the capital)" in Article 17, paragraph (1) shall be deemed to be replaced with "In the case of Article 57, paragraph (1)"; and the term "Article 447, paragraph (1) (Reductions in amount of the Capital) or Article 448, paragraph (1) (Reductions in amount of Reserves) of the Companies Act" in Article 17, paragraph (6) shall be deemed to be replaced with "Article 57, paragraph (1)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

５　第一項の規定による基金償却積立金の取崩しは、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。

(5) Any reduction of the reserves for redemption of funds under paragraph (1) shall not take effect unless it is approved by the Prime Minister.

６　会社法第八百二十八条第一項（第五号に係る部分に限る。）及び第二項（第五号に係る部分に限る。）（会社の組織に関する行為の無効の訴え）、第八百三十四条（第五号に係る部分に限る。）（被告）、第八百三十五条第一項（訴えの管轄）、第八百三十六条から第八百三十九条まで（担保提供命令、弁論等の必要的併合、認容判決の効力が及ぶ者の範囲、無効又は取消しの判決の効力）、第八百四十六条（原告が敗訴した場合の損害賠償責任）並びに第九百三十七条第一項（第一号ニに係る部分に限る。）（裁判による登記の嘱託）の規定は、基金償却積立金の取崩しの無効の訴えについて準用する。この場合において、同法第八百二十八条第二項第五号中「株主等」とあるのは「相互会社の社員、取締役、監査役若しくは清算人（委員会設置会社にあっては、社員、取締役、執行役又は清算人）」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。

(6) The provisions of Article 828, paragraph (1) (limited to the segment pertaining to item (v)) and (2) (limited to the segment pertaining to item (v)) (Actions to Invalidate Acts Concerning the Organization of a Company), Article 834 (limited to the segment pertaining to item (v)) (Defendant), Article 835, paragraph (1) (Jurisdiction over Actions), Article 836 to 839 inclusive (Order to Provide Security, Mandatory Consolidation of Oral Arguments, etc., Persons Affected by Where a Judgment Being Upheld, Effects of a Judgment of Invalidity, Revocation or Rescission), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff), and Article 937, paragraph (1) (limited to the segment pertaining to item (i), sub-item (d)) (Commissioning of Registration by a Judicial Decision) of the Companies Act shall apply mutatis mutandis to an action to invalidate a reduction of the reserves for redemption of funds. In this case, the term "shareholders, etc." in Article 828, paragraph (2), item (v) of that Act shall be deemed to be replaced with "members, directors, company auditors or liquidators (or, in a company with Committees, members, directors, executive officers or liquidators) of a Mutual Company"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（損失てん補準備金）

(Deficiency Reserve)

第五十八条　相互会社は、基金（第五十六条の基金償却積立金を含む。）の総額（定款でこれを上回る額を定めたときは、その額）に達するまでは、毎決算期に剰余金の処分として支出する金額（第五十五条の二第二項の準備金のうち内閣府令で定めるものに積み立てる金額を含む。）の千分の三以上を、損失てん補準備金として積み立てなければならない。

Article 58 A Mutual Company shall set aside at least three thousandths of the amount expended in each accounting period for appropriation of surplus (including that Part of the reserves set forth in Article 55-2, paragraph (2) that is to be set aside pursuant to the provisions of Cabinet Office Ordinance) as the deficiency reserve, until such time as its funds (including the reserves for redemption of funds set forth in Article 56) reach their full amount (or any larger amount prescribed by the articles of incorporation).

（損失のてん補に充てるための損失てん補準備金等の取崩し）

(Reduction of Deficiency Reserve, etc. to Compensate Losses)

第五十九条　損失てん補準備金は、損失のてん補に充てる場合を除くほか、取り崩すことができない。

Article 59 (1) The loss compensation reserves may not be reduced, except in the case of allocating it to loss compensation.

２　損失てん補準備金を損失のてん補に充ててもなお不足するときは、第五十七条の規定によらないで、基金償却積立金を損失のてん補に充てるため取り崩すことができる。

(2) By derogation from Article 57, the reserves for redemption of funds may be reduced to compensate for the losses, where the deficiency reserves is not sufficient to cover the whole losses.

第六款　基金の募集

Subsection 6 Solicitation of Additional Funds

（基金の募集）

(Solicitation of Additional Funds)

第六十条　相互会社は、その成立後においても、社員総会（総代会を設けているときは、総代会。以下この項において同じ。）の決議により、新たに基金を募集することができる。この場合においては、相互会社は、社員総会の決議により、新たに募集をする基金の額を定めなければならない。

Article 60 (1) A Mutual Company may, even after its establishment, solicit additional funds by a resolution of the general members' council (or General Representative Members' Council, where the company has such a council; hereinafter the same shall apply in this paragraph). In this case, the Mutual Company shall determine the amount of such additional funds by a resolution of the general members' council.

２　前項の場合には、第六十二条第二項に定める決議によらなければならない。

(2) The resolution specified in the preceding paragraph shall be a resolution under Article 62, paragraph (2).

（基金の拠出の申込み）

(Offer of Contributions of Funds)

第六十条の二　相互会社は、前条第一項の募集に応じて基金の拠出の申込みをしようとする者に対し、次に掲げる事項を通知しなければならない。

Article 60-2 (1) A Mutual Company shall notify the persons who seek to make an offer to contribute funds in response to solicitation under paragraph (1) of the preceding Article of the following particulars:

一　第二十三条第一項第二号及び第四号から第六号までに掲げる事項

(i) Particulars listed in Article 23, paragraph (1), item (ii) and items (iv) to (vi) inclusive;

二　新たに募集をする基金の額、当該基金の拠出者が有する権利及びその償却の方法

(ii) The amount of the additional funds to be solicited, the rights enjoyed by the contributors to the funds and the method of redemption of the funds;

三　払込みの期日

(iii) Payment date; and

四　基金の拠出に係る銀行等の払込みの取扱いの場所

(iv) The banks, etc. and other places where the payment of contribution of funds is to be handled.

２　前条第一項の募集に応じて基金の拠出の申込みをする者は、次に掲げる事項を記載した書面を相互会社に交付しなければならない。

(2) A person who offers to contribute to funds in response to the solicitation under paragraph (1) of the preceding Article shall submit to the Mutual Company a document detailing the following particulars:

一　申込みをする者の氏名又は名称及び住所

(i) Name and address of the person who makes the offer; and

二　拠出しようとする基金の額

(ii) Planned amount of contribution of funds.

３　前条第一項の基金の募集による変更の登記の申請書には、第六十七条において準用する商業登記法第十八条及び第四十六条に定める書類のほか、次に掲げる書類を添付しなければならない。

(3) In addition to the documents specified in Articles 18 and 46 of the Commercial Registration Act as applied mutatis mutandis pursuant to Article 67, the following documents shall be attached to the written application for registration of change due to any solicitation of additional funds under paragraph (1) of the preceding Article:

一　基金の拠出の申込み又は次項において準用する第三十条の契約を証する書面

(i) A document certifying the offer of a contribution of funds or a contract under Article 30 as applied mutatis mutandis pursuant to the following paragraph; and

二　次項において準用する第三十条の三第一項の基金の払込みがあったことを証する書面

(ii) A document certifying that payment has been made to the funds under Article 30-3, paragraph (1) as applied mutatis mutandis pursuant to the following paragraph.

４　第二十八条第三項から第六項まで、第二十九条から第三十条の二まで、第三十条の三（第二項及び第三項を除く。）並びに第三十条の五第二項及び第三項並びに会社法第二百九条（第二号を除く。）（株主となる時期）の規定は、前条第一項の基金の募集について準用する。この場合において、これらの規定中「発起人」とあるのは「相互会社」と、第二十八条第三項中「前項」とあるのは「第六十条の二第二項」と、同条第四項中「第一項各号」とあるのは「第六十条の二第一項各号」と、「第二項」とあるのは「同条第二項」と、同条第五項中「第二項第一号」とあるのは「第六十条の二第二項第一号」と、第二十九条第一項中「前条第二項第二号」とあるのは「第六十条の二第二項第二号」と、第三十条中「前二条」とあるのは「第六十条の二第一項（第三号を除く。）及び第二項並びに同条第四項において準用する第二十八条第三項から第六項まで及び前条」と、第三十条の三第一項中「遅滞なく」とあるのは「第六十条の二第一項第三号の期日に」と、「第二十八条第一項第三号」とあるのは「同項第四号」と、同条第五項中「第二項の規定による通知を受けた設立時に募集をする基金の引受人は、同項に規定する」とあるのは「基金の引受人は、第一項の」と、第三十条の五第三項中「相互会社の成立後」とあるのは「第六十条第一項の基金の募集による変更の登記の日から一年を経過した後」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。

(4) The provisions of Article 28, paragraphs (3) to (6) inclusive, Article 29 to 30-2 inclusive, Article 30-3 (excluding paragraphs (2) and (3)), Article 30-5, paragraphs (2) and (3) of this Act and Article 209 (Timing of Shareholders Status) (excluding item (ii)) of the Companies Act shall apply mutatis mutandis to the solicitation of additional funds under paragraph (1) of the preceding Article. In this case, the term "incorporators" in those provisions shall be deemed to be replaced with "Mutual Company"; the term "preceding paragraph" in Article 28, paragraph (3) shall be deemed to be replaced with "Article 60-2, paragraph (2)"; the terms "the items of paragraph (1)" and "paragraph (2)" in Article 28, paragraph (4) shall be deemed to be replaced with "Article 60-2 the items of paragraph (1)" and "paragraph (2) of the same Article," respectively; the term "paragraph (2), item (i)" in Article 28, paragraph (5) shall be deemed to be replaced with "Article 60-2, paragraph (2), item (i)"; the term "paragraph (2), item (ii) of the preceding Article" in Article 29, paragraph (1) shall be deemed to be replaced with "Article 60-2, paragraph (2), item (ii)"; the term "the preceding two Articles" in Article 30 shall be deemed to be replaced with "Article 60-2, paragraph (1) (excluding item (iii)), and Article 28, paragraphs (3) to (6) inclusive and the preceding Article as applied mutatis mutandis pursuant to paragraph (4) of the same Article"; the terms "without delay" and "Article 28, paragraph (1), item (iii)" in Article 30-3, paragraph (1) shall be deemed to be replaced with "on the date set forth in Article 60-2, paragraph (1), item (iii)" and "Article 60-2, paragraph (1), item (iv)," respectively; the term "solicited at incorporation who has received the notice under paragraph (2) shall, unless he/she makes the payment by the date set forth in that paragraph" in Article 28, paragraph (5) be deemed to be replaced with", unless he/she makes the payment by the date set forth in paragraph (1)"; and the term "After the establishment of the Mutual Company" in Article 30-5, paragraph (3) shall be deemed to be replaced with "After a year has elapsed since the date of registration of change due to a solicitation of additional funds under Article 60, paragraph (1)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

５　会社法第八百二十八条第一項（第二号に係る部分に限る。）及び第二項（第二号に係る部分に限る。）（会社の組織に関する行為の無効の訴え）、第八百三十四条（第二号に係る部分に限る。）（被告）、第八百三十五条第一項（訴えの管轄）、第八百三十六条第一項及び第三項（担保提供命令）、第八百三十七条から第八百四十条まで（弁論等の必要的併合、認容判決の効力が及ぶ者の範囲、無効又は取消しの判決の効力、新株発行の無効判決の効力）、第八百四十六条（原告が敗訴した場合の損害賠償責任）並びに第九百三十七条第一項（第一号ロに係る部分に限る。）（裁判による登記の嘱託）の規定は前条第一項の基金の募集の無効の訴えについて、同法第八百六十八条第一項（非訟事件の管轄）、第八百七十一条本文（理由の付記）、第八百七十二条（第二号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条から第八百七十七条まで（非訟事件手続法の規定の適用除外、最高裁判所規則、審問等の必要的併合）及び第八百七十八条第一項（裁判の効力）の規定はこの項において準用する同法第八百四十条第二項の申立てについて、それぞれ準用する。この場合において、同法第八百二十八条第二項第二号中「株主等」とあるのは「相互会社の社員、取締役、監査役又は清算人（委員会設置会社にあっては、社員、取締役、執行役又は清算人）」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) The provisions of Article 828, paragraph (1) (limited to the segment pertaining to item (ii)) and (2) (limited to the segment pertaining to item (ii)) (Actions to Invalidate Acts Concerning the Organization of a Company), Article 834 (limited to the segment pertaining to item (ii)) (Defendant), Article 835, paragraph (1) (Jurisdiction over Actions), Article 836, paragraphs (1) and (3) (Order to Provide Security), Article 837 to 840 inclusive (Mandatory Consolidation of Oral Arguments, etc., Persons Affected by a Judgment Being Upheld, Effects of a Judgment of Invalidity, Revocation or Rescission, Effects of a Judgment Invalidating New Share Issue), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff), and Article 937, paragraph (1) (limited to the segment pertaining to item (i), sub-item (b)) (Commissioning of Registration by a Judicial Decision) of the Companies Act shall apply mutatis mutandis to an action to invalidate a solicitation of additional funds under paragraph (1) of the preceding Article; and the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (ii)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 to 877 inclusive (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act, Supreme Court Rules, Mandatory Consolidation of Hearings, etc.) and Article 878, paragraph (1) (Effect of Judicial Decision) of that Act shall apply mutatis mutandis to an application under Article 840, paragraph (2) of that Act as applied mutatis mutandis pursuant to this paragraph. In this case, the term "shareholders, etc." in Article 828, paragraph (2), item (ii) of that Act shall be deemed to be replaced with "members, directors, company auditors or liquidators (or, in a company with Committees, members, directors, executive officers or liquidators) of a Mutual Company"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第七款　相互会社の社債を引き受ける者の募集

Subsection 7 Solicitation of Subscribers for Bonds Issued by Mutual Company

（募集社債に関する事項の決定）

(Determination of the Particulars of Bonds for Subscription)

第六十一条　相互会社は、その発行する社債（この法律の規定により相互会社が行う割当てにより発生する当該相互会社を債務者とする金銭債権であって次に掲げる事項についての定めに従い償還されるものをいう。以下この款において同じ。）を引き受ける者の募集をしようとするときは、その都度、募集社債（当該募集に応じて当該社債の引受けの申込みをした者に対して割り当てる社債をいう。以下この款において同じ。）について次に掲げる事項を定めなければならない。

Article 61 Before a Mutual Company seeks to solicit persons to subscribe for the bonds (meaning the monetary claims against the Mutual Company which accrue as a result of any allocation made by the Mutual Company pursuant to the provisions of this Act and which are to be redeemed under the conditions that have been fixed with regard to the following particulars; hereinafter the same shall apply in this Subsection) that it issues, the company shall establish the following particulars with regard to the bonds for subscription (meaning the bonds that will be allocated to the persons who have subscribed for such bonds in response to the solicitation; hereinafter the same shall apply in this Subsection):

一　募集社債の総額

(i) The total monetary amount of the bonds for subscription;

二　各募集社債の金額

(ii) The monetary amount of each bond for subscription;

三　募集社債の利率

(iii) The interest rate on the bonds for subscription;

四　募集社債の償還の方法及び期限

(iv) The method and due date of redemption of the bonds for subscription;

五　利息支払の方法及び期限

(v) The method and due date of interest payment;

六　社債券を発行するときは、その旨

(vi) If bond certificates will be issued, that fact;

七　社債権者が第六十一条の五において準用する会社法第六百九十八条の規定による請求の全部又は一部をすることができないこととするときは、その旨

(vii) If it will be arranged that bondholders may not make, in whole or in part, a demand under Article 698 of the Companies Act as applied mutatis mutandis pursuant to Article 61-5, that fact;

八　社債管理者が社債権者集会の決議によらずに第六十一条の七第四項第二号に掲げる行為をすることができることとするときは、その旨

(viii) If it will be arranged that the bond administrator may take the action listed in Article 61-7, paragraph (4), item (ii) in the absence of a resolution of the bondholders meeting, that fact;

九　各募集社債の払込金額（各募集社債と引換えに払い込む金銭の額をいう。以下この款において同じ。）若しくはその最低金額又はこれらの算定方法

(ix) The amount to be paid in for each bond for subscription (meaning the amount of money to be paid in exchange for each bond for subscription: hereinafter the same shall apply in this Subsection) or the minimum amount thereof, or the method of calculating such amount;

十　募集社債と引換えにする金銭の払込みの期日

(x) Due date for payment of the money in exchange for the bonds for subscription;

十一　一定の日までに募集社債の総額について割当てを受ける者を定めていない場合において、募集社債の全部を発行しないこととするときは、その旨及びその一定の日

(xi) If it will be arranged that the bonds for subscription will not be issued in their entirety if the persons to whom the bonds for subscription will be allocated have not been established by a certain date for the total monetary amount of the bonds, that fact and that certain date; and

十二　前各号に掲げるもののほか、内閣府令で定める事項

(xii) In addition to what is listed in the preceding items, particulars specified by Cabinet Office Ordinance.

（募集社債の申込み）

(Offer to Subscribe for Bonds)

第六十一条の二　相互会社は、前条の募集に応じて募集社債の引受けの申込みをしようとする者に対し、次に掲げる事項を通知しなければならない。

Article 61-2 (1) A Mutual Company shall notify the persons who seek to make an offer to subscribe for bonds in response to a solicitation under the preceding Article of the following particulars:

一　相互会社の名称

(i) Name of the Mutual Company;

二　当該募集に係る前条各号に掲げる事項

(ii) Particulars listed in the items of the preceding Article pertaining to such solicitation; 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, particulars specified by Cabinet Office Ordinance.

２　前条の募集に応じて募集社債の引受けの申込みをする者は、次に掲げる事項を記載した書面を相互会社に交付しなければならない。

(2) A person who offers to subscribe for bonds in response to the solicitation under the preceding Article shall submit to the Mutual Company a document detailing the following particulars:

一　申込みをする者の氏名又は名称及び住所

(i) Name and address of the person who makes the offer;

二　引き受けようとする募集社債の金額及び金額ごとの数

(ii) The total par value of the bonds for which he/she seeks to subscribe and the number of bonds by par value; and

三　相互会社が前条第九号の最低金額を定めたときは、希望する払込金額

(iii) Where the Mutual Company has prescribed the minimum amount under item (ix) of the preceding Article, the preferred amount to be paid in.

３　前項の申込みをする者は、同項の書面の交付に代えて、政令で定めるところにより、相互会社の承諾を得て、同項の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、当該申込みをした者は、同項の書面を交付したものとみなす。

(3) A person who makes an offer under the preceding paragraph may, in lieu of submitting the document prescribed in that paragraph, and pursuant to the provisions of Cabinet Order, provide the particulars that are required to be included in such document by electromagnetic means, with the consent of the Mutual Company. In this case, the person who has made the offer shall be deemed to have submitted the document prescribed in that paragraph.

４　第一項の規定は、相互会社が同項各号に掲げる事項を記載した金融商品取引法第二条第十項（定義）に規定する目論見書を第一項の申込みをしようとする者に対して交付している場合その他募集社債の引受けの申込みをしようとする者の保護に欠けるおそれがないものとして内閣府令で定める場合には、適用しない。

(4) The provisions of paragraph (1) shall not apply to the cases where the Mutual Company has issued to the person who seeks to make an offer under paragraph (1) the prospectus prescribed in Article 2, paragraph (10) (Definitions) of the Financial Instruments and Exchange Act that details the particulars listed in the items of paragraph (1), or to any other case specified by Cabinet Office Ordinance as posing no risk to the protection of persons who seek to offer to subscribe for bonds.

５　相互会社は、第一項各号に掲げる事項について変更があったときは、直ちに、その旨及び当該変更があった事項を第二項の申込みをした者（以下この款において「申込者」という。）に通知しなければならない。

(5) The Mutual Company shall immediately notify a person who has made an offer under paragraph (2) (hereinafter referred to as "Offeror" in this Subsection) of any change in the particulars listed in the items of paragraph (1) and the particular affected by the change.

６　相互会社が申込者に対してする通知又は催告は、第二項第一号の住所（当該申込者が別に通知又は催告を受ける場所又は連絡先を当該相互会社に通知した場合にあっては、その場所又は連絡先）にあてて発すれば足りる。

(6) It shall be sufficient for a notice or demand to an Offeror to be sent by the Mutual Company to the address specified under paragraph (2), item (i) (or to any other place or contact address of which the Offeror has notified the Mutual Company for the receipt of notices or demands).

７　前項の通知又は催告は、その通知又は催告が通常到達すべきであった時に、到達したものとみなす。

(7) The notice or demand in the preceding paragraph shall be deemed to have arrived at the time when such notice or demand would normally have arrived.

（募集社債の割当て）

(Allocation of Bonds for Subscription)

第六十一条の三　相互会社は、申込者の中から募集社債の割当てを受ける者を定め、かつ、その者に割り当てる募集社債の金額及び金額ごとの数を定めなければならない。この場合において、相互会社は、当該申込者に割り当てる募集社債の金額ごとの数を、前条第二項第二号の数よりも減少することができる。

Article 61-3 (1) The Mutual Company shall select from among the Offerors the persons to receive allocation of the bonds for subscription, and determine the par value, and the number by name, of the bonds for subscription to be allocated to each of such persons. In this case, the Mutual Company may reduce the number of the bonds for subscription to be allocated to each Offeror for each name from the number prescribed in paragraph (2), item (ii) of the preceding Article.

２　相互会社は、第六十一条第十号の期日の前日までに、申込者に対し、当該申込者に割り当てる募集社債の金額及び金額ごとの数を通知しなければならない。

(2) The Mutual Company shall notify the Offerors, no later than the day immediately preceding the date referred to in Article 61, item (x) of the par value, and the number by name, of the bonds for subscription that will be allocated to each Offeror.

（募集社債の申込み及び割当てに関する特則）

(Special Provisions on Offers for Bonds for Subscription and the Allocation Thereof)

第六十一条の四　前二条の規定は、募集社債を引き受けようとする者がその総額の引受けを行う契約を締結する場合には、適用しない。

Article 61-4 The provisions of the preceding two Articles shall not apply to the cases where a person who seeks to subscribe for bonds concludes a contract for the subscription for the total amount of those bonds.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第六十一条の五　会社法第六百八十条から第六百八十三条まで（募集社債の社債権者、社債原簿、社債原簿記載事項を記載した書面の交付等、社債原簿管理人）、第六百八十四条（第四項及び第五項を除く。）（社債原簿の備置き及び閲覧等）及び第六百八十五条から第七百一条まで（社債権者に対する通知等、共有者による権利の行使、社債券を発行する場合の社債の譲渡、社債の譲渡の対抗要件、権利の推定等、社債権者の請求によらない社債原簿記載事項の記載又は記録、社債権者の請求による社債原簿記載事項の記載又は記録、社債券を発行する場合の社債の質入れ、社債の質入れの対抗要件、質権に関する社債原簿の記載等、質権に関する社債原簿の記載事項を記載した書面の交付等、信託財産に属する社債についての対抗要件等、社債券の発行、社債券の記載事項、記名式と無記名式との間の転換、社債券の喪失、利札が欠けている場合における社債の償還、社債の償還請求権等の消滅時効）の規定は、相互会社が社債を発行する場合について準用する。この場合において、これらの規定中「社債発行会社」とあるのは「社債を発行した相互会社」と、同法第六百八十条第二号中「前条」とあるのは「保険業法第六十一条の四」と、同法第六百八十一条第一号中「第六百七十六条第三号から第八号まで」とあるのは「保険業法第六十一条第三号から第八号まで」と、同法第六百八十五条第五項中「第七百二十条第一項」とあるのは「保険業法第六十一条の八第二項において準用する第七百二十条第一項」と、同法第六百九十八条中「第六百七十六条第七号」とあるのは「保険業法第六十一条第七号」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。

Article 61-5 The provisions of Article 680 to 683 inclusive (Bondholders of Bonds for Subscription, Bond Registry, Delivery of Document Stating Matters to Be Stated in Bond Registry, Management of Bond Registry), Article 684 (excluding paragraphs (4) and (5)) (Retention of the Bond Registry and Making It Available for Inspection) and Article 685 to 701 inclusive (Notices to Bondholders, Exercise of Rights by Co-owners, Assignment of Bonds with Issued Certificates, Perfection of Assignment of Bonds, Presumption of Rights, Stating or Recording Matters to Be Stated in Bond Registry Without Request from Bondholders, Stating or Recording Matters to Be Stated in Bond Registry as Requested by Bondholders, Pledges of Bonds with Issued Certificates, Perfection of Pledge of Bonds, Entries in Bond Registry Regarding Pledges, Delivery of Documents Stating Matters to Be Stated in Bond Registry Regarding Pledges, Perfection Requirements for Bonds Belonging to Trust Property, etc., Issuing of Bond Certificates, Matters to Be Stated on Bond Certificates, Conversions between Registered Bonds and Bearer Bonds, Loss of Bond Certificates, Redemption of Bonds where Coupons Missing, Extinctive Prescription of Right to Claim Redemption of Bonds) of the Companies Act shall apply mutatis mutandis to the cases where a Mutual Company issues bonds. In this case, the term "bond-issuing Company" in those provisions shall be deemed to be replaced with "bond-issuing mutual company"; the term "the preceding Article" in Article 680, item (ii) of that Act shall be deemed to be replaced with "Article 61-4 of the Insurance Business Act"; the term "Article 676, items (iii) though (viii)" in Article 681, item (i) of that Act shall be deemed to be replaced with "Article 61, items (iii) to (viii) inclusive of the Insurance Business Act"; the term "Article 720, paragraph (1)" in Article 685, paragraph (5) of that Act shall be deemed to be replaced with "Article 720, paragraph (1) as applied mutatis mutandis pursuant to Article 61-8, paragraph (2) of the Insurance Business Act"; and the term "Article 676, item (vii)" in Article 698 of that Act shall be deemed to be replaced with "Article 61, item (vii) of the Insurance Business Act"; any technical change in interpretation shall be specified by Cabinet Order.

（社債管理者の設置）

(Designation of Bond Administrator)

第六十一条の六　相互会社は、社債を発行する場合には、社債管理者を定め、社債権者のために、弁済の受領、債権の保全その他の社債の管理を行うことを委託しなければならない。ただし、各社債の金額が一億円以上である場合その他社債権者の保護に欠けるおそれがないものとして内閣府令で定める場合は、この限りでない。

Article 61-6 In issuing bonds, a Mutual Company shall designate a bond administrator to be entrusted with the receipt of payments, preservation of claims and other bond administration on behalf of the bondholders; provided, however, that this shall not apply to the cases where the par value of each bond is one hundred million yen or more, or any other case specified by Cabinet Office Ordinance as posing no risk to the protection of bondholders.

（社債管理者の権限等）

(Authority, etc. of Bond Administrator)

第六十一条の七　社債管理者は、社債権者のために社債に係る債権の弁済を受け、又は社債に係る債権の実現を保全するために必要な一切の裁判上又は裁判外の行為をする権限を有する。

Article 61-7 (1) The bond administrator shall have the authority to carry out any action in or out of court to receive payments of claims pertaining to the bonds on behalf of the bondholders, or to secure the realization of claims pertaining to the bonds.

２　社債管理者が前項の弁済を受けた場合には、社債権者は、その社債管理者に対し、社債の償還額及び利息の支払を請求することができる。この場合において、社債券を発行する旨の定めがあるときは、社債権者は、社債券と引換えに当該償還額の支払を、利札と引換えに当該利息の支払を請求しなければならない。

(2) Where the bond administrator has received any payment under the preceding paragraph, the bondholders may demand the payment of the redeemed amount of bonds and interest thereon from the bond administrator. In this case, the bondholders shall demand the payment of such redeemed amount in exchange for bond certificates, and the payment of such interest in exchange for coupons, if the issuance of bond certificates is stipulated.

３　前項前段の規定による請求権は、十年間行使しないときは、時効によって消滅する。

(3) Any claim under the first sentence of the preceding paragraph shall lapse by prescription if not exercised within ten years.

４　社債管理者は、社債権者集会の決議によらなければ、次に掲げる行為をしてはならない。ただし、第二号に掲げる行為については、第六十一条第八号に掲げる事項についての定めがあるときは、この限りでない。

(4) The bond administrator shall not take the following actions without a resolution of the bondholders meeting; provided, however, that this shall not apply to the actions listed in item (ii), if there is a stipulation with respect to the particulars listed in Article 61, item (viii):

一　当該社債の全部についてするその支払の猶予、その債務の不履行によって生じた責任の免除又は和解（次号に掲げる行為を除く。）

(i) suspension of his/her payment for the entirety of the bonds, exemption from any liability resulting from a default on his/her debt, or settlement (excluding the actions listed in the following item);

二　当該社債の全部についてする訴訟行為又は破産手続、再生手続、更生手続若しくは特別清算に関する手続に属する行為（第一項の行為を除く。）

(ii) Procedural actions with respect to the entirety of the bonds, or any action involved in bankruptcy procedures, rehabilitation procedures, corporate reorganization procedures or procedures for special liquidation (excluding the action set forth in paragraph (1)).

５　社債管理者は、前項ただし書の規定により社債権者集会の決議によらずに同項第二号に掲げる行為をしたときは、遅滞なく、その旨を公告し、かつ、知れている社債権者には、各別にこれを通知しなければならない。

(5) The bond administrator shall, if he/she has taken the action listed in item (ii) of the preceding paragraph without a resolution of the bondholders meeting pursuant to the proviso to that paragraph, give public notice of this without delay, and notify each of the known bondholders thereof.

６　前項の規定による公告は、社債を発行した相互会社における公告の方法によりしなければならない。ただし、その方法が電子公告であるときは、その公告は、官報に掲載する方法でしなければならない。

(6) A public notice under the preceding paragraph shall be made in accordance with the Method of Public Notice adopted by the bond-issuing mutual company; provided, however, that such public notice shall be given by way of publication in the Official Gazette, where that method is electronic public notice.

７　社債管理者は、その管理の委託を受けた社債につき第一項の行為又は第四項各号に掲げる行為をするために必要があるときは、裁判所の許可を得て、社債を発行した相互会社の業務及び財産の状況を調査することができる。

(7) The bond administrator may, if it is necessary for taking the action listed in paragraph (1) or the items of paragraph (4) with respect to the bonds with whose administration he/she has been entrusted, investigate with the permission of the court the status of the business and property of the bond-issuing mutual company.

８　会社法第七百三条（社債管理者の資格）、第七百四条（社債管理者の義務）、第七百七条から第七百十四条まで（特別代理人の選任、社債管理者等の行為の方式、二以上の社債管理者がある場合の特則、社債管理者の責任、社債管理者の辞任、社債管理者が辞任した場合の責任、社債管理者の解任、社債管理者の事務の承継）、第八百六十八条第三項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十条（第三号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号及び第四号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、社債管理者について準用する。この場合において、これらの規定中「社債発行会社」とあるのは「社債を発行した相互会社」と、同法第七百十条第一項中「この法律」とあるのは「保険業法」と、同法第七百十一条第二項中「第七百二条」とあるのは「保険業法第六十一条の六」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。

(8) The provisions of Article 703 (Qualifications of Bond Managers), Article 704 (Obligations of Bond Managers), Article 707 to 714 inclusive (Appointment of Special Agent, Method of Acts of Bond Managers, Special Provisions on Multiple Bond Managers, Liability of Bond Manager, Resignation of Bond Managers, Liability of Bond Managers after Resignation, Dismissal of Bond Managers, Succession to Bond Manager's Administration of Bonds), Article 868, paragraph (3) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 870 (limited to the segment pertaining to item (iii)) (Hearing of Statements), Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 874 (limited to the segment pertaining to items (i) and (iv)) (Restrictions on Appeal), Article 875 (Mandatory Consolidation of Hearings, etc.) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to a bond administrator. In this case, the term "bond-issuing company" in those provisions shall be deemed to be replaced with "bond-issuing mutual company"; the term "this Act" in Article 710, paragraph (1) of that Act shall be deemed to be replaced with "the Insurance Business Act"; and the term "Article 702" in Article 711, paragraph (2) of that Act shall be deemed to be replaced with "Article 61-6 of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（社債権者集会）

(Bondholders Meeting)

第六十一条の八　社債権者は、社債の種類（第六十一条の五において準用する会社法第六百八十一条第一号に規定する種類をいう。）ごとに社債権者集会を組織する。

Article 61-8 (1) The bondholders shall form a bondholders meeting for each class of bond (meaning the class of bond set forth in Article 681, item (i) of the Companies Act as applied mutatis mutandis pursuant to Article 61-5).

２　会社法第四編第三章（第七百十五条及び第七百四十条第三項を除く。）（社債権者集会）、第七編第二章第七節（社債発行会社の弁済等の取消しの訴え）、第八百六十八条第三項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十条（第十号から第十二号までに係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条（原裁判の執行停止）、第八百七十四条（第四号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、相互会社が社債を発行する場合について準用する。この場合において、これらの規定中「社債発行会社」とあるのは「社債を発行した相互会社」と、同法第七百三十七条第二項（社債権者集会の決議の執行）中「第七百五条第一項から第三項まで、第七百八条及び第七百九条」とあるのは「保険業法第六十一条の七第一項から第三項までの規定並びに同法第六十一条の七第八項において準用する第七百八条及び第七百九条」と、同法第七百四十条第一項（債権者の異議手続の特則）中「第四百四十九条、第六百二十七条、第六百三十五条、第六百七十条、第七百七十九条（第七百八十一条第二項において準用する場合を含む。）、第七百八十九条（第七百九十三条第二項において準用する場合を含む。）、第七百九十九条（第八百二条第二項において準用する場合を含む。）又は第八百十条（第八百十三条第二項において準用する場合を含む。）」とあるのは「保険業法第五十七条第四項において準用する同法第十七条（第一項ただし書を除く。）の規定並びに同法第八十八条及び第百六十五条の十七（同法第百六十五条の二十において準用する場合を含む。）」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 Part IV, Chapter III (excluding Article 715 and Article 740, paragraph (3)) (Bondholders' Meeting), Part VII, Chapter II, Section 7 (Action to Rescind Performance, etc. by a Company That Issues Bonds), Article 868, paragraph (3) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 870 (limited to the segment pertaining to item (x) to (xii) inclusive) (Hearing of Statements), Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 874 (limited to the segment pertaining to item (iv)) (Restrictions on Appeal), Article 875 (Mandatory Consolidation of Hearings, etc.) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to the cases where a Mutual Company issues bonds. In this case, the term "bond-issuing company" in those provisions shall be deemed to be replaced with "bond-issuing mutual company"; the term "under Article 705, paragraphs (1) to (3) inclusive, and under Articles 708 and 709" in Article 737, paragraph (2) (Execution of Resolutions of Bondholders' Meetings) of that Act shall be deemed to be replaced with "of Article 61-7, paragraphs (1) to (3) inclusive of the Insurance Business Act, and the provisions of Articles 708 and 709 as applied mutatis mutandis pursuant to Article 61-7, paragraph (8) of that Act"; and the term "the provisions of Article 449, Article 627, Article 635, Article 670, Article 779 (including the cases where applied mutatis mutandis pursuant to paragraph (2) of Article 781), Article 789 (including the cases where applied mutatis mutandis pursuant to paragraph (2) of Article 793), Article 799 (including the cases where applied mutatis mutandis pursuant to paragraph (2) of Article 802) or Article 810 (including the cases where applied mutatis mutandis pursuant to paragraph (2) of Article 813)" in Article 740, paragraph (1) (Special provisions on objection procedures for creditors) of that Act shall be deemed to be replaced with "Article 17 (excluding the proviso to paragraph (1)) of the Insurance Business Act as applied mutatis mutandis pursuant to Article 57, paragraph (4) of that Act, and Articles 88 and 165-17 (including the cases where it is applied mutatis mutandis pursuant to Article 165-20 of that Act) of that Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（担保付社債信託法等の適用関係）

(Application of Secured Bond Trust Act, etc.)

第六十一条の九　社債は、担保付社債信託法（明治三十八年法律第五十二号）その他の政令で定める法令の適用については、政令で定めるところにより、会社法第二条第二十三号（定義）に規定する社債とみなす。

Article 61-9 For the purpose of applying the Secured Bond Trust Act (Act No. 52 of 1905) and other laws and regulations specified by Cabinet Order, the bonds shall, pursuant to the provisions of Cabinet Order, be deemed to be bonds as defined in Article 2, item (xxiii) (Definitions) of the Companies Act.

（短期社債に係る特例）

(Special Provision on Short-Term Bonds)

第六十一条の十　次に掲げる要件のすべてに該当する社債（次項において「短期社債」という。）については、社債原簿を作成することを要しない。

Article 61-10 (1) A bond registry shall not be required for the bonds which meet all of the following requirements (referred to as "Short-Term Bonds" in the following paragraph):

一　各社債の金額が一億円を下回らないこと。

(i) The par value of each bond is not less than one hundred million yen;

二　元本の償還について、社債の総額の払込みのあった日から一年未満の日とする確定期限の定めがあり、かつ、分割払の定めがないこと。

(ii) The due date for redemption of the principal is fixed on a day within one year from the payment date of the total amount of the bonds, and no judgment has been made authorizing installment payments;

三　利息の支払期限を、前号の元本の償還期限と同じ日とする旨の定めがあること。

(iii) The due date for interest payment is fixed on the same day as the due date for redemption under the preceding item; and

四　担保付社債信託法の規定により担保が付されるものでないこと。

(iv) No security is furnished pursuant to the provisions of the Secured Bond Trust Act.

２　短期社債については、第六十一条の六から第六十一条の八までの規定は、適用しない。

(2) The provisions of Article 61-6 to 61-8 inclusive shall not apply to Short-Term Bonds.

第八款　定款の変更

Subsection 8 Amendment in the Articles of Incorporation

第六十二条　定款を変更するには、社員総会（総代会を設けているときは、総代会。次条において同じ。）の決議を必要とする。

Article 62 (1) Any amendment to the articles of incorporation shall require a resolution of the general members' council (or General Representative Members' Council, where the company has such a council).

２　第三十七条の三第一項及び第四十四条第一項の規定にかかわらず、前項の決議は、総社員の半数以上が出席し、その議決権の四分の三以上の多数（総代会の場合は、総代の半数以上が出席し、その議決権の四分の三以上の多数）により行う。

(2) Notwithstanding the provisions of Article 37-3, paragraph (1) and Article 44, paragraph (1), the resolution set forth in the preceding paragraph is adopted by a three-quarter majority vote of the attending members at a session where at least half of the members are present (or by a three-quarter majority vote of the attending representative members at a session at which at least half of the representative members are present).

第九款　事業の譲渡等

Subsection 9 Assignment, etc. of Business

第六十二条の二　相互会社は、次に掲げる行為をする場合には、当該行為がその効力を生ずる日の前日までに、社員総会の決議によって、当該行為に係る契約の承認を受けなければならない。

Article 62-2 (1) A Mutual Company shall, before it takes any of the following actions, have the contract for the relevant action authorized by a resolution of the general members' council no later than the day immediately preceding the Effective Date of the action:

一　事業の全部の譲渡

(i) Assignment of the whole of business;

二　事業の重要な一部の譲渡（当該譲渡により譲り渡す資産の帳簿価額が当該相互会社の総資産額として内閣府令で定める方法により算定される額の五分の一（これを下回る割合を定款で定めた場合にあっては、その割合）を超えないものを除く。）

(ii) Assignment of any important Part of the business (excluding the cases where the book value of the assets to be transferred by such assignment does not exceed one fifth (or any smaller proportion prescribed by the articles of incorporation) of the amount of the total assets of the Mutual Company as calculated by the method specified by Cabinet Office Ordinance);

三　他の会社（相互会社、外国会社その他の法人を含む。）の事業の全部の譲受け

(iii) Acquisition of the whole of business of another company (including a Mutual Company, foreign company or any other juridical person); or

四　当該相互会社（第二款の規定により設立したものに限る。以下この号において同じ。）の成立後二年以内におけるその成立前から存在する財産であってその事業のために継続して使用するものの取得。ただし、イに掲げる額のロに掲げる額に対する割合が五分の一（これを下回る割合を当該相互会社の定款で定めた場合にあっては、その割合）を超えない場合を除く。

(iv) Acquisition at any time within two years after the establishment of the Mutual Company (limited to the cases where it was incorporated pursuant to the provisions of Subsection 2; hereinafter the same shall apply in this item) of any asset that has existed since before its establishment and is to be used constantly for conducting its business; provided, however, that this shall not apply to the cases where the ratio of the amount listed in (a) to that listed in (b) does not exceed one fifth (or any smaller proportion prescribed by the articles of incorporation):

イ　当該財産の対価として交付する財産の帳簿価額の合計額

(a) The total book value of the property to be delivered in exchange for the asset;

ロ　当該相互会社の純資産額として内閣府令で定める方法により算定される額

(b) The amount of the net assets of the Mutual Company as calculated by the method specified by Cabinet Office Ordinance.

２　前項の場合には、前条第二項に定める決議によらなければならない。

(2) The resolution set forth in the preceding paragraph shall be a resolution under paragraph (2) of the preceding Article.

第十款　雑則

Subsection 10 Miscellaneous Provisions

（非社員契約）

(Non-Member Contract)

第六十三条　相互会社は、剰余金の分配のない保険契約その他の内閣府令で定める種類の保険契約について、当該保険契約に係る保険契約者を社員としない旨を定款で定めることができる。

Article 63 (1) A Mutual Company may, by provisions in its articles of incorporation, exclude from its membership the holders of non-participating policies or any other class of insurance policy specified by Cabinet Office Ordinance.

２　前項の定款には、同項の定めをする保険契約の種類のほか、内閣府令で定める事項を定めなければならない。

(2) The articles of incorporation set forth in the preceding paragraph shall specify the class of insurance policy to which that paragraph applies, as well as other particulars specified by Cabinet Office Ordinance.

３　相互会社が行う第一項の保険契約に係る保険の引受けは、内閣府令で定める限度を超えてはならない。

(3) A Mutual Company shall not underwrite the insurance policies set forth in paragraph (1) over the limit specified by Cabinet Office Ordinance.

４　相互会社は、第一項の保険契約に係る保険の引受けをする場合には、内閣府令で定めるところにより、当該保険契約に係る経理を、社員である保険契約者の保険契約に係る経理と区分してしなければならない。

(4) Pursuant to the provisions of Cabinet Office Ordinance, a Mutual Company shall, if it underwrites any of the insurance policies set forth in paragraph (1), separate the accounting for such insurance policies from that for the insurance policies held by the members.

５　商法第三編第六章（海上保険）の規定は、第一項の保険契約（海上保険契約に該当するものに限る。）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 Part III, Chapter VI (Marine Insurance) of the Commercial Code shall apply mutatis mutandis to the insurance policies set forth in paragraph (1) (limited to those which fall under the category of a marine insurance contract). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

６　前各項に定めるもののほか、第一項の保険契約に関し必要な事項は、内閣府令で定める。

(6) In addition to what is prescribed in the preceding paragraphs, necessary particulars of the insurance policies set forth in paragraph (1) shall be specified by Cabinet Office Ordinance.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第六十三条の二　会社法第八百二十四条（会社の解散命令）、第八百二十六条（官庁等の法務大臣に対する通知義務）、第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第十三号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）、第八百七十六条（最高裁判所規則）、第九百四条（法務大臣の関与）及び第九百三十七条第一項（第三号ロに係る部分に限る。）（裁判による登記の嘱託）の規定は相互会社の解散の命令について、同法第八百二十五条（会社の財産に関する保全処分）、第八百六十八条第一項、第八百七十条（第二号に係る部分に限る。）、第八百七十一条、第八百七十二条（第一号及び第四号に係る部分に限る。）、第八百七十三条、第八百七十四条（第二号及び第三号に係る部分に限る。）（不服申立ての制限）、第八百七十五条、第八百七十六条並びに第九百五条及び第九百六条（会社の財産に関する保全処分についての特則）の規定はこの条において準用する同法第八百二十四条第一項の申立てがあった場合における相互会社の財産の保全について、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 63-2 Article 824 (Dissolution Order for a Company), Article 826 (Duty of a Government Agency, etc. to Give Notice to the Minister of Justice), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (Hearing of Statements) (limited to the portion pertaining to item (xiii)), the main text of Article 871 (Appending of the Reason), Article 872 (Immediate Appeal) (limited to the portion pertaining to item (iv)), the main text of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act), Article 876 (Supreme Court Rules), Article 904 (Participation of the Minister of Justice) and Article 937, paragraph (1) (Commissioning of Registration by a Judicial Decision) (limited to the portion pertaining to sub-item (b) of item (iii)) of the Companies Act shall apply mutatis mutandis to an order for dissolution of a Mutual Company; Article 825 (Special Provisions on a Temporary Restraining Order Concerning Property of a Company), Article 868, paragraph (1), Article 870 (limited to the portion pertaining to item (ii)), Article 871, Article 872 (limited to the portions pertaining to items (i) and (iv)), Article 873, Article 874 (Restrictions on Appeal) (limited to the portions pertaining to items (ii) and (iii)), Article 875, Article 876, Article 905 and Article 906 (Special Provisions on a Temporary Restraining Order Concerning Property of a Company) of said Act shall apply mutatis mutandis to preservation of properties of a Mutual Company in case where a petition under Article 824, paragraph (1) of that Act as applied mutatis mutandis pursuant to this Article has been filed. In this case, technical replacement of terms as may be necessary shall be specified by Cabinet Order.

（設立の登記）

(Registration of Incorporation)

第六十四条　相互会社の設立の登記は、その主たる事務所の所在地において、創立総会終結の日（第三十条の十二第三項の規定により発起人がその職を辞した場合にあっては、その日）から二週間以内に行わなければならない。

Article 64 (1) A Mutual Company shall complete its registration of incorporation at the location of its principal office within two weeks from the date of conclusion of the Organizational Meeting (or from the date of resignation of the incorporators pursuant to the provisions of Article 30-12, paragraph (3)).

２　前項の登記には、次に掲げる事項を登記しなければならない。

(2) The following particulars shall be registered in the registration under the preceding paragraph:

一　第二十三条第一項第一号、第二号及び第四号から第七号までに掲げる事項

(i) Particulars listed in Article 23, paragraph (1), items (i), (ii) and (iv) to (vii) inclusive;

二　事務所の所在場所

(ii) The location of the offices;

三　取締役の氏名

(iii) The names of the directors;

四　代表取締役の氏名及び住所（第十一号に規定する場合を除く。）

(iv) The name and address of the representative director (excluding the cases set forth in item (xi));

五　会計参与設置会社であるときは、その旨並びに会計参与の氏名又は名称及び第五十三条の十七において準用する会社法第三百七十八条第一項の場所

(v) If the company is a company with accounting advisors, that fact, and the names of the accounting advisors and the place set forth in Article 378, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-17;

六　監査役設置会社であるときは、その旨及び監査役の氏名

(vi) If the company is a company with auditors, that fact and the names of the company auditors;

七　監査役会設置会社であるときは、その旨及び監査役のうち社外監査役であるものについて社外監査役である旨

(vii) If the company is a company with a board of company auditors, that fact, and if there are outside auditors among its auditors, that fact;

八　会計監査人設置会社であるときは、その旨及び会計監査人の氏名又は名称

(viii) If the company is a company with accounting auditors, that fact and the names of the accounting auditors;

九　第五十三条の十二第四項の規定により選任された一時会計監査人の職務を行うべき者を置いたときは、その氏名又は名称

(ix) The name of a person appointed pursuant to the provisions of Article 53-12, paragraph (4) temporarily to carry out the duties of an accounting auditor;

十　第五十三条の十六において準用する会社法第三百七十三条第一項の規定による特別取締役（同項に規定する特別取締役をいう。以下同じ。）による議決の定めがあるときは、次に掲げる事項

(x) If it is stipulated that the special directors (meaning the special directors as defined in Article 373, paragraph (1) of the Companies Act; the same shall apply hereinafter) may adopt a resolution under that paragraph as applied mutatis mutandis pursuant to Article 53-16, the following particulars:

イ　第五十三条の十六において準用する会社法第三百七十三条第一項の規定による特別取締役による議決の定めがある旨

(a) That it is stipulated that the special directors may adopt a resolution under Article 373, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-16,

ロ　特別取締役の氏名

(b) The names of the special directors, and

ハ　取締役のうち社外取締役であるものについて、社外取締役である旨

(c) The fact that any outside directors among the directors, are outside directors;

十一　委員会設置会社であるときは、その旨及び次に掲げる事項

(xi) If the company is a company with Committees, that fact and the following particulars:

イ　取締役のうち社外取締役であるものについて、社外取締役である旨

(a) The fact that any outside directors among the directors, are outside directors,

ロ　各委員会の委員及び執行役の氏名

(b) The names of the members of each committee and its executive officers, and

ハ　代表執行役の氏名及び住所

(c) The name and address of its representative executive officer;

十二　第五十三条の三十六において準用する会社法第四百二十六条第一項の規定による取締役、執行役、会計参与、監査役又は会計監査人の責任の免除についての定款の定めがあるときは、その定め

(xii) Any provisions in the articles of incorporation for the exemption from liabilities of directors, executive officers, accounting advisors, company auditors or accounting auditors under Article 426, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-36;

十三　第五十三条の三十六において準用する会社法第四百二十七条第一項の規定による社外取締役、会計参与、社外監査役又は会計監査人が負う責任の限度に関する契約の締結についての定款の定めがあるときは、その定め

(xiii) Any provisions in the articles of incorporation for the conclusion of contracts regarding the limit of the liabilities to be assumed by outside directors, accounting advisors, outside company auditors or accounting auditors under Article 427, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-36;

十四　前号の定款の定めが社外取締役に関するものであるときは、取締役のうち社外取締役であるものについて、社外取締役である旨

(xiv) If the provisions of the articles of incorporation set forth in the preceding item concern outside directors, the fact that any outside directors among the directors, are outside directors;

十五　第十三号の定款の定めが社外監査役に関するものであるときは、監査役のうち社外監査役であるものについて、社外監査役である旨

(xv) If the provisions in the articles of incorporation set forth in item (xiii) concern outside auditors, the fact that any outside auditors among the auditors, are outside auditors;

十六　第五十四条の七第三項の規定による措置をとることとするときは、同条第一項に規定する貸借対照表の内容である情報について不特定多数の者がその提供を受けるために必要な事項であって内閣府令で定めるもの

(xvi) If the relevant company seeks to take measures referred to in Article 54-7, paragraph (3), among the particulars necessary for allowing many and unspecified persons to receive the information contained in the balance sheet set forth in paragraph (1) of that Article, those specified by Cabinet Office Ordinance;

十七　第二十三条第一項第八号の規定による公告方法についての定款の定め

(xvii) Provisions in the articles of incorporation for the Method of Public Notice under Article 23, paragraph (1), item (viii);

十八　前号の定款の定めが電子公告を公告方法とする旨のものであるときは、次に掲げる事項

(xviii) If the provisions in the articles of incorporation set forth in the preceding item specify electronic public notice as the Method of Public Notice, the following particulars:

イ　電子公告により公告すべき内容である情報について不特定多数の者がその提供を受けるために必要な事項であって会社法第九百十一条第三項第二十九号イ（株式会社の設立の登記）に規定するもの

(a) Particulars prescribed in Article 911, paragraph (3), item (xxix), sub-item (a) (Registration of Incorporation of a Stock Company) of the Companies Act which are necessary for ensuring that the information made public by electronic public notice is available to many and unspecified persons; and

ロ　第二十三条第三項後段の規定による定款の定めがあるときは、その定め

(b) Any provisions in the articles of incorporation under the second sentence of Article 23, paragraph (3); and

十九　第百十三条後段（第二百七十二条の十八において準用する場合を含む。）の定款の定めがあるときは、その定め

(xix) Any provisions in the articles of incorporation under the second sentence of Article 113 (including the cases where it is applied mutatis mutandis pursuant to Article 272-18).

３　会社法第九百十五条第一項（変更の登記）、第九百十六条（第一号に係る部分に限る。）（他の登記所の管轄区域内への本店の移転の登記）、第九百十八条（支配人の登記）及び第七編第四章第二節第二款（第九百三十二条を除く。）（支店の所在地における登記）の規定は相互会社について、同法第九百十七条（第一号に係る部分に限る。）（職務執行停止の仮処分等の登記）の規定は相互会社の取締役、執行役、会計参与、監査役、代表取締役、委員又は代表執行役について、それぞれ準用する。この場合において、同法第九百十五条第一項中「第九百十一条第三項各号又は前三条各号」とあるのは「保険業法第六十四条第二項各号」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。

(3) The provisions of Article 915, paragraph (1) (Registration of a Change), Article 916 (limited to the segment pertaining to item (i)) (Registration of Relocation of Head Office to a District under the Jurisdiction of Another Registry), Article 918 (Registration of a Manager) and Part VII, Chapter IV, Section 2, Subsection 2 (excluding Article 932) (Registration at the Location of a Branch Office) of the Companies Act shall apply mutatis mutandis to a Mutual Company; and the provisions of Article 917 (limited to the segment pertaining to item (i)) (Registration of a Provisional Disposition, etc. Suspending Execution of Duties) of that Act shall apply mutatis mutandis to the directors, executive officers, accounting advisors, company auditors, representative director, committee members or representative executive officer of a Mutual Company. In this case, the term "the items of Article 911, paragraph (3) and the items of the three preceding Articles" in Article 915, paragraph (1) of that Act shall be deemed to be replaced with "the items of Article 64, paragraph (2) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（設立の登記の申請）

(Application for Registration of Incorporation)

第六十五条　前条第一項の登記の申請書には、第六十七条において準用する商業登記法第十八条、第四十六条及び第四十七条第三項に規定する書類のほか、次に掲げる書類を添付しなければならない。

Article 65 The following documents shall be attached to a written application under paragraph (1) of the preceding Article, in addition to the documents set forth in Article 18, Article 46 and Article 47, paragraph (3) of the Commercial Registration Act as applied mutatis mutandis pursuant to Article 67:

一　定款

(i) Articles of incorporation;

二　基金の拠出の申込み又は第三十条の契約を証する書面

(ii) A document certifying the offer to contribute funds or the contract set forth in Article 30;

三　社員になろうとする者の名簿

(iii) List of prospective members;

四　社員を募集したときは、各社員の入社の申込みを証する書面

(iv) In the case of a solicitation of members, a document certifying each prospective member's application for membership;

五　定款に第二十四条第一項各号に掲げる事項についての記載又は記録があるときは、次に掲げる書面

(v) Where the articles of incorporation include any detail or record of the particulars listed in the items of Article 24, paragraph (1), the following documents:

イ　検査役又は設立時取締役（設立しようとする相互会社が監査役設置会社である場合にあっては、設立時取締役及び設立時監査役）の調査報告を記載した書面及びその附属書類

(a) A document containing the investigative report of the inspector or the directors at incorporation (or the directors at incorporation and company auditors at incorporation, where the Mutual Company to be incorporated is a company with auditors) and annexed documents thereto;

ロ　第二十四条第二項において準用する会社法第三十三条第十項第二号に掲げる場合には、同号に規定する有価証券の市場価格を証する書面

(b) In the case listed in Article 33, paragraph (10), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 24, paragraph (2), a document certifying the market value of the securities set forth in that item; and

ハ　第二十四条第二項において準用する会社法第三十三条第十項第三号に掲げる場合には、同号に規定する証明を記載した書面及びその附属書類

(c) In the case listed in Article 33, paragraph (10), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 24, paragraph (2), a document containing the verification set forth in that item and attached documents thereto;

六　検査役の報告に関する裁判があったときは、その謄本

(vi) A certified copy of any juridical decision on the report of the inspector;

七　第三十条の四第一項の金銭の保管に関する証明書

(vii) A certificate of deposit of money under Article 30-4, paragraph (1);

八　設立時取締役による設立時代表取締役の選定に関する書面

(viii) A document regarding the appointment of the representative director at incorporation by the directors at incorporation;

九　設立しようとする相互会社が委員会設置会社であるときは、設立時執行役の選任並びに設立時委員及び設立時代表執行役の選定に関する書面

(ix) Where the Mutual Company to be incorporated is a company with Committees, a document regarding the election of the executive officers at incorporation, and the appointment of the committee members at incorporation and representative executive officer at incorporation;

十　創立総会の議事録

(x) Minutes of the Organizational Meeting;

十一　この法律の規定により選任され又は選定された設立時取締役、設立時監査役及び設立時代表取締役（設立しようとする相互会社が委員会設置会社である場合にあっては、設立時取締役、設立時委員、設立時執行役及び設立時代表執行役）が就任を承諾したことを証する書面

(xi) A document certifying that the directors at incorporation, company auditors at incorporation and representative director at incorporation (or the directors at incorporation, committee members at incorporation, executive officers at incorporation and representative executive officer at incorporation, where the Mutual Company to be incorporated is a company with Committees) elected or appointed pursuant to the provisions of this Act have accepted the assumption of office;

十二　設立時会計参与又は設立時会計監査人を選任したときは、次に掲げる書面

(xii) Where accounting advisors at incorporation or accounting auditors at incorporation have been elected, the following documents:

イ　就任を承諾したことを証する書面

(a) A document certifying that they have accepted the assumption of office;

ロ　これらの者が法人であるときは、当該法人の登記事項証明書。ただし、当該登記所の管轄区域内に当該法人の主たる事務所がある場合を除く。

(b) Where they are juridical persons, Certificates of Registered Particulars for such juridical persons, provided, however, that this shall not apply to the cases where the principal offices of such juridical persons are located within the district under the jurisdiction of the relevant registry office; and

ハ　これらの者が法人でないときは、設立時会計参与にあっては第五十三条の四において準用する会社法第三百三十三条第一項に規定する者であること、設立時会計監査人にあっては第五十三条の七において準用する同法第三百三十七条第一項に規定する者であることを証する書面

(c) Where they are not juridical persons, a document certifying that the accounting advisors at incorporation meet the requirement of Article 333, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-4, or that the accounting auditors at incorporation meet the requirement of Article 337, paragraph (1) of that Act as applied mutatis mutandis pursuant to Article 53-7; and

十三　第五十三条の十六において準用する会社法第三百七十三条第一項の規定による特別取締役による議決の定めがあるときは、当該特別取締役の選定及びその選定された者が就任を承諾したことを証する書面

(xiii) Where it is stipulated that the special directors may adopt a resolution under Article 373, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-16, a document certifying the appointment of the special directors and their acceptance of the assumption of office.

（登記簿）

(Registries)

第六十六条　登記所に、相互会社登記簿を備える。

Article 66 A registry office shall keep a registry of mutual companies.

（相互会社の登記についての会社法及び商業登記法の準用）

(Mutatis Mutandis Application of the Companies Act and the Commercial Registration Act to the Registration of Mutual Companies)

第六十七条　会社法第七編第四章第一節（第九百七条を除く。）（総則）の規定並びに商業登記法第一条の三から第五条まで（登記所、事務の委任、事務の停止、登記官、登記官の除斥）、第七条から第十五条まで（登記簿等の持出禁止、登記簿の滅失と回復、登記簿等の滅失防止、登記事項証明書の交付等、登記事項の概要を記載した書面の交付、附属書類の閲覧、印鑑証明、電磁的記録の作成者を示す措置の確認に必要な事項等の証明、手数料、当事者申請主義、嘱託による登記）、第十七条から第二十七条まで（登記申請の方式、申請書の添付書面、申請書に添付すべき電磁的記録、印鑑の提出、受付、受領証、登記の順序、登記官による本人確認、申請の却下、提訴期間経過後の登記、行政区画等の変更、同一の所在場所における同一の商号の登記の禁止）、第三十一条（営業又は事業の譲渡の際の免責の登記）、第三十三条（商号の登記の抹消）、第四十四条から第四十六条まで（会社の支配人の登記、添付書面の通則）、第四十七条第一項及び第三項（設立の登記）、第四十八条から第五十五条まで（支店所在地における登記、本店移転の登記、取締役等の変更の登記、一時会計監査人の職務を行うべき者の変更の登記）並びに第百三十二条から第百四十八条まで（更正、抹消の申請、職権抹消、行政手続法の適用除外、行政機関の保有する情報の公開に関する法律の適用除外、行政機関の保有する個人情報の保護に関する法律の適用除外、審査請求、審査請求事件の処理、行政不服審査法の適用除外、省令への委任）の規定は、相互会社に関する登記について準用する。この場合において、同法第二十七条中「商号」とあるのは「商号又は名称」と、「営業所（会社にあつては、本店。以下この条において同じ。）」とあるのは「主たる事務所」と、「係る営業所」とあるのは「係る主たる事務所」と、同法第四十六条第二項中「株主総会若しくは種類株主総会」とあるのは「社員総会（総代会を設けているときは、総代会）」と、同条第三項中「会社法第三百十九条第一項（同法第三百二十五条において準用する場合を含む。）又は第三百七十条（同法第四百九十条第五項において準用する場合を含む。）」とあるのは「保険業法第四十一条第一項において準用する会社法第三百十九条第一項又は保険業法第五十三条の十六若しくは第百八十条の十五において準用する会社法第三百七十条」と、「株主総会若しくは種類株主総会」とあるのは「社員総会」と、同条第四項中「会社法第四百十六条第四項」とあるのは「保険業法第五十三条の三十第四項」と、同法第四十八条から第五十三条までの規定中「本店」とあるのは「主たる事務所」と、「支店」とあるのは「従たる事務所」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。

Article 67 The provisions of Part VII, Chapter IV, Section 1 (excluding Article 907) (General Provisions) of the Companies Act, and the provisions of Article 1-3 to 5 inclusive (Registry Office, Delegation of Affairs, Suspension of Affairs, Registrar, Disqualification of Registrar), Article 7 to 15 inclusive (Prohibition on Carrying Out of Registries and Other Documents, Loss and Restoration of Registries, Prevention of Loss of Registry, etc., Issuance of Certificate of Registered Matters, Issuance of Documents Specifying Extract of Matters Registered, Inspection of Annexed Documents, Certificate of Seal Impression, Certification of Matters Required for Verification of Measures to Identify the Creator of Electromagnetic Records and Other Matters, Fees, Registration Upon Application by a Relevant Party, Registration upon Commission), Article 17 to 27 inclusive (Method of Application for Registration, Documents to Be Attached to Written Application, Electromagnetic Record to be Attached to Written Application, Submission of Seal Impression, Acceptance of Applications, Receipt, Order of Registration, Identity Confirmation by Registrar, Dismissal of Application, Registration to be Made After Lapse of Period for Filing Action, Change in Administrative Zone, etc., Prohibition of Registration of Identical Trade Name at Same Location), Article 31 (Registration of Exemption of Liabilities Upon Transfer of Enterprise or Business), Article 33 (Cancellation of Registration of Trade Name), Article 44 to 46 inclusive (Registration of Company's Manager, General Rules on Documents to be Attached), Article 47, paragraphs (1) and (3) (Registration of Incorporation), Article 48 to 55 inclusive (Registration to be Made at Location of Branch Offices, Registration of Relocation of Head Office, Registration of Change of Directors and Other Officers, Registration of Change of Person Who is to Temporarily Perform Duties of Accounting Auditor), and Article 132 to 148 inclusive (Correction, Application for Cancellation, Ex Officio Cancellation, Exclusion from Application of the Administrative Procedure Act, Exclusion from Application of the Act on Access to Information Held by Administrative Organs, Exclusion from Application of the Act on Protection of Personal Information Held by Administrative Organs, Request for Review, Handling of Request for Review Case, Exclusion from Application of the Administrative Appeal Act, Delegation to Ordinance of the Ministry) of the Commercial Registration Act shall apply mutatis mutandis to a registration regarding a Mutual Company. In this case, the terms "trade name," "business office (or, in a company, head office; hereinafter the same shall apply in this Article" and "business office pertaining to" in Article 27 of the latter Act shall be deemed to be replaced with "trade name or name," "principal office" and "principal office pertaining to," respectively; the term "shareholders' meeting or class shareholders' meeting" in Article 46, paragraph (2) of that Act shall be deemed to be replaced with "general members' council (or General Representative Members' Council, where the company has such a council)"; the terms "Article 319, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 325 of the Companies Act) or Article 370 (including the cases where it is applied mutatis mutandis pursuant to Article 490, paragraph (5) of that Act) of the Companies Act" and "shareholders' meeting or class shareholder meeting" in Article 46, paragraph (3) of that Act shall be deemed to be replaced with "Article 319, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 41, paragraph (1) of the Insurance Business Act, or Article 370 of the Companies Act as applied mutatis mutandis pursuant to Article 53-16 or 180-15 of the Insurance Business Act" and "general members' council", respectively; the term "Article 416, paragraph (4) of the Companies Act" in Article 46, paragraph (4) shall be deemed to be replaced with "Article 53-30, paragraph (4) of the Insurance Business Act"; and the terms "head office" and "branch offices" in the provisions of Article 48 to 53 inclusive of that Act shall be deemed to be replaced with "principal office" and "secondary offices," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（電子公告についての会社法の準用）

(Mutatis Mutandis Application of the Companies Act on Electronic Public Notice)

第六十七条の二　会社法第九百四十条第一項及び第三項（電子公告の公告期間等）、第九百四十一条（電子公告調査）、第九百四十六条（調査の義務等）、第九百四十七条（電子公告調査を行うことができない場合）、第九百五十一条第二項（財務諸表等の備置き及び閲覧等）、第九百五十三条（改善命令）並びに第九百五十五条（調査記録簿等の記載等）の規定は、相互会社が電子公告によりこの法律又は他の法律の規定による公告をする場合について準用する。この場合において、同法第九百四十条第一項第二号中「第四百四十条第一項」とあるのは「保険業法第五十四条の七第一項」と、「定時株主総会」とあるのは「定時社員総会（総代会を設けているときは、定時総代会）」と、同条第三項中「前二項」とあるのは「第一項」と、同法第九百四十一条中「この法律又は他の法律の規定による公告（第四百四十条第一項の規定による公告を除く」とあるのは「保険業法の規定による公告（同法第五十四条の七第一項の規定による公告を除く」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。

Article 67-2 The provisions of Article 940, paragraphs (1) and (3) (Public Notice Period, etc. of Electronic Public Notice), Article 941 (Electronic Public Notice Investigation), Article 946 (Obligation, etc. of Investigation), Article 947 (Cases Where an Electronic Public Notice Investigation Is Unable to Be Carried Out), Article 951, paragraph (2) (Retention and Inspection, etc. of Financial Statements, etc.), Article 953 (Order for Improvement), and Article 955 (Statements, etc. in an Investigation Record Book, etc.) of the Companies Act shall apply mutatis mutandis to the cases where a Mutual Company gives public notice under this Act or any other Act in the form of electronic public notice. In this case, the terms "Article 440, paragraph (1)" and "annual shareholders' meeting" in Article 940, paragraph (1), item (ii) of that Act shall be deemed to be replaced with "Article 54-7, paragraph (1) of the Insurance Business Act" and "annual general members' council meeting (or annual General Representative Members' Council Meeting, where the company has such a council)," respectively; the term "the preceding two paragraphs" in Article 940, paragraph (3) of that Act shall be deemed to be replaced with "paragraph (1)"; and the term "public notice under this Act or any other Act (excluding the public notice under Article 440, paragraph (1)" in Article 941 of that Act shall be deemed to be replaced with "public notice under the Insurance Business Act (excluding the public notice under Article 54-7, paragraph (1) of that Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第三節　組織変更

Section 3 Entity Conversion

第一款　株式会社から相互会社への組織変更

Subsection 1 Entity Conversion from Stock Company to Mutual Company

（組織変更）

(Entity Conversion)

第六十八条　保険会社である株式会社は、その組織を変更して保険会社である相互会社となることができる。

Article 68 (1) A stock Insurance Company may convert to a mutual Insurance Company.

２　少額短期保険業者である株式会社は、その組織を変更して少額短期保険業者である相互会社となることができる。

(2) A Stock Company that is a Low-Cost, Short-Term Insurer may convert to a Mutual Company that is a Low-Cost, Short-Term Insurer.

３　前二項の組織変更（以下この款において「組織変更」という。）をする場合においては、組織変更後の相互会社の基金の総額を、次の各号に掲げる区分に応じ、当該各号に定める額以上の額とするため、基金を募集しなければならない。

(3) Any entity conversion under the preceding two paragraphs (hereinafter referred to as "Entity Conversion" in this Subsection) shall require a solicitation of funds in order to raise the total amount of the funds of the Mutual Company after the Entity Conversion to or over the amount specified in one of the following items depending on the case:

一　第一項の組織変更　第六条第一項の政令で定める額

(i) Entity Conversion under paragraph (1): the amount specified by Cabinet Order set forth in Article 6, paragraph (1); or

二　前項の組織変更　第二百七十二条の四第一項第二号の政令で定める額

(ii) Entity Conversion under the preceding paragraph: the amount specified by Cabinet Order set forth in Article 272-4, paragraph (1), item (ii).

４　前項に規定する基金の総額の全部又は一部は、組織変更時において準備金を積み立てることにより、これに代えることができる。この場合においては、当該積み立てる額については、同項の基金の募集は、することを要しない。

(4) The total amount of the funds set forth in the preceding paragraph may be comprised in whole or in Part of a Reserves set aside at the time of Entity Conversion. In this case, the converting company shall not be required to solicit funds under that paragraph to the extent covered by the reserve.

５　前項の準備金は、基金償却積立金とみなして、この法律（第五十六条を除く。）の規定を適用する。

(5) The Reserves set forth in the preceding paragraph shall be deemed to be the reserves for redemption of funds, to which the provisions of this Act (excluding Article 56) shall apply.

６　組織変更をする場合においては、第四項の準備金のほか、損失てん補準備金を積み立てることができる。

(6) In the case of an Entity Conversion, the converting company may set aside a deficiency reserves in addition to the reserves set forth in paragraph (4).

（組織変更計画の承認）

(Authorization of Entity Conversion Plan)

第六十九条　株式会社は、組織変更をするには、組織変更計画を作成して、株主総会の決議により、その承認を受けなければならない。

Article 69 (1) A Stock Company shall, if it seeks to convert to a Mutual Company, prepare an Entity Conversion plan to be approved by a resolution at a shareholders' meeting.

２　前項の場合には、会社法第三百九条第二項（株主総会の決議）に定める決議によらなければならない。

(2) The resolution set forth in the preceding paragraph shall be a resolution under Article 309, paragraph (2) (Resolution of shareholders' meetings) of the Companies Act.

３　株式会社は、第一項の決議を行う場合には、会社法第二百九十九条第一項（株主総会の招集の通知）の通知において、組織変更計画の要領を示さなければならない。

(3) A Stock Company, if it seeks to adopt a resolution under paragraph (1), shall provide an outline of the Entity Conversion plan in the notice to be given pursuant to Article 299, paragraph (1) (Notices of Convocation for Shareholders' Meetings) of the Companies Act.

４　株式会社は、組織変更計画において、次に掲げる事項を記載しなければならない。

(4) A Stock Company shall detail the following particulars in its Entity Conversion plan:

一　組織変更後の相互会社（以下この款において「組織変更後相互会社」という。）の基金の総額

(i) The total amount of funds of the Mutual Company to be established by the Entity Conversion (hereinafter referred to as "Converted Mutual Company" in this Subsection);

二　前条第四項の準備金及び同条第六項の損失てん補準備金の額

(ii) The amounts of the reserves set forth in paragraph (4) of the preceding Article and of the deficiency reserves set forth in paragraph (6) of that Article;

三　株主及び新株予約権者に対する補償に関する事項

(iii) The particulars of compensation to shareholders and holders of share options;

四　組織変更後における保険契約者の権利に関する事項

(iv) The particulars of the rights of Policyholders after the Entity Conversion; and

五　組織変更がその効力を生ずる日（以下この款において「効力発生日」という。）その他内閣府令で定める事項

(v) The day on which the Entity Conversion takes effect (hereinafter referred to as "Effective Date" in this Subsection) and other particulars specified by Cabinet Office Ordinance.

５　株式会社が第一項の決議をしたときは、当該決議の日から二週間以内に、登録株式質権者及び登録新株予約権質権者に対し、組織変更をする旨を各別に通知しなければならない。

(5) A Stock Company which has adopted a resolution under paragraph (1) shall, within two weeks from the date of the resolution, notify each of the registered pledgees of shares and registered pledgees of share options of the planned Entity Conversion.

６　前項の規定による通知は、公告をもってこれに代えることができる。

(6) A notice under the preceding paragraph may be replaced by a public notice.

７　会社法第二百十九条第一項（第五号に係る部分に限る。）、第二項及び第三項（株券の提出に関する公告等）、第二百二十条（株券の提出をすることができない場合）並びに第二百九十三条第一項（第二号に係る部分に限る。）（新株予約権証券の提出に関する公告等）の規定は、組織変更をする株式会社について準用する。この場合において、必要な技術的読替えは、政令で定める。

(7) The provisions of Article 219, paragraph (1) (limited to the segment pertaining to item (v)), (2) and (3) (Public Notice in Relation to Submission of Share Certificate), Article 220 (Cases where Share Certificates cannot be Submitted), and Article 293, paragraph (1) (limited to the segment pertaining to item (ii)) (Public Notice in relation to Submission of Share Option Certificate) of the Companies Act shall apply mutatis mutandis to a converting Stock Company. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更計画に関する書面等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents Related to Entity Conversion Plans, etc.)

第六十九条の二　組織変更をする株式会社は、組織変更計画備置開始日から効力発生日までの間、組織変更計画の内容その他内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録をその各営業所に備え置かなければならない。

Article 69-2 (1) A converting Stock Company shall, for the period from the Day on Which the Entity Conversion plan Began to Be Kept to the Effective Date, keep at each of its business offices the documents or electromagnetic records in which the details of the Entity Conversion plan and any other particulars specified by Cabinet Office Ordinance are detailed or recorded.

２　前項に規定する「組織変更計画備置開始日」とは、次に掲げる日のいずれか早い日をいう。

(2) The term "the Day on Which the Entity Conversion plan Began to Be Kept" in the preceding paragraph refers to the earliest of the date listed in the following items:

一　前条第一項の株主総会の日の二週間前の日（会社法第三百十九条第一項（株主総会の決議の省略）の場合にあっては、同項の提案があった日）

(i) The day two weeks before the date of the shareholders' meeting set forth in paragraph (1) of the preceding Article (or, in the case of Article 319, paragraph (1) (Omission of Resolution of Shareholders' Meetings) of the Companies Act, the date of proposal under that paragraph);

二　組織変更をする株式会社が新株予約権を発行しているときは、第七十一条において準用する会社法第七百七十七条第三項の規定による通知の日又は第七十一条において準用する同法第七百七十七条第四項の公告の日のいずれか早い日

(ii) Where the converting Stock Company has issued share options, the date of notice under Article 777, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 71 or the date of public notice set forth in Article 777, paragraph (4) of that Act as applied mutatis mutandis pursuant to Article 71, whichever is earlier; or

三　次条第二項の規定による公告の日

(iii) The date of public notice under paragraph (2) of the following Article.

３　組織変更をする株式会社の株主及び保険契約者その他の債権者は、当該株式会社に対して、その営業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該株式会社の定めた費用を支払わなければならない。

(3) The creditors of a converting Stock Company, such as shareholders and Policyholders, may make the following requests to the company at any time during its operating hours; provided, however, that they pay the fees determined by the Stock Company in making a request falling under item (ii) or (iv):

一　第一項の書面の閲覧の請求

(i) A request to inspect the documents set forth in paragraph (1);

二　第一項の書面の謄本又は抄本の交付の請求

(ii) A request to be issued a certified copy or extract of the documents set forth in paragraph (1);

三　第一項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in paragraph (1) in a manner specified by Cabinet Office Ordinance; or

四　第一項の電磁的記録に記録された事項を電磁的方法であって組織変更をする株式会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in paragraph (1) by the electromagnetic means determined by the converting Stock Company, or to be issued a document detailing such particulars.

４　組織変更後相互会社は、効力発生日から六月間、組織変更計画の内容その他内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各事務所に備え置かなければならない。

(4) The Converted Mutual Company shall, for six months from the Effective Date, keep at each of its offices the documents or electromagnetic records in which the details of the Entity Conversion plan and any other particulars specified by Cabinet Office Ordinance are detailed or recorded.

５　組織変更後相互会社の保険契約者その他の債権者は、組織変更後相互会社に対して、その事業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該組織変更後相互会社の定めた費用を支払わなければならない。

(5) Policyholders or other creditors of a Converted Mutual Company may make the following requests to the company at any time during its business hours; provided, however, that they pay the fees determined by the Converted Mutual Company in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって組織変更後相互会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Converted Mutual Company, or to be issued a document detailing such particulars.

（債権者の異議）

(Objections of Creditors)

第七十条　組織変更をする株式会社の保険契約者その他の債権者は、当該株式会社に対し、組織変更について異議を述べることができる。

Article 70 (1) Policyholders or other creditors of a converting Stock Company may state to the company their objections to the Entity Conversion.

２　組織変更をする株式会社は、次に掲げる事項を官報及び当該株式会社の定款で定めた公告方法により公告しなければならない。ただし、第四号の期間は、一月を下ることができない。

(2) A converting Stock Company shall publish the following particulars in the Official Gazette and by the Method of Public Notice prescribed by its articles of incorporation; provided, however, that the period for item (iv) may not be shorter than one month:

一　組織変更をする旨

(i) The fact that an Entity Conversion will be carried out;

二　組織変更後相互会社の名称及び住所

(ii) The name and address of the Converted Mutual Company;

三　組織変更をする株式会社の計算書類に関する事項として内閣府令で定めるもの

(iii) Particulars specified by Cabinet Office Ordinance as pertaining to the financial statements of the converting Stock Company;

四　組織変更をする株式会社の保険契約者その他の債権者が一定の期間内に異議を述べることができる旨

(iv) The fact that Policyholders or other creditors of the converting Stock Company may state their objections within a certain period of time; 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, particulars specified by Cabinet Office Ordinance.

３　保険契約者その他の債権者が前項第四号の期間内に異議を述べなかったときは、当該保険契約者その他の債権者は、当該組織変更について承認をしたものとみなす。

(3) Where no Policyholders or other creditors have stated their objections within the period set forth in item (iv) of the preceding paragraph, such Policyholders or creditors shall be deemed to have approved the Entity Conversion.

４　保険契約者その他の債権者が第二項第四号の期間内に異議を述べたときは、組織変更をする株式会社は、当該保険契約者その他の債権者に対し、弁済し、若しくは相当の担保を提供し、又は当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託しなければならない。ただし、当該組織変更をしても当該保険契約者その他の債権者を害するおそれがないときは、この限りでない。

(4) Where any Policyholder or other creditor has stated his/her objection under paragraph (2), item (iv), the converting Stock Company shall make payment or provide equivalent security to such Policyholder or other creditor, or entrust equivalent property to a trust company, etc. for the purpose of ensuring that such Policyholder or other creditor receive the payment; provided, however, that this shall not apply to the cases where the Entity Conversion poses no risk of harming the interest of such Policyholder or other creditor;

５　前項の規定は、保険契約者その他保険契約に係る権利を有する者の当該権利（保険金請求権等を除く。）については、適用しない。

(5) The provisions of the preceding paragraph shall not apply to the Policyholders or any rights held by other persons pertaining to insurance contracts (other than Insurance Claims, etc.).

６　第二項第四号の期間内に異議を述べた保険契約者（同項の規定による公告の時において既に保険金請求権等が生じている保険契約（当該保険金請求権等に係る支払により消滅することとなるものに限る。）に係る保険契約者を除く。以下この項及び次項において同じ。）の数が保険契約者の総数の五分の一を超え、かつ、当該異議を述べた保険契約者の保険契約に係る債権（保険金請求権等を除く。）の額に相当する金額として内閣府令で定める金額が保険契約者の当該金額の総額の五分の一を超えるときは、第六十九条第一項の承認の決議は、その効力を有しない。

(6) Any resolution of authorization under Article 69, paragraph (1) shall be null and void if the number of the Policyholders who have stated their objections within the period set forth in paragraph (2), item (iv) (excluding the holders of policies under which Insurance Claims, etc. had already arisen at the time of public notice under the paragraph (2) (but limited to those policies that would be terminated with the payment of the Insurance Claims, etc.); hereinafter the same shall apply in this paragraph and the following paragraph) exceeds one fifth of the total number of Policyholders, and the amount specified by Cabinet Office Ordinance as the credits (other than Insurance Claims, etc.) belonging to the insurance contracts of the Policyholders who have stated such objections exceeds one fifth of the total amount of credits belonging to the Policyholders.

７　前各項の規定によりされた組織変更は、前項の異議を述べた保険契約者及び保険契約者に係る保険契約に係る権利（保険金請求権等を除く。）を有する者についても、その効力を生ずる。

(7) An Entity Conversion carried out pursuant to the provisions of the preceding paragraphs shall also be effective against the Policyholders who have stated their objections under the preceding paragraph and other persons who hold any right (other than Insurance Claims, etc.) pertaining to the insurance contracts involving the Policyholders.

８　前各項に定めるもののほか、これらの規定の適用に関し必要な事項は、政令で定める。

(8) In addition to what is provided for in the preceding paragraphs, necessary particulars for the application of those provisions shall be specified by Cabinet Order.

（新株予約権買取請求等）

(Demand for Purchase of Share Options, etc.)

第七十一条　会社法第七百七十七条（新株予約権買取請求）、第七百七十八条（新株予約権の価格の決定等）、第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第四号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、組織変更をする株式会社が新株予約権を発行している場合について準用する。この場合において、同法第七百七十八条第一項、第二項及び第四項中「組織変更後持分会社」とあるのは「組織変更後相互会社（保険業法第六十九条第四項第一号に規定する組織変更後相互会社をいう。）」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。

Article 71 The provisions of Article 777 (Demand for Purchase of Share Options), Article 778 (Determination on Value of Share Options, etc.), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (iv)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Mandatory Consolidation of Hearings, etc.) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to the cases where the converting Stock Company has issued share options. In this case, the term "converted membership company" in Article 778, paragraph (1), Article 778, paragraph (2), and Article 778, paragraph (4) of that Act shall be deemed to be replaced with "Converted Mutual Company (meaning a Converted Mutual Company as defined in Article 69, paragraph (4), item (i) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更手続中の契約）

(Contract during Procedure of Entity Conversion)

第七十二条　組織変更をする株式会社が、第七十条第二項の規定による公告をした日の翌日以後保険契約を締結しようとするときは、保険契約者になろうとする者に対して、組織変更の手続中である旨を通知し、その承諾を得なければならない。

Article 72 (1) A converting Stock Company shall, if it seeks to conclude an insurance contract on or after the day following the date of public notice under Article 70, paragraph (2), notify the prospective Policyholder to the effect that the company is going through the procedure of Entity Conversion to obtain his/her consent.

２　前項の承諾をした保険契約者は、次条から第七十七条までの規定の適用については、保険契約者でないものとみなす。

(2) A Policyholder who has given his/her consent under the preceding paragraph shall not be deemed to be a Policyholder for the purpose of applying the following Article to Article 77 inclusive.

（保険契約者総会）

(Policyholders Meeting)

第七十三条　第七十条第二項第四号の期間内に異議を述べた保険契約者の数又はその者の同条第六項の内閣府令で定める金額が同項に定める割合を超えなかったときは、組織変更をする株式会社の取締役は、同条に定める手続が終了した後、遅滞なく、保険契約者総会を招集しなければならない。

Article 73 Where the number of the Policyholders who have stated their objections within the period set forth in Article 70, paragraph (2), item (iv) or the amount of their credits as specified by Cabinet Office Ordinance set forth in paragraph (6) of the same Article has not exceeded the proportion specified in that paragraph, the directors of the converting Stock Company shall convene a policyholders meeting without delay following the completion of the procedure prescribed in the same Article.

（決議の方法等）

(Method of Adopting Resolution, etc.)

第七十四条　保険契約者は、保険契約者総会において、各々一個の議決権を有する。

Article 74 (1) Each Policyholder shall be entitled to one vote at the policyholders meeting.

２　保険契約者総会の決議は、保険契約者の半数以上が出席し、その議決権の四分の三以上の多数により行う。

(2) A resolution of the policyholders meeting is adopted by a three-quarter majority vote of the attending Policyholders at a session where at least half of the Policyholders are present.

３　会社法第六十七条第一項（創立総会の招集の決定）、第六十八条（第二項各号及び第五項から第七項までを除く。）（創立総会の招集の通知）、第七十条、第七十一条（創立総会参考書類及び議決権行使書面の交付等）、第七十四条から第七十六条まで（議決権の代理行使、書面による議決権の行使、電磁的方法による議決権の行使）、第七十八条から第八十条まで（発起人の説明義務、議長の権限、延期又は続行の決議）、第八十一条第一項から第三項まで（議事録）及び第三百十六条第一項（株主総会に提出された資料等の調査）の規定は保険契約者総会について、同法第八百三十条（株主総会等の決議の不存在又は無効の確認の訴え）、第八百三十一条（株主総会等の決議の取消しの訴え）、第八百三十四条（第十六号及び第十七号に係る部分に限る。）（被告）、第八百三十五条第一項（訴えの管轄）、第八百三十六条第一項及び第三項（担保提供命令）、第八百三十七条（弁論等の必要的併合）、第八百三十八条（認容判決の効力が及ぶ者の範囲）、第八百四十六条（原告が敗訴した場合の損害賠償責任）並びに第九百三十七条第一項（第一号トに係る部分に限る。）（裁判による登記の嘱託）の規定は保険契約者総会の決議の不存在若しくは無効の確認又は取消しの訴えについて、それぞれ準用する。この場合において、これらの規定中「発起人」とあるのは「組織変更をする株式会社」と、「設立時株主」とあるのは「保険契約者」と、「株式会社」とあるのは「相互会社」と、同法第六十八条第二項中「次に掲げる場合には、前項」とあるのは「前項」と、同法第七十四条第六項中「本店」とあるのは「主たる事務所」と、同条第七項中「株主」とあるのは「社員」と、同法第八百三十一条第一項中「株主等（当該各号の株主総会等が創立総会又は種類創立総会である場合にあっては、株主等、設立時株主、設立時取締役又は設立時監査役）」とあるのは「保険契約者、取締役、監査役又は清算人（委員会設置会社にあっては、保険契約者、取締役、執行役又は清算人）」と、「取締役、監査役又は清算人（当該決議が株主総会又は種類株主総会の決議である場合にあっては第三百四十六条第一項（第四百七十九条第四項において準用する場合を含む。）の規定により取締役、監査役又は清算人としての権利義務を有する者を含み、当該決議が創立総会又は種類創立総会の決議である場合にあっては設立時取締役又は設立時監査役を含む。）」とあるのは「取締役、監査役又は清算人」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。

(3) The provisions of Article 67, paragraph (1) (Determination to Call Organizational Meetings), Article 68 (excluding the items in paragraph (2) and paragraphs (5) to (7) inclusive) (Notices of Calling of Organizational Meetings), Articles 70 and 71 (Giving of Organizational Meeting Reference Documents and Voting Forms), Article 74 to 76 inclusive (Proxy Voting, Voting in Writing, Voting by Electromagnetic Method), Article 78 to 80 inclusive (Accountability of Incorporators, Authority of Chairperson, Resolution for Postponement or Adjournment), Article 81, paragraphs (1) to (3) inclusive (Minutes) and Article 316, paragraph (1) (Investigation of Materials Submitted to the Shareholders' Meeting) of the Companies Act shall apply mutatis mutandis to the policyholders meeting; and the provisions of Article 830 (Action for a Declaratory Judgment as to the Absence or Invalidity of a Resolution of a Shareholders' Meeting, etc.), Article 831 (Action to Revoke a Resolution of a Shareholders' Meeting, etc.), Article 834 (limited to the segment pertaining to items (xvi) and (xvii)) (Defendant), Article 835, paragraph (1) (Jurisdiction over Actions), Article 836, paragraphs (1) and (3) (Order to Provide Security), Article 837 (Mandatory Consolidation of Oral Arguments, etc.), Article 838 (Persons Affected by a Judgment Being Upheld), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff), and Article 937, paragraph (1) (limited to the segment pertaining to item (i), sub-item (g)) (Commissioning of Registration by a Judicial Decision) of that Act shall apply mutatis mutandis to an action for a declaratory judgment as to the absence or invalidity of a resolution of the policyholders meeting and to an action to rescind a resolution of the policyholders meeting. In this case, the terms "incorporators," "shareholders at incorporation" and "Stock Company" in those provisions shall be deemed to be replaced with "converting Stock Company," "policyholders" and "Mutual Company," respectively; the term "in the following cases" in Article 68, paragraph (2) of that Act shall be deemed to be deleted; the term "head office" in Article 74, paragraph (6) of that Act shall be deemed to be replaced with "principal office"; the term "shareholders" in Article 74, paragraph (7) of that Act shall be deemed to be replaced with "members"; and the terms "a Shareholder, etc. (or, in cases where the Shareholders' Meeting, etc. set forth respectively in each such item is an Organizational Meeting or a Class Organizational Meetings, a Shareholder, etc., a Shareholder at Incorporation, a Director at Incorporation or a Company Auditor at Incorporation)" and "a director, company auditor or liquidator pursuant to the provisions of Article 346 (1) (including cases where it is applied mutatis mutandis pursuant to Article 479 (4)), and in cases where such resolution is a resolution of an Organizational Meeting or Class Organizational Meeting, it shall include a Director at Incorporation or a Company Auditor at Incorporation)" in Article 831, paragraph (1) of that Act shall be deemed to be replaced with "policyholders, directors, company auditors or liquidators (or, in a company with Committees, Policyholders, directors, executive officers or liquidators" and "directors, company auditors or liquidators," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

４　組織変更をする株式会社が保険契約者に対してする通知又は催告は、当該保険契約者が当該株式会社に通知した通知又は催告を受ける場所又は連絡先にあてて発すれば足りる。

(4) It shall be sufficient for a notice or demand to a Policyholder to be sent by the converting Stock Company to the place or address which the Policyholder has notified to the Stock Company for the receipt of notices or demands.

５　前項の通知又は催告は、その通知又は催告が通常到達すべきであった時に、到達したものとみなす。

(5) The notice or demand set forth in the preceding paragraph shall be deemed to have arrived at the time when such notice or demand would normally have arrived.

６　前二項の規定は、第三項において準用する会社法第六十八条第一項の通知に際して保険契約者に書面を交付し、又は当該書面に記載すべき事項を電磁的方法により提供する場合について準用する。この場合において、前項中「到達したもの」とあるのは「当該書面の交付又は当該事項の電磁的方法による提供があったもの」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。

(6) The provisions of the preceding two paragraphs shall apply mutatis mutandis to the delivery of documents to Policyholders in giving a notice under Article 68, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to paragraph (3) and provision by electromagnetic means of the particulars that are required to be included in such documents. In this case, the term "to have arrived" in the preceding paragraph shall be deemed to be replaced with "to have been effected by delivery of such document or provision of such particulars by electromagnetic means"; and any other necessary technical change in interpretation shall be specified by Cabinet Order.

（取締役の報告）

(Report of Directors)

第七十五条　取締役は、組織変更に関する事項を保険契約者総会に報告しなければならない。

Article 75 The directors shall report to the policyholders meeting the particulars related to an Entity Conversion.

（保険契約者総会の決議）

(Resolution of Policyholders Meeting)

第七十六条　保険契約者総会においては、その決議により、組織変更後相互会社の定款その他組織変更後相互会社の組織に必要な事項を定めるとともに、組織変更後相互会社の取締役となるべき者を選任しなければならない。

Article 76 (1) The policyholders meeting shall, in its resolutions, adopt the articles of incorporation of the Converted Mutual Company and other particulars required for the organization of the Converted Mutual Company, and elect the persons to serve as directors of the Converted Mutual Company.

２　次の各号に掲げる場合には、保険契約者総会においては、当該各号に定める者を選任しなければならない。

(2) In the following cases, the policyholders meeting shall elect the persons set forth in the relevant items:

一　組織変更後相互会社が会計参与設置会社である場合　組織変更後相互会社の会計参与となるべき者

(i) Where the Converted Mutual Company is a company with accounting advisors, the persons to serve as accounting advisors of the Converted Mutual Company;

二　組織変更後相互会社が監査役設置会社である場合　組織変更後相互会社の監査役となるべき者

(ii) Where the Converted Mutual Company is a company with auditors, the persons to serve as company auditors of the Converted Mutual Company; and

三　組織変更後相互会社が会計監査人設置会社である場合　組織変更後相互会社の会計監査人となるべき者

(iii) Where the Converted Mutual Company is a company with accounting auditors, the persons to serve as accounting auditors of the Converted Mutual Company.

３　第六十九条第一項の決議は、第一項の決議により変更することができる。ただし、組織変更をする株式会社の債権者の利益を害することはできない。

(3) The resolution set forth in Article 69, paragraph (1) may be amended by a resolution under paragraph (1); provided, however, that such amendment may not harm the interest of the creditors of the converting Stock Company.

４　前項の変更が株主に損害を及ぼすおそれがあるときは、株主総会の同意を得なければならない。この場合においては、第六十九条第二項の規定を準用する。

(4) Any amendment under the preceding paragraph that poses the risk of causing any damage to the interest of shareholders shall be subject to the authorization of the shareholders' meeting. In this case, the provisions of Article 69, paragraph (2) shall apply mutatis mutandis.

５　前項の株主総会の同意が得られなかった場合は、第六十九条第一項の承認の決議は、その効力を失う。

(5) The resolution of authorization set forth in Article 69, paragraph (1) shall lose its effect without the authorization of the shareholders' meeting set forth in the preceding paragraph.

６　保険契約者総会は、第七十四条第三項において準用する会社法第六十七条第一項第二号に掲げる事項以外の事項については、決議をすることができない。ただし、組織変更後相互会社の定款その他組織変更後相互会社の組織に必要な事項の決定並びに第一項及び第二項に規定する者の選任については、この限りでない。

(6) The policyholders meeting may not adopt a resolution on any other matter than that listed in Article 67, paragraph (1), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 74, paragraph (3); provided, however, that this shall not apply to a decision on the articles of incorporation of the Converted Mutual Company or on any other particular that is necessary for the organization of the Converted Mutual Company, and the election of the persons specified in paragraphs (1) and (2).

（保険契約者総代会）

(General Council of Representative Policyholders)

第七十七条　組織変更をする株式会社は、第六十九条第一項の決議により、保険契約者総会に代わるべき機関として、保険契約者のうちから選出された総代により構成される機関（以下「保険契約者総代会」という。）を置くことができる。

Article 77 (1) The converting Stock Company may, by a resolution under Article 69, paragraph (1), establish an administrative organ composed of representative members elected from among the Policyholders (hereinafter referred to as "General Council of Representative Policyholders") in lieu of the policyholders meeting.

２　前項の決議においては、総代の定数、選出の方法その他の内閣府令で定める事項を定めなければならない。

(2) The resolution set forth in the preceding paragraph shall specify the particulars specified by Cabinet Office Ordinance, such as the number and election method of representative members.

３　組織変更をする株式会社の保険契約者（次項の規定による公告の時に保険金請求権等が生じている保険契約（当該保険金請求権等に係る支払により消滅することとなるものに限る。）に係る保険契約者を除く。同項及び第五項において同じ。）は、組織変更をする株式会社に対し、第一項の決議について異議を述べることができる。

(3) Policyholders of a converting Stock Company (excluding the holders of the policies for which Insurance Claims, etc. had already arisen at the time of public notice under the following paragraph (but limited to those policies that would be terminated with the payment of the Insurance Claims, etc.); the same shall apply in that paragraph and paragraph (5)) may state to the converting Stock Company their objections to the resolution set forth in paragraph (1).

４　組織変更をする株式会社は、第一項の決議の日から二週間以内に、次に掲げる事項を公告しなければならない。ただし、第二号の期間は、一月を下ることができない。

(4) A converting Stock Company shall give public notice of the following particulars within two weeks from the date of the resolution set forth in paragraph (1); provided, however, that such period for item (ii) may not be shorter than one month:

一　第一項の決議の内容

(i) Contents of the resolution set forth in paragraph (1);

二　組織変更をする株式会社の保険契約者が一定の期間内に異議を述べることができる旨

(ii) The fact that Policyholders of the converting Stock Company may state their objections within a certain period of time; 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, particulars specified by Cabinet Office Ordinance.

５　前項第二号の期間内に異議を述べた保険契約者の数が保険契約者の総数の五分の一を超え、かつ、当該異議を述べた保険契約者の保険契約に係る債権（保険金請求権等を除く。）の額に相当する金額として内閣府令で定める金額が保険契約者の当該金額の総額の五分の一を超えるときは、第一項の決議は、その効力を有しない。

(5) Any resolution under paragraph (1) shall be null and void if the number of Policyholders who have stated their objections within the period set forth in item (ii) of the preceding paragraph exceeds one fifth of the total number of Policyholders, and the amount specified by Cabinet Office Ordinance as the credits (other than Insurance Claims, etc.) belonging to the insurance contracts of the Policyholders who have stated such objections exceeds one fifth of the total amount of credits belonging to the Policyholders.

６　第四十四条の二（第三項後段を除く。）及び第七十三条から前条までの規定は、保険契約者総代会について準用する。この場合において、第四十四条の二第三項前段において準用する会社法第三百十条第二項中「前項」とあり、及び同条第三項中「第一項」とあるのは「保険業法第四十四条の二第一項」と、同条第四項中「第二百九十九条第三項」とあるのは「保険業法第七十四条第三項において準用する第六十八条第三項」と、同条第七項中「株主（前項の株主総会において決議をした事項の全部につき議決権を行使することができない株主を除く。次条第四項及び第三百十二条第五項において同じ。）」とあるのは「保険契約者又は社員」と、第七十四条第三項中「第七十四条から第七十六条まで」とあるのは「第七十五条及び第七十六条」と、同項及び同条第四項中「保険契約者」とあるのは「総代」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。

(6) The provisions of Article 44-2 (excluding the second sentence of paragraph (3)) and Article 73 to the preceding Article inclusive shall apply mutatis mutandis to the General Council of Representative Policyholders. In this case, the term "the preceding paragraph" in Article 310, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to the first sentence of Article 44-2, paragraph (3) and the term "paragraph (1)" in Article 310, paragraph (3) shall be deemed to be replaced with "Article 44-2, paragraph (1) of the Insurance Business Act"; the term "Article 299, paragraph (3)" in Article 310, paragraph (4) shall be deemed to be replaced with "Article 68, paragraph (3) as applied mutatis mutandis pursuant to Article 74, paragraph (3) of the Insurance Business Act"; the term "shareholders (excluding the shareholders who may not exercise their voting rights on all matters which may be resolved at the shareholders' meeting under the preceding paragraph. The same shall apply hereinafter in paragraph (4) of the following Article and in Article 312, paragraph (5))" in Article 310, paragraph (7) shall be deemed to be replaced with "Policyholders or members"; the term "Article 74 to 76 inclusive" in Article 74, paragraph (3) shall be deemed to be replaced with "Articles 75 and 76"; and the term "Policyholder" in Article 74, paragraph (4) shall be deemed to be replaced with "representative member"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更における基金の募集）

(Solicitation of Funds in Entity Conversion)

第七十八条　組織変更をする株式会社は、組織変更後相互会社の基金について募集を要する場合には、その要する額について保険契約者総会又は保険契約者総代会が終結した後（第七十六条第四項の場合にあっては、同項の株主総会の同意が得られた後）、遅滞なく、その募集をしなければならない。

Article 78 (1) A converting Stock Company shall, if it seeks to solicit additional funds for the Converted Mutual Company, solicit the required amount of such funds without delay following the conclusion of the policyholders meeting or General Council of Representative Policyholders (or, in the case of Article 76, paragraph (4), following the authorization of the shareholders' meeting set forth in that paragraph).

２　組織変更をする株式会社は、前項の募集に応じて基金の拠出の申込みをしようとする者に対し、次に掲げる事項を通知しなければならない。

(2) A converting Stock Company shall notify the persons who seek to offer contributions to its funds in response to a solicitation under the preceding paragraph of the following particulars:

一　第二十三条第一項第二号及び第四号から第六号までに掲げる事項

(i) Particulars listed in Article 23, paragraph (1), item (ii) and items (iv) to (vi) inclusive;

二　新たに募集をする基金の額、当該基金の拠出者が有する権利及びその償却の方法

(ii) Amount of the additional funds to be solicited, the rights enjoyed by the contributors to the funds and the method of redemption of the funds;

三　払込みの期日

(iii) Payment date; and

四　基金の拠出に係る銀行等の払込みの取扱いの場所

(iv) Location of the banks, etc. where the payment of contribution of funds is handled.

３　第二十八条第二項から第六項まで、第二十九条から第三十条の二まで、第三十条の三（第二項及び第三項を除く。）並びに第三十条の五第二項及び第三項の規定は、第一項の募集について準用する。この場合において、これらの規定中「発起人」とあるのは「組織変更をする株式会社」と、「設立時に募集をする基金」とあり、及び「相互会社の設立時の基金」とあるのは「第七十八条第一項の募集に係る基金」と、第二十八条第四項中「第一項各号」とあるのは「第七十八条第二項各号」と、第三十条中「前二条」とあるのは「第七十八条第二項（第三号を除く。）及び同条第三項において準用する第二十八条第二項から第六項まで」と、第三十条の三第四項中「成立後の相互会社」とあるのは「組織変更後相互会社」と、第三十条の五第三項中「相互会社の成立後」とあるのは「組織変更後」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。

(3) The provisions of Article 28, paragraphs (2) to (6) inclusive, Article 29 to 30-2 inclusive, Article 30-3 (excluding paragraphs (2) and (3)), and Article 30-5, paragraphs (2) and (3) shall apply mutatis mutandis to a solicitation under (1). In this case, the term "incorporators" in those provisions shall be deemed to be replaced with "converting Stock Company"; the terms "funds solicited at incorporation" and "funds of a Mutual Company at incorporation" in those provisions shall be deemed to be replaced with "funds solicited under Article 78, paragraph (1)"; the term "the items in paragraph (1)" in Article 28, paragraph (4) shall be deemed to be replaced with "the items of Article 78, paragraph (2)"; the term "the preceding two Articles" in Article 30 shall be deemed to be replaced with "Article 78, paragraph (2) (excluding item (iii)) and Article 28, paragraphs (2) to (6) inclusive as applied mutatis mutandis pursuant to Article 30, paragraph (3)"; the term "Mutual Company thus established" in Article 30-4, paragraph (4) shall be deemed to be replaced with "Converted Mutual Company"; and the term "After the establishment of the Mutual Company" in Article 30-5, paragraph (3) shall be deemed to be replaced with "After the Entity Conversion"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（基金の募集後の保険契約者総会）

(Policyholders Meeting after Solicitation of Funds)

第七十九条　前条第一項の場合において、組織変更をする株式会社の取締役は、同項の募集に係る基金の総額の払込みがあった後、遅滞なく、第二回の保険契約者総会又は保険契約者総代会を招集しなければならない。

Article 79 (1) In the case of paragraph (1) of the preceding Article, the directors of the converting Stock Company shall, without delay after the total amount of the funds solicited under that paragraph has been paid in, convene a second policyholders meeting or General Council of Representative Policyholders.

２　組織変更後相互会社の取締役（組織変更後相互会社が監査役設置会社である場合にあっては、取締役及び監査役。次項において同じ。）となるべき者は、前条第一項の募集に係る基金の総額についてその引受け及び払込みがあったかどうかを調査し、前項の保険契約者総会又は保険契約者総代会に報告しなければならない。

(2) The persons to serve as directors (or directors and company auditors, where the Converted Mutual Company is a company with auditors) of the Converted Mutual Company shall investigate whether the total amount of the funds solicited under paragraph (1) of the preceding Article has been subscribed for and paid in, and report the result to the policyholders meeting or General Council of Representative Policyholders set forth in the preceding paragraph.

３　会社法第九十四条（設立時取締役等が発起人である場合の特則）の規定は、組織変更後相互会社の取締役となるべき者の全部又は一部が組織変更をする株式会社の取締役又は執行役である場合における第一項の保険契約者総会又は保険契約者総代会について準用する。この場合において、同条第一項中「前条第一項各号に掲げる事項」とあるのは「保険業法第七十八条第一項の募集に係る基金の総額についてのその引受け及び払込みがあったかどうか」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。

(3) The provisions of Article 94 (Special Provisions in case Directors at Incorporation are Incorporators) of the Companies Act shall apply mutatis mutandis to the policyholders meeting or General Council of Representative Policyholders set forth in paragraph (1), where all or some of the persons to serve as directors of the Converted Mutual Company are directors or executive officers of the converting Stock Company. In this case, the term "the particulars listed in the items of paragraph (1) of the preceding Article" in paragraph (1) of the same Article shall be deemed to be replaced with "whether the total amount of the funds solicited under Article 78, paragraph (1) of the Insurance Business Act has been subscribed for and paid in"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更の認可）

(Authorization of Entity Conversion)

第八十条　組織変更は、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 80 (1) An Entity Conversion shall not take effect without the authorization of the Prime Minister.

２　内閣総理大臣は、前項の認可の申請があった場合には、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。

(2) Whenever an application has been filed for the authorization referred to in the preceding paragraph, the Prime Minister shall examine whether it conforms to the following standards:

一　組織変更後相互会社が保険会社等の業務を健全かつ効率的に遂行するに足りる財産的基礎を有すること。

(i) The Converted Mutual Company would have a sufficient financial basis to execute the business of an Insurance Company, etc. in a sound and efficient manner;

二　組織変更により、保険契約者の有する権利が害されるおそれがないこと。

(ii) The Entity Conversion poses no risk of harming the rights of Policyholders; and

三　前二号に掲げるもののほか、組織変更により、保険会社等の業務の健全な運営に支障を生ずるおそれがないこと。

(iii) In addition to what is listed in the preceding two items, the Entity Conversion poses no risk of precluding the sound business operation of an Insurance Company, etc.

（組織変更の効力の発生等）

(Effectuation, etc. of Entity Conversion)

第八十一条　組織変更をする株式会社は、効力発生日に、相互会社となる。

Article 81 (1) A converting Stock Company shall become a Mutual Company on the Effective Date.

２　組織変更をする株式会社の株式及び新株予約権は、効力発生日に、消滅する。

(2) The shares and share options of a converting Stock Company shall become null and void on the Effective Date.

３　組織変更をする株式会社の保険契約者は、効力発生日に、組織変更後相互会社に入社するものとする。

(3) The Policyholders of a converting Stock Company shall become members of the Converted Mutual Company on the Effective Date.

４　前三項の規定は、第七十条の規定による手続が終了していない場合又は組織変更を中止した場合には、適用しない。

(4) The provisions of the preceding three paragraphs shall not apply to the cases where a procedure under Article 70 has not been completed or where the Entity Conversion has been voluntarily abandoned.

（組織変更の公告等）

(Public Notice, etc. of Entity Conversion)

第八十二条　組織変更後相互会社は、組織変更の後、遅滞なく、組織変更が行われたこと及び内閣府令で定める事項を公告しなければならない。第七十条第二項の規定による公告をした組織変更をする株式会社が組織変更を行わないこととなったときも、同様とする。

Article 82 (1) A Converted Mutual Company shall, without delay following the Entity Conversion, give public notice of the effect that an Entity Conversion has been carried out and publish the particulars specified by Cabinet Office Ordinance. The same shall apply to the cases where a converting Stock Company has voluntarily abandoned the planned Entity Conversion after giving a public notice under Article 70, paragraph (2).

２　組織変更後相互会社は、効力発生日から六月間、第七十条に規定する手続の経過その他の組織変更に関する事項として内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各事務所に備え置かなければならない。

(2) A Converted Mutual Company shall, for six months following the Effective Date, keep at each of its offices the documents or electromagnetic records in which the progress of the procedures under Article 70 and any other particulars specified by Cabinet Office Ordinance as being involved in an Entity Conversion are detailed or recorded.

３　組織変更後相互会社の保険契約者その他の債権者は、組織変更後相互会社に対して、その事業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該組織変更後相互会社の定めた費用を支払わなければならない。

(3) Policyholders or other creditors of a Converted Mutual Company may make the following requests to the company at any time during its business hours; provided, however, that they pay the fees determined by the Mutual Company in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって組織変更後相互会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Converted Mutual Company, or to be issued a document detailing such particulars.

（旧株式に関する質権）

(Pledge on Former Shares)

第八十三条　会社法第百五十一条（各号を除く。）及び第百五十四条（株式の質入れの効果）の規定は、株式会社が組織変更をした場合に当該組織変更によって株主が受けることのできる金銭について準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 83 The provisions of Article 151 (excluding the items) and Article 154 (Effect of pledge of shares) of the Companies Act shall apply mutatis mutandis to the monies which the shareholders are entitled to receive as a result of any Entity Conversion of a Stock Company. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（登記）

(Registration)

第八十四条　株式会社が組織変更をしたときは、組織変更の日から本店又は主たる事務所の所在地においては二週間以内に、支店又は従たる事務所の所在地においては三週間以内に、組織変更前の株式会社については解散の登記を、組織変更後の相互会社については設立の登記をしなければならない。

Article 84 (1) Where a Stock Company has carried out an Entity Conversion, the converting Stock Company shall make a registration of dissolution within two weeks from the date of Entity Conversion at the location of its head office and within three weeks from said date at the location of its branch offices; and the Converted Mutual Company shall complete registration of incorporation within two weeks from the date of Entity Conversion at the location of its principal office and within three weeks from said date at the location of its secondary offices.

２　前項の規定による相互会社の設立の登記の申請書には、第六十七条において準用する商業登記法第十八条、第十九条及び第四十六条に規定する書類のほか、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 a written application for the registration of incorporation of a Mutual Company under the preceding paragraph, in addition to those specified in Articles 18, 19 and 46 of the Commercial Registration Act as applied mutatis mutandis pursuant to Article 67:

一　組織変更計画書

(i) Entity Conversion plan;

二　定款

(ii) Articles of incorporation;

三　第七十条第二項の規定による公告をしたことを証する書面

(iii) A document certifying that a public notice under Article 70, paragraph (2) has been given;

四　株主総会及び保険契約者総会（保険契約者総代会を設けたときは、保険契約者総代会）の議事録

(iv) The minutes of the shareholders' meeting and policyholders meeting (or General Council of Representative Policyholders, where the company has such a council);

五　第七十条第四項の異議を述べた保険契約者その他の債権者があるときは、当該保険契約者その他の債権者に対し、弁済し、相当の担保を提供し、若しくは当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託したこと又は当該組織変更をしても当該保険契約者その他の債権者を害するおそれがないことを証する書面

(v) Where any Policyholder or other creditor has stated his/her objection under Article 70, paragraph (4), a document certifying that the company has made payment or provided equivalent security to such Policyholder or other creditor, or entrusted equivalent property to a trust company, etc. for the purpose of ensuring that such Policyholder or other creditor receive the payment, or a document certifying that the Entity Conversion poses no risk of harming the interest of such Policyholder or other creditor;

六　第七十条第六項の異議を述べた保険契約者の数が同項の保険契約者の総数の五分の一を超えなかったことを証する書面又はその者の同項の内閣府令で定める金額が同項の金額の総額の五分の一を超えなかったことを証する書面

(vi) A document certifying that the number of Policyholders who have stated their objections under Article 70, paragraph (6) has not exceeded one fifth of the total number of Policyholders, or a document certifying that the amount specified by Cabinet Office Ordinance set forth in that paragraph as the credits belonging to such Policyholders has not exceeded one fifth of the total amount set forth in that paragraph;

七　組織変更をする株式会社が株券発行会社であるときは、第六十九条第七項において準用する会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面

(vii) Where the converting Stock Company is a company issuing share certificates, a document certifying that a public notice has been given under the main clause of Article 219, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (7), or a document certifying that the company has not issued share certificates for all of the shares.

八　組織変更をする株式会社が新株予約権を発行しているときは、第六十九条第七項において準用する会社法第二百九十三条第一項の規定による公告をしたことを証する書面又は同項に規定する新株予約権証券を発行していないことを証する書面

(viii) Where the converting Stock Company has issued share options, a document certifying that a public notice has been given under Article 293, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (7), or a document certifying that the company has not issued any stock option certificate under that paragraph.

九　組織変更後相互会社の取締役（組織変更後相互会社が監査役設置会社である場合にあっては、取締役及び監査役）が就任を承諾したことを証する書面

(ix) A document certifying that the directors (or directors and company auditors, where the Converted Mutual Company is a company with auditors) of the Converted Mutual Company have accepted the assumption of office;

十　組織変更後の会計参与又は会計監査人を選任したときは、次に掲げる書面

(x) Where accounting advisors or accounting auditors have been elected for the Converted Mutual Company, the following documents;

イ　就任を承諾したことを証する書面

(a) A document certifying that they have accepted the assumption of office,

ロ　これらの者が法人であるときは、当該法人の登記事項証明書。ただし、当該登記所の管轄区域内に当該法人の主たる事務所がある場合を除く。

(b) Where they are juridical persons, Certificates of Registered Particulars for such juridical persons, provided, however, that this shall not apply to the cases where the principal offices of such juridical persons are located within the district under the jurisdiction of the relevant registry office, and

ハ　これらの者が法人でないときは、会計参与にあっては第五十三条の四において準用する会社法第三百三十三条第一項に規定する者であること、会計監査人にあっては第五十三条の七において準用する同法第三百三十七条第一項に規定する者であることを証する書面

(c) Where they are not juridical persons, a document certifying that the accounting advisors meet the requirement of Article 333, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-4, or that the accounting auditors meet the requirement of Article 337, paragraph (1) of that Act as applied mutatis mutandis pursuant to Article 53-7;

十一　基金の募集をしたときは、基金の拠出の申込み又は第七十八条第三項において準用する第三十条の契約を証する書面

(xi) Where funds have been solicited, a document certifying the offer to contribute funds or a contract under Article 30 as applied mutatis mutandis pursuant to Article 78, paragraph (3); and

十二　基金の募集をしたときは、第七十八条第三項において準用する第三十条の三第一項の基金の払込みがあったことを証する書面

(xii) Where funds have been solicited, a document certifying that payment has been made to the funds under Article 30-3, paragraph (1) as applied mutatis mutandis pursuant to Article 78, paragraph (3).

３　商業登記法第七十六条及び第七十八条（組織変更の登記）の規定は、第一項の場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) Articles 76 and 78 (Registration of Entity Conversion) of the Commercial Registration Act shall apply mutatis mutandis to the case of paragraph (1). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更無効の訴え）

(Action to Invalidate an Entity Conversion)

第八十四条の二　組織変更の無効は、効力発生日から六月以内に、訴えをもってのみ主張することができる。

Article 84-2 (1) The invalidity of an Entity Conversion may only be asserted in an action filed within six months from the Effective Date.

２　組織変更の無効の訴えは、効力発生日において組織変更をする株式会社の株主等（株主、取締役、監査役又は清算人（委員会設置会社にあっては、株主、取締役、執行役又は清算人）をいう。以下この節において同じ。）であった者又は組織変更後相互会社の社員等（社員、取締役、監査役又は清算人（委員会設置会社にあっては、社員、取締役、執行役又は清算人）をいう。以下この節において同じ。）、破産管財人若しくは組織変更について承認をしなかった債権者に限り、提起することができる。

(2) An action to invalidate an Entity Conversion may only be filed by a person who was a shareholder, etc. (meaning a person who was a shareholder, director, company auditor or liquidator (or, in a company with Committees, a shareholder, director, executive officer or liquidator); hereinafter the same shall apply in this Section) of the converting Stock Company on the Effective Date, or a member, etc. (meaning a member, director, company auditor or liquidator (or, in a company with Committees, a member, director, executive officer or liquidator); hereinafter the same shall apply in this Section) or bankruptcy trustee of the Converted Mutual Company or a creditor of the Converted Mutual Company who has not approved of the Entity Conversion.

３　組織変更の無効の訴えは、組織変更後相互会社を被告とする。

(3) An action to nullify an Entity Conversion is filed against the Converted Mutual Company.

４　会社法第八百三十五条第一項（訴えの管轄）、第八百三十六条から第八百三十九条まで（担保提供命令、弁論等の必要的併合、認容判決の効力が及ぶ者の範囲、無効又は取消しの判決の効力）、第八百四十六条（原告が敗訴した場合の損害賠償責任）及び第九百三十七条第三項（第一号に係る部分に限る。）（裁判による登記の嘱託）の規定は組織変更の無効の訴えについて、同法第八百四十条（新株発行の無効判決の効力）の規定は第七十八条第一項の基金の募集を伴う組織変更の無効判決について、同法第八百六十八条第一項（非訟事件の管轄）、第八百七十一条本文（理由の付記）、第八百七十二条（第二号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条から第八百七十七条まで（非訟事件手続法の規定の適用除外、最高裁判所規則、審問等の必要的併合）及び第八百七十八条第一項（裁判の効力）の規定はこの項において準用する同法第八百四十条第二項の申立てについて、それぞれ準用する。この場合において、同条第一項中「株主」とあるのは「株主又は社員」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。

(4) The provisions of Article 835, paragraph (1) (Jurisdiction over Actions), Article 836 to 839 inclusive (Order to Provide Security, Mandatory Consolidation of Oral Arguments, etc., Persons Affected by a Judgment Being Upheld), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff) and Article 937, paragraph (3) (limited to the segment pertaining to item (i)) (Commissioning of Registration by a Judicial Decision) of the Companies Act shall apply mutatis mutandis to an action to invalidate an Entity Conversion; the provisions of Article 840 (Effects of a Judgment of Invalidity of New Share Issue) of that Act shall apply mutatis mutandis to a judgment of invalidity of an Entity Conversion accompanied by the solicitation of funds set forth in Article 78, paragraph (1); and the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (ii)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 to 877 inclusive (Mandatory Consolidation of Hearings, etc., Supreme Court Rules, Mandatory Consolidation of Hearings, etc.) and Article 878, paragraph (1) (Effects of a Judicial Decision) of that Act shall apply mutatis mutandis to an application under Article 840, paragraph (2) of that Act as applied mutatis mutandis pursuant to this paragraph. In this case, the term "shareholder" in Article 878, paragraph (1) shall be deemed to be replaced with "shareholder or member"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第二款　相互会社から株式会社への組織変更

Subsection 2 Entity Conversion from Mutual Company to Stock Company

（組織変更）

(Entity Conversion)

第八十五条　保険会社である相互会社は、その組織を変更して保険会社である株式会社となることができる。

Article 85 (1) A mutual Insurance Company may convert to a stock Insurance Company.

２　少額短期保険業者である相互会社は、その組織を変更して少額短期保険業者である株式会社となることができる。

(2) A Mutual Company that is a Low-Cost, Short-Term Insurer may convert to a Stock Company that is a Low-Cost, Short-Term Insurer.

（組織変更計画の承認）

(Authorization of Entity Conversion Plan)

第八十六条　相互会社は、前条の組織変更（以下この款において「組織変更」という。）をするには、組織変更計画を作成して、社員総会（総代会を設けているときは、総代会。以下この款において同じ。）の決議により、その承認を受けなければならない。

Article 86 (1) A Mutual Company shall, if it seeks to carry out an Entity Conversion under the preceding Article (hereinafter referred to as "Entity Conversion" in this Subsection), prepare an Entity Conversion plan to be approved by a resolution of the general members' council (or General Representative Members' Council, where the company has such a council; hereinafter the same shall apply in this Subsection).

２　前項の場合には、第六十二条第二項に定める決議によらなければならない。

(2) The resolution set forth in the preceding paragraph shall be a resolution under Article 62, paragraph (2).

３　相互会社は、第一項の決議をする場合には、第四十一条第一項又は第四十九条第一項において準用する会社法第二百九十九条第一項の通知において、組織変更計画の要領を示さなければならない。

(3) A Mutual Company, if it seeks to adopt a resolution under paragraph (1), shall provide an outline of the Entity Conversion plan in the notice to be given pursuant to Article 299, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 41, paragraph (1) or Article 49, paragraph (1).

４　相互会社は、組織変更計画において、次に掲げる事項を定めなければならない。

(4) A Mutual Company shall prescribe the following particulars in its Entity Conversion plan:

一　組織変更後の株式会社（以下この款において「組織変更後株式会社」という。）の目的、商号、本店の所在地及び発行可能株式総数

(i) The purpose, trade name, location of the head office and total number of authorized shares of the Stock Company to be established by the Entity Conversion (hereinafter referred to as "Converted Stock Company" in this Subsection);

二　前号に掲げるもののほか、組織変更後株式会社の定款で定める事項

(ii) In addition to what is listed in the preceding item, particulars specified by the articles of incorporation of the Converted Stock Company;

三　組織変更後株式会社の取締役の氏名

(iii) Names of the directors of the Converted Stock Company;

四　次に掲げる場合の区分に応じ、次に定める事項

(iv) For each category set forth in the following, the corresponding particulars specified therein:

イ　組織変更後株式会社が会計参与設置会社である場合　組織変更後株式会社の会計参与の氏名又は名称

(a) Where the Converted Stock Company is a company with accounting advisors: the names of the persons to serve as accounting advisors of the Converted Stock Company,

ロ　組織変更後株式会社が監査役設置会社である場合　組織変更後株式会社の監査役の氏名

(b) Where the Converted Stock Company is a company with auditors: the names of the company auditors of the Converted Stock Company, or

ハ　組織変更後株式会社が会計監査人設置会社である場合　組織変更後株式会社の会計監査人の氏名又は名称

(c) Where the Converted Stock Company is a company with accounting auditors: the names of the accounting auditors of the Converted Stock Company;

五　組織変更をする相互会社の社員が組織変更に際して取得する組織変更後株式会社の株式の数（組織変更後株式会社が種類株式発行会社である場合にあっては、株式の種類及び種類ごとの数）又はその数の算定方法並びに組織変更後株式会社の資本金及び準備金に関する事項

(v) The number of shares (or the classes of share and the number of shares by class, where the Converted Stock Company is a company with class shares) to be acquired by the members of the converting Mutual Company or the method of calculating such number, and particulars of the capital and Reserves of the Converted Stock Company;

六　組織変更をする相互会社の社員に対する前号の株式の割当てに関する事項

(vi) Particulars related to the allocation of the shares set forth in the preceding item to the members of the converting Mutual Company;

七　組織変更をする相互会社の社員に対して金銭を交付するときは、その額又はその算定方法

(vii) The amount of, and calculation method for, any money granted to the members of the converting Mutual Company;

八　組織変更をする相互会社の社員に対する前号の金銭の割当てに関する事項

(viii) Particulars related to the allocation of the money set forth in the preceding item to the members of the converting Mutual Company;

九　組織変更をする相互会社の社員に対する株式の割当てにより生ずる一株に満たない端数に係る部分につき新たに発行する株式の売却の方法その他売却に関し内閣府令で定める事項

(ix) The method of selling any additional fraction of shares to be issued as a result of the allocation of shares to the members of the converting Mutual Company and any other particular specified by Cabinet Office Ordinance regarding such sale.

十　前号の株式を買い受けるときは、買受けの方法その他当該買受けに関し内閣府令で定める事項

(x) The method of purchasing any fraction of shares arising under the preceding item and any other particular specified by Cabinet Office Ordinance regarding such purchase;

十一　組織変更後における保険契約者の権利に関する事項

(xi) Particulars related to the rights of Policyholders after the Entity Conversion; and

十二　組織変更がその効力を生ずる日（以下この款において「効力発生日」という。）その他内閣府令で定める事項

(xii) The day on which the Entity Conversion takes effect (hereinafter referred to as "Effective Date" in this Subsection) and any other particular specified by Cabinet Office Ordinance.

５　相互会社は、前項第二号の定款で定める事項として、組織変更後株式会社における第百十四条第一項（第二百七十二条の十八において準用する場合を含む。）に規定する契約者配当に係る方針を定めなければならない。

(5) A Mutual Company shall, as a particular to be prescribed by the articles of incorporation pursuant to the provisions of item (ii) of the preceding paragraph, include in the Converted Stock Company's articles of incorporation a principle pertaining to the policy dividends set forth in Article 114, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-18).

（組織変更に関する書類等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents Related to Entity Conversion Plans, etc.)

第八十七条　組織変更をする相互会社は、組織変更計画備置開始日から効力発生日までの間、組織変更計画の内容その他内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各事務所に備え置かなければならない。

Article 87 (1) A converting Mutual Company shall, for the period ranging from the commencement date for the keeping of an Entity Conversion plan to the Effective Date, keep at each of its offices the documents or electromagnetic records in which the Entity Conversion plan and any other particulars specified by Cabinet Office Ordinance are detailed or recorded.

２　前項に規定する「組織変更計画備置開始日」とは、次に掲げる日のいずれか早い日をいう。

(2) The term "the commencement date for the keeping of an Entity Conversion plan" in the preceding paragraph refers to the date listed in any of the following items, whichever is earlier:

一　前条第一項の社員総会の日の二週間前の日（第四十一条第一項において準用する会社法第三百十九条第一項の場合にあっては、同項の提案があった日）

(i) The day that is two weeks before the date of the general members' council meeting set forth in paragraph (1) of the preceding Article (or, in the case of Article 319, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 41, paragraph (1), the date of proposal under that paragraph); or

二　次条第二項の規定による公告の日

(ii) The date of public notice under paragraph (2) of the following Article.

３　組織変更をする相互会社の保険契約者その他の債権者は、当該相互会社に対して、その事業時間内は、いつでも、次の各号に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該相互会社の定めた費用を支払わなければならない。

(3) Policyholders or other creditors of a converting Mutual Company may make the following requests to the company at any time during its business hours; provided, however, that they pay the fees determined by the Mutual Company in making a request falling under item (ii) or (iv):

一　第一項の書面の閲覧の請求

(i) A request to inspect the documents set forth in paragraph (1);

二　第一項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in paragraph (1);

三　第一項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in paragraph (1) in a manner specified by Cabinet Office Ordinance; or

四　第一項の電磁的記録に記録された事項を電磁的方法であって組織変更をする相互会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in paragraph (1) by the electromagnetic means determined by the converting Mutual Company, or to be issued a document detailing such particulars.

４　組織変更後株式会社は、効力発生日から六月間、組織変更計画の内容その他内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各営業所に備え置かなければならない。

(4) The Converted Stock Company shall, for six months from the Effective Date, keep at each of its business offices the documents or electromagnetic records in which the details of the Entity Conversion plan and any other particulars specified by Cabinet Office Ordinance are detailed or recorded.

５　組織変更後株式会社の株主及び保険契約者その他の債権者は、組織変更後株式会社に対して、その営業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該組織変更後株式会社の定めた費用を支払わなければならない。

(5) The creditors of a Converted Stock Company, such as Shareholders and Policyholders, may make the following requests to the company at any time during its operating hours; provided, however, that they pay the fees determined by the Converted Stock Company in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって組織変更後株式会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Converted Stock Company, or to be issued a document detailing such particulars.

（債権者の異議）

(Objections of Creditors)

第八十八条　組織変更をする相互会社の保険契約者その他の債権者は、当該相互会社に対し、組織変更について異議を述べることができる。

Article 88 (1) Policyholders or other creditors of a converting Mutual Company may state to the company their objections to the Entity Conversion.

２　組織変更をする相互会社は、次に掲げる事項を官報及び当該相互会社の定款で定めた公告方法により公告しなければならない。ただし、第三号の期間は、一月を下ることができない。

(2) A converting Mutual Company shall give public notice of the following particulars in the Official Gazette and by the Method of Public Notice prescribed by its articles of incorporation; provided, however, that the period for item (iii) may not be shorter than one month:

一　組織変更をする旨

(i) The fact that an Entity Conversion will be carried out;

二　組織変更後株式会社の商号及び住所

(ii) The trade name and address of the Converted Stock Company;

三　組織変更をする相互会社の保険契約者その他の債権者が一定の期間内に異議を述べることができる旨

(iii) The fact that Policyholders or other creditors of the converting Mutual Company may state their objections within a certain period of time; 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, particulars specified by Cabinet Office Ordinance.

３　保険契約者その他の債権者が前項第三号の期間内に異議を述べなかったときは、当該保険契約者その他の債権者は、当該組織変更について承認をしたものとみなす。

(3) Where no Policyholders or other creditors have stated their objections within the period set forth in item (iii) of the preceding paragraph, such Policyholders or creditors shall be deemed to have approved the Entity Conversion.

４　保険契約者その他の債権者が第二項第三号の期間内に異議を述べたときは、組織変更をする相互会社は、当該保険契約者その他の債権者に対し、弁済し、若しくは相当の担保を提供し、又は当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託しなければならない。ただし、当該組織変更をしても当該保険契約者その他の債権者を害するおそれがないときは、この限りでない。

(4) Where any Policyholder or other creditor has stated his/her objection under paragraph (2), item (iii), the converting Mutual Company shall make payment or provide equivalent security to such Policyholder or other creditor, or entrust equivalent property to a trust company, etc. for the purpose of ensuring that such Policyholder or other creditor receive the payment; provided, however, that this shall not apply to the cases where the Entity Conversion poses no risk of harming the interest of such Policyholder or other creditor;

５　前項の規定は、保険契約者その他保険契約に係る権利を有する者の当該権利（保険金請求権等を除く。）については、適用しない。

(5) The provisions of the preceding paragraph shall not apply to the Policyholders or any rights held by other persons pertaining to insurance contracts (other than Insurance Claims, etc.).

６　第二項第三号の期間内に異議を述べた保険契約者（同項の規定による公告の時において既に保険金請求権等が生じている保険契約（当該保険金請求権等に係る支払により消滅することとなるものに限る。）に係る保険契約者を除く。以下この項及び次項において同じ。）の数が保険契約者の総数の五分の一を超え、かつ、当該異議を述べた保険契約者の保険契約に係る債権（保険金請求権等を除く。）の額に相当する金額として内閣府令で定める金額が保険契約者の当該金額の総額の五分の一を超えるときは、第八十六条第一項の承認の決議は、その効力を有しない。

(6) Any resolution of authorization under Article 86, paragraph (1) shall be null and void if the number of the Policyholders who have stated their objections within the period set forth in paragraph (2), item (iii) (excluding the holders of policies under which Insurance Claims, etc. had already arisen at the time of public notice under the paragraph (2) (but limited to those policies that would be terminated with the payment of the Insurance Claims, etc.); the same shall apply hereinafter in this paragraph and in the following paragraph) exceeds one fifth of the total number of Policyholders, and the amount specified by Cabinet Office Ordinance as the credits (other than Insurance Claims, etc.) belonging to the insurance contracts of the Policyholders who have stated such objections exceeds one fifth of the total amount of credits belonging to the Policyholders.

７　前各項の規定によりされた組織変更は、前項の異議を述べた保険契約者及び保険契約者に係る保険契約に係る権利（保険金請求権等を除く。）を有する者についても、その効力を生ずる。

(7) An Entity Conversion carried out pursuant to the provisions of the preceding paragraphs shall also be effective against the Policyholders who have stated their objections under the preceding paragraph and other persons who hold any right (other than Insurance Claims, etc.) pertaining to the insurance contracts involving the Policyholders.

８　組織変更をする相互会社が、第二項の規定による公告をした日の翌日以後保険契約を締結しようとするときは、保険契約者になろうとする者に対し、組織変更の手続中である旨を通知しなければならない。

(8) A converting Mutual Company shall, if it seeks to conclude an insurance contract on or after the day following the date of public notice under paragraph (2), notify the prospective Policyholder to the effect that the company is going through Entity Conversion procedures.

９　前各項に定めるもののほか、これらの規定の適用に関し必要な事項は、政令で定める。

(9) In addition to what is provided for in the preceding paragraphs, necessary particulars for the application of those provisions shall be specified by Cabinet Order.

（基金の償却等）

(Redemption of Funds, etc.)

第八十九条　組織変更をする相互会社は、償却を終わっていない基金があるときは、効力発生日までに、組織変更計画の定めるところに従い、基金の全額を償却しなければならない。ただし、第九十二条の規定による株式の発行に際して、基金に係る債権が現物出資の目的として給付された場合におけるその給付された額については、この限りでない。

Article 89 (1) A converting Mutual Company shall, where it has any amount of unredeemed funds, redeem the full amount of its funds as stipulated in the Entity Conversion plan; provided, however, that this shall not apply to any amount of credits pertaining to the funds delivered for the purpose of contribution in kind in issuing shares under Article 92.

２　第五十五条第二項及び第五十六条の規定は、相互会社から株式会社への組織変更をする場合には、適用しない。

(2) The provisions of Article 55, paragraph (2) and Article 56 shall not apply to an Entity Conversion from a Mutual Company to a Stock Company.

（社員への株式又は金銭の割当て）

(Allocation of Shares or Monies to Members)

第九十条　組織変更をする相互会社の社員は、組織変更計画の定めるところにより、組織変更後株式会社の株式又は金銭の割当てを受けるものとする。

Article 90 (1) The members of a converting Mutual Company shall receive allocation of the Converted Stock Company's shares or monies as stipulated in the Entity Conversion plan.

２　前項の株式又は金銭の割当ては、社員の寄与分（社員の支払った保険料及び当該保険料として収受した金銭を運用することによって得られた収益のうち、保険金、返戻金その他の給付金の支払、事業費の支出その他の支出に充てられていないものから当該社員に対する保険契約上の債務を履行するために確保すべき資産の額を控除した残額に相当するものとして内閣府令で定めるところにより計算した金額をいう。）に応じて、しなければならない。

(2) The allocation of shares or monies set forth in the preceding paragraph shall be made in accordance with the amount of contribution of each member (meaning the amount calculated pursuant to the provisions of Cabinet Office Ordinance as equivalent to the balance of the amount paid by a member as the insurance premiums and the profits obtained by investing the money received as such insurance premiums which have neither been allocated to the payment of benefits such as insurance proceeds or refunds, nor to business or other expenditures, after deducting the amount of assets to be retained for the performance of obligations under the insurance contract with the member).

３　会社法第二百三十四条第一項（各号を除く。）及び第二項から第五項まで（一に満たない端数の処理）、第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十一条（理由の付記）、第八百七十四条（第四号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）並びに第八百七十六条（最高裁判所規則）の規定は、前二項の規定により組織変更をする相互会社の社員に株式を割り当てる場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 234, paragraph (1) (excluding all items) and (2) to (5) inclusive (Treatment of Fractions), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 871 (Appending of the Reason), Article 874 (limited to the segment pertaining to item (iv)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to the allocation of shares to the members of a converting Mutual Company pursuant to the provisions of the preceding two paragraphs. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

４　前三項に定めるもののほか、組織変更の場合における株式又は金銭の割当てに関し必要な事項は、政令で定める。

(4) In addition to what is provided for in the preceding three paragraphs, particulars required for the allocation of shares or monies in the case of an Entity Conversion shall be specified by Cabinet Order.

（組織変更剰余金額等）

(Amount of Surplus in Entity Conversion, etc.)

第九十一条　組織変更をする相互会社は、第八十六条第四項第二号の定款で定める事項として、組織変更剰余金額を定めなければならない。

Article 91 (1) A converting Mutual Company shall, as a particular to be prescribed by the articles of incorporation pursuant to the provisions of Article 86, paragraph (4), item (ii), determine the amount of surplus in Entity Conversion.

２　組織変更後株式会社は、貸借対照表上の純資産額から組織変更剰余金額を控除した金額を超えて、剰余金の配当を行うことができない。

(2) A Converted Stock Company may not distribute the surplus in excess of the amount of the net assets on the balance sheet after deduction of the amount of surplus in Entity Conversion.

３　組織変更剰余金額は、退社員の全体について、前条第二項の内閣府令に準じて内閣府令で定めるところにより計算した金額の総額とする。

(3) The amount of surplus in Entity Conversion shall be the total amount calculated for all withdrawn members as specified by Cabinet Office Ordinance in accordance with Cabinet Office Ordinance set forth in paragraph (2) of the preceding Article.

４　第一項及び前項に定めるもののほか、組織変更に際して資本準備金として計上すべき額、組織変更剰余金額の減額その他組織変更に際しての計算に関し必要な事項は、内閣府令で定める。

(4) In addition to what is provided for in paragraph (1) and the preceding paragraph, the amount to be set aside as capital reserves on Entity Conversion, the reduction of surplus in Entity Conversion and other particulars required for calculations on Entity Conversion shall be specified by Cabinet Office Ordinance.

（組織変更における株式の発行）

(Issuance of Shares on Entity Conversion)

第九十二条　組織変更をする相互会社は、第九十条第一項の規定による株式の割当てを行うほか、組織変更に際して、組織変更後株式会社の株式を発行することができる。この場合においては、組織変更計画において、次に掲げる事項を定めなければならない。

Article 92 A converting Mutual Company may, in carrying out the Entity Conversion, issue shares of the Converted Stock Company, in addition to the allocation of shares under Article 90, paragraph (1). In this case, the Entity Conversion plan shall stipulate the following particulars:

一　この条の規定により発行する組織変更後株式会社の株式（以下この款において「組織変更時発行株式」という。）の数（種類株式発行会社にあっては、組織変更時発行株式の種類及び数。以下この款において同じ。）

(i) The number of the shares to be issued pursuant to the provisions of this Article (hereinafter referred to as "Shares Issued on Entity Conversion" in this Subsection) (or, in a company with class shares, the classes and number of the Shares Issued on Entity Conversion; hereinafter the same shall apply in this Subsection);

二　組織変更時発行株式の払込金額（組織変更時発行株式一株と引換えに払い込む金銭又は給付する金銭以外の財産の額をいう。以下この款において同じ。）又はその算定方法

(ii) The amount to be paid in for the Shares Issued on Entity Conversion (meaning the amount of money to be paid, or of non-monetary properties to be delivered, in exchange for a share issued on Entity Conversion; hereinafter the same shall apply in this Subsection);

三　金銭以外の財産を出資の目的とするときは、その旨並びに当該財産の内容及び価額

(iii) Where contribution is to be made in the form of non-monetary property, that fact and the description and value of such property;

四　組織変更時発行株式と引換えにする金銭の払込み又は前号の財産の給付の期日

(iv) The date of the payment of money in exchange for the Shares Issued on Entity Conversion or the delivery of the property set forth in the preceding item;

五　増加する資本金及び資本準備金に関する事項

(v) Particulars of the capital and capital reserves to be increased.

（組織変更時発行株式の申込み等）

(Offer to Subscribe, etc. for Shares Issued on Entity Conversion)

第九十三条　組織変更をする相互会社は、組織変更時発行株式の引受けの申込みをしようとする者に対し、次に掲げる事項を通知しなければならない。

Article 93 (1) A converting Mutual Company shall notify the persons who seek to make an offer to subscribe for Shares Issued on Entity Conversion of the following particulars:

一　組織変更後株式会社の商号

(i) The trade name of the Converted Stock Company;

二　前条各号に掲げる事項

(ii) Particulars listed in the items of the preceding Article;

三　金銭の払込みをすべきときは、払込みの取扱いの場所

(iii) Places where any payment of money is to be handled; 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, particulars specified by Cabinet Office Ordinance.

２　組織変更時発行株式の引受けの申込みをする者は、次に掲げる事項を記載した書面を組織変更をする相互会社に交付しなければならない。

(2) A person who offers to subscribe for Shares Issued on Entity Conversion shall submit to the converting Mutual Company a document detailing the following particulars:

一　申込みをする者の氏名又は名称及び住所

(i) The name and address of the person who makes the offer; and

二　引き受けようとする組織変更時発行株式の数

(ii) The number of Shares Issued on Entity Conversion for which the person seeks to subscribe.

３　前項の申込みをする者は、同項の書面の交付に代えて、政令で定めるところにより、組織変更をする相互会社の承諾を得て、同項の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、当該申込みをした者は、同項の書面を交付したものとみなす。

(3) A person who makes an offer under the preceding paragraph may, in lieu of submitting the document prescribed in that paragraph, and pursuant to the provisions of Cabinet Order, provide the particulars that are required to be included in such document by electromagnetic means, with the consent of the converting Mutual Company. In this case, the person who has made the offer shall be deemed to have submitted the document prescribed in that paragraph.

４　組織変更をする相互会社は、第一項各号に掲げる事項について変更があったときは、直ちに、その旨及び当該変更があった事項を第二項の申込みをした者（以下この款において「申込者」という。）に通知しなければならない。

(4) The converting Mutual Company shall immediately notify a person who has made an offer under paragraph (2) (hereinafter referred to as "Offeror" in this Subsection) of any change in the particulars listed in the items of paragraph (1) and the particular affected by the change.

５　組織変更をする相互会社が申込者に対してする通知又は催告は、第二項第一号の住所（当該申込者が別に通知又は催告を受ける場所又は連絡先を当該相互会社に通知した場合にあっては、その場所又は連絡先）にあてて発すれば足りる。

(5) It shall be sufficient for a notice or demand to an Offeror to be sent by the converting Mutual Company to the address specified under paragraph (2), item (i) (or to any other place or contact address of which the Offeror has notified the Mutual Company for the receipt of notices or demands).

６　前項の通知又は催告は、その通知又は催告が通常到達すべきであった時に、到達したものとみなす。

(6) The notice or demand set forth in the preceding paragraph shall be deemed to have arrived at the time when such notice or demand would normally have arrived.

７　第十条の規定は、組織変更をする相互会社が第一項の規定による通知をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(7) The provisions of Article 10 shall apply mutatis mutandis to a notice given by the converting Mutual Company under paragraph (1). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更時発行株式の割当て）

(Allocation of Shares Issued on Entity Conversion)

第九十四条　組織変更をする相互会社は、申込者の中から組織変更時発行株式の割当てを受ける者を定め、かつ、その者に割り当てる組織変更時発行株式の数を定めなければならない。この場合において、当該相互会社は、当該申込者に割り当てる組織変更時発行株式の数を、前条第二項第二号の数よりも減少することができる。

Article 94 (1) The converting Mutual Company shall select from among the Offerors the persons to receive allocation of the Shares Issued on Entity Conversion, and determine the number of the Shares Issued on Entity Conversion to be allocated to each of such persons. In this case, the Mutual Company may reduce the number of the Shares Issued on Entity Conversion to be allocated to each Offeror from the number prescribed in paragraph (2), item (ii) of the preceding Article.

２　組織変更をする相互会社は、第九十二条第四号の期日の前日までに、申込者に対し、当該申込者に割り当てる組織変更時発行株式の数を通知しなければならない。

(2) The converting Mutual Company shall notify the Offerors, no later than the day immediately preceding the date referred to in Article 92, item (iv) of the number of the Shares Issued on Entity Conversion that will be allocated to each Offeror.

（組織変更時発行株式の引受け）

(Subscription for Shares Issued on Entity Conversion)

第九十五条　申込者は、組織変更をする相互会社の割り当てた組織変更時発行株式の数について組織変更時発行株式の引受人となる。

Article 95 An Offeror shall be a subscriber for Shares Issued on Entity Conversion for the number of such shares allocated by the converting Mutual Company.

（出資の履行）

(Performance of Contribution)

第九十六条　組織変更時発行株式の引受人（第九十二条第三号の財産（以下この款において「現物出資財産」という。）を給付する者を除く。）は、同条第四号の期日に、第九十三条第一項第三号の払込みの取扱いの場所において、それぞれの組織変更時発行株式の払込金額の全額を払い込まなければならない。

Article 96 (1) Subscribers for Shares Issued on Entity Conversion (other than those who deliver properties under Article 92, item (iii) (hereinafter referred to as "Properties Contributed in Kind" in this Subsection)) shall, by the date set forth in item (iv) of the same Article, pay the full amount to be paid in for the Shares Issued on Entity Conversion allocated to each of them at any of the places where such payment is to be handled under Article 93, paragraph (1), item (iii).

２　組織変更時発行株式の引受人（現物出資財産を給付する者に限る。）は、第九十二条第四号の期日に、それぞれの組織変更時発行株式の払込金額の全額に相当する現物出資財産を給付しなければならない。

(2) Subscribers for Shares Issued on Entity Conversion (limited to those who deliver Properties Contributed in Kind) shall, by the date set forth in Article 92, item (iv), deliver the Properties Contributed in Kind equivalent to the full amount to be paid in for the Shares Issued on Entity Conversion allocated to each of them.

３　組織変更時発行株式の引受人は、第一項の規定による払込み又は前項の規定による給付（以下この款において「出資の履行」という。）をする債務と組織変更をする相互会社に対する債権とを相殺することができない。

(3) A subscriber for Shares Issued on Entity Conversion may not set off his/her obligation of payment under paragraph (1) or delivery under the preceding paragraph (hereinafter referred to as "Performance of Contribution" in this Subsection) against any claim against the converting Mutual Company.

４　出資の履行をすることにより組織変更時発行株式の株主となる権利の譲渡は、組織変更後株式会社に対抗することができない。

(4) Any assignment of the right to become a holder of Shares Issued on Entity Conversion by Performance of Contribution may not be duly asserted against the Converted Stock Company.

５　組織変更時発行株式の引受人は、出資の履行をしないときは、当該出資の履行をすることにより組織変更時発行株式の株主となる権利を失う。

(5) A subscriber for Shares Issued on Entity Conversion who fails to perform contribution shall lose his/her right to become a holder of Shares Issued on Entity Conversion by the Performance of Contribution.

（株主となる時期）

(Timing of Obtaining Shareholder Status)

第九十六条の二　組織変更時発行株式の引受人は、効力発生日に、出資の履行を行った組織変更時発行株式の株主となる。

Article 96-2 A subscriber for Shares Issued on Entity Conversion shall, on the Effective Date, become the holder of the Shares Issued on Entity Conversion for which he/she has performed contribution.

（引受けの無効又は取消しの制限）

(Restrictions on the Invalidation or Recession of Subscription)

第九十六条の三　民法第九十三条ただし書（心裡留保）及び第九十四条第一項（虚偽表示）の規定は、組織変更時発行株式の引受けの申込み及び割当てに係る意思表示については、適用しない。

Article 96-3 (1) The proviso to Article 93 (Concealment of True Intention) and the provisions of Article 94, paragraph (1) (Fictitious Manifestation of Intention) of the Civil Code shall not apply to the manifestation of an intention to offer to subscribe for Shares Issued on Entity Conversion or to the manifestation of an intention to allocate them.

２　組織変更時発行株式の引受人は、効力発生日から一年を経過した後又はその株式について権利を行使した後は、錯誤を理由として組織変更時発行株式の引受けの無効を主張し、又は詐欺若しくは強迫を理由として組織変更時発行株式の引受けの取消しをすることができない。

(2) A subscriber for Shares Issued on Entity Conversion may neither assert the invalidity of his/her subscription for Shares Issued on Entity Conversion on the grounds of a mistake, nor rescind his/her subscription for Shares Issued on Entity Conversion on the grounds of fraud or duress, after one year has lapsed since the Effective Date or he/she has exercised any right regarding his/her shares.

（金銭以外の財産の出資）

(Contribution of Non-Monetary Property)

第九十六条の四　会社法第二百七条（金銭以外の財産の出資）、第二百十二条（第一項第一号を除く。）（不公正な払込金額で株式を引き受けた者等の責任）、第二百十三条（第一項第一号及び第三号を除く。）（出資された財産等の価額が不足する場合の取締役等の責任）、第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第二号及び第七号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は第九十二条第三号に掲げる事項を定めた場合について、同法第七編第二章第二節（株式会社における責任追及等の訴え）の規定はこの条において準用する同法第二百十二条（第一項第一号を除く。）の規定による支払を求める訴えについて、それぞれ準用する。この場合において、同法第二百七条第十項第一号中「取締役」とあるのは「保険業法第八十六条第一項に規定する組織変更をする相互会社の取締役」と、同法第二百十二条第一項第二号中「第二百九条」とあるのは「保険業法第九十六条の二」と、「第百九十九条第一項第三号」とあるのは「同法第九十二条第三号」と、同条第二項中「第百九十九条第一項第三号」とあるのは「保険業法第九十二条第三号」と、「申込み又は第二百五条の契約」とあるのは「申込み」と、同法第八百四十七条第一項中「株式を有する株主」とあるのは「株式を有する株主（組織変更の効力発生日から六箇月（これを下回る期間を定款で定めた場合にあっては、その期間。以下この項において同じ。）を経過していないときは、六箇月前から当該組織変更の効力発生日まで引き続いて社員であった者であって、当該組織変更の効力発生日から引き続いて株式を有する株主）」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。

Article 96-4 The provisions of Article 207 (Contribution of Property Other than Monies), Article 212 (excluding paragraph (1), item (i)) (Liabilities of Persons Who Subscribed for Shares with Unfair Amount to Be Paid in), Article 213 (excluding paragraph (1), items (i) and (iii)) (Liabilities of Directors in Case of Shortfall in Value of Property contributed), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to items (ii) and (vii)) (Hearing of Statements), Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to any stipulation for the particulars listed in Article 92, item (iii); and the provisions of Part VII, Chapter II, Section 2 (Liability Actions, etc. Against a Stock Company) of that Act shall apply mutatis mutandis to an action for payment under Article 212 (excluding paragraph (1), item (i)) of that Act as applied mutatis mutandis pursuant to this Article. In this case, the term "director" in Article 207, paragraph (10), item (i) of that Act shall be deemed to be replaced with "director of the converting Mutual Company set forth in Article 86, paragraph (1) of the Insurance Business Act"; the terms "Article 209" and "Article 199, paragraph (1), item (iii)" in Article 207, paragraph (2) shall be deemed to be replaced with "Article 96-2 of the Insurance Business Act" and "Article 92, item (iii) of that Act," respectively; the terms "Article 199, paragraph (1), item (iii)" and "application for subscription for shares for subscription or his/her manifestation of intention related to the contract provided for in Article 205" in Article 212, paragraph (2) of that Act shall be deemed to be replaced with "Article 92, item (iii) of the Insurance Business Act" and "application," respectively; and the term "shareholders having the shares" in Article 847, paragraph (1) of that Act shall be deemed to be replaced with "shareholders having the shares (or, where six months (or any shorter period prescribed by the articles of incorporation; hereinafter the same shall apply in this paragraph) have not lapsed since the Effective Date of an Entity Conversion, persons who had been members from six months prior until the Effective Date of the Entity Conversion and have been holding the shares without interruption since the Effective Date of the Entity Conversion)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更株式交換）

(Share Exchange on Entity Conversion)

第九十六条の五　組織変更をする相互会社は、組織変更に際して、組織変更株式交換（組織変更をする相互会社が組織変更をするのと同時に組織変更後株式会社の株式の全部を他の株式会社（以下この款において「組織変更株式交換完全親会社」という。）に取得させることをいう。以下この款において同じ。）をすることができる。

Article 96-5 (1) A converting Mutual Company may, at the time of Entity Conversion, carry out a share exchange on Entity Conversion (meaning an exchange of shares whereby a converting Mutual Company causes all of the shares of the Converted Stock Company to be acquired by another Stock Company (hereinafter referred to as "Wholly Owning Parent Company for Share Exchange on Entity Conversion" in this Subsection) at the time of the Entity Conversion; hereinafter the same shall apply in this Subsection).

２　組織変更株式交換をする場合には、組織変更をする相互会社は、組織変更株式交換完全親会社との間で、組織変更株式交換契約を締結しなければならない。

(2) A converting Mutual Company shall, in carrying out a share exchange on Entity Conversion, conclude a contract for share exchange on Entity Conversion with the Wholly Owning Parent Company for Share Exchange on Entity Conversion.

３　会社法第七百九十一条（第一項第一号及び第三項を除く。）（吸収分割又は株式交換に関する書面等の備置き及び閲覧等）の規定は組織変更株式交換を伴う組織変更をする相互会社について、同法第三百九条第二項（各号を除く。）（株主総会の決議）、第三百二十四条第二項（各号を除く。）（種類株主総会の決議）及び第五編第五章第二節第二款第一目（第七百九十五条第四項第一号及び第二号、第七百九十六条第三項第一号ロ、第七百九十九条第一項第一号及び第二号、第八百条並びに第八百一条第一項、第二項、第三項第一号及び第二号並びに第五項を除く。）（株式会社の手続）の規定は組織変更株式交換完全親会社について、同法第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第四号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定はこの項において準用する同法第七百九十八条第二項の規定による申立てについて、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。

(3) The provisions of Article 791 (excluding paragraph (1), item (i) and paragraph (3)) (Retention and Inspection, etc. of Documents, etc. Related to an Absorption-Type Split or Share Exchange) of the Companies Act shall apply mutatis mutandis to a converting Mutual Company carrying out a share exchange on Entity Conversion; the provisions of Article 309, paragraph (2) (excluding all items) (Resolution of Shareholders' Meetings), Article 324, paragraph (2) (excluding all items (Resolution of Class Meetings) and Part V, Chapter V, Section 2, Subsection 2, Division 1 (excluding Article 795, paragraph (4), items (i) and (ii), Article 796, paragraph (3), item (i), sub-item (b), Article 799, paragraph (1), items (i) and (ii), Article 800, Article 801, paragraphs (1) and (2), Article 801, paragraph (3), items (i) and (ii), and Article 801, paragraph (5)) (Procedures for Stock Company) of that Act shall apply mutatis mutandis to a Wholly Owning Parent Company for Share Exchange on Entity Conversion; and the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (iv)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of that Act shall apply mutatis mutandis to an application under Article 798, paragraph (2) of that Act as applied mutatis mutandis pursuant to this paragraph. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（社員への組織変更株式交換完全親会社の株式の割当て等）

(Allocation, etc. of Shares of Wholly Owning Parent Company for Share Exchange to Members)

第九十六条の六　組織変更株式交換を伴う組織変更をする相互会社の社員は、第九十条第一項の規定にかかわらず、組織変更計画の定めるところにより、組織変更株式交換完全親会社が組織変更株式交換に際して交付する株式又は金銭の割当てを受けるものとする。

Article 96-6 (1) Notwithstanding the provisions of Article 90, paragraph (1), the members of a converting Mutual Company carrying out a share exchange on Entity Conversion shall, pursuant to the provisions of the Entity Conversion plan, receive allocation of shares issued, or monies granted, at the time of the share exchange by the Wholly Owning Parent Company for Share Exchange on Entity Conversion.

２　第九十条第二項から第四項までの規定は、前項の場合について準用する。この場合において、同条第二項中「前項」とあるのは「第九十六条の六第一項」と、同条第三項中「前二項」とあるのは「第九十六条の六第一項及び前項」と、同条第四項中「前三項」とあるのは「第九十六条の六第一項及び前二項」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 90, paragraphs (2) to (4) inclusive shall apply mutatis mutandis to the case set forth in the preceding paragraph. In this case, the term "the preceding paragraph" in paragraph (2) of the same Article shall be deemed to be replaced with "Article 96-6, paragraph (1)"; the term "the preceding two paragraphs" in Article 90, paragraph (3) shall be deemed to be replaced with "Article 96-6, paragraph (1) and the preceding paragraph"; and the term "the preceding three paragraphs" in Article 90, paragraph (4) shall be deemed to be replaced with "Article 96-6, paragraph (1) and the preceding two paragraphs"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

３　第九十二条の規定により株式を発行する組織変更をする相互会社が組織変更株式交換をする場合には、当該株式について払込み又は現物出資の給付をした株式の引受人は、組織変更計画の定めるところにより、組織変更株式交換完全親会社が当該組織変更株式交換に際して交付する株式又は金銭の割当てを受けるものとする。

(3) Where a converting Mutual Company issuing shares pursuant to the provisions of Article 92 carries out a share exchange on Entity Conversion, the subscribers for shares who have made payments or delivered contributions in kind for their shares shall, pursuant to the provisions of the Entity Conversion plan, receive allocation of shares issued, or monies delivered, at the time of the share exchange by the Wholly Owning Parent Company for Share Exchange on Entity Conversion.

（組織変更株式交換に関し組織変更計画等に定めるべき事項）

(Particulars of Share Exchange on Entity Conversion to be Prescribed by Entity Conversion Plan, etc.)

第九十六条の七　組織変更株式交換をする場合には、組織変更計画及び組織変更株式交換契約において、次に掲げる事項を定めなければならない。

Article 96-7 In the case of a share exchange on Entity Conversion, the Entity Conversion plan and the contract for share exchange on Entity Conversion shall prescribe the following particulars:

一　組織変更をする相互会社及び組織変更株式交換完全親会社の名称及び商号並びに住所

(i) The names, trade names and addresses of the converting Mutual Company and the Wholly Owning Parent Company for Share Exchange on Entity Conversion;

二　組織変更株式交換完全親会社が組織変更株式交換に際して組織変更をする相互会社の社員（第九十二条の規定により発行する株式の引受人を含む。以下この条において同じ。）に対して株式等（株式又は金銭をいう。以下この節において同じ。）を交付するときは、当該株式等についての次に掲げる事項

(ii) The following particulars regarding any Shares, etc. (meaning shares or monies; hereinafter the same shall apply in this Section) issued or granted by the Wholly Owning Parent Company for Share Exchange on Entity Conversion to the members of the converting Mutual Company (including the subscribers for the shares issued pursuant to the provisions of Article 92; hereinafter the same shall apply in this Article) in carrying out the share exchange on Entity Conversion;

イ　当該株式等が組織変更株式交換完全親会社の株式であるときは、当該株式の数（種類株式発行会社にあっては、株式の種類及び種類ごとの数）又はその数の算定方法並びに当該組織変更株式交換完全親会社の資本金及び準備金の額に関する事項

(a) Where the Shares, etc. are the shares of the Wholly Owning Parent Company for Share Exchange on Entity Conversion, the number of such shares (or, in a company with class shares, the classes of share and the numbers of shares by class) or the method of its calculation, and the particulars of the amounts of capital and Reserves of the Wholly Owning Parent Company for Share Exchange on Entity Conversion, or

ロ　当該株式等が金銭であるときは、その額又はその算定方法

(b) Where the Shares, etc. are monies, the amount of such monies or the method of its calculation;

三　前号に規定する場合には、組織変更をする相互会社の社員（組織変更株式交換完全親会社を除く。）に対する同号の株式等の割当てに関する事項

(iii) In the case of the preceding item, the particulars of the allocation of the Shares, etc. set forth in that item to the members of the converting Mutual Company (excluding the Wholly Owning Parent Company for Share Exchange on Entity Conversion);

四　組織変更をする相互会社の社員に対する株式の割当てにより生ずる一株に満たない端数に係る部分につき新たに発行する株式の売却の方法その他売却に関し内閣府令で定める事項

(iv) The method of selling any additional fraction of shares to be issued as a result of the allocation of shares to the members of the converting Mutual Company and any other particular specified by Cabinet Office Ordinance regarding such sale.

五　前号の株式を買い受けるときは、買受けの方法その他当該買受けに関し内閣府令で定める事項

(v) The method of purchasing any additional fraction of shares arising under the preceding item and any other particular specified by Cabinet Office Ordinance regarding such purchase; and

六　組織変更及び組織変更株式交換がその効力を生ずる日

(vi) The day on which the Entity Conversion and share exchange on Entity Conversion take effect.

（組織変更株式移転）

(Share Transfer on Entity Conversion)

第九十六条の八　組織変更をする相互会社は、組織変更に際して、組織変更株式移転（一又は二以上の組織変更をする相互会社が組織変更をするのと同時に組織変更後株式会社（次条第一項第九号に規定する場合にあっては、同号の株式会社を含む。）の発行する株式の全部を新たに設立する株式会社（以下この款において「組織変更株式移転設立完全親会社」という。）に取得させることをいう。）をすることができる。

Article 96-8 (1) A converting Mutual Company may, at the time of Entity Conversion, carry out a share transfer on Entity Conversion (meaning a transfer whereby a converting Mutual Company or two or more converting mutual companies cause(s) all of the shares of the Converted Stock Company (including, in the case set forth in paragraph (1), item (ix) of the following Article, the Stock Company set forth in that item) to be acquired by a new Stock Company to be incorporated (hereinafter referred to as "Wholly Owning parent Company Formed by Share Transfer on Entity Conversion" in this Subsection) at the time of the Entity Conversion).

２　第九十六条の六の規定は、組織変更株式移転の場合について準用する。この場合において、同条第一項中「組織変更株式交換完全親会社」とあるのは「組織変更株式移転設立完全親会社」と、同条第二項中「第九十六条の六第一項」とあるのは「第九十六条の八第二項において準用する第九十六条の六第一項」と、同条第三項中「組織変更株式交換完全親会社」とあるのは「組織変更株式移転設立完全親会社」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 96-6 shall apply mutatis mutandis to a share transfer on Entity Conversion. In this case, the term "Wholly Owning Parent Company for Share Exchange on Entity Conversion" in paragraph (1) of the same Article shall be deemed to be replaced with "Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion"; the term "Article 96-6, paragraph (1)" in Article 96-6, paragraph (2) shall be deemed to be replaced with "Article 96-6, paragraph (1) as applied mutatis mutandis pursuant to Article 96-8, paragraph (2)"; and the term "Wholly Owning Parent Company for Share Exchange on Entity Conversion" in Article 96-6, paragraph (3) shall be deemed to be replaced with "Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更株式移転に関し組織変更計画に定めるべき事項等）

(Particulars of Share Transfer on Entity Conversion to be Prescribed by Entity Conversion Plan, etc.)

第九十六条の九　組織変更株式移転をする場合には、組織変更計画において、次に掲げる事項を定めなければならない。

Article 96-9 (1) In the case of a share transfer on Entity Conversion, the Entity Conversion plan shall prescribe the following particulars:

一　組織変更株式移転設立完全親会社の目的、商号、本店の所在地及び発行可能株式総数

(i) The purpose of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion, the trade name, the location of its head office, and the total number of authorized shares;

二　前号に掲げるもののほか、組織変更株式移転設立完全親会社の定款で定める事項

(ii) In addition to what is listed in the preceding item, particulars specified by the articles of incorporation of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion;

三　組織変更株式移転設立完全親会社の設立に際して取締役となる者の氏名

(iii) The names of the persons to serve as directors at the incorporation of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion;

四　次に掲げる場合の区分に応じ、次に定める事項

(iv) For each of the following categories, the particulars set forth therein:

イ　組織変更株式移転設立完全親会社が会計参与設置会社である場合　組織変更株式移転設立完全親会社の設立に際して会計参与となる者の氏名又は名称

(a) Where the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion is a company with accounting advisors: the names of the persons to serve as accounting advisors at the incorporation of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion,

ロ　組織変更株式移転設立完全親会社が監査役設置会社である場合　組織変更株式移転設立完全親会社の設立に際して監査役となる者の氏名

(b) Where the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion is a company with auditors: the names of the persons to serve as company auditors at the incorporation of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion, or

ハ　組織変更株式移転設立完全親会社が会計監査人設置会社である場合　組織変更株式移転設立完全親会社の設立に際して会計監査人となる者の氏名又は名称

(c) Where the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion is a company with accounting auditors: the names of the persons to serve as accounting auditors at the incorporation of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion;

五　組織変更株式移転設立完全親会社が組織変更株式移転に際して組織変更をする相互会社の社員（第九十二条の規定により発行する株式の引受人を含む。以下この条において同じ。）に対して交付する当該組織変更株式移転設立完全親会社の株式の数（種類株式発行会社にあっては、株式の種類及び種類ごとの数）又はその数の算定方法並びに当該組織変更株式移転設立完全親会社の資本金及び準備金の額に関する事項

(v) The number of the shares (or, in a company with class shares, the classes of share and the numbers of shares by class) to be issued by the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion to the members of the converting Mutual Company (including the subscribers for shares issued pursuant to the provisions of Article 92; hereinafter the same shall apply in this Article) in carrying out the share transfer on Entity Conversion or the method of calculating such number, and the particulars of the amounts of the capital and Reserves of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion;

六　組織変更をする相互会社の社員に対する前号の株式の割当てに関する事項

(vi) Particulars of the allocation of the shares set forth in the preceding item to the members of the converting Mutual Company;

七　組織変更株式移転設立完全親会社が組織変更株式移転に際して組織変更をする相互会社の社員に対して金銭を交付するときは、その額又はその算定方法

(vii) The amount of any money to be granted by the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion to the members of the converting Mutual Company in carrying out the share transfer on Entity Conversion or the method of calculating such amount;

八　前号に規定する場合には、組織変更をする相互会社の社員に対する同号の金銭の割当てに関する事項

(viii) In the case of the preceding item, the particulars of the allocation of the money set forth in that item to the members of the converting Mutual Company; and

九　他の組織変更をする相互会社又は株式会社と共同して組織変更株式移転により組織変更株式移転設立完全親会社を設立するときは、その旨並びに当該株式会社の新株予約権についての会社法第七百七十三条第一項第九号及び第十号（株式移転計画）に掲げる事項

(ix) In jointly incorporating a Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion with another converting Mutual Company or a Stock Company, that fact, and the particulars listed in Article 773, paragraph (1), items (ix) and (x) (Share Transfer Plan) of the Companies Act regarding the share options of the Stock Company.

２　会社法第二編第一章（第二十七条（第四号及び第五号を除く。）、第二十九条、第三十一条、第三十九条、第六節及び第四十九条を除く。）（設立）の規定は、組織変更株式移転設立完全親会社の設立については、適用しない。

(2) The provisions of Part II, Chapter I (excluding Article 27 (excluding items (iv) and (v)), Article 29, Article 31, Article 39, Section 6 and Article 49) (Incorporation) of the Companies Act shall not apply to the incorporation of a Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion.

３　組織変更株式移転設立完全親会社の定款は、組織変更株式移転を伴う組織変更をする相互会社（第一項第九号に規定する場合にあっては、組織変更株式移転を伴う組織変更をする相互会社及び同号の株式会社）が作成する。

(3) The articles of incorporation of a Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion shall be drafted by the converting Mutual Company carrying out the share transfer on Entity Conversion (or, in the case of paragraph (1), item (ix), the converting Mutual Company carrying out the share transfer on Entity Conversion and the Stock Company set forth in that item).

４　会社法第八百十一条（第一項第一号を除く。）（新設分割又は株式移転に関する書面等の備置き及び閲覧等）の規定は組織変更株式移転を伴う組織変更をする相互会社について、同法第二百十九条第一項（第八号に係る部分に限る。）、第二項及び第三項（株券の提出に関する公告等）、第二百二十条（株券の提出をすることができない場合）、第二百九十三条第一項（第七号に係る部分に限る。）及び第二項から第四項まで（新株予約権証券の提出に関する公告等）、第三百九条第二項（各号を除く。）及び第三項（第三号に係る部分に限る。）（株主総会の決議）、第三百二十四条第二項（各号を除く。）及び第三項（第二号に係る部分に限る。）（種類株主総会の決議）並びに第五編第五章第三節第一款第一目（第八百三条第一項第一号及び第二号、第八百五条、第八百八条第一項第一号及び第二号並びに第三項第一号及び第二号、第八百十条第一項第一号及び第二号、第八百十一条第一項第一号及び第三項並びに第八百十二条を除く。）（株式会社の手続）の規定は第一項第九号の株式会社について、同法第八百十五条第三項（第三号に係る部分に限る。）、第四項及び第六項（新設合併契約等に関する書面等の備置き及び閲覧等）の規定は組織変更株式移転設立完全親会社について、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。

(4) The provisions of Article 811 (excluding paragraph (1), item (i)) (Retention and Inspection , etc. of Documents, etc. Related to an Incorporation-type Company Split or Share Transfer) of the Companies Act shall apply mutatis mutandis to a converting Mutual Company carrying out a share transfer on Entity Conversion; the provisions of Article 219, paragraph (1) (limited to the segment pertaining to item (viii)), (2) and (3) (Public Notice in Relation to Submission of Share Certificate), Article 220 (Cases Where Share Certificates Cannot be Submitted), Article 293, paragraph (1) (limited to the segment pertaining to item (vii)) and (2) to (4) inclusive (Public Notice in Relation to Submission of Share Option Certificate), Article 309, paragraph (2) (excluding the items) and (3) (limited to the segment pertaining to item (iii)) (Resolution of Shareholders' Meetings), Article 324, paragraph (2) (excluding the items) and (3) (limited to the segment pertaining to item (ii)) (Resolution of Class Meetings), and Part V, Chapter V, Section 3, Subsection 1, Division 1 (excluding Article 803, paragraph (1), items (i) and (ii), Article 805, Article 808, paragraph (1), items (i) and (ii), Article 808, paragraph (3), items (i) and (ii), Article 810, paragraph (1), items (i) and (ii), Article 811, paragraph (1), item (i), Article 811, paragraph (3), and Article 812) (Procedures for Stock Company) of that Act shall apply mutatis mutandis to a Stock Company set forth in paragraph (1), item (ix); and the provisions of Article 815, paragraph (3) (limited to the segment pertaining to item (iii)), (4) and (6) (Retention and Inspection, etc. of Documents, etc. Related to a Consolidation-type Merger Agreement, etc.) of that Act shall apply mutatis mutandis to a Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更の認可）

(Authorization of Entity Conversion)

第九十六条の十　組織変更は、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 96-10 (1) An Entity Conversion shall not take effect without the authorization of the Prime Minister.

２　内閣総理大臣は、前項の認可の申請があった場合には、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。

(2) Whenever an application has been filed for the authorization set forth in the preceding paragraph, the Prime Minister shall examine whether it conforms to the following standards:

一　組織変更後株式会社がその業務を健全かつ効率的に遂行するに足りる財産的基礎を有すること。

(i) The Converted Stock Company has a sufficient financial basis to execute its business in a sound and efficient manner;

二　組織変更により、保険契約者の有する権利が害されるおそれがないこと。

(ii) The Entity Conversion poses no risk of harming the rights of Policyholders;

三　第九十条又は第九十六条の六（第九十六条の八第二項において準用する場合を含む。）の規定による株式又は金銭の割当てが適正に行われていること。

(iii) The allocation of shares or money under Article 90 or 96-6 (including the cases where it is applied mutatis mutandis pursuant to Article 96-8, paragraph (2)) has been carried out appropriately; and

四　前三号に掲げるもののほか、組織変更により、その業務の健全な運営に支障を生ずるおそれがないこと。

(iv) In addition to what is listed in the preceding three items, the Entity Conversion poses no risk of precluding sound business operation.

（組織変更の効力の発生等）

(Effectuation, etc. of Entity Conversion)

第九十六条の十一　組織変更をする相互会社は、効力発生日（組織変更株式移転をする場合にあっては、組織変更株式移転設立完全親会社の成立の日）に、株式会社となる。

Article 96-11 (1) A converting Mutual Company shall become a Stock Company on the Effective Date (or, in the case of a share transfer on Entity Conversion, the date of the establishment of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion).

２　組織変更をする相互会社の社員は、効力発生日に、第八十六条第四項第六号に掲げる事項についての定めに従い、同項第五号の株式の株主となる。

(2) The members of a converting Mutual Company shall, on the Effective Date, become holders of the shares set forth in Article 86, paragraph (4), item (v) pursuant to the provisions on the particulars listed in Article 86, paragraph (4), item (vi).

３　前二項の規定は、第八十八条の規定による手続が終了していない場合又は組織変更を中止した場合には、適用しない。

(3) The provisions of the preceding two paragraphs shall not apply to the cases where a procedure under Article 88 has not been completed or where the Entity Conversion has been voluntarily abandoned.

第九十六条の十二　前条第二項及び第九十六条の二の規定にかかわらず、組織変更をする相互会社が組織変更株式交換をする場合には、組織変更株式交換完全親会社は、効力発生日に、組織変更後株式会社の発行済株式（組織変更株式交換完全親会社の有する組織変更後株式会社の株式を除く。）の全部を取得する。

Article 96-12 (1) Notwithstanding the provisions of paragraph (2) of the preceding Article and Article 96-2, the Wholly Owning Parent Company for Share Exchange on Entity Conversion shall acquire all of the issued shares of a Converted Stock Company (excluding the shares of the Converted Stock Company held by the Wholly Owning Parent Company for Share Exchange on Entity Conversion) on the Effective Date, where the converting Mutual Company carries out a share exchange on Entity Conversion.

２　前条第二項及び第九十六条の二の規定にかかわらず、組織変更をする相互会社が組織変更株式交換をする場合には、組織変更をする相互会社の社員（第九十二条の規定により発行する株式の引受人を含む。）は、効力発生日に、第九十六条の七第三号に掲げる事項についての定めに従い、同条第二号イの株式の株主となる。

(2) Notwithstanding the provisions of paragraph (2) of the preceding Article and Article 96-2, the members of a converting Mutual Company (including the subscribers for the shares issued pursuant to the provisions of Article 92) shall become holders of the shares set forth in Article 96-7, item (ii), sub-item (a) on the Effective Date pursuant to the provisions on the particulars listed in item (iii) of the same Article, where the converting Mutual Company carries out a share exchange on Entity Conversion.

３　前二項の規定は、第八十八条の規定による手続が終了していない場合又は組織変更を中止した場合には、適用しない。

(3) The provisions of the preceding two paragraphs shall not apply to the cases where a procedure under Article 88 has not been completed or where the Entity Conversion has been voluntarily abandoned.

第九十六条の十三　第九十六条の十一第二項及び第九十六条の二の規定にかかわらず、組織変更をする相互会社が組織変更株式移転をする場合には、組織変更株式移転設立完全親会社は、その成立の日に、第九十条第一項の規定により社員に割り当てるべき株式（第九十二条の規定により発行する株式及び第九十六条の九第一項第九号の株式会社の発行する株式を含む。）の全部を取得する。

Article 96-13 (1) Notwithstanding the provisions of Article 96-11, paragraph (2) and Article 96-2, the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion shall, on the date of its establishment, acquire all of the shares to be allocated to members pursuant to the provisions of Article 90, paragraph (1) (including the shares issued pursuant to the provisions of Article 92 and the shares issued by the Stock Company set forth in Article 96-9, paragraph (1), item (ix)), where the converting Mutual Company carries out a share transfer on Entity Conversion.

２　第九十六条の十一第二項及び第九十六条の二の規定にかかわらず、組織変更をする相互会社が組織変更株式移転をする場合には、組織変更をする相互会社の社員（第九十二条の規定により発行する株式の引受人及び第九十六条の九第一項第九号の株式会社の株主を含む。）は、組織変更株式移転設立完全親会社の成立の日に、第九十六条の九第一項第六号に掲げる事項についての定めに従い、同項第五号の株式の株主となる。

(2) Notwithstanding the provisions of Article 96-11, paragraph (2) and Article 96-2, the members of a converting Mutual Company (including the subscribers for the shares issued pursuant to the provisions of Article 92 and the shareholders of the Stock Company set forth in Article 96-9, paragraph (1), item (ix)) shall, on the date of the establishment of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion, become holders of the shares set forth in Article 96-9, paragraph (1), item (v) pursuant to the provisions on the particulars listed in Article 96-9, paragraph (1), item (vi), where the converting Mutual Company carries out a share exchange on Entity Conversion.

３　会社法第七百七十四条第四項及び第五項（株式移転の効力の発生等）の規定は、第九十六条の九第一項第九号に規定する場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 774, paragraphs (4) and (5) (Effectuation, etc. of Share Transfer) of the Companies Act shall apply mutatis mutandis to the case of Article 96-9, paragraph (1), item (ix). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（登記）

(Registration)

第九十六条の十四　相互会社が組織変更をしたときは、二週間以内に、従たる事務所及び支店の所在地においては三週間以内に、組織変更をする相互会社については解散の登記を、組織変更後株式会社については設立の登記をしなければならない。

Article 96-14 (1) Where a Mutual Company has carried out an Entity Conversion, the converting Mutual Company shall complete registration of dissolution within two weeks from the date of Entity Conversion at the location of its principal office and within three weeks from said date at the location of its secondary offices; and the Converted Stock Company shall make a registration of incorporation within two weeks from the date of Entity Conversion at the location of its head office and within three weeks from said date at the location of its branch offices.

２　商業登記法第八十九条（第一号から第四号までに係る部分に限る。）（株式交換の登記）の規定は組織変更をする相互会社が組織変更株式交換をする場合について、会社法第九百二十五条（第二号及び第四号を除く。）（株式移転の登記）及び第九百三十条第一項（第四号に係る部分に限る。）（支店の所在地における登記）の規定並びに商業登記法第九十条（株式移転の登記）の規定は組織変更をする相互会社が組織変更株式移転をする場合について、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。

(2) The provisions of Article 89 (limited to the segment pertaining to item (i) to (iv) inclusive) (Registration of Share Exchange) of the Commercial Registration Act shall apply mutatis mutandis to a share exchange on Entity Conversion carried out by a converting Mutual Company; and the provisions of Article 925 (excluding items (ii) and (iv)) (Registration of Share Transfer) and Article 930, paragraph (1) (limited to the segment pertaining to item (iv)) (Registration at Location of Branch Offices) of the Companies Act, and the provisions of Article 90 (Registration of Share Transfer) of the Commercial Registration Act shall apply mutatis mutandis to a share transfer on Entity Conversion carried out by a converting Mutual Company. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

３　第一項の規定による設立の登記の申請書には、第六十七条において準用する商業登記法第十八条、第十九条及び第四十六条に規定する書類のほか、次に掲げる書類を添付しなければならない。

(3) The following documents shall be attached to a written application for registration of incorporation under paragraph (1), in addition to those specified in Articles 18, 19 and 46 of the Commercial Registration Act as applied mutatis mutandis pursuant to Article 67:

一　組織変更計画書

(i) Entity Conversion plan;

二　定款

(ii) articles of incorporation;

三　相互会社の社員総会の議事録

(iii) The minutes of the Mutual Company's general members' council;

四　組織変更後株式会社の取締役（組織変更後株式会社が監査役設置会社である場合にあっては、取締役及び監査役）が就任を承諾したことを証する書面

(iv) A document certifying that the directors (or directors and company auditors, where the Converted Stock Company is a company with auditors) of the Converted Stock Company have accepted the assumption of office;

五　組織変更後株式会社の会計参与又は会計監査人を定めたときは、次に掲げる書面

(v) Where accounting advisors or accounting auditors have been appointed for the Converted Stock Company, the following documents;

イ　就任を承諾したことを証する書面

(a) A document certifying that they have accepted the assumption of office,

ロ　これらの者が法人であるときは、当該法人の登記事項証明書。ただし、当該登記所の管轄区域内に当該法人の主たる事務所がある場合を除く。

(b) Where they are juridical persons, Certificates of Registered Particulars for such juridical persons, provided, however, that this shall not apply to the cases where the principal offices of such juridical persons are located within the district under the jurisdiction of the relevant registry office, and

ハ　これらの者が法人でないときは、会計参与にあっては第五十三条の四において準用する会社法第三百三十三条第一項に規定する者であること、会計監査人にあっては第五十三条の七において準用する同法第三百三十七条第一項に規定する者であることを証する書面

(c) Where they are not juridical persons, a document certifying that the accounting advisors meet the requirement of Article 333, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 53-4, or that the accounting auditors meet the requirement of Article 337, paragraph (1) of that Act as applied mutatis mutandis pursuant to Article 53-7;

六　株主名簿管理人を置いたときは、その者との契約を証する書面

(vi) A document certifying a contract with any administrator of the shareholder registry;

七　第八十八条第二項の規定による公告をしたことを証する書面

(vii) A document certifying that a public notice under Article 88, paragraph (2) has been given;

八　第八十八条第四項の異議を述べた保険契約者その他の債権者があるときは、当該保険契約者その他の債権者に対し、弁済し、相当の担保を提供し、若しくは当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託したこと又は当該組織変更をしても当該保険契約者その他の債権者を害するおそれがないことを証する書面

(viii) Where any Policyholder or other creditor has stated his/her objection under Article 88, paragraph (4), a document certifying that the company has made payment or provided equivalent security to such Policyholder or other creditor, or entrusted equivalent property to a trust company, etc. for the purpose of ensuring that such Policyholder or other creditor receive the payment, or a document certifying that the Entity Conversion poses no risk of harming the interest of such Policyholder or other creditor;

九　第八十八条第六項の異議を述べた保険契約者の数が同項の保険契約者の総数の五分の一を超えなかったことを証する書面又はその者の同項の内閣府令で定める金額が同項の金額の総額の五分の一を超えなかったことを証する書面

(ix) A document certifying that the number of Policyholders who have stated their objections under Article 88, paragraph (6) has not exceeded one fifth of the total number of Policyholders, or a document certifying that the amount specified by Cabinet Office Ordinance set forth in that paragraph as the credits belonging to such Policyholders has not exceeded one fifth of the total amount set forth in that paragraph; and

十　第九十二条の規定により組織変更に際して株式を発行したときは、次に掲げる書面

(x) Where shares have been issued on the Entity Conversion pursuant to the provisions of Article 92, the following documents:

イ　株式の引受けの申込みを証する書面

(a) A document certifying the offers to subscribe for the shares;

ロ　金銭を出資の目的とするときは、第九十六条第一項の規定による払込みがあったことを証する書面

(b) Where contribution is to be made in the form of money, a document certifying that payments have been made under Article 96, paragraph (1);

ハ　金銭以外の財産を出資の目的とするときは、次に掲げる書面

(c) Where contribution is to be made in the form of non-monetary property, the following documents;

（１）　検査役が選任されたときは、検査役の調査報告を記載した書面及びその附属書類

1. Where an inspector has been elected, a document containing the investigative report of the inspector and annexed documents thereto,

（２）　第九十六条の四において準用する会社法第二百七条第九項第三号に掲げる場合には、有価証券の市場価格を証する書面

2. In the cases listed in Article 207, paragraph (9), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 96-4, a document certifying the market value of the securities,

（３）　第九十六条の四において準用する会社法第二百七条第九項第四号に掲げる場合には、同号に規定する証明を記載した書面及びその附属書類

3. In the cases listed in Article 207, paragraph (9), item (iv) of the Companies Act as applied mutatis mutandis pursuant to Article 96-4, a document containing the verification set forth in that item and annexed documents thereto, and

（４）　第九十六条の四において準用する会社法第二百七条第九項第五号に掲げる場合には、同号の金銭債権について記載された会計帳簿

4. In the cases listed in Article 207, paragraph (9), item (v) of the Companies Act as applied mutatis mutandis pursuant to Article 96-4, the accounting books carrying the monetary claim set forth in that item; and

ニ　検査役の報告に関する裁判があったときは、その謄本

(d) Certified copy of any judicial decision on the report of the inspector.

４　組織変更株式交換完全親会社がする組織変更株式交換による変更の登記の申請書には、商業登記法第十八条、第十九条（申請書の添付書類）及び第四十六条（添付書類の通則）並びに第二項において準用する同法第八十九条（第一号から第四号までに係る部分に限る。）に定める書類並びに前項各号に掲げる書類のほか、相互会社の登記事項証明書（当該登記所の管轄区域内に相互会社の主たる事務所がある場合を除く。）を添付しなければならない。

(4) In addition to the documents set forth in Articles 18, 19 (Documents to be Attached to Written Application) and 46 (General Rules for Attached Documents) of the Commercial Registration Act, and Article 89 (limited to the segment pertaining to item (i) to (iv) inclusive) of that Act as applied mutatis mutandis pursuant to paragraph (2), and the documents listed in the items of the preceding paragraph, a Certificate of Registered Particulars for the Mutual Company (unless the principal office of the Mutual Company is located within the district under the jurisdiction of the relevant registry office) shall be attached to a written application for registration of change due to any share exchange on Entity Conversion carried out by a Wholly Owning Parent Company for Share Exchange on Entity Conversion.

５　組織変更株式移転による設立の登記の申請書には、商業登記法第十八条、第十九条及び第四十六条並びに第二項において準用する同法第九十条に定める書類並びに第三項各号に掲げる書類のほか、相互会社の登記事項証明書（当該登記所の管轄区域内に相互会社の主たる事務所がある場合を除く。）を添付しなければならない。

(5) In addition to the documents set forth in Articles 18, 19 and 46 of the Commercial Registration Act, and Article 90 of that Act as applied mutatis mutandis pursuant to paragraph (2), and the documents listed in the items of paragraph (3), a Certificate Registered Particulars for the Mutual Company (unless the principal office of the Mutual Company is located within the district under the jurisdiction of the relevant registry office) shall be attached to a written application for incorporation due to any share transfer on Entity Conversion.

６　商業登記法第七十六条及び第七十八条（組織変更の登記）の規定は第一項の場合について、第六十七条において準用する同法第四十六条第三項の規定は第三項第三号、第四項及び前項（第三項第三号に掲げる書面に関する部分に限る。）の場合について、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。

(6) The provisions of Articles 76 and 78 (Registration of Entity Conversion) of the Commercial Registration Act shall apply mutatis mutandis to the cases of paragraph (1); and the provisions of Article 46, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 67 shall apply mutatis mutandis to the cases of Article 3, item (iii), paragraph (4) and the preceding paragraph (limited to the segment pertaining to the documents listed in Article 3, item (iii)). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（株式会社から相互会社への組織変更の規定の準用）

(Mutatis Mutandis Application of Provisions on Entity Conversion from Stock Company to Mutual Company)

第九十六条の十五　第八十二条の規定は、相互会社から株式会社への組織変更について準用する。この場合において、同条第一項中「第七十条第二項」とあるのは「第八十八条第二項」と、同条第二項中「第七十条」とあるのは「第八十八条」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。

Article 96-15 The provisions of Article 82 shall apply mutatis mutandis to an Entity Conversion from a Mutual Company to a Stock Company. In this case, the term "Article 70, paragraph (2)" in paragraph (1) of the same Article shall be deemed to be replaced with "Article 88, paragraph (2)"; and the term "Article 70" in Article 82, paragraph (2) shall be deemed to be replaced with "Article 88"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（組織変更の無効の訴え）

(Actions to Invalidate Entity Conversion)

第九十六条の十六　組織変更の無効は、効力発生日（組織変更株式移転をした場合にあっては、組織変更株式移転設立完全親会社の成立の日。次項において同じ。）から六月以内に、訴えをもってのみ主張することができる。

Article 96-16 (1) The invalidity of an Entity Conversion may only be asserted in an action filed within six months from the Effective Date (or, in the case of a share transfer on Entity Conversion, the date of the establishment of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion; the same shall apply in the following paragraph).

２　組織変更の無効の訴えは、次の各号に掲げる場合の区分に応じ、当該各号に定める者に限り、提起することができる。

(2) An action to invalidate an Entity Conversion may only be filed by the person listed in the relevant of the following items for the category of cases set forth in that item:

一　組織変更株式交換を伴う組織変更の場合　効力発生日において組織変更をする相互会社の社員等であった者若しくは組織変更株式交換完全親会社の株主等であった者又は組織変更後株式会社の株主等、破産管財人若しくは組織変更について承認をしなかった債権者若しくは組織変更株式交換完全親会社の株主等若しくは破産管財人

(i) In the case of an Entity Conversion accompanied by a share exchange on Entity Conversion, a person who was a member, etc. of the converting Mutual Company or a shareholder, etc. of the Wholly Owning Parent Company for Share Exchange on Entity Conversion as of the Effective Date, or a shareholder, etc. or bankruptcy trustee of the Converted Stock Company or a creditor of the Converted Stock Company who has not approved of the Entity Conversion or a shareholder, etc. or bankruptcy trustee of the Wholly Owning Parent Company for Share Exchange on Entity Conversion;

二　組織変更株式移転を伴う組織変更の場合　効力発生日において組織変更をする相互会社の社員等であった者又は組織変更後株式会社若しくは第九十六条の九第一項第九号の株式会社の株主等、破産管財人若しくは組織変更について承認をしなかった債権者若しくは組織変更株式移転設立完全親会社の株主等若しくは破産管財人

(ii) In the case of an Entity Conversion accompanied by a share transfer on Entity Conversion, a person who was a member, etc. of the converting Mutual Company as of the Effective Date, or a shareholder, etc. or bankruptcy trustee of the Converted Stock Company or the Stock Company set forth in Article 96-9, paragraph (1), item (ix) or a creditor of such Stock Company who has not approved of the Entity Conversion or a shareholder, etc. or bankruptcy trustee of the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion; or

三　前二号に掲げる場合以外の場合　効力発生日において組織変更をする相互会社の社員等であった者又は組織変更後株式会社の株主等、破産管財人若しくは組織変更について承認をしなかった債権者

(iii) In any other case than those listed in the preceding two paragraphs, a person who was a member, etc. of the converting Mutual Company as of the Effective Date, or a shareholder, etc. or bankruptcy trustee of the Converted Stock Company or a creditor of the Converted Stock Company who has not approved of the Entity Conversion.

３　組織変更の無効の訴えは、次の各号に掲げる場合の区分に応じ、当該各号に定める者を被告とする。

(3) An action to invalidate an Entity Conversion is filed against the person listed in the relevant of the following items for the category of cases set forth in that item:

一　前項第一号に掲げる場合　組織変更後株式会社及び組織変更株式交換完全親会社

(i) In the case of item (i) of the preceding paragraph, the Converted Stock Company and the Wholly Owning Parent Company for Share Exchange on Entity Conversion;

二　前項第二号に掲げる場合　組織変更後株式会社及び組織変更株式移転設立完全親会社

(ii) In the case of item (ii) of the preceding paragraph, the Converted Stock Company and the Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion; or

三　前項第三号に掲げる場合　組織変更後株式会社

(iii) In the case of item (iii) of the preceding paragraph, the Converted Stock Company.

４　会社法第八百三十五条第一項（訴えの管轄）、第八百三十六条から第八百三十九条まで（担保提供命令、弁論等の必要的併合、認容判決の効力が及ぶ者の範囲、無効又は取消しの判決の効力）、第八百四十六条（原告が敗訴した場合の損害賠償責任）並びに第九百三十七条第三項（第一号に係る部分に限る。）及び第四項（裁判による登記の嘱託）の規定は組織変更の無効の訴えについて、同法第八百四十条（新株発行の無効判決の効力）の規定は第九十二条の規定による組織変更時発行株式の発行を伴う組織変更の無効判決について、同法第八百四十四条（株式交換又は株式移転の無効判決の効力）の規定は組織変更株式交換又は組織変更株式移転を伴う組織変更の無効判決について、同法第八百六十八条第一項（非訟事件の管轄）、第八百七十一条本文（理由の付記）、第八百七十二条（第二号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条から第八百七十七条まで（非訟事件手続法の規定の適用除外、最高裁判所規則、審問等の必要的併合）及び第八百七十八条第一項（裁判の効力）の規定はこの項において準用する同法第八百四十条第二項の申立てについて、それぞれ準用する。この場合において、同条第一項中「株主」とあるのは「株主又は社員」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。

(4) The provisions of Article 835, paragraph (1) (Jurisdiction over Actions), Article 836 to 839 inclusive (Order to Provide Security, Mandatory Consolidation of Oral Arguments, etc., Persons Affected by a Judgment Being Upheld, Effects of a Judgment of Invalidity, Revocation or Rescission), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff), and Article 937, paragraph (3) (limited to the segment pertaining to item (i)) and (4) (Commissioning of Registration by a Judicial Decision) of the Companies Act shall apply mutatis mutandis to an action to invalidate an Entity Conversion; the provisions of Article 840 (Effects of a Judgment of Invalidity of New Share Issue) of that Act shall apply mutatis mutandis to a judgment of invalidity of an Entity Conversion accompanied by the issuance of shares on Entity Conversion under Article 92; the provisions of Article 844 (Effects of a Judgment of Invalidity of a Share Exchange or Share Transfer) of that Act shall apply mutatis mutandis to a judgment of invalidity of an Entity Conversion accompanied by a share exchange on Entity Conversion or share transfer on Entity Conversion; and the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (ii)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 to 877 inclusive (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act, Supreme Court Rules, Mandatory Consolidation of Hearings, etc.) and Article 878, paragraph (1) (Effect of Judicial Decision) of that Act shall apply mutatis mutandis to an application under Article 840, paragraph (2) of that Act as applied mutatis mutandis pursuant to this paragraph. In this case, the term "shareholder" in Article 878, paragraph (1) shall be deemed to be replaced with "shareholder or member"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

５　組織変更株式移転設立完全親会社についての会社法第四百七十五条（清算の開始原因）の規定の適用については、同条中「次に掲げる場合」とあるのは、「次に掲げる場合又は保険業法第九十六条の八第一項に規定する組織変更株式移転を伴う組織変更の無効の訴えに係る請求を認容する判決が確定した場合」とする。

(5) For the purpose of applying the provisions of Article 475 (Causes of Commencement of Liquidation) of the Companies Act to a Wholly Owning Parent Company Formed by Share Transfer on Entity Conversion, the term "in the cases listed below" in that Article shall be deemed to be replaced with "in the cases listed below or the cases where a judgment in favor of any claim in an action to invalidate an Entity Conversion accompanied by a share transfer on Entity Conversion under Article 96-8, paragraph (1) of the Insurance Business Act has become final and binding."

第三章　業務

Chapter III Business

（業務の範囲等）

(Scope of Business, etc.)

第九十七条　保険会社は、第三条第二項の免許の種類に従い、保険の引受けを行うことができる。

Article 97 (1) An Insurance Company may, in accordance with the types of licenses provided by Article 3, paragraph (2), underwrite insurance.

２　保険会社は、保険料として収受した金銭その他の資産の運用を行うには、有価証券の取得その他の内閣府令で定める方法によらなければならない。

(2) An Insurance Company shall invest assets such as money received as insurance premiums by any of the methods specified by Cabinet Office Ordinance, such as acquisition of securities.

第九十七条の二　保険会社は、内閣府令で定める資産については、内閣府令で定めるところにより計算した額を超えて運用してはならない。

Article 97-2 (1) An Insurance Company shall not invest assets specified by Cabinet Office Ordinance, in excess of the amount calculated pursuant to the provisions of Cabinet Office Ordinance.

２　前項に定めるところによるほか、保険会社の同一人（当該同一人と内閣府令で定める特殊の関係のある者を含む。次項において同じ。）に対する内閣府令で定める資産の運用の額は、内閣府令で定めるところにより計算した額を超えてはならない。

(2) In addition to the provisions under the preceding paragraph, the amount of assets as specified by Cabinet Office Ordinance to be invested by an Insurance Company regarding one person (including any party specially related to that one person as specified by Cabinet Office Ordinance, with said person; the same shall apply in the following paragraph) shall not exceed the amount calculated pursuant to the provisions of Cabinet Office Ordinance.

３　保険会社が子会社その他の内閣府令で定める特殊の関係のある者（以下この条において「子会社等」という。）を有する場合には、当該保険会社及び当該子会社等又は当該子会社等の同一人に対する内閣府令で定める資産の運用の額は、合算して内閣府令で定めるところにより計算した額を超えてはならない。

(3) If an Insurance Company has a Subsidiary or a party to which it is specially related as specified by Cabinet Office Ordinances (hereinafter referred to in this Article as "Subsidiary Companies, etc."), the total amount of assets as specified by Cabinet Office Ordinance to be invested in any one person by the Insurance Company and its Subsidiary Companies, etc., or by such Subsidiary Companies, etc. shall not exceed the amount calculated pursuant to the provisions of Cabinet Office Ordinance.

第九十八条　保険会社は、第九十七条の規定により行う業務のほか、当該業務に付随する次に掲げる業務その他の業務を行うことができる。

Article 98 (1) An Insurance Company may, in addition to the business it carries out pursuant to the provisions of Article 97, carry out the following and other business incidental thereto:

一　他の保険会社（外国保険業者を含む。）、少額短期保険業者、船主相互保険組合（船主相互保険組合法（昭和二十五年法律第百七十七号）第二条第一項（定義）に規定する船主相互保険組合をいう。）その他金融業を行う者の業務の代理又は事務の代行（内閣府令で定めるものに限る。）

(i) Business agency or standing in for the administrative services (limited to those specified by Cabinet Office Ordinance) of other insurance companies (including Foreign Insurers) for Low-Cost, Short-Term Insurers, shipowners' mutual insurance associations (meaning shipowners' mutual insurance associations prescribed in Article 2, paragraph (1) (Definition) of the Act on Shipowners' Mutual Insurance Associations (Act No. 177 of 1950)), and other persons conducting financial business;

二　債務の保証

(ii) Guarantee of obligation;

三　国債、地方債若しくは政府保証債（以下この号において「国債等」という。）の引受け（売出しの目的をもってするものを除く。）又は当該引受けに係る国債等の募集の取扱い

(iii) Underwriting (excluding that carried out for the purpose of secondary distribution) of National Government Bonds, local government bonds or Government-Guaranteed Bonds (hereinafter referred to as "National Government Bonds, etc." in this Article) or handling of public offerings of the National Government Bonds, etc. pertaining to that underwriting;

四　金銭債権（譲渡性預金証書その他の内閣府令で定める証書をもって表示されるものを含む。）の取得又は譲渡（資産の運用のために行うものを除く。）

(iv) Acquisition or transfer (not for the purpose of asset investment) of monetary claims (including those indicated in any of the certificates specified by Cabinet Office Ordinance, such as certificates of negotiable deposits);

四の二　特定目的会社が発行する特定社債（特定短期社債を除き、資産流動化計画において当該特定社債の発行により得られる金銭をもって指名金銭債権又は指名金銭債権を信託する信託の受益権のみを取得するものに限る。）その他これに準ずる有価証券として内閣府令で定めるもの（以下この号において「特定社債等」という。）の引受け（売出しの目的をもってするものを除く。）又は当該引受けに係る特定社債等の募集の取扱い

(iv)-2 Underwriting (excluding that carried out for the purpose of secondary distribution) of Specified Company Bonds issued by Special Purpose Companies (excluding Specified Short-Term Company Bonds and limited to those where only nominative monetary claims or rights of beneficiary of trust into which nominative monetary claims are placed are acquired using the money gained through the issuance of that Specified Company Bonds under Asset Securitization Plans) and any other securities specified by Cabinet Office Ordinance as those equivalent thereto (hereinafter referred to as "Specified Company Bonds, etc." in this item) or handling of public offering of the Specified Company Bonds, etc. pertaining to that underwriting;

四の三　短期社債等の取得又は譲渡（資産の運用のために行うものを除く。）

(iv)-3 Acquisition or transfer of short-term Company bonds, etc. (except those for the investment of assets);

五　有価証券（第四号に規定する証書をもって表示される金銭債権に該当するもの及び短期社債等を除く。）の私募の取扱い

(v) Handling of a private placement of securities (except those that fall under monetary claims indicated on the certificates prescribed in item (iv) and Short-Term Bonds, etc.);

六　デリバティブ取引（資産の運用のために行うもの及び有価証券関連デリバティブ取引に該当するものを除く。次号において同じ。）であって内閣府令で定めるもの（第四号に掲げる業務に該当するものを除く。）

(vi) Derivative Transactions (excluding those which are carried out for the investment of assets and those which fall under the category of Transactions of Securities-Related Derivatives; the same shall apply in the following item) that are specified by Cabinet Office Ordinance (excluding those that fall under the category of business listed in item (iv));

七　デリバティブ取引（内閣府令で定めるものに限る。）の媒介、取次ぎ又は代理

(vii) Intermediation, brokerage or agency for Derivative Transactions (limited to those specified by Cabinet Office Ordinance);

八　金利、通貨の価格、商品の価格、算定割当量（地球温暖化対策の推進に関する法律（平成十年法律第百十七号）第二条第六項（定義）に規定する算定割当量その他これに類似するものをいう。次条第二項第四号において同じ。）の価格その他の指標の数値としてあらかじめ当事者間で約定された数値と将来の一定の時期における現実の当該指標の数値の差に基づいて算出される金銭の授受を約する取引又はこれに類似する取引であって内閣府令で定めるもの（次号において「金融等デリバティブ取引」という。）のうち保険会社の経営の健全性を損なうおそれがないと認められる取引として内閣府令で定めるもの（資産の運用のために行うもの並びに第四号及び第六号に掲げる業務に該当するものを除く。）

(viii) Transactions where the relevant parties promise to give and receive money calculated based on the difference between the reference value that they have determined in advance, in terms of an indicator such as interest rate, currency value, commodity price or price of Carbon Dioxide Equivalent Quotas (meaning carbon dioxide equivalent quotas defined in Article 2, paragraph (6) (Definitions) of the Act on Promotion of Global Warming Countermeasures (Act No. 117 of 1998) or any other quotas similar thereto; the same shall apply in item (iv), paragraph (2) of the following Article) on the one hand, and the actual numerical value of that indicator at a fixed point of time in the future, on the other, or any equivalent transactions thereto, that are specified by Cabinet Office Ordinance (referred to as "Financial Derivative Transactions" in the next item) which are transactions found unlikely to damage the soundness of management of an Insurance Company as specified by Cabinet Office Ordinance (excluding those which are carried out for the purpose of asset investment and those falling under the categories of business listed in items (iv) and (vi));

九　金融等デリバティブ取引の媒介、取次ぎ又は代理（第七号に掲げる業務に該当するもの及び内閣府令で定めるものを除く。）

(ix) Intermediation, brokerage or agency for Financial Derivative Transactions (excluding business that falls under the category of business specified in item (vii) and those specified by Cabinet Office Ordinance);

十　有価証券関連店頭デリバティブ取引（当該有価証券関連店頭デリバティブ取引に係る有価証券が第四号に規定する証書をもって表示される金銭債権に該当するもの及び短期社債等以外のものである場合には、差金の授受によって決済されるものに限る。次号において同じ。）（資産の運用のために行うものを除く。）

(x) Over-the-Counter Transactions of Securities-Related Derivatives (limited to those that are settled through giving and receiving the difference in the case where the securities pertaining to that Over-the-Counter Transactions of Securities-Related Derivatives fall under the category of monetary claims that are indicated in the form of certificates as prescribed in item (iv) and are not Short-Term Company Bonds, etc.; the same shall apply in the following item) (except those which are carried out for the investment of assets); and

十一　有価証券関連店頭デリバティブ取引の媒介、取次ぎ又は代理

(xi) Intermediation, brokerage or agency for Over-the-Counter Transactions of Securities-Related Derivatives.

２　保険会社は、前項第一号に掲げる業務を行おうとするときは、その内容を定めて、内閣総理大臣の認可を受けなければならない。

(2) An Insurance Company shall, if it seeks to conduct the business listed in the preceding paragraph, item (i), specify its content and obtain authorization from the Prime Minister.

３　第一項第三号の「政府保証債」とは、政府が元本の償還及び利息の支払について保証している社債その他の債券をいう。

(3) The term "Government-Guaranteed Bonds" in paragraph (1), item (iii) means bonds, such as company bonds, for which redemption of the principal and payment of interest are guaranteed by the government.

４　第一項第四号に掲げる業務には同号に規定する証書をもって表示される金銭債権のうち有価証券に該当するものについて、同項第四号の三に掲げる業務には短期社債等について、金融商品取引法第二条第八項第一号から第六号まで及び第八号から第十号まで（定義）に掲げる行為を行う業務を含むものとする。

(4) Business provided for in paragraph (1), item (iv) concerning the monetary claims indicated on the certificates prescribed in the same item which fall under securities and business provided for in the same paragraph, item (iv)-3 concerning Short-Term Bonds, etc. include business through which the actions listed in Article 2, paragraph (8), items (i) to (vi) inclusive and items (viii) to (x) inclusive (Definitions) of the Financial Instruments and Exchange Act are taken.

５　第一項第四号の二の「特定目的会社」、「資産流動化計画」又は「特定社債」とはそれぞれ資産の流動化に関する法律（平成十年法律第百五号）第二条第三項、第四項又は第七項（定義）に規定する特定目的会社、資産流動化計画又は特定社債をいい、「特定短期社債」とは同法第二条第八項に規定する特定短期社債をいう。

(5) The terms "special purpose company," "asset securitization program" or "specified company bond" in paragraph (1), item (iv)-2 mean the special purpose company, asset securitization program, or specified company bond prescribed in Article 2, paragraph (3), (4), or (7) (Definitions) of the Act on the Liquidation of Assets (Act No. 105 of 1998), respectively, and the term "specified short-term bond" means the specified short-term bond prescribed in Article 2, paragraph (8) of the same Act.

６　第一項第四号の三、第五号及び第十号並びに第四項の「短期社債等」とは、次に掲げるものをいう。

(6) The term "Short-Term Bonds, etc." set forth in paragraph (1), items (iv)-3, (v), and (x), and paragraph (4) means the following bonds:

一　社債、株式等の振替に関する法律第六十六条第一号（権利の帰属）に規定する短期社債

(i) Short-Term Bonds prescribed in Article 66, item (i) (Ownership of Rights) of the Act on Transfer of Bonds, Shares, etc.;

二　削除

(ii) Deleted

三　投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）第百三十九条の十二第一項（短期投資法人債に係る特例）に規定する短期投資法人債

(iii) Short-term investment corporation bonds prescribed in Article 139-12, paragraph (1) (Special Provisions Pertaining to Short-term Investment Corporation Bonds) of the Act on Investment Trust and Investment Corporation (Act No. 198 of 1951);

四　信用金庫法（昭和二十六年法律第二百三十八号）第五十四条の四第一項（短期債の発行）に規定する短期債

(iv) Short-Term Bonds prescribed in Article 54-4, paragraph (1) (Issuance of Short-Term Bonds) of the Shinkin Bank Act (Act No. 238 of 1951);

五　第六十一条の十第一項に規定する短期社債

(v) Short-Term Bonds prescribed in Article 61-10, paragraph (1);

六　前項に規定する特定短期社債

(vi) Specified Short-Term Bonds prescribed in the preceding paragraph;

七　農林中央金庫法（平成十三年法律第九十三号）第六十二条の二第一項（短期農林債の発行）に規定する短期農林債

(vii) Short-term Norinchukin Bank debentures prescribed in Article 62-2, paragraph (1) (Issuance of Short-Term Norinchukin Bank Debentures) of the Norinchukin Bank Act (Act No. 93 of 2001); and

八　その権利の帰属が社債、株式等の振替に関する法律の規定により振替口座簿の記載又は記録により定まるものとされる外国法人の発行する債券（新株予約権付社債券の性質を有するものを除く。）に表示されるべき権利のうち、次に掲げる要件のすべてに該当するもの

(viii) Of the rights to be indicated in bonds issued by foreign juridical persons for which ownership of the rights is to be decided based on the entry or record in the transfer account registry pursuant to the provisions of the Act on Transfer of Bonds, Shares, etc. (excluding bonds having a nature of company bonds with share warrant), those that satisfy all of the following requirements:

イ　各権利の金額が一億円を下回らないこと。

(a) The amount of each right is not below hundred million yen;

ロ　元本の償還について、権利の総額の払込みのあった日から一年未満の日とする確定期限の定めがあり、かつ、分割払の定めがないこと。

(b) There are provisions on a fixed due date for redemption of the principal that is within one year from the day on which the total amount of the rights has been paid, and there are no provisions on an installment plan; and

ハ　利息の支払期限を、ロの元本の償還期限と同じ日とする旨の定めがあること。

(c) There are provisions to make the due date for the payment of interest the same date as the due date for the redemption of the principal set forth in (b).

７　第一項第五号の「有価証券の私募の取扱い」とは、有価証券の私募（金融商品取引法第二条第三項（定義）に規定する有価証券の私募をいう。）の取扱いをいう。

(7) The "Handling of Private Placement of Securities" set forth in paragraph (1), item (v) means to handle the Private Placement of Securities (meaning the private placement of securities prescribed in Article 2, paragraph (3) (Definitions) of the Financial Instruments and Exchange Act).

８　第一項第六号又は第七号の「デリバティブ取引」又は「有価証券関連デリバティブ取引」とは、それぞれ金融商品取引法第二条第二十項（定義）に規定するデリバティブ取引又は同法第二十八条第八項第六号（定義）に規定する有価証券関連デリバティブ取引をいう。

(8) The term "Derivative Transactions" or "Transactions of Securities-Related Derivatives" set forth in paragraph (1), item (vi) or (vii) respectively means the Derivative Transactions prescribed in Article 2, paragraph (20) (Definitions) of the Financial Instruments and Exchange Act or the Transactions of Securities-Related Derivatives prescribed in Article 28, paragraph (8), item (vi) (Definitions) of that Act.

９　第一項第十号又は第十一号の「有価証券関連店頭デリバティブ取引」とは、金融商品取引法第二十八条第八項第四号（定義）に掲げる行為をいう。

(9) The term "Over-the-Counter Transactions of Securities-Related Derivatives" in paragraph (1), item (x) or (xi) means the actions listed in Article 28, paragraph (8), item (iv) (Definitions) of the Financial Instruments and Exchange Act

第九十九条　保険会社は、第九十七条及び前条の規定により行う業務のほか、第九十七条の業務の遂行を妨げない限度において、金融商品取引法第三十三条第二項各号（金融機関の有価証券関連業の禁止等）に掲げる有価証券又は取引について、同項各号に定める行為を行う業務（前条第一項の規定により行う業務を除く。）及び当該業務に付随する業務として内閣府令で定めるものを行うことができる。

Article 99 (1) An Insurance Company may, in addition to the business it carries out pursuant to the provisions of Article 97 and the preceding Article, carry out, with regard to the securities or transactions listed in the items of Article 33, paragraph (2) of the Financial Instruments and Exchange Act (Prohibition, etc. of Securities Services by Financial Institutions), business through which the actions listed in the items of the same paragraph (excluding business carried out pursuant to the provisions of the preceding Article, paragraph (1)) and business specified by Cabinet Office Ordinance as incidental thereto, within a limit so as not to preclude the performance of business under Article 97.

２　保険会社は、第九十七条及び前条の規定により行う業務のほか、第九十七条の業務の遂行を妨げない限度において、次に掲げる業務を行うことができる。

(2) In addition to the business it carries out pursuant to the provisions of Article 97 and the preceding Article, an Insurance Company may conduct the following businesses, within a limit so as not to preclude the performance of business under Article 97:

一　地方債又は社債その他の債券の募集又は管理の受託

(i) Subscription or commissioning the administration of bonds such as local government bonds or company bonds; and

二　担保付社債信託法により行う担保付社債に関する信託業務

(ii) Trust business concerning secured bonds that is carried out pursuant to the Secured Bond Trust Act.

三　金融商品取引法第二十八条第六項（通則）に規定する投資助言業務

(iii) Investment Advisory Business as defined in Article 28, paragraph (6) (General Rules) of the Financial Instruments and Exchange Act;

四　算定割当量を取得し、若しくは譲渡することを内容とする契約の締結又はその媒介、取次ぎ若しくは代理を行う業務（前条第一項の規定により行う業務を除く。）であって、内閣府令で定めるもの

(iv) Conclusion of a contract on obtaining or transferring Carbon Dioxide Equivalent Quotas or business for providing intermediation, brokerage, or agency therefor (excluding business conducted pursuant to paragraph (1) of the preceding Article) that is specified by Cabinet Office Ordinance; and

五　資金決済に関する法律（平成二十一年法律第五十九号）第二条第二項（定義）に規定する資金移動業

(v) Fund transfer business defined in Article 2, paragraph (2) (Definitions) of the Act on Financial Settlements (Act No. 59 of 2009).

３　生命保険会社は、第九十七条及び前条の規定により行う業務のほか、第九十七条の業務の遂行を妨げない限度において、信託業法の規定にかかわらず、その支払う保険金について、信託の引受けを行う業務（以下「保険金信託業務」という。）を行うことができる。

(3) A Life Insurance Company may, in addition to the business it carries out pursuant to the provisions of Article 97 and the preceding Article, carry out business through which it underwrites trusts for insurance proceeds paid (hereinafter referred to as "Insurance-Proceed Trust Services"), within a limit so as not to preclude the performance of business under Article 97, notwithstanding the provisions of the Trust Business Act.

４　保険会社が第一項の規定により同項に規定する業務を行おうとする場合には、当該保険会社は、不特定かつ多数の者を相手方とする当該業務については、その内容及び方法を定めて、内閣総理大臣の認可を受けなければならない。当該認可を受けた業務の内容及び方法を変更しようとするときも、同様とする。

(4) An Insurance Company shall, if it seeks to conduct business prescribed in paragraph (1) pursuant to the provisions of the same paragraph, set forth the contents and method of any such business in connection with which the other parties are many and unspecified, and obtain authorization from the Prime Minister. The same shall apply if an Insurance Company seeks to modify the contents and method of business for which it obtained said authorization.

５　保険会社は、第二項の規定により同項各号に掲げる業務を行おうとするときは、内閣総理大臣の認可を受けなければならない。

(5) An Insurance Company shall obtain authorization from the Prime Minister if it seeks to conduct business listed in the items of paragraph (2) pursuant to the provisions of the same paragraph.

６　保険会社は、第二項第一号、第二号及び第五号に掲げる業務に関しては、担保付社債信託法その他の政令で定める法令の適用については、政令で定めるところにより、銀行（相互会社にあっては、これらの法令に規定する株式会社その他の会社又は銀行）とみなす。この場合においては、信託業法第十四条第二項ただし書（商号）の規定は、適用しない。

(6) An Insurance Company shall, with regard to business listed in items (i), (ii) and (v) of paragraph (2), be deemed to be a bank (a company including a stock company or bank prescribed by laws and regulations in the case of a Mutual Company) pursuant to the provisions of Cabinet Order, for the purpose of the application of the laws and regulations specified by Cabinet Order, such as the Secured Bond Trust Act. In this case, the provisions of the proviso (Trade Name) of Article 14, paragraph (2) of the Trust Business Act shall not apply.

７　生命保険会社が保険金信託業務を行おうとする場合には、当該生命保険会社は、その方法を定めて、内閣総理大臣の認可を受けなければならない。当該認可を受けた業務の方法を変更しようとするときも、同様とする。

(7) A Life Insurance Company shall, if it seeks to engage in Insurance-Proceed Trust Services, set forth the method and obtain authorization from the Prime Minister. The same shall apply if a Life Insurance Company seeks to modify the method of business for which it obtained said authorization.

８　信託業法第十一条（営業保証金）、第二十二条（信託業務の委託）、第二十三条（信託業務の委託に係る信託会社の責任）、第二十四条から第三十一条まで（信託の引受けに係る行為準則、金融商品取引法の準用、信託契約の内容の説明、信託契約締結時の書面交付、信託財産状況報告書の交付、信託会社の忠実義務等、信託財産に係る行為準則、重要な信託の変更等、費用等の償還又は前払の範囲等の説明、信託の公示の特例、信託財産に係る債務の相殺）、第四十二条（立入検査等）及び第四十九条（免許等の取消し等の場合の解任手続）並びに金融機関の信託業務の兼営等に関する法律第六条（損失の補てん等を行う旨の信託契約の締結）の規定は、生命保険会社が第三項の規定により保険金信託業務を行う場合について準用する。この場合において、次の表の上欄に掲げる信託業法の規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句と読み替えるものとする。

(8) The provisions of Article 11 (Business Deposits), Article 22 (Entrustment of Trust Business), Article 23 (Liability of Trust Company Pertaining to Entrustment of Trust Business), and Articles 24 to 31 inclusive (Conduct Rules Pertaining to Underwriting of Trust, Application mutatis mutandis of the Financial Instruments and Exchange Act, Explanation of Contents of Trust Contract, Written Issuance at Conclusion of Trust Contract, Issuance of Report on Trust Property Situation, Duty of Loyalty of Trust Company, etc., Conduct Rules Pertaining to Trust Property, Change of Important Trust, etc., Explanation of Reimbursement of Costs, etc. or Scope of Advance Payment, etc., Special Measures for Public Notice of Trusts, and Debt Set-off Pertaining to Trust Property), Article 42 (Inspection, etc.), and Article 49 (Dismissal Procedure in the Case of Rescission, etc. of License, etc.) of the Trust Business Act and Article 6 (Conclusion of Trust Contract on Loss Compensation, etc.) of the Act on Provision, etc. of Trust Business by Financial Institutions shall apply mutatis mutandis to cases where a Life Insurance Company engage in Insurance-Proceed Trust Services pursuant to the provisions of paragraph (3). In this case, the phrases listed in the middle column of the following table in the provisions of the Trust Business Act listed in the left column of the table shall be deemed to be replaced with the phrases listed in the right column of the table.

|  |  |  |
| --- | --- | --- |
| 第十一条第十項Article 11, paragraph (10) | 第七条第三項の登録の更新がされなかった場合、第四十四条第一項の規定により第三条の免許が取り消された場合、第四十五条第一項の規定により第七条第一項の登録が取り消された場合若しくは第四十六条第一項の規定により第三条の免許若しくは第七条第一項の登録In the case where the registration under Article 7, paragraph (3) is not renewed, in the case where the license under Article 3 is rescinded pursuant to the provisions of Article 44, paragraph (1), in the case where the registration under Article 7, paragraph (1) is rescinded pursuant to the provisions of Article 45, paragraph (1), or the license under Article 3 or registration under Article 7, paragraph (1) pursuant to the provisions of Article 46, paragraph (1) | 保険業法第百三十三条若しくは第百三十四条の規定により同法第三条第一項の免許が取り消された場合若しくは同法第二百七十三条の規定により同法第三条第一項の免許In the case where the license under Article 3, paragraph (1) of the Insurance Business Act is rescinded pursuant to the provisions of Articles 133 or 134 of the same Act, or the license under Article 3, paragraph (1) of the same Act pursuant to the provisions of Article 273 of the same Act |
| 第四十二条第二項Article 42, paragraph (2) | 第十七条から第十九条までの届出若しくは措置若しくは当該Notification or measures under Article 17 to 19 inclusive or said | 当該Said |
| 第四十九条第一項Article 49, paragraph (1) | 第七条第三項の登録の更新をしなかった場合、第四十四条第一項の規定により第三条の免許を取り消した場合又は第四十五条第一項の規定により第七条第一項の登録In the case where the registration under Article 7, paragraph (3) is not renewed, in the case where the license under Article 3 is rescinded pursuant to the provisions of Article 44, paragraph (1), or the registration under Article 7, paragraph (1) pursuant to the provisions of Article 45, paragraph (1) | 保険業法第百三十三条又は第百三十四条の規定により同法第三条第一項の免許License under Article 3, paragraph (1) of the Insurance Business Act pursuant to the provisions of Article 133 or 134 of the same Act |

９　生命保険会社が第三項の規定により引き受ける信託契約の締結の代理又は媒介を第三者に委託する場合には、生命保険会社を信託会社とみなして信託業法第二条第八項（定義）及び第五章の規定（これらの規定に係る罰則を含む。）を適用する。この場合において、同章中「所属信託会社」とあるのは「所属生命保険会社」と、同法第七十八条第一項中「第三十四条第一項」とあるのは「保険業法第百十一条第一項及び第二項」とする。

(9) In the case where a Life Insurance Company entrusts a third party to act as an agent or intermediary for the conclusion of a trust contract underwritten pursuant to the provisions of paragraph (3), the Life Insurance Company shall be deemed to be a trust company and the provisions of Article 2, paragraph (8) (Definitions) and Chapter V (including penal provisions pertaining to these provisions) of the Trust Business Act shall apply. In this case, the term "affiliated trust company" in the same Chapter means "affiliated Life Insurance Company" and "Article 34, paragraph (1)" in Article 78, paragraph (1) of the same Act means "Article 111, paragraphs (1) and (2) of the Insurance Business Act."

１０　第三項の規定により保険金信託業務を行う生命保険会社は、当該保険金信託業務については、租税に関する法令で政令で定めるものの適用については、政令で定めるところにより、信託会社とみなす。

(10) A Life Insurance Company that engages in Insurance-Proceed Trust Services pursuant to the provisions of paragraph (3) shall be deemed to be a trust company pursuant to the provisions of Cabinet Order, with regard to the application of what is specified by Cabinet Order in the laws and regulations on taxation with regard to said Insurance-Proceed Trust Services.

（他業の制限）

(Restriction on Other Business)

第百条　保険会社は、第九十七条及び前二条の規定により行う業務及び他の法律により行う業務のほか、他の業務を行うことができない。

Article 100 An Insurance Company may not conduct business other than business it conducts pursuant to the provisions of Article 97 and the preceding two Articles and business conducted pursuant to other Acts.

（業務運営に関する措置）

(Measures Concerning Business Operations)

第百条の二　保険会社は、その業務に関し、この法律又は他の法律に別段の定めがあるものを除くほか、内閣府令で定めるところにより、その業務に係る重要な事項の顧客への説明、その業務に関して取得した顧客に関する情報の適正な取扱い、そ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健全かつ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 100-2 Unless provided otherwise in this Act or any other Act, an Insurance Company shall, pursuant to the provisions of Cabinet Office Ordinance, take measures to ensure sound and appropriate management, such as explanation of important particulars of its business to its customers, appropriate handling of customer information acquired in relation to its business, and proper execution of any business entrusted to a third party.

（顧客の利益の保護のための体制整備）

(Establishment of a System for the Protection of Customers' Interests)

第百条の二の二　保険会社は、当該保険会社又はその親金融機関等若しくは子金融機関等が行う取引に伴い、当該保険会社又はその子金融機関等が行う業務（保険業その他の内閣府令で定める業務に限る。）に係る顧客の利益が不当に害されることのないよう、内閣府令で定めるところにより、当該業務に関する情報を適正に管理し、かつ、当該業務の実施状況を適切に監視するための体制の整備その他必要な措置を講じなければならない。

Article 100-2-2 (1) Whenever an Insurance Company, its Parent Financial Institution, etc. or Subsidiary Financial Institution, etc. conducts any transaction, such Insurance Company shall, pursuant to the provisions of Cabinet Office Ordinance, properly manage information connected with the business conducted by itself or its Subsidiary Financial Institution, etc. (limited to Insurance Business and any other business specified by Cabinet Office Ordinance), and establish a system for properly supervising the status of implementation of said business or taking any other measures necessary so that the interests of the customer of said business will not be unjustly impaired.

２　前項の「親金融機関等」とは、保険会社の総株主の議決権の過半数を保有している者その他の当該保険会社と密接な関係を有する者として政令で定める者のうち、保険会社、銀行、金融商品取引業者（金融商品取引法第二条第九項（定義）に規定する金融商品取引業者をいう。以下同じ。）その他政令で定める金融業を行う者をいう。

(2) The term "Parent Financial Institution, etc." as used in the preceding paragraph means a person that holds the majority of all shareholders' voting rights in an Insurance Company, and any other person that is specified by Cabinet Order as being closely related to said Insurance Company and which is an Insurance Company, Bank, Financial Instruments Transaction Business Operator (meaning a Financial Instruments Transaction Business Operator as defined in Article 2, paragraph (9) (Definitions) of the Financial Instruments and Exchange Act; the same shall apply hereinafter), or any other person conducting financial business that is specified by Cabinet Order.

３　第一項の「子金融機関等」とは、保険会社が総株主等の議決権の過半数を保有している者その他の当該保険会社と密接な関係を有する者として政令で定める者のうち、保険会社、銀行、金融商品取引業者その他政令で定める金融業を行う者をいう。

(3) The term "Subsidiary Financial Institution, etc." as used in paragraph (1) means a person in which an Insurance Company holds the majority of All Shareholders' Voting Rights, etc., and any other person that is specified by Cabinet Order as being closely related to said Insurance Company and which is an Insurance Company, Bank, Financial Instruments Transaction Business Operator, or any other person conducting financial business that is specified by Cabinet Order.

（特定関係者との間の取引等）

(Transactions, etc. with Specified Related Parties)

第百条の三　保険会社は、その特定関係者（当該保険会社の子会社、当該保険会社の保険主要株主、当該保険会社を子会社とする保険持株会社、当該保険持株会社の子会社（当該保険会社を除く。）その他の当該保険会社と政令で定める特殊の関係のある者をいう。以下この条において同じ。）又はその特定関係者の顧客との間で、次に掲げる取引又は行為をしてはならない。ただし、当該取引又は行為をすることにつき内閣府令で定めるやむを得ない理由がある場合において、内閣総理大臣の承認を受けたときは、この限りでない。

Article 100-3 An Insurance Company shall not make the following transactions or take the following actions with any Specified Related Party (meaning its Subsidiary Company, its Major Shareholder, the Insurance Holding Company of which it is a Subsidiary, or a Subsidiary of such Insurance Holding Company (other than the relevant Insurance Company itself); hereinafter the same shall apply in this Article), or any other parties to which an Insurance Company is specially related as specified by Cabinet Order, or with a customer of a Specified Related Party; provided, however, that this shall not apply to the cases where the authorization to make such transactions or take such actions is obtained from the Prime Minister for any of the compelling reasons specified by Cabinet Office Ordinance:

一　当該特定関係者との間で行う取引で、当該保険会社の取引の通常の条件と著しく異なる条件で行う資産の売買その他の取引

(i) Any transaction with the Specified Related Party, such as the purchase and sale of assets, carried out on significantly different terms and conditions from those applied to normal transactions of said Insurance Company; and

二　当該特定関係者との間又は当該特定関係者の顧客との間で行う取引又は行為のうち前号に掲げるものに準ずる取引又は行為で、当該保険会社の業務の健全かつ適切な運営に支障を及ぼすおそれのあるものとして内閣府令で定める取引又は行為

(ii) Any transaction made or action taken with the Specified Related Party or the customer of the Specified Related Party which is equivalent to the transaction listed in the preceding item and which is specified by a Cabinet Office Ordinance as posing a risk to the sound and appropriate business operation of said Insurance Company.

（無限責任社員等となることの禁止）

(Restriction on Becoming an Unlimited Partner, etc.)

第百条の四　保険会社は、持分会社の無限責任社員又は業務を執行する社員となることができない。

Article 100-4 An Insurance Company may not become an unlimited partner or a partner who executes the business of a membership company.

（私的独占の禁止及び公正取引の確保に関する法律の適用除外）

(Exclusion from Application of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade)

第百一条　私的独占の禁止及び公正取引の確保に関する法律の規定は、次条第一項の認可を受けて行う次に掲げる行為には、適用しない。ただし、不公正な取引方法を用いるとき、一定の取引分野における競争を実質的に制限することにより保険契約者若しくは被保険者の利益を不当に害することとなるとき、又は第百五条第四項の規定による公示があった後一月を経過したとき（同条第三項の請求に応じ、内閣総理大臣が第百三条の規定による処分をした場合を除く。）は、この限りでない。

Article 101 (1) The provisions set forth in the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade shall not apply to the following actions, which are taken with the authorization set forth in the following Article, paragraph (1); provided, however, that this shall not apply to the cases where any unfair trade practices are used, where the substantial restraint of competition in certain fields of trade unjustly harms the interests of Policyholders or the persons insured, or where one month has passed from the day of the public notice that was given under the provisions of Article 105, paragraph (4) (unless the Prime Minister has rendered a disposition under the provisions of Article 103 in response to the request in Article 105, paragraph (3)):

一　航空保険事業（航空機（ロケットを含む。以下この号において同じ。）若しくは航空機により運送される貨物を保険の目的とする保険又は航空機の事故により生じた損害を賠償する責任に関する保険の引受けを行う事業をいい、航空機搭乗中の者の傷害に関する保険の引受けに係る事業を含む。）、原子力保険事業（原子力施設を保険の目的とする保険又は原子力施設の事故により生じた損害を賠償する責任に関する保険の引受けを行う事業をいう。）、自動車損害賠償保障法の規定に基づく自動車損害賠償責任保険事業又は地震保険に関する法律（昭和四十一年法律第七十三号）に規定する地震保険契約に関する事業の固有の業務につき損害保険会社が他の損害保険会社（外国損害保険会社等を含む。）と行う共同行為

(i) Concerted actions carried out by a Non-Life Insurance Company with another Non-Life Insurance Company (including foreign non-life insurance companies, etc.) with regard to business specific to the aviation Insurance Business (meaning the business of underwriting insurance whose purpose is to insure aircraft (including rockets; hereinafter the same shall apply in this item) or cargo transported by aircraft, or insurance concerning liability for the compensation of damage caused by an aircraft accident; including business connected with underwriting injury insurance for persons on board the aircraft), the nuclear Insurance Business (meaning the business of underwriting insurance whose purpose is to insure a nuclear facility, or liability insurance for damages caused by an accident at a nuclear facility), the Automobile Liability Insurance Business based on the provisions of the Automobile Liability Insurance Act, or the business under an earthquake insurance contract prescribed in the Act on Earthquake Insurance (Act No. 73 of 1966); and

二　前号以外の保険の引受けに係る事業において、危険の分散又は平準化を図るためにあらかじめ損害保険会社と他の損害保険会社（外国損害保険会社等を含む。）との間で、共同して再保険することを定めておかなければ、保険契約者又は被保険者に著しく不利益を及ぼすおそれがあると認められる場合に、当該再保険契約又は当該再保険に係る保険契約につき次に掲げる行為の全部又は一部に関し損害保険会社が他の損害保険会社（外国損害保険会社等を含む。）と行う共同行為

(ii) Concerted actions taken by a Non-Life Insurance Company with another Non-Life Insurance Company (including foreign non-life insurance companies, etc.) involving all or part of the following actions in connection with a reinsurance contract or insurance contract for reinsurance, if it is found that there is a risk of extreme disadvantage to a Policyholder or those insured unless a Non-Life Insurance Company and another Non-Life Insurance Company (including foreign non-life insurance companies, etc.) jointly provide for reinsurance in advance to carry out risk distribution or equalization with regard to business connected with the underwriting of insurance not listed in the preceding item:

イ　保険約款の内容（保険料率に係るものを除く。）の決定

(a) Ruling on contents of insurance contracts (except those pertaining to the insurance rate);

ロ　損害査定の方法の決定

(b) Ruling on the method of damage obligatory contribution;

ハ　再保険の取引に関する相手方又は数量の決定

(c) Ruling on another party or amount concerning reinsurance transactions; and

ニ　再保険料率及び再保険に関する手数料の決定

(d) Ruling on the reinsurance rate and reinsurance fee.

２　第百五条第三項の規定による請求が共同行為の内容の一部について行われたときは、その共同行為の内容のうちその請求に係る部分以外の部分については、前項ただし書（同条第四項の規定による公示に係る部分に限る。）の規定にかかわらず、前項本文の規定の適用があるものとする。

(2) If a request under the provisions of Article 105, paragraph (3) is made concerning a Section of the contents of concerted actions, the provisions of the main clause of the preceding paragraph shall be deemed applicable notwithstanding the provisions of the proviso of the preceding paragraph (limited to the Parts pertaining to the public notice that was given under the provisions of paragraph (4) of the same Article) for Sections of the contents of the concerted actions which do not pertain to the request.

（共同行為の認可）

(Authorization of Concerted Actions)

第百二条　損害保険会社は、前条第一項各号の共同行為を行い、又はその内容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 102 (1) If a Non-Life Insurance Company seeks to carry out concerted actions under the provisions of the items of paragraph (1) of the preceding Article or modify its contents, it shall obtain authorization from the Prime Minister.

２　内閣総理大臣は、前項の認可の申請に係る共同行為の内容が次の各号に適合すると認めるときでなければ、同項の認可をしてはならない。

(2) The Prime Minister shall not grant the authorization of the preceding paragraph unless he/she finds that the contents of the concerted actions pertaining to the application for authorization of the same paragraph conform to the following items:

一　保険契約者又は被保険者の利益を不当に害さないこと。

(i) There is no unjust harm to the interest of Policyholders or those insured;

二　不当に差別的でないこと。

(ii) The business is not unfairly discriminatory;

三　加入及び脱退を不当に制限しないこと。

(iii) There is no unreasonable restraint of enrollment and withdrawal; and

四　危険の分散又は平準化その他共同行為を行う目的に照らして必要最小限度であること。

(iv) It stays within the minimum necessary level in light of risk distribution or equalization, or any other purpose of the concerted actions.

（共同行為の変更命令及び認可の取消し）

(Order to Change of Concerted Actions and Rescission of Authorization)

第百三条　内閣総理大臣は、前条第一項の認可に係る共同行為の内容が同条第二項各号に適合するものでなくなったと認めるときは、その損害保険会社に対し、その共同行為の内容を変更すべきことを命じ、又はその認可を取り消さなければならない。

Article 103 The Prime Minister shall, if he/she finds that the contents of the concerted actions pertaining to the authorization of the preceding Article, paragraph (1) no longer conform to the items of the same Article, paragraph (2), order the Non-Life Insurance Company to modify the contents of the concerted actions or rescind the authorization.

（共同行為の廃止の届出）

(Notification of Abolition of Concerted Actions)

第百四条　損害保険会社は、共同行為を廃止したときは、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。

Article 104 A Non-Life Insurance Company shall, upon abolishing concerted actions notify the Prime Minister of this without delay.

（公正取引委員会との関係）

(Relationship with the Fair Trade Commission)

第百五条　内閣総理大臣は、第百二条第一項の認可をしようとするときは、あらかじめ、公正取引委員会の同意を得なければならない。

Article 105 (1) If the Prime Minister seeks to grant the authorization set forth in Article 102, paragraph (1), he/she shall, in advance, obtain the consent of the Fair Trade Commission.

２　内閣総理大臣は、第百三条の規定による処分をしたとき、又は前条の規定による届出を受理したときは、遅滞なく、その旨を公正取引委員会に通知しなければならない。

(2) The Prime Minister shall, upon rendering a disposition under the provisions of Article 103 or accepting a notification under the provisions of the preceding Article, notify the Fair Trade Commission of this without delay.

３　公正取引委員会は、第百二条第一項の認可を受けた共同行為の内容が同条第二項各号に適合するものでなくなったと認めるときは、内閣総理大臣に対し、第百三条の規定による処分をすべきことを請求することができる。

(3) The Fair Trade Commission may, if it finds that the contents of the concerted actions which obtained the authorization set forth in Article 102, paragraph (1) no longer conform to the items of the same Article, paragraph (2), request the Prime Minister to render a disposition under the provisions of Article 103.

４　公正取引委員会は、前項の規定による請求をしたときは、その旨を官報に公示しなければならない。

(4) The Fair Trade Commission shall, upon making a request under the provisions of the preceding paragraph, give public notice of this in the official gazette.

（指定生命保険業務紛争解決機関との契約締結義務等）

(Obligation to Conclude a Contract ,etc. with a Designated Dispute Resolution Organization for Life Insurance Services)

第百五条の二　生命保険会社は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 105-2 (1) A Life Insurance Company shall take the measures specified in the following items according to the category of cases set forth in the respective items:

一　指定生命保険業務紛争解決機関（指定紛争解決機関であってその紛争解決等業務の種別が生命保険業務であるものをいう。以下この条において同じ。）が存在する場合　一の指定生命保険業務紛争解決機関との間で生命保険業務に係る手続実施基本契約を締結する措置

(i) in cases where there is a Designated Dispute Resolution Organization for Life Insurance Services (meaning a Designated Dispute Resolution Organization for which the Category of Dispute Resolution Services, etc. is Life Insurance Services; hereinafter the same shall apply in this Article): measures to conclude a Basic Contract for the Implementation of Dispute Resolution Procedures for Life Insurance Services with a single Designated Dispute Resolution Organization for Life Insurance Services;

二　指定生命保険業務紛争解決機関が存在しない場合　生命保険業務に関する苦情処理措置（顧客（顧客以外の保険契約者等を含む。以下この号において同じ。）からの苦情の処理の業務に従事する使用人その他の従業者に対する助言若しくは指導を第三百八条の十三第三項第三号に掲げる者に行わせること又はこれに準ずるものとして内閣府令で定める措置をいう。次条、第二百七十二条の十三の二及び第二百九十九条の二において同じ。）及び紛争解決措置（顧客との紛争の解決を認証紛争解決手続（裁判外紛争解決手続の利用の促進に関する法律（平成十六年法律第百五十一号）第二条第三号（定義）に規定する認証紛争解決手続をいう。）により図ること又はこれに準ずるものとして内閣府令で定める措置をいう。次条、第二百七十二条の十三の二及び第二百九十九条の二において同じ。）

(ii) in cases where there is no Designated Life Insurance Dispute Resolution Organization: Complaint Processing Measures (meaning measures to have the person set forth in Article 308-13, paragraph (3), item (iii) provide advice or guidance to the employee or any other workers working to process complaints from the customers (including Policyholders, etc. other than customers; the same shall apply in this item) or any other measures specified by Cabinet Office Ordinance as being equivalent thereto; the same shall apply in the following Article, Article 272-13-2 and Article 299-2)) and Dispute Resolution Measures (meaning measures seeking to resolve disputes with customers through Certified Dispute Resolution Procedures (meaning Certified Dispute Resolution Procedures as defined in Article 2, item (iii) (Definition) of the Act on Promotion of Use of Alternative Dispute Resolution (Act No. 151 of 2004)) or any other measures specified by Cabinet Office Ordinance as being equivalent thereto; the same shall apply in the following Article, Article 272-13-2 and Article 299-2) concerning Life Insurance Services.

２　生命保険会社は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定生命保険業務紛争解決機関の商号又は名称を公表しなければならない。

(2) A Life Insurance Company shall, if it has taken measures to conclude a Basic Contract for the Implementation of Dispute Resolution Procedures pursuant to the provisions of the preceding paragraph, publicize the trade name or name of the Designated Dispute Resolution Organization for Life Insurance Services that is the counterparty to said Basic Contract for the Implementation of Dispute Resolution Procedures.

３　第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。

(3) The provisions of paragraph (1) shall not apply for the periods specified in the following items according to the category of cases set forth in the respective items:

一　第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき　第三百八条の二十三第一項の規定による紛争解決等業務の廃止の認可又は第三百八条の二十四第一項の規定による指定の取消しの時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(i) if the relevant case which had fallen under the cases set forth in paragraph (1), item (i), has come to fall under the cases set forth in item (ii) of that paragraph: the period specified by the Prime Minister as the period necessary to take the measures specified in that item at the time of granting authorization for abolition of Dispute Resolution Services, etc. under Article 308-23, paragraph (1) or rescinding the designation under Article 308-24, paragraph (1);

二　第一項第一号に掲げる場合に該当していた場合において、同号の一の指定生命保険業務紛争解決機関の紛争解決等業務の廃止が第三百八条の二十三第一項の規定により認可されたとき、又は同号の一の指定生命保険業務紛争解決機関の第三百八条の二第一項の規定による指定が第三百八条の二十四第一項の規定により取り消されたとき（前号に掲げる場合を除く。）　その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(ii) if the relevant case had fallen under the cases set forth in paragraph (1), item (i), and the abolition of Dispute Resolution Services, etc. of a single Designated Dispute Resolution Organization for the Life Insurance Services under that item has been authorized under Article 308-23, paragraph (1) or the designation under Article 308-2, paragraph (1) of a single Designated Dispute Resolution Organization for Life Insurance Services under that item has been rescinded pursuant to Article 308-24, paragraph (1) (excluding the case set forth in the preceding item): the period specified by the Prime Minister at the time of granting such authorization or making such rescission, as the period necessary for taking the measures specified in paragraph (1), item (i); and

三　第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき　第三百八条の二第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(iii) if the relevant case which had fallen under the cases set forth in paragraph (1), item (ii) has come to fall under the cases set forth in item (i) of that paragraph: the period specified by the Prime Minister at the time of designation under Article 308-2, paragraph (1), as the period necessary to take the measures specified in that item.

（指定損害保険業務紛争解決機関との契約締結義務等）

(Obligation to Conclude a Contract, etc. with a Designated Dispute Resolution Organization for Non-Life Insurance Services)

第百五条の三　損害保険会社は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 105-3 (1) A Non-Life Insurance Company shall take the measures specified in the following items according to the category of cases set forth in the respective items:

一　指定損害保険業務紛争解決機関（指定紛争解決機関であってその紛争解決等業務の種別が損害保険業務であるものをいう。以下この条において同じ。）が存在する場合　一の指定損害保険業務紛争解決機関との間で損害保険業務に係る手続実施基本契約を締結する措置

(i) in cases where there is a Designated Dispute Resolution Organization for Non-Life Insurance Services (meaning a Designated Dispute Resolution Organization for which the Category of Dispute Resolution Services, etc. is Non-Life Insurance Services; hereinafter the same shall apply in this Article): measures to conclude a Basic Contract for the Implementation of Dispute Resolution Procedures for Non-Life Insurance Services with a single Designated Dispute Resolution Organization for Non-Life Insurance Services; or

二　指定損害保険業務紛争解決機関が存在しない場合　損害保険業務に関する苦情処理措置及び紛争解決措置

(ii) in cases where there is no Designated Dispute Resolution Organization for Non-Life Insurance Services: Complaint Processing Measures and Dispute Resolution Measures concerning Non-Life Insurance Services.

２　損害保険会社は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定損害保険業務紛争解決機関の商号又は名称を公表しなければならない。

(2) A Non-Life Insurance Company shall, if it has taken measures to conclude a Basic Contract for the Implementation of Dispute Resolution Procedures pursuant to the provisions of the preceding paragraph, publicize the trade name or name of the Designated Dispute Resolution Organization for Non-Life Insurance Services that is the counterparty to said Basic Contract for the Implementation of Dispute Resolution Procedures.

３　第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。

(3) The provisions of paragraph (1) shall not apply for the periods specified in the following items according to the category of cases set forth in the respective items:

一　第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき　第三百八条の二十三第一項の規定による紛争解決等業務の廃止の認可又は第三百八条の二十四第一項の規定による指定の取消しの時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(i) if the relevant case which had fallen under the cases set forth in paragraph (1), item (i), has come to fall under the cases set forth in item (ii) of that paragraph: the period specified by the Prime Minister at the time of granting authorization for abolition of Dispute Resolution Services, etc. under Article 308-23, paragraph (1) or rescinding the designation under Article 308-24, paragraph (1), as the period necessary to take the measures specified in that item;

二　第一項第一号に掲げる場合に該当していた場合において、同号の一の指定損害保険業務紛争解決機関の紛争解決等業務の廃止が第三百八条の二十三第一項の規定により認可されたとき、又は同号の一の指定損害保険業務紛争解決機関の第三百八条の二第一項の規定による指定が第三百八条の二十四第一項の規定により取り消されたとき（前号に掲げる場合を除く。）　その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(ii) if the relevant case had fallen under the cases set forth in paragraph (1), item (i), and the abolition of Dispute Resolution Services, etc. of a single Designated Dispute Resolution Organization for Non-Life Insurance Services under that item has been authorized under Article 308-23, paragraph (1) or the designation under Article 308-2, paragraph (1) of a single Designated Dispute Resolution Organization for Non-Life Insurance Services under that item has been rescinded pursuant to Article 308-24, paragraph (1) (excluding the case set forth in the preceding item): the period specified by the Prime Minister at the time of granting such authorization or making such rescission, as the period necessary for taking the measures specified in paragraph (1), item (i); and

三　第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき　第三百八条の二第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(iii) if the relevant case which had fallen under the cases set forth in paragraph (1), item (ii) has come to fall under the cases set forth in item (i) of that paragraph: the period specified by the Prime Minister at the time of designation under Article 308-2, paragraph (1), as the period necessary to take the measures specified in that item.

第四章　子会社等

Chapter IV Subsidiary, etc.

（保険会社の子会社の範囲等）

(Scope of an Insurance Company's Subsidiaries, etc.)

第百六条　保険会社は、次に掲げる会社（以下この条において「子会社対象会社」という。）以外の会社を子会社としてはならない。

Article 106 (1) An Insurance Company shall not have as its Subsidiary any company other than a company that falls under any of the categories specified in the following items (hereinafter such companies shall be referred to as "Companies Eligible to Be Subsidiaries" in this Article):

一　生命保険会社

(i) A Life Insurance Company;

二　損害保険会社

(ii) A Non-Life Insurance Company;

二の二　少額短期保険業者

(ii)-2 A Low-Cost, Short-Term Insurer;

三　銀行

(iii) A Bank;

四　長期信用銀行法（昭和二十七年法律第百八十七号）第二条（定義）に規定する長期信用銀行（以下「長期信用銀行」という。）

(iv) A long term credit bank as defined in Article 2 (Definitions) of the Long Term Credit Bank Act (Act No. 187 of 1952) (hereinafter referred to as "Long Term Credit Bank");

四の二　資金決済に関する法律第二条第三項（定義）に規定する資金移動業者（第九号に掲げる会社に該当するものを除く。）のうち、資金移動業（同条第二項に規定する資金移動業をいう。）その他内閣府令で定める業務を専ら営むもの（第二百七十一条の二十二第一項第四号の二において「資金移動専門会社」という。）

(iv)-2 Fund transfer specialists defined in Article 2, paragraph (3) (Definitions) of the Act on Financial Settlements (excluding those falling under the company set forth in item (ix)) which exclusively conduct Fund Transfer Business (meaning the fund transfer business defined in paragraph (2) of that Article) or any other business specified by Cabinet Office Ordinance (referred to as "Companies Specialized in Fund Transfer" in Article 271-22, paragraph (1), item (iv)-2);

五　金融商品取引業者のうち、有価証券関連業（金融商品取引法第二十八条第八項（通則）に規定する有価証券関連業をいう。以下同じ。）のほか、同法第三十五条第一項第一号から第八号まで（第一種金融商品取引業又は投資運用業を行う者の業務の範囲）に掲げる行為を行う業務その他の内閣府令で定める業務を専ら行うもの（以下「証券専門会社」という。）

(v) A Financial Instruments Transaction Business Operator that, apart from the Securities Services (meaning Securities Services as defined in Article 28, paragraph (8) (General Rules) of the Financial Instruments and Exchange Act; the same shall apply hereinafter), exclusively conducts any of the business specified by Cabinet Office Ordinance, such as business in which any of the actions listed in Article 35, paragraph (1), items (i) to (viii) inclusive (Scope of Business of Persons Who Engage in Type 1 Financial Instruments Transaction Business or Investment Management) of that Act (hereinafter referred to as "Company Specializing in Securities") are taken;

六　金融商品取引法第二条第十二項（定義）に規定する金融商品仲介業者のうち、金融商品仲介業（同条第十一項（定義）に規定する金融商品仲介業をいい、次に掲げる行為のいずれかを業として行うものに限る。以下この号において同じ。）のほか、金融商品仲介業に付随する業務その他の内閣府令で定める業務を専ら行うもの（以下「証券仲介専門会社」という。）

(vi) A Financial Instruments Intermediary as defined in Article 2, paragraph (12) (Definitions) of the Financial Instruments and Exchange Act that, apart from the Financial Instruments Intermediation Services (meaning the Financial Instruments Intermediation Services defined in Article 2, paragraph (11) (Definitions) of that Act and limited to those in which the following actions are taken in the course of trade; hereinafter the same shall apply in this item), exclusively conducts any of the business specified by Cabinet Office Ordinance, such as business incidental to Financial Instruments Intermediation Services (hereinafter referred to as "Company Specialized in Securities Intermediation");

イ　金融商品取引法第二条第十一項第一号（定義）に掲げる行為

(a) Acts listed in Article 2, paragraph (11), item (i) (Definitions) of the Financial Instruments and Exchange Act;

ロ　金融商品取引法第二条第十七項（定義）に規定する取引所金融商品市場又は同条第八項第三号ロ（定義）に規定する外国金融商品市場における有価証券の売買の委託の媒介（ハに掲げる行為に該当するものを除く。）

(b) Intermediation for the entrustment of the purchase and sale of securities on Financial Instruments Exchange Markets prescribed in Article 2, paragraph (17) (Definitions) of the Financial Instruments and Exchange Act or Foreign Financial Instruments Markets prescribed in Article 2, paragraph (8), item (iii), sub-item (b) (Definitions) of that Act (excluding actions listed in (c));

ハ　金融商品取引法第二十八条第八項第三号又は第五号（通則）に掲げる行為の委託の媒介

(c) Intermediation for the entrustment of actions listed in item (iii) or (v) of Article 28, paragraph (8) (General Rules) of the Financial Instruments and Exchange Act; and

ニ　金融商品取引法第二条第十一項第三号（定義）に掲げる行為

(d) Actions listed in Article 2, paragraph (11), item (iii) of the Financial Instruments and Exchange Act.

七　信託会社のうち、信託業務（金融機関の信託業務の兼営等に関する法律第一条第一項（兼営の認可）に規定する信託業務をいう。次項第八号イにおいて同じ。）を専ら営む会社（以下「信託専門会社」という。）

(vii) A trust company specialized in the Trust Business (meaning the Trust Business defined in Article 1, paragraph (1) of the Act on Provision of Trust Business by Financial Institutions; the same shall apply in item (viii), sub-item (a) of the following paragraph) (hereinafter referred to as "Companies Specialized in Trust Business");

八　保険業を行う外国の会社

(viii) Foreign companies that conduct Insurance Business;

九　銀行業（銀行法第二条第二項（定義等）に規定する銀行業をいう。以下同じ。）を営む外国の会社（前号に掲げる会社に該当するものを除く。）

(ix) Foreign companies that engage in Banking (meaning Banking prescribed in Article 2, paragraph (2) (Definitions, etc.) of the Banking Act; the same shall apply hereinafter) (excluding those that fall under the category of companies specified in preceding item);

十　有価証券関連業を行う外国の会社（第八号に掲げる会社に該当するものを除く。）

(x) Foreign companies that engage in Securities Services (excluding those that fall under the category of companies specified in item (viii));

十一　信託業（信託業法第二条第一項（定義）に規定する信託業をいう。以下同じ。）を営む外国の会社（第八号に掲げる会社に該当するものを除く。）

(xi) Foreign Companies that conduct Trust Business (means Trust Business prescribed in Article 2, paragraph (1) (Definitions) of the Trust Business Act; the same shall apply hereinafter) (excluding those that fall under the category of companies specified in item (viii));

十二　従属業務又は金融関連業務を専ら営む会社（従属業務を営む会社にあっては主として当該保険会社、その子会社（第一号、第二号及び第八号に掲げる者に限る。第七項において同じ。）その他これらに類する者として内閣府令で定めるものの営む業務のためにその業務を営んでいるものに限るものとし、金融関連業務を営む会社であって次に掲げる業務の区分に該当する場合には、当該区分に定めるものに、それぞれ限るものとする。）

(xii) Companies that exclusively operate Dependent Services or Finance-Related Services (limited, in case of those which operate Dependent Services, to companies that operate Dependent Services mainly for business operated by the Insurance Company, its Subsidiary Companies (limited to those that fall under any of the categories in item (i), (ii) or (viii); the same shall apply in paragraph (7)) or other entities specified by Cabinet Office Ordinance as being similar to the Insurance Company and its Subsidiary Companies, and in case of those which operate Finance-Related Services and fall under any of the following business categories, to the cases specified in for the respective categories):

イ　銀行専門関連業務、証券専門関連業務及び信託専門関連業務のいずれも営むもの　当該会社の議決権について、当該保険会社の銀行子会社等が合算して、当該保険会社又はその子会社（銀行子会社等、証券子会社等及び信託子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有し、かつ、当該保険会社の証券子会社等が合算して、当該保険会社又はその子会社（銀行子会社等、証券子会社等及び信託子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有し、かつ、当該保険会社の信託子会社等が合算して、当該保険会社又はその子会社（銀行子会社等、証券子会社等及び信託子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有しているもの

(a) Companies which operate Specialized Banking-Related Services, Specialized Securities-Related Services and a Specialized Trust-Related Services: limited to the case where, among all voting rights in the company, the total voting rights held by the Insurance Company's Banking Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Banking Subsidiaries, etc. Securities Subsidiaries, etc. and Trust Subsidiaries, etc.), and the total voting rights held by the Insurance Company's Securities Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Banking Subsidiaries, etc., Securities Subsidiaries, etc. and Trust Subsidiaries, etc.), and the total voting rights held by the Insurance Company's Trust Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Banking Subsidiaries, etc., Securities Subsidiaries, etc. and Trust Subsidiaries, etc.);

ロ　銀行専門関連業務及び証券専門関連業務のいずれも営むもの（イに掲げるものを除く。）　当該会社の議決権について、当該保険会社の銀行子会社等が合算して、当該保険会社又はその子会社（銀行子会社等及び証券子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有し、かつ、当該保険会社の証券子会社等が合算して、当該保険会社又はその子会社（銀行子会社等及び証券子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有しているもの

(b) Companies which operate Specialized Banking-Related Services and Specialized Securities-Related Services (excluding those falling under the category listed in (a)): limited to the case where, among all voting rights in the company, the total voting rights held by the Insurance Company's Banking Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Banking Subsidiaries, etc. and Securities Subsidiaries, etc.), and the total voting rights held by the Insurance Company's Securities Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Banking Subsidiaries, etc. and Securities Subsidiaries, etc.);

ハ　銀行専門関連業務及び信託専門関連業務のいずれも営むもの（イに掲げるものを除く。）　当該会社の議決権について、当該保険会社の銀行子会社等が合算して、当該保険会社又はその子会社（銀行子会社等及び信託子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有し、かつ、当該保険会社の信託子会社等が合算して、当該保険会社又はその子会社（銀行子会社等及び信託子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有しているもの

(c) Companies which operate Specialized Banking-Related Services and Specialized Trust-Related Services (excluding those falling under the category listed in (a)): limited to the case where, among all voting rights in the company, the total voting rights held by the Insurance Company's Banking Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Banking Subsidiaries, etc. and Trust Subsidiaries, etc.), and the total voting rights held by the Insurance Company's Trust Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Banking Subsidiaries, etc. and Trust Subsidiaries, etc.);

ニ　証券専門関連業務及び信託専門関連業務のいずれも営むもの（イに掲げるものを除く。）　当該会社の議決権について、当該保険会社の証券子会社等が合算して、当該保険会社又はその子会社（証券子会社等及び信託子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有し、かつ、当該保険会社の信託子会社等が合算して、当該保険会社又はその子会社（証券子会社等及び信託子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有しているもの

(d) Companies which operate Specialized Securities-Related Services and a Specialized Trust-Related Services (excluding those falling under the category listed in (a)): limited to the case where, among all voting rights in the company, the total voting rights held by the Insurance Company's Securities Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Securities Subsidiaries, etc. and Trust Subsidiaries, etc.), and the total voting rights held by the Insurance Company's Trust Subsidiaries, etc. exceeds the total voting rights held by the Insurance Company and its Subsidiaries (other than its Securities Subsidiaries, etc. and Trust Subsidiaries, etc.);

ホ　銀行専門関連業務を営むもの（イ、ロ及びハに掲げるものを除く。）　当該会社の議決権について、当該保険会社の銀行子会社等が合算して、当該保険会社又はその子会社（銀行子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有しているもの

(e) Companies which operate Specialized Banking-Related Services (excluding those falling under the category listed in (a), (b) or (c)): limited to the case where, among all voting rights in the company, the total voting rights held by the Insurance Company's Banking Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Banking Subsidiaries, etc.);

ヘ　証券専門関連業務を営むもの（イ、ロ及びニに掲げるものを除く。）　当該会社の議決権について、当該保険会社の証券子会社等が合算して、当該保険会社又はその子会社（証券子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有しているもの

(f) Companies which operate Specialized Securities-Related Services (other than a company falling under (a), (b) or (d)): limited to the case where among all voting rights in the company, the total voting rights held by the Insurance Company's Securities Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Securities Subsidiaries, etc.); and

ト　信託専門関連業務を営むもの（イ、ハ及びニに掲げるものを除く。）　当該会社の議決権について、当該保険会社の信託子会社等が合算して、当該保険会社又はその子会社（信託子会社等を除く。）が合算して保有する当該会社の議決権の数を超えて保有しているもの

(g) Companies which operate Specialized Trust-Related Services (excluding those falling under the category listed in (a), (c) or (d)); limited to the case where, among all voting rights in the company, the total voting rights held by the Insurance Company's Trust Subsidiaries, etc. exceed the total voting rights held by the Insurance Company and its Subsidiaries (other than its Trust Subsidiaries, etc.);

十三　新たな事業分野を開拓する会社又は経営の向上に相当程度寄与すると認められる新たな事業活動を行う会社として内閣府令で定める会社（当該会社の議決権を、当該保険会社又はその子会社のうち前号に掲げる会社で内閣府令で定めるもの（次条第七項において「特定子会社」という。）以外の子会社が、合算して、同条第一項に規定する基準議決権数を超えて保有していないものに限る。）

(xiii) Companies specified by Cabinet Office Ordinance as those exploring new business fields or conducting new business activities found to contribute considerably to the improvement of management (limited to the case where, among all voting rights in the company, the total voting rights held by the Insurance Company and its Subsidiaries other than those falling under the categories listed in the preceding item and specified by Cabinet Office Ordinance (such excluded companies shall be referred to as "Specified Subsidiary" in paragraph (7) of the following Article) does not exceed the Voting Right Holding Threshold prescribed in paragraph (1) of the same Article); and

十四　前各号に掲げる会社のみを子会社とする持株会社で内閣府令で定めるもの（当該持株会社になることを予定している会社を含む。）

(xiv) Among Holding Companies whose Subsidiaries consist exclusively of companies falling under any of the categories specified in the preceding items, those specified by Cabinet Office Ordinance (including those which are scheduled to become such Holding Companies).

２　前項において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

(2) In the preceding paragraph, the meanings of the terms listed in the following items shall be prescribed respectively in those items:

一　従属業務　保険会社又は前項第二号の二から第十一号までに掲げる会社の行う業務に従属する業務として内閣府令で定めるもの

(i) Dependent Services: Business specified by Cabinet Office Ordinance as being dependent on the business of an Insurance Company or a company falling under any of item (ii)-2 to (xi) inclusive of the preceding paragraph;

二　金融関連業務　保険業、銀行業、有価証券関連業又は信託業に付随し、又は関連する業務として内閣府令で定めるもの

(ii) Finance-Related Services: Business specified by Cabinet Office Ordinance as being incidental or related to the Insurance Business, Banking, Securities Services or Trust Business;

三　銀行専門関連業務　専ら銀行業に付随し、又は関連する業務として内閣府令で定めるもの

(iii) Specialized Banking-Related Services: Business specified by Cabinet Office Ordinance as incidental or related exclusively to Banking;

四　証券専門関連業務　専ら有価証券関連業に付随し、又は関連する業務として内閣府令で定めるもの

(iv) Specialized Securities-Related Services: Business specified by Cabinet Office Ordinance as being incidental or related exclusively to the Securities Services;

五　信託専門関連業務　専ら信託業に付随し、又は関連する業務として内閣府令で定めるもの

(v) Specialized Trust-Related Services: Business specified by Cabinet Office Ordinance as being incidental or related exclusively to the Trust Business.

六　銀行子会社等　保険会社の子会社である次に掲げる会社

(vi) Banking Subsidiary, etc.: An Insurance Company's Subsidiary that falls under any of the following categories:

イ　銀行（長期信用銀行を含む。以下この号において同じ。）又は銀行業を営む外国の会社

(a) A Bank (including a Long Term Credit Bank; hereinafter the same shall apply in this item) or a foreign company that operates in banking;

ロ　イに掲げる会社を子会社とする前項第十四号に掲げる持株会社

(b) A Holding Company falling under item (xiv) of the preceding paragraph which has a company falling under (a) as its Subsidiary; or

ハ　その他の会社であって、当該保険会社の子会社である銀行の子会社のうち内閣府令で定めるもの

(c) Any other company that is the Subsidiary of a Bank that is itself a Subsidiary of an Insurance Company and specified by Cabinet Office Ordinance;

七　証券子会社等　保険会社の子会社である次に掲げる会社

(vii) Securities Subsidiary, etc.: An Insurance Company's Subsidiary that falls under any of the following categories:

イ　証券専門会社、証券仲介専門会社又は有価証券関連業を行う外国の会社

(a) A Company Specializing in Securities, Company Specializing in Securities Intermediation, or foreign company engaged in Securities Services;

ロ　イに掲げる会社を子会社とする前項第十四号に掲げる持株会社

(b) A Holding Company that falls under the category listed in item (xiv) of the preceding paragraph and which has a company that falls under the category listed in (a) above as its Subsidiary; and

ハ　その他の会社であって、当該保険会社の子会社である証券専門会社又は証券仲介専門会社の子会社のうち内閣府令で定めるもの

(c) Any other company that is a Subsidiary of that Insurance Company and that is a Subsidiary of a Company Specializing in Securities or a Subsidiary of a Company Specializing in Securities Intermediation and is specified by Cabinet Office Ordinance; and

八　信託子会社等　保険会社の子会社である次に掲げる会社

(viii) Trust Subsidiary, etc.: An Insurance Company's Subsidiary that falls under any of the following categories:

イ　金融機関の信託業務の兼営等に関する法律第一条第一項（兼営の認可）の認可を受けて信託業務を営む銀行（以下この号において「信託兼営銀行」という。）

(a) A Bank that operates in the Trust Business under the authorization set forth in Article 1, paragraph (1) (Authorization for Trust Business) of the Act on the Provision, etc. of Trust Business by Financial Institutions (hereinafter referred to as "Trust Bank" in this item);

ロ　信託専門会社又は信託業を営む外国の会社

(b) A Company Specialized in Trust Business or a foreign company that operates in the Trust Business;

ハ　イ又はロに掲げる会社を子会社とする前項第十四号に掲げる持株会社

(c) A Holding Company that falls under the category listed in item (xiv) of the preceding paragraph and which has a company that falls under the category listed in (a) or (b) above as its Subsidiary; and

ニ　その他の会社であって、当該保険会社の子会社である信託兼営銀行又は信託専門会社の子会社のうち内閣府令で定めるもの

(d) Any other company that is a Subsidiary of that Insurance Company and that is a Subsidiary of a Trust Bank or a Subsidiary of a Company Specialized in Trust Services and is specified by Cabinet Office Ordinance.

３　第一項の規定は、子会社対象会社以外の会社が、保険会社又はその子会社の担保権の実行による株式又は持分の取得その他の内閣府令で定める事由により当該保険会社の子会社となる場合には、適用しない。ただし、当該保険会社は、その子会社となった会社が当該事由の生じた日から一年を経過する日までに子会社でなくなるよう、所要の措置を講じなければならない。

(3) The provisions of paragraph (1) shall not apply where a company other than a Company Eligible to Be a Subsidiary became the Subsidiary of that Insurance Company following any of the events specified by Cabinet Office Ordinance, such as the acquisition of shares or equity interests as a result of the exercise of security rights by the Insurance Company or its Subsidiaries; provided, however, that the Insurance Company shall take necessary measures for making the company, which became to its Subsidiary in a manner as described as above, cease to be its Subsidiary by the day on which one year has elapsed from the date on which that event arose.

４　保険会社は、子会社対象会社のうち、第一項第一号から第十二号まで又は第十四号に掲げる会社（従属業務（第二項第一号に掲げる従属業務をいう。以下この項及び第七項において同じ。）又は保険業に付随し、若しくは関連する業務として内閣府令で定めるものを専ら営む会社（従属業務を営む会社にあっては、主として当該保険会社の営む業務のためにその業務を営んでいる会社に限る。）を除く。以下この条及び次条第四項第一号において「子会社対象保険会社等」という。）を子会社としようとするときは、第百四十二条、第百六十七条第一項又は第百七十三条の六第一項の規定により事業の譲受け、合併又は会社分割の認可を受ける場合を除き、あらかじめ、内閣総理大臣の認可を受けなければならない。

(4) An Insurance Company shall, if it seeks to have as its Subsidiary any of the Companies Eligible to Be a Subsidiary listed in paragraph (1), items (i) to (xii) inclusive or (xiv) (other than a company specialized in Dependent Services (meaning Dependent Services falling under paragraph (2), item (i); hereinafter the same shall apply in this paragraph and paragraph (7)) or in any business specified by Cabinet Office Ordinance as ancillary or related to the Insurance Business (for a company operates Dependent Services, limited to one that operates them mainly for business operated by the Insurance Company); referred to as "Insurance Company, etc. Eligible to Be a Subsidiary" hereinafter in this Article as well as in paragraph (4), item (i) of the following Article), obtain in advance the authorization from the Prime Minister, unless it receives an authorization for business acquisition, merger or company split under Article 142, Article 167, paragraph (1) or Article 173-6, paragraph (1).

５　前項の規定は、子会社対象保険会社等が、保険会社又はその子会社の担保権の実行による株式又は持分の取得その他の内閣府令で定める事由により当該保険会社の子会社となる場合には、適用しない。ただし、当該保険会社は、その子会社となった子会社対象保険会社等を引き続き子会社とすることについて内閣総理大臣の認可を受けた場合を除き、当該子会社対象保険会社等が当該事由の生じた日から一年を経過する日までに子会社でなくなるよう、所要の措置を講じなければならない。

(5) The provisions of the preceding paragraph shall not apply where an Insurance Company, etc. Eligible to Be a Subsidiary became the Subsidiary of an Insurance Company due to the acquisition of its shares or equity interests as a result of the exercise of security rights by the Insurance Company or its Subsidiary, or any other justifiable event specified by Cabinet Office Ordinance; provided, however, that the Insurance Company shall take necessary measures for the Insurance Company, etc. Eligible to Be a Subsidiary to stop being its Subsidiary by the day on which one year has elapsed from the date on which the cause arose, unless the Insurance Company has obtained an authorization from the Prime Minister to allow the Insurance Company etc. Eligible to Be a Subsidiary that became its Subsidiary, continue to be its Subsidiary.

６　第四項の規定は、保険会社が、その子会社としている第一項各号に掲げる会社を当該各号のうち他の号に掲げる会社（子会社対象保険会社等に限る。）に該当する子会社としようとするときについて準用する。

(6) The provisions of paragraph (4) shall apply mutatis mutandis to the cases where an Insurance Company seeks make a company it has as its Subsidiary which falls under any of the categories prescribed in the items of paragraph (1) into a Subsidiary that falls under any of the categories prescribed in the items of that paragraph (limited to an Insurance Company, etc. Eligible to Be a Subsidiary).

７　第一項第十二号又は第四項の場合において、会社が主として保険会社、その子会社その他これらに類する者として内閣府令で定めるもの又は保険会社の行う業務のために従属業務を営んでいるかどうかの基準は、内閣総理大臣が定める。

(7) In a case falling under item (xii) of paragraph (1), or paragraph (4), the Prime Minister shall establish standards for whether a company is operating Dependent Services mainly for an Insurance Company, its Subsidiaries, any other similar company specified by Cabinet Office Ordinance, or for the business conducted by an Insurance Company.

（保険会社等による議決権の取得等の制限）

(Restrictions on the Acquisition of Voting Rights, etc. by an Insurance Company, etc.)

第百七条　保険会社又はその子会社は、国内の会社（前条第一項第一号から第七号まで、第十二号及び第十四号に掲げる会社を除く。以下この条において同じ。）の議決権については、合算して、その基準議決権数（当該国内の会社の総株主等の議決権に百分の十を乗じて得た議決権の数をいう。以下この条において同じ。）を超える議決権を取得し、又は保有してはならない。

Article 107 (1) An Insurance Company and its Subsidiaries may not acquire or hold voting rights in a Domestic Company (excluding companies falling under the category listed in paragraph (1), items (i) to (vii) inclusive of the preceding Article, (xii) or (xiv) ; hereinafter the same shall apply in this Article) in a total number that exceeds the Voting Right Holding Threshold (meaning the number equal to 5 percent of All Shareholders' Voting Rights, etc. in the Domestic Company; the same shall apply in this Article).

２　前項の規定は、保険会社又はその子会社が、担保権の実行による株式又は持分の取得その他の内閣府令で定める事由により、国内の会社の議決権をその基準議決権数を超えて取得し、又は保有することとなる場合には、適用しない。ただし、当該保険会社又はその子会社は、合算してその基準議決権数を超えて取得し、又は保有することとなった部分の議決権については、当該保険会社があらかじめ内閣総理大臣の承認を受けた場合を除き、その取得し、又は保有することとなった日から一年を超えてこれを保有してはならない。

(2) The provisions of the preceding paragraph shall not apply to the cases where an Insurance Company and its Subsidiaries, following any of the events specified by Cabinet Office Ordinance such as the acquisition of shares or equity interests through exercise of security rights, comes to acquire or hold voting rights in a Domestic Company if the total number of the voting right held by the Insurance Company and its Subsidiaries exceeds the Voting Right Holding Threshold; provided, however, that the Insurance Company and/or the Subsidiaries shall not continue to hold the part of the voting rights which it came to acquire or hold in excess of the Voting Right Holding Threshold after one year from the day on which it came to acquire or hold the voting rights, unless the Insurance Company has in advance obtained approval for holding such portion of the voting rights from the Prime Minister.

３　前項ただし書の場合において、内閣総理大臣がする同項の承認の対象には、保険会社又はその子会社が国内の会社の議決権を合算してその総株主等の議決権の百分の五十を超えて取得し、又は保有することとなった議決権のうち当該百分の五十を超える部分の議決権は含まれないものとし、内閣総理大臣が当該承認をするときは、保険会社又はその子会社が合算してその基準議決権数を超えて取得し、又は保有することとなった議決権のうちその基準議決権数を超える部分の議決権を速やかに処分することを条件としなければならない。

(3) In the case referred to in the proviso in the preceding paragraph, if the total number of voting rights acquired or held by the Insurance Company and its Subsidiaries exceeds 50 percent of All Shareholders' Voting Rights, etc. in a Domestic Company, the Prime Minister's approval given under that paragraph shall not cover the part of the voting rights which the Insurance Company and its Subsidiaries came to acquire or hold in excess of 50 percent; and the approval of the Prime Minister shall be given on the condition that the Insurance Company and its Subsidiaries promptly dispose of voting rights they came to acquire or hold in excess of the Voting Right Holding Threshold.

４　保険会社又はその子会社は、次の各号に掲げる場合には、第一項の規定にかかわらず、当該各号に定める日に保有することとなる国内の会社の議決権がその基準議決権数を超える場合であっても、同日以後、当該議決権をその基準議決権数を超えて保有することができる。ただし、内閣総理大臣は、保険会社又はその子会社が、次の各号に掲げる場合に国内の会社の議決権を合算してその総株主等の議決権の百分の五十を超えて保有することとなるときは、当該各号に規定する認可（第三号に該当する場合には、免許。次項において同じ。）をしてはならない。

(4) Notwithstanding the provisions of paragraph (1), in the case listed in any of the following items, even if the total number of voting rights which an Insurance Company and its Subsidiaries will hold in a Domestic Company on the day prescribed in the respective items exceeds the Voting Right Holding Threshold, the Insurance Company and its Subsidiaries may hold them after that day; provided, however, that the Prime Minister shall not grant the authorization (or the license in the case of item (vi); the same shall apply in the next paragraph) referred to in the following items, if the total number voting rights that the relevant Insurance Company and its Subsidiaries will hold in the Domestic Company in the case referred to in the respective items exceeds 50 percent of All Shareholders' Voting Rights, etc. in that Domestic Company:

一　前条第四項の認可を受けて当該保険会社が子会社対象保険会社等を子会社としたとき（内閣府令で定める場合に限る。）。　その子会社とした日

(i) If the Insurance Company has received the authorization set forth in paragraph (4) of the preceding Article and made a Subsidiary Insurance Company, etc. that is Eligible to Be a Subsidiary its Subsidiary (limited to the cases specified by Cabinet Office Ordinance): the day on which that company becomes its Subsidiary

二　当該保険会社が第百四十二条の認可を受けて事業の譲受けをしたとき（内閣府令で定める場合に限る。）。　その事業の譲受けをした日

(ii) If the Insurance Company has received the authorization set forth in Article 142 and been transferred any other party's business under (limited to the cases specified by Cabinet Office Ordinance): the day on which the transfer is carried out;

三　第百七十三条の六第一項の認可を受けて共同新設分割（法人が他の法人と共同してする新設分割をいう。）により設立された会社が第三条第一項の免許を受けて当該保険会社になったとき。　その免許を受けた日

(iii) If a company that has been established by Joint Incorporation-Type Split following authorization under Article 173-6, paragraph (1) has obtained a license under Article 3, paragraph (1) and become an Insurance Company: the day companion which it obtains the license;

四　当該保険会社が第百七十三条の六第一項の認可を受けて吸収分割により事業を承継したとき（内閣府令で定める場合に限る。）。　その吸収分割をした日

(iv) If the Insurance Company has succeeded any other party's business through an absorption-type split following authorization set forth in Article 173-6, paragraph (1) (limited to the cases specified by Cabinet Office Ordinance): the day on which the absorption-type split is carried out;

五　第百六十七条第一項の認可を受けて当該保険会社が合併により設立されたとき。　その設立された日

(v) If the Insurance Company is established by Merger under the authorization set forth in Article 167, paragraph (1): the day on which the Insurance Company is established; and

六　当該保険会社が第百六十七条第一項の認可を受けて合併をしたとき（当該保険会社が存続する場合に限る。）。　その合併をした日

(vi) If the Insurance Company carries out a Merger under the authorization set forth in Article 167, paragraph (1) (limited to the cases where the Insurance Company survives the merger): the day on which the Merger is carried out.

５　内閣総理大臣は、前項各号に規定する認可をするときは、当該各号に定める日に保険会社又はその子会社が合算してその基準議決権数を超えて保有することとなる国内の会社の議決権のうちその基準議決権数を超える部分の議決権を、同日から五年を経過する日までに内閣総理大臣が定める基準に従って処分することを条件としなければならない。

(5) The Prime Minister's authorization set forth in the items of the preceding paragraph shall be given on the condition that, the portion of the voting rights in the Domestic Company that an Insurance Company and its Subsidiaries hold in excess of the Voting Right Holding Threshold as of the day specified in the respective items will be disposed of in accordance with standards set by the Prime Minister by the day on which five years has elapsed from the day.

６　保険会社又はその子会社が、国内の会社の議決権を合算してその基準議決権数を超えて保有することとなった場合には、その超える部分の議決権は、当該保険会社が取得し、又は保有するものとみなす。

(6) If an Insurance Company and its Subsidiaries come to hold a total number of voting rights in a Domestic Company which is in excess of the Voting Right Holding Threshold, the portion in excess of the Voting Right Holding Threshold shall be deemed to be acquired or held by that Insurance Company.

７　前各項の場合において、新たな事業分野を開拓する会社又は経営の向上に相当程度寄与すると認められる新たな事業活動を行う会社として内閣府令で定める会社の議決権の取得又は保有については、特定子会社は、保険会社の子会社に該当しないものとみなす。

(7) In the cases of the referred to in the preceding paragraphs, with respect to acquisition or holding of voting rights in a company specified by Cabinet Office Ordinance as that exploring new business fields or as those engaged in new business activities which are found to significantly contribute to improvement of business management, a Specified Subsidiary shall be deemed not to be a Subsidiary of the Insurance Company.

８　第二条第十五項の規定は、前各項の場合において保険会社又はその子会社が取得し、又は保有する議決権について準用する。

(8) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the voting rights acquired or held by an Insurance Company or its Subsidiaries under any of the preceding paragraphs.

第百八条　削除

Article 108 Deleted

第五章　経理

Chapter V Accounting

（事業年度）

(Business Year)

第百九条　保険会社の事業年度は、四月一日から翌年三月三十一日までとする。

Article 109 The Business Year of an Insurance Company shall run from 1 April to 31 March of the next year.

（業務報告書等）

(Business Report, etc.)

第百十条　保険会社は、事業年度ごとに、業務及び財産の状況を記載した中間業務報告書及び業務報告書を作成し、内閣総理大臣に提出しなければならない。

Article 110 (1) An Insurance Company shall, for each business year, prepare an interim business report and business report describing the status of its business and property for submission to the Prime Minister.

２　保険会社が子会社その他の当該保険会社と内閣府令で定める特殊の関係のある会社（以下この章及び次章において「子会社等」という。）を有する場合には、当該保険会社は、事業年度ごとに、前項の報告書のほか、当該保険会社及び当該子会社等の業務及び財産の状況を連結して記載した中間業務報告書及び業務報告書を作成し、内閣総理大臣に提出しなければならない。

(2) Where an Insurance Company has a Subsidiary or any other company to which it is specially related as specified by Cabinet Office Ordinance (referred to as "Subsidiary Company, etc." hereinafter in this Chapter as well as in the following Chapter), the Insurance Company shall, for each business year, prepare in addition to the report set forth in the preceding paragraph an interim business report and business report describing the status of the business and property of the Insurance Company and its Subsidiary, etc. in a consolidated manner for submission to the Prime Minister.

３　前二項の報告書の記載事項、提出期日その他これらの報告書に関し必要な事項は、内閣府令で定める。

(3) The particulars for inclusion in the reports set forth in the preceding two paragraphs, their submission dates and other necessary particulars regarding those reports shall be specified by Cabinet Office Ordinance.

（業務及び財産の状況に関する説明書類の縦覧等）

(Public Inspection, etc. of Explanatory Documents on Business and Property Status)

第百十一条　保険会社は、事業年度ごとに、業務及び財産の状況に関する事項として内閣府令で定めるものを記載した説明書類を作成し、本店又は主たる事務所及び支店又は従たる事務所その他これらに準ずる場所として内閣府令で定める場所に備え置き、公衆の縦覧に供しなければならない。

Article 111 (1) An Insurance Company shall, for each business year, prepare explanatory documents detailing the particulars specified by Cabinet Office Ordinance as pertaining to the status of its business and property, and keep them for public inspection at its head office or principal office and branch offices or secondary offices, or any other equivalent place specified by Cabinet Office Ordinance.

２　保険会社が子会社等を有する場合には、当該保険会社は、事業年度ごとに、前項の説明書類のほか、当該保険会社及び当該子会社等の業務及び財産の状況に関する事項として内閣府令で定めるものを当該保険会社及び当該子会社等につき連結して記載した説明書類を作成し、当該保険会社の本店又は主たる事務所及び支店又は従たる事務所その他これらに準ずる場所として内閣府令で定める場所に備え置き、公衆の縦覧に供しなければならない。

(2) If an Insurance Company has a Subsidiary, etc., the Insurance Company shall, for each business year, prepare in addition to the explanatory documents set forth in the preceding paragraph explanatory documents detailing, with regard to the Insurance Company and its Subsidiary, etc., the particulars specified by Cabinet Office Ordinance as pertaining to the status of the business and property of the Insurance Company and its Subsidiary, etc. in a consolidated manner, and keep them for public inspection at the Insurance Company's head office or principal office and its branch offices or secondary offices, or any other equivalent place specified by Cabinet Office Ordinance.

３　前二項に規定する説明書類は、電磁的記録をもって作成することができる。

(3) The explanatory documents set forth in the preceding two paragraphs may be prepared in the form of electromagnetic record.

４　第一項又は第二項に規定する説明書類が電磁的記録をもって作成されているときは、保険会社の本店又は主たる事務所及び支店又は従たる事務所その他これらに準ずる場所として内閣府令で定める場所において当該電磁的記録に記録された情報を電磁的方法により不特定多数の者が提供を受けることができる状態に置く措置として内閣府令で定めるものをとることができる。この場合においては、第一項又は第二項に規定する説明書類を、第一項又は第二項の規定により備え置き、公衆の縦覧に供したものとみなす。

(4) Where the explanatory documents set forth in paragraph (1) or (2) are prepared in the form of electromagnetic record, the Insurance Company may take the measures specified by Cabinet Office Ordinance as measures to ensure that the information recorded in the electromagnetic records is available to many and unspecified persons at its head office or principal office and its branch offices or secondary offices, or any other equivalent place specified by Cabinet Office Ordinance. In this case, the explanatory documents set forth in paragraph (1) or (2) shall be deemed to be kept for public inspection pursuant to the provisions of paragraph (1) or (2).

５　前各項に定めるもののほか、第一項又は第二項に規定する書類を公衆の縦覧に供する期間その他前各項の規定の適用に関し必要な事項は、内閣府令で定める。

(5) In addition to what is provided for in the preceding paragraphs, the period for making the documents set forth in paragraph (1) or (2) available for public inspection and any other particular that is necessary in order to apply the provisions of the preceding paragraphs shall be specified by Cabinet Office Ordinance.

６　保険会社は、第一項又は第二項に規定する事項のほか、保険契約者その他の顧客が当該保険会社及びその子会社等の業務及び財産の状況を知るために参考となるべき事項の開示に努めなければならない。

(6) An Insurance Company shall endeavor to disclose, in addition to the particulars set forth in paragraph (1) or (2), any particular that should serve as reference for Policyholders and other customers in knowing the status of the business and property of the Insurance Company and its Subsidiary, etc.

（株式の評価の特例）

(Special Provisions on Valuation of Shares)

第百十二条　保険会社は、その所有する株式のうち市場価格のあるもの（第百十八条第一項に規定する特別勘定に属するものとして経理されたものを除く。以下この項において同じ。）の時価が当該株式の取得価額を超えるときは、内閣府令で定めるところにより、内閣総理大臣の認可を受けて、当該株式について取得価額を超え時価を超えない価額を付すことができる。

Article 112 (1) An Insurance Company may, if the current value of the quoted shares that it owns (excluding those shares which are accounted for under the Special Account set forth in Article 118, paragraph (1); hereinafter the same shall apply in this paragraph) exceeds the acquisition value of such shares, attach to the shares any value that exceeds their acquisition value but does not exceed their current value with the authorization of the Prime Minister, pursuant to the provisions of Cabinet Office Ordinance.

２　前項の規定による評価換えにより計上した利益は、内閣府令で定める準備金に積み立てなければならない。

(2) Any profit recorded as a result of revaluation under the preceding paragraph shall be set aside as a Reserve specified by Cabinet Office Ordinance.

（事業費等の償却）

(Amortization of Business Expenditures, etc.)

第百十三条　保険会社は、当該保険会社の成立後の最初の五事業年度の事業費に係る金額その他内閣府令で定める金額を、貸借対照表の資産の部に計上することができる。この場合において、当該保険会社は、定款で定めるところにより、当該計上した金額を当該保険会社の成立後十年以内に償却しなければならない。

Article 113 An Insurance Company may credit to the assets on the balance sheet an amount pertaining to its business expenditures for the first five years following the establishment of the Insurance Company as well as any other amount specified by Cabinet Office Ordinance. In this case, the Insurance Company shall, pursuant to the provisions of its articles of incorporation, amortize the amount thus credited within ten years from the establishment of the Insurance Company.

（契約者配当）

(Policy Dividend)

第百十四条　保険会社である株式会社は、契約者配当（保険契約者に対し、保険料及び保険料として収受する金銭を運用することによって得られる収益のうち、保険金、返戻金その他の給付金の支払、事業費の支出その他の費用に充てられないものの全部又は一部を分配することを保険約款で定めている場合において、その分配をいう。以下同じ。）を行う場合は、公正かつ衡平な分配をするための基準として内閣府令で定める基準に従い、行わなければならない。

Article 114 (1) Any policy dividend (meaning the distribution to Policyholders, in whole or in Part, of those profits obtained by investing insurance premiums and the money received as insurance premiums which have neither been allocated to any payments such as insurance proceeds or refunds, nor to any business or other expenditures, where such distribution is stipulated in the insurance contracts, the same shall apply hereinafter) distributed by a stock Insurance Company shall meet the standards specified by Cabinet Office Ordinance as standards for fair and equitable distribution.

２　契約者配当に充てるための準備金の積立てその他契約者配当に関し必要な事項は、内閣府令で定める。

(2) A Cabinet Office Ordinance shall specified how to fund the reserves for policy dividends as well as any other necessary particular pertaining to Policyholder dividends.

（価格変動準備金）

(Price Fluctuation Reserve)

第百十五条　保険会社は、その所有する株式その他の価格変動による損失が生じ得るものとして内閣府令で定める資産（次項において「株式等」という。）について、内閣府令で定めるところにより計算した金額を価格変動準備金として積み立てなければならない。ただし、その全部又は一部の金額について積立てをしないことについて内閣総理大臣の認可を受けた場合における当該認可を受けた金額については、この限りでない。

Article 115 (1) An Insurance Company shall, with regard to the assets specified by Cabinet Office Ordinance as susceptible to losses due to price fluctuation, such as shares (referred to as "Shares, etc." in the following paragraph), within its portfolio, set aside as a price fluctuation reserves the amount calculated pursuant to the provisions of Cabinet Office Ordinance; provided, however, that this shall not apply to any amount exempted from these funding standards by virtue of an authorization granted by the Prime Minister to relieve the Insurance Company of these standards in whole or in part.

２　前項の準備金は、株式等の売買等による損失（売買、評価換え及び外国為替相場の変動による損失並びに償還損をいう。）の額が株式等の売買等による利益（売買、評価換え及び外国為替相場の変動による利益（第百十二条第一項の規定による評価換えにより計上した利益を除く。）並びに償還益をいう。）の額を超える場合においてその差額のてん補に充てる場合を除くほか、取り崩してはならない。ただし、内閣総理大臣の認可を受けたときは、この限りでない。

(2) The Reserves set forth in the preceding paragraph shall not be reduced unless it is allocated to compensation for any excess amount of the losses due to buying and selling, etc. of Shares, etc. (meaning losses due to buying and selling, revaluation and fluctuation in foreign exchange rates, and losses on redemption) over the profits due to buying and selling, etc. of Shares, etc. (meaning profits due to buying and selling, revaluation and fluctuation in foreign exchange rates (excluding any profit credited as a result of revaluation under Article 112, paragraph (1)), and gains on redemption); provided, however, that this shall not apply to the cases where the Prime Minister has approved such reduction.

（責任準備金）

(Policy Reserve)

第百十六条　保険会社は、毎決算期において、保険契約に基づく将来における債務の履行に備えるため、責任準備金を積み立てなければならない。

Article 116 (1) An Insurance Company shall, for each accounting period, set aside a certain amount of money as a policy reserves to prepare for future performance of obligations under its insurance contracts.

２　長期の保険契約で内閣府令で定めるものに係る責任準備金の積立方式及び予定死亡率その他の責任準備金の計算の基礎となるべき係数の水準については、内閣総理大臣が必要な定めをすることができる。

(2) The Prime Minister may set necessary standards for the method of funding the policy reserves pertaining to the long-term insurance contracts specified by Cabinet Office Ordinance, as well as for the levels of the coefficients that should constitute the basis for calculating the amount of the policy reserve, such as expected mortality.

３　前二項に定めるもののほか、保険契約を再保険に付した場合における当該保険契約に係る責任準備金の積立方法その他責任準備金の積立てに関し必要な事項は、内閣府令で定める。

(3) In addition to what is provided for in the preceding two paragraphs, the method of funding the policy reserves pertaining to any reinsured insurance contract and any other particular necessary to the funding of the policy reserves shall be specified by Cabinet Office Ordinance.

（支払備金）

(Reserve for Outstanding Claims)

第百十七条　保険会社は、毎決算期において、保険金、返戻金その他の給付金（以下「保険金等」という。）で、保険契約に基づいて支払義務が発生したものその他これに準ずるものとして内閣府令で定めるものがある場合において、保険金等の支出として計上していないものがあるときは、支払備金を積み立てなければならない。

Article 117 (1) For each business year, an Insurance Company shall set aside a certain amount of money as reserves for outstanding claims, where it has any payments due, such as insurance proceeds or refunds (hereinafter referred to as "Insurance Proceeds, etc." in this paragraph), under its insurance contracts, or any other equivalent payment specified by Cabinet Office Ordinance that has not been recorded as an expenditure for Insurance Proceeds, etc.

２　前項の支払備金の積立てに関し必要な事項は、内閣府令で定める。

(2) A Cabinet Office Ordinance shall specify the necessary particulars of the funding of the reserves for outstanding claims set forth in the preceding paragraph.

（生命保険会社における保険契約者等の先取特権）

(Statutory Lien for Policyholders, etc. in Life Insurance Company)

第百十七条の二　生命保険会社にあっては、保険契約者（再保険に係る保険契約者を除く。）は被保険者のために積み立てた金額につき、次に掲げる権利（再保険に係る権利を除く。）を有する者はその権利の額につき、それぞれ当該生命保険会社の総財産の上に先取特権を有する。

Article 117-2 (1) In a Life Insurance Company, the Policyholders (excluding the holders of reinsurance policies) and the persons who have any of the following rights (excluding the rights pertaining to reinsurance) shall enjoy a statutory lien against the whole assets of the Life Insurance Company for the total amount of money paid for the insurers and for the amount of the relevant right, respectively:

一　保険金請求権

(i) Insurance Claims;

二　損害をてん補することを請求する権利（前号に掲げるものを除く。）

(ii) The right to demand compensation for losses (other than the right listed in the preceding item); or

三　返戻金、剰余金、契約者配当に係る配当金その他の給付金（保険金を除く。）を請求する権利

(iii) The right to demand a payment, such as refund, dividend of surplus or policy dividend (other than insurance proceeds).

２　前項の先取特権の順位は、民法第三百六条第一号（共益費用の先取特権）に掲げる先取特権に次ぐ。

(2) The statutory lien set forth in the preceding paragraph shall be ranked next in priority to the statutory lien set forth in Article 306, item (i) of the Civil Code (Statutory lien for expenses for common interest).

（特別勘定）

(Special Accounts)

第百十八条　保険会社は、運用実績連動型保険契約（その保険料として収受した金銭を運用した結果に基づいて保険金、返戻金その他の給付金を支払うことを保険契約者に約した保険契約をいう。）その他の内閣府令で定める保険契約について、当該保険契約に基づいて運用する財産をその他の財産と区別して経理するための特別の勘定（以下この条において「特別勘定」という。）を設けなければならない。

Article 118 (1) An Insurance Company shall, as regards performance-linked insurance contracts (meaning the insurance contracts stipulating that insurance proceeds, refunds or other benefits shall be paid to the Policyholders in accordance with the performance of investment of the money received as insurance premiums) and any other class of insurance contract specified by Cabinet Office Ordinance, create a Special Account to separate the property managed under such insurance contracts from other properties (hereinafter referred to as "Special Account" in this Article).

２　保険会社は、内閣府令で定める場合を除き、次に掲げる行為をしてはならない。

(2) Unless provided otherwise in Cabinet Office Ordinance, an Insurance Company shall not take any of the following actions:

一　特別勘定に属するものとして経理された財産を特別勘定以外の勘定又は他の特別勘定に振り替えること。

(i) Transferring any property to be accounted for under a Special Account to a Non-Special Account or to another Special Account; or

二　特別勘定に属するものとして経理された財産以外の財産を当該特別勘定に振り替えること。

(ii) Transferring to a Special Account any property other than a property to be accounted for under the Special Account.

３　特別勘定に属する財産の管理の方法その他特別勘定に関し必要な事項は、内閣府令で定める。

(3) A Cabinet Office Ordinance shall specify how to manage the property belonging to a Special Account and any other necessary particulars for Special Accounts.

第百十九条　削除

Article 119 Deleted

（保険計理人の選任等）

(Appointment of Actuary, etc.)

第百二十条　保険会社（生命保険会社及び内閣府令で定める要件に該当する損害保険会社に限る。第三項及び第百二十二条において同じ。）は、取締役会において保険計理人を選任し、保険料の算出方法その他の事項に係る保険数理に関する事項として内閣府令で定めるものに関与させなければならない。

Article 120 (1) The board of directors of an Insurance Company (limited to a Life Insurance Company or a Non-Life Insurance Company meeting the requirements specified by Cabinet Office Ordinance. The same shall apply in the paragraph (3) and in Article 122) shall appoint an actuary to Participate with regard to the particulars specified by Cabinet Office Ordinance as actuarial particulars involving, among others, the method of calculating insurance premiums.

２　保険計理人は、保険数理に関して必要な知識及び経験を有する者として内閣府令で定める要件に該当する者でなければならない。

(2) The actuary shall be a person with necessary knowledge and experience with regard to actuarial science who meets the requirements specified by Cabinet Office Ordinance.

３　保険会社は、保険計理人を選任したとき、又は保険計理人が退任したときは、内閣府令で定めるところにより、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(3) An Insurance Company shall, if it has appointed an actuary or if its actuary has left office, notify the Prime Minister of this without delay, pursuant to the provisions of Cabinet Office Ordinance.

（保険計理人の職務）

(Actuary's Duties)

第百二十一条　保険計理人は、毎決算期において、次に掲げる事項について、内閣府令で定めるところにより確認し、その結果を記載した意見書を取締役会に提出しなければならない。

Article 121 (1) The actuary shall, for each accounting period, check the following particulars pursuant to the provisions of Cabinet Office Ordinance and submit to the board of directors a written opinion describing his/her findings:

一　内閣府令で定める保険契約に係る責任準備金が健全な保険数理に基づいて積み立てられているかどうか。

(i) Whether the policy reserves pertaining to the insurance contracts specified by Cabinet Office Ordinance has been funded according to sound actuarial practice;

二　契約者配当又は社員に対する剰余金の分配が公正かつ衡平に行われているかどうか。

(ii) Whether policy dividends or dividends of surplus to members have been distributed in a fair and equitable manner; and

三　その他内閣府令で定める事項

(iii) Any other particular specified by Cabinet Office Ordinance.

２　保険計理人は、前項の意見書を取締役会に提出した後、遅滞なく、その写しを内閣総理大臣に提出しなければならない。

(2) The actuary shall, without delay following the submission to the board of directors of the written opinion set forth in the preceding paragraph, submit a copy of the written opinion to the Prime Minister.

３　内閣総理大臣は、保険計理人に対し、前項の意見書の写しについてその説明を求め、その他その職務に属する事項について意見を求めることができる。

(3) The Prime Minister may request the actuary to provide explanations about the copy of his/her written opinion set forth in the preceding paragraph and to present an opinion on any other particular within the scope of his/her duties.

４　前三項に定めるもののほか、第一項の意見書に関し必要な事項は、内閣府令で定める。

(4) In addition to what is provided for in the preceding three paragraphs, any necessary particulars of a written opinion as set forth in paragraph (1) shall be specified by Cabinet Office Ordinance.

（保険計理人の解任）

(Dismissal of Actuary)

第百二十二条　内閣総理大臣は、保険計理人が、この法律又はこの法律に基づく内閣総理大臣の処分に違反したときは、当該保険会社に対し、その解任を命ずることができる。

Article 122 The Prime Minister may order an Insurance Company to dismiss its actuary, if the latter has violated any provisions of this Act or any dispositions of the Prime Minister under this Act.

（指定等）

(Designation, etc.)

第百二十二条の二　内閣総理大臣は、一般社団法人であって、次項に規定する業務に関し次に掲げる基準に適合すると認められるものを、その申請により、同項に規定する業務を行う者として指定することができる。

Article 122-2 (1) The Prime Minister may, on application, designate a general incorporated association that he/she considers to conform to the following standards regarding the business set forth in the following paragraph as a person to conduct such business:

一　業務を確実に遂行するに足りる経理的及び技術的な基礎を有すると認められること。

(i) The incorporated association is found to have sufficient accounting and technical expertise to ensure proper performance of its business; and

二　前号に定めるもののほか、業務を公正かつ適確に実施することができるものであること。

(ii) In addition to the standard set forth in the preceding item, the incorporated association has the ability to implement its business in a fair and appropriate manner.

２　前項の規定により指定された法人（以下この条において「指定法人」という。）は、次に掲げる業務を行うものとする。

(2) An incorporated association designated pursuant to the provisions of the preceding paragraph (hereinafter referred to as "Designated Association" in this Article) shall conduct any of the following business:

一　保険数理の専門的知識及び技能を有する者の養成及び研修を行うこと。

(i) Developing and training persons with expert knowledge and skills on actuarial science;

二　保険数理に関し、必要な調査研究を行い、統計を作成し、資料を収集し、又は情報の提供を行うこと。

(ii) Conducting necessary research and study, preparing statistics, collecting data, or providing information regarding actuarial science;

三　第百十六条第二項に規定する責任準備金の計算の基礎となるべき係数の水準その他の保険数理に関する事項に係る業務であって、内閣総理大臣から委託を受けたものを行うこと。

(iii) Any business involving the levels of coefficients that should constitute the basis for calculating the amount of the policy reserves set forth in Article 116, paragraph (2) or pertaining to any other actuarial particular, with which the Prime Minister has entrusted it; or

四　前三号に掲げる業務に附帯する業務

(iv) Business incidental to any of the business listed in the preceding three items.

３　内閣総理大臣は、前項に規定する業務の運営に関し改善が必要であると認めるときは、指定法人に対し、その改善に必要な措置をとるべきことを命ずることができる。

(3) The Prime Minister may, if he/she finds that an improvement is required in the operation of business set forth in the preceding paragraph, order the Designated Association to take necessary measures for such improvement.

４　内閣総理大臣は、第二項に規定する業務の適正な運営を確保するため必要があると認めるときは、指定法人に対し同項に規定する業務若しくは財産に関し必要な報告を求め、又はその職員に、指定法人の事務所に立ち入らせ、同項に規定する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。

(4) The Prime Minister may, if he/she finds it necessary for ensuring proper operation of business specified in paragraph (2), request the Designated Association to submit as necessary a report on the services under that paragraph or its property, or cause his/her officials to enter the Designated Association's offices, ask questions about the business provided for in that paragraph or its property or inspect its books and documents and other related materials.

５　内閣総理大臣は、指定法人が次の各号のいずれかに該当するときは、第一項の指定（第二号及び次項において「指定」という。）を取り消すことができる。

(5) The Prime Minister may rescind a designation under paragraph (1) (referred to as "Designation" in item (ii) and the following paragraph), if the Designated Association:

一　第二項に規定する業務を公正かつ適確に実施することができないと認められるとき。

(i) is found to be unable to implement its business under paragraph (2) in a fair and appropriate manner;

二　指定に関し不正の行為があったとき。

(ii) has committed any wrongful conduct in relation to the Designation; or

三　第三項の規定による命令に違反したとき。

(iii) has violated an order under paragraph (3).

６　前各項に定めるもののほか、指定の手続その他指定法人に関し必要な事項は、内閣府令で定める。

(6) In addition to what is provided for in the preceding paragraphs, the procedure of Designation and any other necessary particulars involving Designated Associations shall be specified by Cabinet Office Ordinance.

第六章　監督

Chapter VI Supervision

（事業方法書等に定めた事項の変更）

(Change of Particulars Prescribed in Statement of Business Procedures, etc.)

第百二十三条　保険会社は、第四条第二項第二号から第四号までに掲げる書類に定めた事項（保険契約者等の保護に欠けるおそれが少ないものとして内閣府令で定める事項を除く。）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 123 (1) An Insurance Company must obtain authorization from the Prime Minister if it seeks to modify the particulars prescribed in the documents listed in Article 4, paragraph (2), items (ii) to (iv) inclusive (except the particulars specified by Cabinet Office Ordinance as being not very likely to impair the protection of Policyholders, etc.).

２　保険会社は、前項に規定する書類に定めた事項を変更しようとする場合で、同項の内閣府令で定める事項を変更しようとするときは、あらかじめ当該変更しようとする旨を内閣総理大臣に届け出なければならない。

(2) An Insurance Company shall, if it seeks to modify the particulars specified by Cabinet Office Ordinance set forth in the preceding paragraph in the case where it seeks to modify the particulars prescribed in the documents prescribed in the same paragraph, notify the Prime Minister thereof in advance.

（事業方法書等に定めた事項の変更の認可）

(Authorization of Change of Particulars Prescribed in Statement of Business Procedures, etc.)

第百二十四条　内閣総理大臣は、前条第一項の認可の申請があったときは、次の各号に掲げる事項について、当該各号に定め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 124 Whenever an application has been filed for the authorization referred to in the preceding Article, paragraph (1), the Prime Minister shall examine whether the particulars set forth in each of the following items conform to the standards prescribed in the relevant item:

一　第四条第二項第二号及び第三号に掲げる書類に定めた事項　第五条第一項第三号イからホまでに掲げる基準

(i) particulars given in the documents listed in Article 4, paragraph (2), items (ii) and (iii): the standards set forth in Article 5, paragraph (1), item (iii), sub-items (a) to (e) inclusive; and

二　第四条第二項第四号に掲げる書類に定めた事項　第五条第一項第四号イからハまでに掲げる基準

(ii) particulars given in the documents listed in Article 4, paragraph (2), item (iv): the standards set forth in Article 5, paragraph (1), item (iv), sub-item (a) to (c) inclusive.

（事業方法書等に定めた事項の変更の届出等）

(Notification, etc. of Change of Particulars Prescribed in Statement of Business Procedures, etc.)

第百二十五条　第百二十三条第二項の規定による届出があった場合には、内閣総理大臣が当該届出を受理した日の翌日から起算して九十日を経過した日に、当該届出に係る変更があったものとする。

Article 125 (1) In the case where a notification under the provisions of Article 123, paragraph (2) is made, it shall be deemed that the change pertaining to said notification was made on the day on which ninety days have passed since the day immediately following the date on which the Prime Minister received said notification.

２　内閣総理大臣は、第百二十三条第二項の規定による届出に係る事項が第五条第一項第三号イからホまで又は第四号イからハまでに掲げる基準に適合していると認めるときは、前項に規定する期間を相当と認める期間に短縮することができる。この場合において、内閣総理大臣は、当該届出をした者に対し、遅滞なく、当該短縮後の期間を通知しなければならない。

(2) The Prime Minister may, if he/she finds that the particulars of a notification under the provisions of Article 123, paragraph (2) conform to the standards listed in Article 5, paragraph (1), item (iii), sub-item (a) to (e) inclusive of or item (iv), sub-item (a) to (c) inclusive, shorten the period of time prescribed in the preceding paragraph to a period of time found to be reasonable. In this case, the Prime Minister shall, without delay, give notice of the shortened period of time to the person that made said notification.

３　内閣総理大臣は、第百二十三条第二項の規定による届出に係る事項が第五条第一項第三号イからホまで又は第四号イからハまでに掲げる基準に適合するかどうかについて審査するため相当の期間を要し、当該審査が第一項に規定する期間内に終了しないと認める相当の理由があるときは、当該期間を相当と認める期間に延長することができる。この場合において、内閣総理大臣は、当該届出をした者に対し、遅滞なく、当該延長後の期間及び当該延長の理由を通知しなければならない。

(3) The Prime Minister may, if there are reasonable grounds requiring a reasonable period of time for examining whether the particulars of a notification under the provisions of Article 123, paragraph (2) conform to the standards listed in Article 5, paragraph (1), item (iii), sub-items (a) to (e) inclusive or item (iv), sub-items (a) to (c) inclusive and if the Prime Minister finds that said examination will not terminate within the period of time prescribed in paragraph (1), extend the period of time to a period found to be reasonable. In this case, the Prime Minister shall, without delay, give notice of the extended period of time and the reasons for the extension to the person that made said notification.

４　内閣総理大臣は、第百二十三条第二項の規定による届出に係る事項が第五条第一項第三号イからホまで又は第四号イからハまでに掲げる基準に適合しないと認めるときは、当該届出を受理した日の翌日から起算して九十日を経過する日までの期間（前項の規定により当該期間が延長された場合にあっては、当該延長後の期間）内に限り、当該届出をした者に対し、期限を付して当該届出に係る事項について変更を命じ、又は当該届出の撤回を命ずることができる。

(4) The Prime Minister may, if he/she finds that the particulars of the notification under the provisions of Article 123, paragraph (2) do not conform to the standards listed in Article 5, paragraph (1), item (iii), sub-items (a) to (e) inclusive or item (iv), sub-items (a) to (c) inclusive, order the person that made said notification to modify the particulars of said notification for a limited period or revoke said notification, limited to within a period of time until the day on which ninety days have passed since the day following the date on which said notification was received (the extended period of time in the case where the period of time is extended pursuant to the provisions of the preceding paragraph).

（定款の変更の認可）

(Authorization of an amendment in the articles of incorporation)

第百二十六条　保険会社の次に掲げる事項に係る定款の変更についての株主総会又は社員総会若しくは総代会の決議は、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。

Article 126 Any resolutions of the shareholders' meeting or the general members' council or the General Representative Members' Council concerning any amendment in the articles of incorporation involving the following particulars of an Insurance Company shall not come into effect without obtaining the authorization of the Prime Minister:

一　商号又は名称

(i) Trade name or name;

二　基金の償却に関する事項

(ii) The particulars of the redemption of funds;

三　社員の退社事由

(iii) Reasons for the withdrawal of members;

四　総代の定数及び選出方法に関する事項

(iv) The set number of representative members and the particulars of how they are selected;

五　第六十三条第一項の契約に関する事項

(v) The particulars of the contract set forth in Article 63, paragraph (1);

六　第八十六条第五項の組織変更後株式会社における契約者配当に係る方針に関する事項

(vi) The particulars of the policy on Policyholders' dividends in a Converted Stock Company set forth in Article 86, paragraph (5);

七　第百八十二条の残余財産の処分に関する事項

(vii) The particulars of the appropriation of residual assets set forth in Article 182;

八　第二百四十条の五第五項の方針に関する事項

(viii) The particulars of the policy set forth in Article 240-5, paragraph (5).

（届出事項）

(Particulars Requiring Notice)

第百二十七条　保険会社は、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 127 (1) An Insurance Company shall, if it falls under any of the following items, notify the Prime Minister of this pursuant to the provisions of Cabinet Office Ordinance:

一　保険業を開始したとき。

(i) If it has commenced Insurance Business;

二　第百六条第一項第十二号又は第十三号に掲げる会社（同条第四項の規定により子会社とすることについて認可を受けなければならないとされるものを除く。）を子会社としようとするとき（第百四十二条、第百六十七条第一項又は第百七十三条の六第一項の規定による認可を受けて事業の譲受け、合併又は会社分割をしようとする場合を除く。）。

(ii) If it seeks to have a company falling under the category specified in Article 106, paragraph (1), item (xii) or (xiii) (excluding one for which paragraph (4) provides that in order to have such a company as its Subsidiary, an Insurance Company is to obtain authorization) become its Subsidiary (excluding the case where it seeks to accept a transfer of business or to effect a merger or company split upon obtaining authorization pursuant to the provisions of Article 142, Article 167, paragraph (1) or Article 173-6, paragraph (1));

三　その子会社が子会社でなくなったとき（第百四十二条又は第百七十三条の六第一項の規定による認可を受けて事業の譲渡又は会社分割をした場合を除く。）、又は第百六条第四項に規定する子会社対象保険会社等に該当する子会社が当該子会社対象保険会社等に該当しない子会社になったとき。

(iii) If its Subsidiary ceases to be its Subsidiary (excluding the case where it accepted a business or demerged upon obtaining authorization under the provisions of Article 142 or Article 173-6, paragraph (1)), or if a Subsidiary that falls under the category of an Insurance Company, etc. That Is Eligible to Be a Subsidiary prescribed in Article 106, paragraph (4) becomes a Subsidiary that does not fall under the category of an Insurance Company, etc. That Is Eligible to Be a Subsidiary;

四　資本金の額又は基金の総額を増額しようとするとき。

(iv) If it seeks to increase the amount of capital or the total amount of funds;

五　他に特段の定めのある事項以外の事項に係る定款の変更をしたとき。

(v) If it modifies the articles of incorporation with regard to particulars other than those provided for otherwise;

六　外国において支店若しくは従たる事務所又は駐在員事務所を設置しようとするとき。

(vi) If it seeks to establish an branch office or secondary office or representative office in a foreign state;

七　その総株主の議決権の百分の五を超える議決権が一の株主により取得又は保有されることとなったとき。

(vii) If its voting rights are acquired or come to be held by a single shareholder, in excess of 5 percent of all shareholders' voting rights; or;

八　その他内閣府令（金融破綻処理制度及び金融危機管理に係るものについては、内閣府令・財務省令）で定める場合に該当するとき。

(viii) If it falls under any of the other cases specified by a Cabinet Office Ordinance (Cabinet Office Ordinance or Ordinance of the Ministry of Finance for those pertaining to the financial bankruptcy processing system and financial crisis management).

２　第二条第十五項の規定は、前項第七号に規定する一の株主が取得し、又は保有することとなった保険会社の議決権について準用する。

(2) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the voting rights in an Insurance Company to be acquired or held by one shareholder prescribed in the preceding paragraph, item (vii).

（報告又は資料の提出）

(Submission of Reports or Materials)

第百二十八条　内閣総理大臣は、保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため必要があると認めるときは、保険会社に対し、その業務又は財産の状況に関し報告又は資料の提出を求めることができる。

Article 128 (1) The Prime Minister may, if he/she finds it necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of an Insurance Company, require the Insurance Company to submit reports or materials concerning the status of its business or property.

２　内閣総理大臣は、保険会社の業務の健全かつ適切な運営を確保し、保険契約者等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、当該保険会社の子法人等（子会社その他保険会社がその経営を支配している法人として内閣府令で定めるものをいう。次項並びに次条第二項及び第三項において同じ。）又は当該保険会社から業務の委託を受けた者に対し、当該保険会社の業務又は財産の状況に関し参考となるべき報告又は資料の提出を求めることができる。

(2) If and to the extent that the Prime Minister finds it particularly necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of an Insurance Company, he/she may require said Insurance Company's Subsidiary, etc. (meaning a Subsidiary Company or any other juridical person specified by Cabinet Office Ordinance as one whose operations are controlled by the Insurance Company; the same shall apply in the following paragraph and the following Article, paragraphs (2) and (3)) or a person the Insurance Company has entrusted with its business, to submit reports or materials that would helpful to understand the status of the business or property of the Insurance Company.

３　保険会社の子法人等又は当該保険会社から業務の委託を受けた者は、正当な理由があるときは、前項の規定による報告又は資料の提出を拒むことができる。

(3) An Insurance Company's Subsidiary, etc. or a person that an Insurance Company has entrusted with its business may refuse to submit reports or materials required under the provisions of the preceding paragraph if there are justifiable grounds for it to do so.

（立入検査）

(Inspection)

第百二十九条　内閣総理大臣は、保険会社の業務の健全かつ適切な運営を確保し、保険契約者等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、保険会社の営業所、事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

Article 129 (1) The Prime Minister may, if he/she finds it necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of an Insurance Company, have his/her officials enter a facility of the Insurance Company, such as a business or other office, ask questions about the status of its business or property, or inspect relevant objects such as books and documents.

２　内閣総理大臣は、前項の規定による立入り、質問又は検査を行う場合において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、保険会社の子法人等若しくは当該保険会社から業務の委託を受けた者の施設に立ち入らせ、当該保険会社に対する質問若しくは検査に必要な事項に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

(2) If and to the extent that the Prime Minister finds it particularly necessary in entering a site, asking questions, or conducting an inspection under the preceding paragraph, he/she may have his/her officials enter a facility of the Insurance Company's Subsidiary, etc. or of a person the Insurance Company has entrusted with its business, have such officials question the Insurance Company or ask questions about any particulars that are necessary for their inspection, or have such officials inspect relevant objects such as books and documents.

３　保険会社の子法人等又は当該保険会社から業務の委託を受けた者は、正当な理由があるときは、前項の規定による質問及び検査を拒むことができる。

(3) An Insurance Company's Subsidiary, etc. or a person that an Insurance Company has entrusted with its business may refuse the questioning and inspection under the provisions of the preceding paragraph if there are justifiable grounds for it to do so.

（健全性の基準）

(Standard of Soundness)

第百三十条　内閣総理大臣は、保険会社に係る次に掲げる額を用いて、保険会社の経営の健全性を判断するための基準として保険金等の支払能力の充実の状況が適当であるかどうかの基準を定めることができる。

Article 130 The Prime Minister may use the following amounts with respect to an Insurance Company and establish whether or not the Insurance Company has an appropriate level of solvency in terms of its ability to pay for Insurance Proceeds, etc. as the standard by which the soundness of its business management is determined:

一　資本金、基金、準備金その他の内閣府令で定めるものの額の合計額

(i) Total amount of the items specified by Cabinet Office Ordinance such as capital, funds and reserves; and

二　引き受けている保険に係る保険事故の発生その他の理由により発生し得る危険であって通常の予測を超えるものに対応する額として内閣府令で定めるところにより計算した額

(ii) Amount calculated pursuant to the provisions of Cabinet Office Ordinance as the amount for coping with possible risks exceeding standard predictions that may occur due to any events pertaining to the insurance being underwritten, such as insured events.

（事業方法書等に定めた事項の変更命令）

(Order for Modification of the Particulars Prescribed in Statement of Business Procedures, etc.)

第百三十一条　内閣総理大臣は、保険会社の業務若しくは財産の状況に照らして、又は事情の変更により、保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため必要があると認めるときは、当該保険会社に対し、その必要の限度において、第四条第二項第二号から第四号までに掲げる書類に定めた事項の変更を命ずることができる。

Article 131 If and to the extent that the Prime Minister finds it necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of an Insurance Company in light of the status of the business or property of the Insurance Company or a change in the circumstances, he/she may order the Insurance Company to modify the particulars prescribed in the documents listed in Article 4, paragraph (2), items (ii) to (iv) inclusive.

（業務の停止等）

(Suspension of Business, etc.)

第百三十二条　内閣総理大臣は、保険会社の業務若しくは財産又は保険会社及びその子会社等の財産の状況に照らして、当該保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため必要があると認めるときは、当該保険会社に対し、措置を講ずべき事項及び期限を示して、経営の健全性を確保するための改善計画の提出を求め、若しくは提出された改善計画の変更を命じ、又はその必要の限度において、期限を付して当該保険会社の業務の全部若しくは一部の停止を命じ、若しくは当該保険会社の財産の供託その他監督上必要な措置を命ずることができる。

Article 132 (1) If the Prime Minister finds it necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of an Insurance Company in light of the status of the business or property of the Insurance Company or the status of the assets of the Insurance Company and its Subsidiary, etc., he/she may request the Insurance Company to submit an improvement program for ensuring soundness in its management by identifying particulars with regard to which measures are to be taken as well as due dates or order changes to the submitted improvement program, or, to the extent that the Prime Minister finds necessary, he/she may order the full or partial suspension of business of the Insurance Company with due dates, or order the deposit of property of the Insurance Company or other necessary measures for supervision.

２　前項の規定による命令（改善計画の提出を求めることを含む。）であって、保険会社の保険金等の支払能力の充実の状況によって必要があると認めるときにするものは、保険会社の保険金等の支払能力の充実の状況に係る区分に応じ内閣府令・財務省令で定めるものでなければならない。

(2) An order under the provisions of the preceding paragraph (including the request for submission of an improvement program) that it is found to be necessary to issue due to an Insurance Company's level of solvency in terms of its ability to pay for Insurance Proceeds, etc., must be an order specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance that corresponds to the Insurance Company's level of solvency in terms of its ability to pay for Insurance Proceeds, etc.

（免許の取消し等）

(Rescission of License, etc.)

第百三十三条　内閣総理大臣は、保険会社が次の各号のいずれかに該当することとなったときは、当該保険会社の業務の全部若しくは一部の停止若しくは取締役、執行役、会計参与若しくは監査役の解任を命じ、又は第三条第一項の免許を取り消すことができる。

Article 133 The Prime Minister may, if an Insurance Company has come to fall under any of the following items, order the full or partial suspension of the business of the Insurance Company or the dismissal of the director, executive officer, accounting advisor, or company auditor, or rescind the license set forth in Article 3, paragraph (1):

一　法令、法令に基づく内閣総理大臣の処分又は第四条第二項各号に掲げる書類に定めた事項のうち特に重要なものに違反したとき。

(i) If it is in violation of laws and regulations, disposition of the Prime Minister pursuant to laws and regulations, or particularly important particulars among those prescribed in the documents listed in the items of Article 4, paragraph (2);

二　当該免許に付された条件に違反したとき。

(ii) If it is in violation of the conditions attached to said license; and

三　公益を害する行為をしたとき。

(iii) If it engages in conduct prejudicial to the public interest.

第百三十四条　内閣総理大臣は、保険会社の財産の状況が著しく悪化し、保険業を継続することが保険契約者等の保護の見地から適当でないと認めるときは、当該保険会社の第三条第一項の免許を取り消すことができる。

Article 134 The Prime Minister may, if he/she finds that the property status of an Insurance Company is significantly worsening and that it is not appropriate for it to continue in the Insurance Business from the viewpoint of protecting Policyholders, etc., rescind the license of the Insurance Company set forth in Article 3, paragraph (1).

第七章　保険契約の包括移転、事業の譲渡又は譲受け並びに業務及び財産の管理の委託

Chapter VII Portfolio Transfers of Insurance Contracts, Assignment or Acquisition of Business, and Entrustment of Business and Property Administration

第一節　保険契約の包括移転

Section 1 Portfolio Transfers of Insurance Contracts

（保険契約の包括移転）

(Portfolio Transfers of Insurance Contracts)

第百三十五条　保険会社は、この法律の定めるところに従い、他の保険会社（外国保険会社等を含む。以下この項において同じ。）との契約により保険契約を当該他の保険会社（以下この節において「移転先会社」という。）に移転することができる。

Article 135 (1) An Insurance Company may, pursuant to the provisions of this Act, transfer insurance contracts to another Insurance Company (including a Foreign Insurance Company, etc.; hereinafter the same shall apply in this paragraph) under an Agreement with such other Insurance Company (hereinafter referred to as "Transferee Company" in this Section).

２　保険契約の移転は、責任準備金の算出の基礎が同一である保険契約（第百三十七条第一項の公告の時において既に保険事故が発生している保険契約（当該保険事故に係る保険金の支払により消滅することとなるものに限る。）その他の政令で定める保険契約を除く。）の全部を包括してしなければならない。

(2) A transfer of insurance contracts shall cover the whole insurance contracts for which the policy reserves is calculated on the same basis (excluding the insurance contracts specified by Cabinet Office Ordinance, such as those for which an insured event had occurred by the time of public notice under Article 137, paragraph (1) (limited to those contracts which would be terminated with the payment of the insurance proceeds pertaining to the insured event)).

３　第一項の契約には、保険契約の移転とともにする保険会社の財産の移転に関する事項を定めなければならない。この場合においては、保険契約の移転をしようとする保険会社（以下この節において「移転会社」という。）は、同項の契約により移転するものとされる保険契約に係る保険契約者（以下この節において「移転対象契約者」という。）以外の当該移転会社の債権者の利益を保護するために必要と認められる財産を留保しなければならない。

(3) An Agreement under paragraph (1) shall provide for the particulars of the transfer of the Insurance Company's property which accompanies the transfer of insurance contracts. In this case, the Insurance Company which seeks to transfer insurance contracts (hereinafter referred to as "Transferor Company" in this Section) shall retain the property deemed necessary to protect the interest of the Transferor Company's creditors other than the Policyholders to which pertains the insurance contracts to be transferred under the Agreement (hereinafter referred to as "Affected Policyholders" in this Section).

４　移転会社は、第一項の契約において、当該契約により移転するものとされる保険契約について、契約条項の軽微な変更で保険契約者の不利益とならないものを定めることができる。

(4) In an Agreement under paragraph (1), the Transferor Company may stipulate minor changes to the clauses of the insurance contracts to be transferred under the Agreement, so long as such changes are not disadvantageous to the Policyholders.

（保険契約の移転の決議）

(Resolution on Transfer of Insurance Contracts)

第百三十六条　前条第一項の保険契約の移転をするには、移転会社及び移転先会社（外国保険会社等を除く。）において株主総会又は社員総会（総代会を設けているときは、総代会）（以下この章、次章及び第十章において「株主総会等」という。）の決議を必要とする。

Article 136 (1) Any transfer of insurance contracts under paragraph (1) of the preceding Article shall require a resolution at a shareholders' meeting or a general members' council meeting (or a General Representative Members' Council Meeting, where the company has such a council) (referred to as "Shareholders' Meeting, etc." hereinafter in this Chapter, as well as in Chapters VIII and X) in both the Transferor Company and the Transferee Company (other than a Foreign Insurance Company, etc.).

２　前項の場合には、会社法第三百九条第二項（株主総会の決議）に定める決議又は第六十二条第二項に定める決議によらなければならない。

(2) The resolution set forth in the preceding paragraph shall be a resolution under Article 309, paragraph (2) (Resolution of shareholders' meetings) of the Companies Act or under Article 62, paragraph (2) above.

３　移転会社及び移転先会社は、第一項の決議をする場合には、会社法第二百九十九条第一項（株主総会の招集の通知）（第四十一条第一項及び第四十九条第一項において準用する場合を含む。）の規定による通知において、前条第一項の契約の要旨を示さなければならない。

(3) In adopting a resolution under paragraph (1), the Transferor Company and the Transferee Company shall describe the gist of the Agreement set forth in paragraph (1) of the preceding Article in the notice to be given under Article 299, paragraph (1) (Notice of Calling of Shareholders' Meetings) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 41, paragraph (1) and Article 49, paragraph (1)).

（保険契約の移転に係る書類の備置き等）

(Retention, etc. of Documents Pertaining to the Transfer of Insurance Contracts)

第百三十六条の二　移転会社の取締役（委員会設置会社にあっては、執行役）は、前条第一項の株主総会等の会日の二週間前から次条第二項の規定により同条第一項の公告に付記した期間の最終日まで、第百三十五条第一項の契約に係る契約書その他の内閣府令で定める書類を各営業所又は各事務所に備え置かなければならない。

Article 136-2 (1) The directors (or, in a company with Committees, executive officers) of the Transferor Company shall keep at each of its business offices or offices the documents specified by Cabinet Office Ordinance, such as the written Agreement concluded under paragraph (1) of the preceding Article, for a period ranging from two weeks before the date of the Shareholders' Meeting, etc. set forth in Article 136, paragraph (1) to the end of the period specified pursuant to the provisions of paragraph (2) of the following Article in a supplementary note to the public notice set forth in paragraph (1) of the following Article.

２　移転会社の株主又は保険契約者は、その営業時間又は事業時間内に限り、前項の書類の閲覧を求め、又は移転会社の定める費用を支払ってその謄本若しくは抄本の交付を求めることができる。

(2) A shareholder or a Policyholder of the Transferor Company may, within the company's operating hours or business hours, make a request to inspect the documents set forth in the preceding paragraph, or may request a certified copy or extract of such documents in exchange for the fees determined by the Transferor Company.

（保険契約の移転の公告及び異議申立て）

(Public Notice of, and Filing of Objection to, Transfer of Insurance Contracts)

第百三十七条　移転会社は、第百三十六条第一項の決議をした日から二週間以内に、第百三十五条第一項の契約の要旨並びに移転会社及び移転先会社の貸借対照表（外国保険会社等の場合にあっては、日本における保険業の貸借対照表）その他内閣府令で定める事項を公告しなければならない。

Article 137 (1) The Transferor Company shall, within two weeks from the date of the resolution set forth in Article 136, paragraph (1), give public notice of the gist of the Agreement concluded under Article 135, paragraph (1), and the balance sheets of the Transferor Company and the Transferee Company (for a Foreign Insurance Company, etc., the balance sheet for its Insurance Business in Japan), as well as other particulars specified by Cabinet Office Ordinance.

２　前項の公告には、移転対象契約者で異議がある者は、一定の期間内に異議を述べるべき旨を付記しなければならない。

(2) The public notice set forth in the preceding paragraph shall include a supplementary note to the effect that any affected Policyholder who is opposed to the transfer must state his/her objection within a certain period of time.

３　前項の期間は、一月を下ってはならない。

(3) The period under the preceding paragraph cannot be less than one month.

４　第二項の期間内に異議を述べた移転対象契約者の数が移転対象契約者の総数の五分の一を超え、かつ、当該異議を述べた移転対象契約者の保険契約に係る債権（当該保険契約について、第一項の規定による公告の時において既に生じている保険金請求権等（第十七条第五項に規定する保険金請求権等をいう。）がある場合には、当該保険金請求権等を除く。）の額に相当する金額として内閣府令で定める金額が移転対象契約者の当該金額の総額の五分の一を超えるときは、保険契約の移転をしてはならない。

(4) A transfer of insurance contracts shall not be carried out where the number of the Affected Policyholders who have stated their objections within the period set forth in paragraph (2) exceeds one fifth of all Affected Policyholders, and the amount specified by Cabinet Office Ordinance as the credits belonging to the insurance contracts of the Affected Policyholders who have thus stated their objections (excluding any insurance claim, etc. (meaning the Insurance Claims, etc. set forth in Article 17, paragraph (5)) that had arisen with regard to such insurance contracts by the time of public notice under paragraph (1)) exceeds one fifth of the amount prescribed as the credits belonging to all Affected Policyholders.

５　第二項の期間内に異議を述べた移転対象契約者の数又はその者の前項の内閣府令で定める金額が、同項に定める割合を超えないときは、当該移転対象契約者全員が当該保険契約の移転を承認したものとみなす。

(5) Where the number of the Affected Policyholders who have stated their objections within the period set forth in paragraph (2) or the amount of credits specified by Cabinet Office Ordinance set forth in the preceding paragraph for such Policyholders does not exceed the proportion specified in that paragraph, all of the Affected Policyholders shall be deemed to have approved the transfer of insurance contracts.

（保険契約の締結の停止）

(Suspension of Conclusion of Insurance Contracts)

第百三十八条　移転会社は、第百三十六条第一項の決議があった時から保険契約の移転をし、又はしないこととなった時まで、その移転をしようとする保険契約と同種の保険契約を締結してはならない。

Article 138 The Transferor Company shall not conclude any insurance contract that belongs to the same class as the insurance contracts to be transferred, for the period ranging from the time of the adoption of the resolution under Article 136, paragraph (1) to the time of execution or renunciation of the transfer of insurance contracts.

（保険契約の移転の認可）

(Authorization of Transfer of Insurance Contracts)

第百三十九条　保険契約の移転は、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 139 (1) Any transfer of insurance contracts shall be not become effective without the authorization of the Prime Minister.

２　内閣総理大臣は、前項の認可の申請があったときは、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。

(2) Whenever an application has been filed for the authorization set forth in the preceding paragraph, the Prime Minister shall examine whether it conforms to the following standards:

一　当該保険契約の移転が、保険契約者等の保護に照らして、適当なものであること。

(i) the transfer of insurance contracts is appropriate in light of the protection of Policyholders, etc.;

二　移転先会社が、当該保険契約の移転を受けた後に、その業務を的確、公正かつ効率的に遂行する見込みが確実であること。

(ii) it is certain that the Transferee Company will perform its business in an appropriate, fair and efficient manner following the transfer of insurance contracts; and

三　移転対象契約者以外の移転会社の債権者の利益を不当に害するおそれがないものであること。

(iii) the transfer poses no risk of unduly harming the interest of the creditors of the Transferor Company other than the Affected Policyholders.

（保険契約の移転の公告等）

(Public Notice, etc. of Transfer of Insurance Contracts)

第百四十条　移転会社は、保険契約の移転後、遅滞なく、保険契約の移転をしたこと及び内閣府令で定める事項を公告しなければならない。保険契約の移転をしないこととなったときも、同様とする。

Article 140 (1) The Transferor Company shall, following the transfer of insurance contracts, give public notice of without delay the fact that a transfer of insurance contracts has been carried out and other particulars specified by Cabinet Office Ordinance. The same shall apply where the company has renounced the transfer of insurance contracts.

２　移転先会社は、保険契約の移転を受けたときは、当該保険契約の移転後三月以内に、当該保険契約の移転に係る保険契約者に対し、その旨（第百三十五条第一項の契約において、当該保険契約の移転に係る保険契約について同条第四項に規定する軽微な変更を定めたときは、保険契約の移転を受けたこと及び当該軽微な変更の内容）を通知しなければならない。

(2) The Transferee Company shall, if it has received any transfer of insurance contracts, notify the Policyholders affected by the transfer of insurance contracts thereof (or, where any minor change to the transferred insurance contracts under Article 135, paragraph (4) is stipulated in the Agreement set forth in paragraph (1) of the same Article, of the fact that it has received a transfer of insurance contracts and the contents of such minor change) within three months from such transfer.

３　移転会社が保険契約者に対して貸付金その他の債権を有しており、かつ、当該債権が第百三十五条第一項の契約により保険契約とともに移転先会社に移転することとされている場合において、第一項前段の規定による公告が当該会社の公告方法として定める時事に関する事項を掲載する日刊新聞紙に掲載する方法によりされたときは、当該保険契約者に対して民法第四百六十七条（指名債権の譲渡の対抗要件）の規定による確定日付のある証書による通知があったものとみなす。この場合においては、当該公告の日付をもって確定日付とする。

(3) Where the Transferor Company has outstanding loans or other claims against Policyholders, and such claims are to be assigned to the Transferee Company under the Agreement on the transfer of insurance contracts set forth in Article 135, paragraph (1), a notice in the form of an instrument carrying a fixed date under Article 467 (Requirement for Assertion of Assignment of Nominative Claims Against Third Parties ) of the Civil Code shall be deemed to have been given to the Policyholders if a public notice under the first sentence of paragraph (1) has been given, in accordance with the Method of Public Notice specified by the company, by way of publication in a daily newspaper that publishes the particulars of current events. In this case, the date of the public notice shall be deemed to be the fixed date.

（保険契約の移転による入社）

(Membership through Transfer of Insurance Contracts)

第百四十一条　保険契約の移転がされた場合において、移転先会社が相互会社であるときは、当該保険契約の移転に係る移転対象契約者は、当該相互会社に入社する。ただし、移転先会社の定款において当該保険契約の移転に係る保険契約と同種の保険契約に係る保険契約者が社員とされていない場合は、この限りでない。

Article 141 Where insurance contracts are transferred to a Mutual Company, the Policyholders affected by the transfer become members of the Mutual Company; provided, however, that this shall not apply to the cases where the articles of incorporation of the Transferee Company do not grant membership to the Policyholders with the same class of insurance contracts as those covered by the transfer agreement.

第二節　事業の譲渡又は譲受け

Section 2 Assignment or Acquisition of Business

（事業の譲渡又は譲受けの認可）

(Authorization of Assignment or Acquisition of Business)

第百四十二条　保険会社を全部又は一部の当事者とする事業の譲渡又は譲受けは、内閣府令で定めるものを除き、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 142 Unless otherwise specified by Cabinet Office Ordinance, any assignment or acquisition of business involving Insurance Company or insurance companies shall be not become effective without the authorization of the Prime Minister.

（保険金信託業務を行う保険会社の特例）

(Special Provisions on Insurance Companies Engaged in Insurance-Proceed Trust Services)

第百四十三条　保険金信託業務を行う相互会社が保険契約の全部に係る保険契約の移転の決議をした場合で、当該保険金信託業務に係る事業の譲渡について社員総会（総代会を設けているときは、総代会）又は取締役会の決議をしたときは、当該相互会社は、当該決議をした日から二週間以内に、当該決議の要旨及び当該事業の譲渡に異議のある金銭信託の受益者（以下この条において「受益者」という。）は一定の期間内に異議を述べるべき旨を公告しなければならない。

Article 143 (1) Where a Mutual Company engaged in Insurance-Proceed Trust Services has adopted a resolution on the transfer of all insurance contracts, and the general members' council (or the General Representative Members' Council, where the company has such a council) or the board of directors has adopted a resolution on the assignment of business including Insurance-Proceed Trust Services, the Mutual Company shall, within two weeks from the date of the latter resolution, give public notice of the effect that any beneficiary of a monetary trust (hereinafter referred to as "Beneficiary" in this Article) who is opposed to the gist of the resolution and the assignment of business must state their objections within a certain period of time.

２　前項の期間は、一月を下ってはならない。

(2) The period under the preceding paragraph cannot be less than one month.

３　受益者が第一項の期間内に異議を述べなかったときは、当該受益者は、当該事業の譲渡を承認したものとみなす。

(3) Where no beneficiaries have stated their objections during the period set forth in paragraph (1), the beneficiaries shall be deemed to have approved the assignment of business.

第三節　業務及び財産の管理の委託

Section 3 Entrustment of Business and Property Administration

（業務及び財産の管理の委託）

(Entrustment of Business and Property Administration)

第百四十四条　保険会社は、この法律の定めるところに従い、他の保険会社（外国保険会社等（内閣府令で定めるものを除く。）を含む。以下この項において同じ。）との契約により当該他の保険会社（以下この節において「受託会社」という。）にその業務及び財産の管理の委託をすることができる。

Article 144 (1) An Insurance Company may, pursuant to the provisions of this Act, entrust another Insurance Company (including a Foreign Insurance Company, etc. (unless otherwise p specified by Cabinet Office Ordinance); hereinafter the same shall apply in this paragraph) with the administration of its business and property under an Agreement with such other Insurance Company (hereinafter referred to as "Entrusted Company" in this Section).

２　前項の管理の委託をするには、当該管理の委託をする保険会社（以下この節において「委託会社」という。）及び受託会社（外国保険会社等を除く。）において株主総会等の決議を必要とする。

(2) Any entrustment of the administration business set forth in the preceding paragraph shall require a resolution of the Shareholders' Meeting, etc. in both the Insurance Company entrusting the administration business (hereinafter referred to as "Entrusting Company" in this Section) and the Entrusted Company (other than a Foreign Insurance Company, etc.).

３　前項の場合には、会社法第三百九条第二項（株主総会の決議）に定める決議又は第六十二条第二項に定める決議によらなければならない。

(3) The resolution set forth in the preceding paragraph shall be a resolution under Article 309, paragraph (2) (Resolution of shareholders' meetings) of the Companies Act or under Article 62, paragraph (2) above.

４　第百三十六条第三項の規定は、第二項の決議をする場合について準用する。

(4) The provisions of Article 136, paragraph (3) shall apply mutatis mutandis to the adoption of a resolution under paragraph (2).

（業務及び財産の管理の委託の認可）

(Authorization of Entrustment of Business and Property Administration)

第百四十五条　前条第一項の管理の委託は、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 145 (1) Any entrustment of business and property administration under paragraph (1) of the preceding Article shall be not become effective without the authorization of the Prime Minister.

２　内閣総理大臣は、前項の認可の申請があったときは、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。

(2) Whenever an application has been filed for the authorization set forth in the preceding paragraph, the Prime Minister shall examine whether it conforms to the following standards:

一　当該管理の委託が、保険契約者等の保護に照らして、必要かつ適当なものであること。

(i) the entrustment of administration is necessary and appropriate in light of the protection of Policyholders, etc.; and

二　受託会社が、当該管理の委託に係る業務を的確、公正かつ効率的に遂行する見込みが確実であること。

(ii) it is certain that the Entrusted Company will perform business to which the entrustment of administration pertains in an appropriate, fair and efficient manner.

（公告及び登記）

(Public Notice and Registration)

第百四十六条　委託会社は、前条第一項の認可を受けたときは、遅滞なく、第百四十四条第一項の契約（以下この節において「管理委託契約」という。）の要旨を公告し、かつ、当該管理の委託をした旨並びに受託会社の商号、名称又は氏名及びその本店若しくは主たる事務所又は日本における主たる店舗（第百八十七条第一項第四号に規定する日本における主たる店舗をいう。）を登記しなければならない。

Article 146 (1) The Entrusting Company shall, without delay following the authorization set forth in paragraph (1) of the preceding Article, give public notice of the gist of the Agreement set forth in Article 144, paragraph (1) (hereinafter referred to as "Administration Entrustment Agreement" in this Section) and register the entrustment of the administration business, and the Entrusted Company's trade name, name and its head office or principal office, or its principal branch in Japan (meaning the principal branch in Japan set forth in Article 187, paragraph (1), item (iv)).

２　前項の登記は、委託会社の本店又は主たる事務所の所在地において行わなければならない。

(2) The registration set forth in the preceding paragraph shall be made at the location of the Entrusted Company's head office or principal office.

３　第一項の登記の申請書には、商業登記法第十八条、第十九条（申請書の添付書面）及び第四十六条（添付書面の通則）（これらの規定を第六十七条において準用する場合を含む。）に定める書類のほか、次に掲げる書類を添付しなければならない。

(3) The following documents shall be attached to a written application for the registration set forth in paragraph (1), in addition to the documents set forth in Articles 18 and 19 (Documents to be Attached to Written Application) and Article 46 (General Rules on Attached Documents) of the Commercial Registration Act (including the cases where it is applied mutatis mutandis pursuant to Article 67):

一　管理委託契約に係る契約書

(i) A copy of the Administration Entrustment Agreement; and

二　受託会社（外国保険会社等を除く。）の株主総会等の議事録

(ii) The minutes of the Shareholders' Meeting, etc. of the Entrusted Company (other than a Foreign Insurance Company, etc.).

（内部関係）

(Internal Relationship)

第百四十七条　この法律に別段の定めがある場合を除くほか、委託会社と受託会社との間の関係は、委任に関する規定に従う。

Article 147 Unless provided otherwise in this Act, the relationship between the Entrusting Company and the Entrusted Company shall be governed by the provisions on mandate.

（外部関係）

(External Relationship)

第百四十八条　受託会社が委託会社のために保険契約の締結その他の行為をするときは、委託会社のためにすることを表示しなければならない。

Article 148 (1) The Entrusted Company shall, in taking any action on behalf of the Entrusting Company, such as the conclusion of an insurance contract, indicate that it does so on behalf of the Entrusting Company.

２　前項の表示をしないでした行為は、受託会社が自己のためにしたものとみなす。

(2) Any action taken without the indication set forth in the preceding paragraph shall be deemed to have been taken on the Entrusted Company's own account.

３　会社法第十一条第一項及び第三項（支配人の代理権）の規定は、受託会社について準用する。この場合において、同条第一項中「会社」とあるのは「保険業法第百四十四条第二項に規定する委託会社」と、「事業」とあるのは「業務及び財産」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。

(3) The provisions of Article 11, paragraphs (1) and (3) (Manager's Authority of Representation) of the Companies Act shall apply mutatis mutandis to an Entrusted Company. In this case, the terms "a Company" and" business" in paragraph (1) of the same Article shall be deemed to be replaced with "the Entrusting Company set forth in Article 144, paragraph (2) of the Insurance Business Act" and "business and properties," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

４　一般社団法人及び一般財団法人に関する法律第七十八条（代表者の行為についての損害賠償責任）の規定は、委託会社について準用する。この場合において、同条中「代表理事その他の代表者」とあるのは、「保険業法第百四十四条第一項に規定する受託会社」と読み替えるものとする。

(4) The provisions of Article 78 (Liability for Damages Pertaining to the Actions of the Representative) of the Act on General Incorporated Associations and General Incorporated Foundations shall apply mutatis mutandis to an Entrusting Company. In this case, the term "representative director or any other representative" in that Article shall be deemed to be replaced with "Entrusted Company set forth in Article 144, paragraph (1) of the Insurance Business Act."

（管理委託契約の変更又は解除）

(Amendment or Cancellation of Administration Entrustment Agreement)

第百四十九条　管理委託契約に定めた事項の変更又は管理委託契約の解除をするには、委託会社及び受託会社（外国保険会社等を除く。）において株主総会等の決議を必要とする。

Article 149 (1) Any amendment to an Administration Entrustment Agreement or cancellation of an Administration Entrustment Agreement shall require a resolution of the Shareholders' Meeting, etc. in both the Entrusting Company and the Entrusted Company (other than a Foreign Insurance Company, etc.).

２　前項の変更又は解除は、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) The amendment or cancellation set forth in the preceding paragraph shall be not become effective without the authorization of the Prime Minister.

３　第百四十四条第三項及び第四項の規定は、第一項の決議をする場合について準用する。

(3) The provisions of Article 144, paragraphs (3) and (4) shall apply mutatis mutandis to the adoption of a resolution under paragraph (1).

（管理委託契約の変更又は終了の公告等）

(Public Notice, etc. of Amendment or Termination of Administration Entrustment Agreement)

第百五十条　委託会社は、前条第二項の認可を受けたときは、遅滞なく、その旨を公告しなければならない。管理委託契約が同条第一項の解除以外の原因によって終了したときも、同様とする。

Article 150 (1) If an Entrusting Company has obtained authorization under paragraph (2) of the preceding Article, it shall give public notice of this without delay. The same shall apply if an Administration Entrustment Agreement has been terminated due to any cause other than the cancellation set forth in paragraph (1) of the same Article.

２　第百四十六条第三項の規定は、管理委託契約に定める事項の変更又は管理委託契約の終了の登記をする場合について準用する。この場合において、同項中「次に掲げる書類」とあるのは「次に掲げる書類（解除以外の原因による終了の場合にあっては、第一号に掲げる書類及びその終了の事由の発生を証する書面）」と、同項第一号中「管理委託契約」とあるのは「管理委託契約（変更の場合にあっては、変更後の管理委託契約）」と読み替えるものとする。

(2) The provisions of Article 146, paragraph (3) shall apply mutatis mutandis to the registration of any amendment to an Administration Entrustment Agreement or cancellation of an Administration Entrustment Agreement. In this case, the term "following documents" in that paragraph shall be deemed to be replaced with "following documents (or, in the case of termination due to any other cause than cancellation, the document listed in item (i) and a document certifying the occurrence of the cause of termination)"; and the term "Administration Entrustment Agreement" in Article 146, paragraph (3), item (i) shall be deemed to be replaced with "Administration Entrustment Agreement (or, in the case of any amendment, Administration Entrustment Agreement thus amended)."

第百五十一条　削除

Article 151 Deleted

第八章　解散、合併、会社分割及び清算

Chapter VIII Dissolution, Merger, Company Split and Liquidation

第一節　解散

Section 1 Dissolution

（解散の原因）

(Causes of Dissolution)

第百五十二条　保険業を営む株式会社に対する会社法第四百七十一条（解散の事由）の規定の適用については、同条中「次に」とあるのは、「第三号から第六号までに」とする。

Article 152 (1) For the purpose of applying the provisions of Article 471 (Grounds for Dissolution) of the Companies Act to Stock Companies that conduct Insurance Business, the term "below" in that Article shall be deemed to be replaced with "in item (iii) to (vi) inclusive."

２　前項の規定により読み替えて適用する会社法第四百七十一条の規定は、相互会社について準用する。この場合において、同条第三号中「株主総会」とあるのは「社員総会（総代会を設けているときは、総代会）」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 471 of the Companies Act as applied with the change in interpretation set forth in the preceding paragraph shall apply mutatis mutandis to a Mutual Company. In this case, the term "a shareholders' meeting" in item (iii) of that Article shall be deemed to be replaced with "a general members' council meeting (or a General Representative Members' Council Meeting, where the company has such a council)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

３　保険会社等は、第一項の規定により読み替えて適用する会社法第四百七十一条第三号から第六号まで（前項において準用する場合を含む。）に掲げる事由のほか、次に掲げる事由（保険業を営む株式会社にあっては、第二号に掲げる事由）により解散する。

(3) An Insurance Company, etc. shall dissolve due to the following causes (or, for a Stock Company that conducts Insurance Business, the cause listed in item (ii)), in addition to the causes listed in Article 471, items (iii) to (vi) inclusive of the Companies Act as applied with the change in interpretation set forth in paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to the preceding paragraph):

一　保険契約の全部に係る保険契約の移転

(i) Transfer of all insurance contracts; or

二　第三条第一項の免許又は第二百七十二条第一項の登録の取消し

(ii) Cancellation of a license under Article 3, paragraph (1) or a registration under Article 272, paragraph (1).

（解散等の認可）

(Authorization of Dissolution, etc.)

第百五十三条　次に掲げる事項は、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 153 (1) None of the following shall be effective without authorization of the Prime Minister:

一　保険会社等の解散についての株主総会等の決議

(i) A resolution of the Shareholders' Meeting, etc. that approves dissolution of the Insurance Company, etc.;

二　保険業の廃止についての株主総会の決議

(ii) A resolution of the shareholders' meeting that approves abolition of the Insurance Business; and

三　保険業を営む株式会社を全部又は一部の当事者とする合併（第百六十七条第一項の合併を除く。次項において同じ。）

(iii) A merger in which the parties solely consist of stock companies or include a Stock Company or stock companies conducting Insurance Business (excluding a merger under Article 167, paragraph (1); the same shall apply in the following paragraph).

２　内閣総理大臣は、前項の認可の申請があったときは、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。

(2) Whenever an application has been filed for the authorization set forth in the preceding Article, the Prime Minister shall examine whether it conforms to the following standards:

一　保険会社による認可の申請にあっては、当該決議に係る解散若しくは保険業の廃止又は当該合併が、当該保険会社の業務及び財産の状況に照らして、やむを得ないものであること。

(i) If the application for authorization is from an Insurance Company, that the dissolution or abolition of Insurance Business by resolution, or that the merger, is inevitable in light of the status of business and property of the Insurance Company; or

二　当該決議に係る解散若しくは保険業の廃止又は当該合併が、保険契約者等の保護に欠けるおそれのないものであること。

(ii) That the dissolution or abolition of Insurance Business envisaged by the resolution, or that the planned merger, poses no risk to the protection of Policyholders, etc.

３　内閣総理大臣は、第一項の認可の申請をした保険会社等（株式会社及び第六十三条第一項の定款の定めをしている相互会社に限る。）を保険者とする保険契約（当該申請の日において既に保険事故が発生している保険契約（当該保険事故に係る保険金の支払により消滅することとなるものに限る。）その他の政令で定める保険契約を除く。）がある場合には、第一項の認可をしないものとする。

(3) The Prime Minister is not to grant the authorization referred to in paragraph (1), if the Insurance Company, etc. that has submitted the application under paragraph (1) (limited to a Stock Company or a Mutual Company whose articles of incorporation include the provisions set forth in Article 63, paragraph (1)) is the insurer under any existing insurance contracts (excluding the insurance contracts specified by Cabinet Order, such as those for which an insured event had occurred by the date of the application (limited to those contracts which would be terminated with the payment of the insurance proceeds pertaining to the insured event)).

（解散等の公告）

(Public Notice of Dissolution, etc.)

第百五十四条　保険会社等は、前条第一項の認可を受けたときは、内閣府令で定めるところにより、遅滞なく、その旨及び当該認可を受けた事項の内容を公告しなければならない。

Article 154 Upon obtaining the authorization set forth in paragraph (1) the Insurance Company, etc., of the preceding Article shall, without delay, give public notice of that effect and details of the particulars for which the authorization is granted pursuant to the provisions of Cabinet Office Ordinance.

（保険契約の移転による解散の登記）

(Registration of Dissolution due to Transfer of Insurance Contracts)

第百五十五条　第百五十二条第三項第一号に掲げる事由による解散の登記の申請書には、第六十七条において準用する商業登記法第十八条、第十九条及び第四十六条並びに第百五十八条において準用する同法第七十一条第三項に定める書類のほか、次に掲げる書類を添付しなければならない。

Article 155 The following documents shall be attached to a written application for registration of dissolution due to the cause listed in Article 152, paragraph (3), item (i), in addition to the documents set forth in Articles 18, 19 and 46 of the Commercial Registration Act as applied mutatis mutandis pursuant to Article 67, and in Article 71, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 158:

一　第百三十五条第一項（第二百七十二条の二十九において準用する場合を含む。）に規定する移転先会社（外国保険会社等を除く。）の株主総会等の議事録

(i) The minutes of the Shareholders' Meeting, etc. of the Transferee Company (other than a Foreign Insurance Company, etc.) set forth in Article 135, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-29);

二　第百三十七条第一項（第二百七十二条の二十九において準用する場合を含む。）の規定による公告をしたことを証する書面

(ii) A document certifying that a public notice has been given under Article 137, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-29);

三　第百三十七条第二項（第二百七十二条の二十九において準用する場合を含む。）の期間内に異議を述べた同項に規定する移転対象契約者の数又はその者の第百三十七条第四項（第二百五十一条第二項の規定により読み替えて適用する場合及び第二百七十二条の二十九において準用する場合を含む。以下この号において同じ。）の内閣府令で定める金額が、第百三十七条第四項に定める割合を超えなかったことを証する書面

(iii) A document certifying that the number of those Affected Policyholders set forth in Article 137, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 272-29) who have stated their objections within the period set forth in that paragraph, or the amount of credits specified by Cabinet Office Ordinance set forth in Article 137, paragraph (4) (including the cases where it is applied with relevant changes in interpretation pursuant to the provisions of Article 251, paragraph (2) and where it is applied mutatis mutandis pursuant to Article 272-29; hereinafter the same shall apply in this item) as belonging to such Affected Policyholders has not exceeded the proportion set forth in Article 137, paragraph (4); and

四　第二百五十条第四項の公告をしたときは、これを証する書面

(iv) A document certifying any public notice given under Article 250, paragraph (4).

（相互会社の解散の手続等）

(Procedure, etc. of Dissolution for Mutual Company)

第百五十六条　相互会社が解散の決議をする場合には、第六十二条第二項に定める決議によらなければならない。

Article 156 Any resolution on the dissolution of a Mutual Company shall be a resolution under Article 62, paragraph (2).

（解散に係る書面の備置き等）

(Retention, etc. of Documents Pertaining to a Dissolution)

第百五十六条の二　相互会社は、解散の決議に係る社員総会（総代会を設けているときは、総代会）の会日の二週間前から当該決議の日（総代会において解散の決議をしたときは、次条第一項の規定による公告の日後一月を経過する日）まで、解散に関する議案その他の内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各事務所に備え置かなければならない。

Article 156-2 (1) A Mutual Company shall, for the period ranging from two weeks before the date of the general members' council meeting (or General Representative Members' Council Meeting, where the company has such a council) pertaining to the resolution on its dissolution to the date of such resolution (or, where the resolution is adopted by the General Representative Members' Council, the day that is one month after the date of public notice under paragraph (1) of the following Article), keep at each of its offices the documents or electromagnetic records in which the dissolution proposal and any other particulars specified by Cabinet Office Ordinance are detailed or recorded.

２　相互会社の社員は、相互会社の事業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該相互会社の定めた費用を支払わなければならない。

(2) Members of a Mutual Company may make the following requests to the company at any time during its business hours; provided, however, that they pay the fees determined by the Mutual Company in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって相互会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Mutual Company, or to be issued a document detailing such particulars.

第百五十七条　相互会社は、総代会において解散の決議をしたときは、当該決議の日から二週間以内に、当該決議の要旨及び貸借対照表その他内閣府令で定める事項を公告しなければならない。

Article 157 (1) Where the General Representative Members' Council has adopted a resolution on dissolution, the Mutual Company shall, within two weeks from the date of such resolution, give public notice of the gist of the resolution and its balance sheet, as well as any other particular specified by Cabinet Office Ordinance.

２　前項の場合には、社員総数の千分の五以上に相当する数の社員（特定相互会社にあっては、第五十条第一項に規定する政令で定める数以上の社員）で六月前から引き続き社員である者は、取締役に対し、当該決議に係る事項を会議の目的として、当該会議の目的たる事項及び招集の理由を示して、社員総会の招集を請求することができる。この場合において、当該請求は、同項の規定による公告の日から、一月以内にしなければならない。

(2) In the case set forth in the preceding paragraph, members representing at least five thousandths (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 50, paragraph (1)), who have been members of the Mutual Company without interruption for the preceding six months may demand the directors to convene the general members' council with the purpose of discussing the particulars of the resolution, by indicating the proposed agenda for the meeting and the reason for the convocation. In this case, the demand shall be made within one month from the date of public notice under that paragraph.

３　前項の場合において、同項の規定による請求があった日から六週間を経過する日までに総代会がした解散の決議を承認する旨の社員総会の決議がない場合には、当該総代会の決議は、その効力を失う。

(3) In the case referred to in the preceding paragraph, the resolution of the General Representative Members' Council shall lose its effect, unless the general members' council adopts a resolution approving the resolution of the General Representative Members' Council on dissolution within six weeks from the date of demand under that paragraph.

４　第百五十六条の規定は、前項の社員総会の決議について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of Article 156 shall apply mutatis mutandis to the resolution of the general members' council set forth in the preceding paragraph. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

第百五十八条　会社法第九百二十六条（解散の登記）並びに商業登記法第七十一条第一項及び第三項（解散の登記）の規定は、相互会社について準用する。この場合において、同項中「会社法第四百七十八条第一項第一号」とあるのは「保険業法第百八十条の四第一項第一号」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。

Article 158 The provisions of Article 926 (Registration of Dissolution) of the Companies Act, and Article 71, paragraphs (1) and (3) (Registration of Dissolution) of the Commercial Registration Act shall apply mutatis mutandis to a Mutual Company. In this case, the term "Article 478, paragraph (1), item (i) of the Companies Act" in Article 71, paragraph (3) of the Commercial Registration Act shall be deemed to be replaced with "Article 180-4, paragraph (1), item (i) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第二節　合併

Section 2 Merger

第一款　通則

Subsection 1 General Rules

第百五十九条　相互会社は、他の相互会社又は保険業を営む株式会社と合併をすることができる。この場合においては、合併をする相互会社又は株式会社は、合併契約を締結しなければならない。

Article 159 (1) A Mutual Company may merge with another Mutual Company or a Stock Company that conducts Insurance Business. In this case, a merger agreement shall be concluded between the mutual companies or between the Mutual Company and the Stock Company.

２　前項の場合において、合併後存続する会社又は合併により設立する会社は、次の各号に掲げる場合の区分に応じ当該各号に定める会社でなければならない。

(2) In the case referred to in the preceding paragraph, the company surviving the merger or the company incorporated by the merger shall be the company that falls under one of the following items in the case set forth in each of those items:

一　相互会社と相互会社とが合併をする場合　相互会社

(i) Where a Mutual Company merges with another Mutual Company: a Mutual Company; or

二　相互会社と保険業を営む株式会社とが合併をする場合　相互会社又は保険業を営む株式会社

(ii) Where a Mutual Company merges with a Stock Company that conducts Insurance Business: a Mutual Company or a Stock Company that conducts Insurance Business.

第二款　合併契約

Subsection 2 Merger Agreement

（相互会社と相互会社との吸収合併契約）

(Absorption-Type Merger Agreement between Mutual Companies)

第百六十条　相互会社と相互会社とが吸収合併（相互会社が他の相互会社又は株式会社とする合併であって、合併により消滅する相互会社又は株式会社の権利義務の全部を合併後存続する相互会社又は株式会社に承継させるものをいう。以下同じ。）をする場合には、吸収合併契約において、次に掲げる事項を定めなければならない。

Article 160 Where mutual companies carry out an absorption-type merger (meaning any merger that a Mutual Company effects with another Mutual Company or a Stock Company, whereby the surviving mutual or Stock Company succeeds to any and all rights and obligations of the absorbed mutual or Stock Company; the same shall apply hereinafter), the absorption-type merger agreement shall provide for the following particulars:

一　吸収合併後存続する相互会社（以下この節において「吸収合併存続相互会社」という。）及び吸収合併により消滅する相互会社（以下この節において「吸収合併消滅相互会社」という。）の名称及び住所

(i) The names and addresses of the Mutual Company surviving the absorption-type merger (hereinafter referred to as the "Mutual Company Surviving the Absorption-Type Merger" in this Section) and the Mutual Company extinguished in the merger (hereinafter referred to as "Absorbed Mutual Company" in this Section);

二　吸収合併消滅相互会社の社員に対して交付すべき金銭の額を定めたときは、その定め

(ii) The amount of any money to be granted to the members of the Absorbed Mutual Company;

三　吸収合併消滅相互会社の保険契約者の吸収合併後における権利に関する事項

(iii) The particulars of the rights of the Policyholders of the Absorbed Mutual Company following the merger;

四　吸収合併がその効力を生ずる日

(iv) The date on which the Merger takes effect; and

五　その他内閣府令で定める事項

(v) Any other particular specified by Cabinet Office Ordinance.

（相互会社と相互会社との新設合併契約）

(Consolidation-Type Merger Agreement between Mutual Companies)

第百六十一条　相互会社と相互会社とが新設合併（二以上の相互会社又は二以上の相互会社及び株式会社がする合併であって、合併により消滅する相互会社又は株式会社の権利義務の全部を合併により設立する相互会社又は株式会社に承継させるものをいう。以下同じ。）をする場合には、新設合併契約において、次に掲げる事項を定めなければならない。

Article 161 Where mutual companies carry out a consolidation-type merger (meaning any merger effected by two or more mutual companies or by two or more mutual and stock companies, whereby the new mutual or Stock Company established in the merger succeeds to any and all rights and obligations of the mutual or stock companies consolidated by the merger; the same shall apply hereinafter), the consolidation-type merger agreement shall provide for the following particulars:

一　新設合併により消滅する相互会社（以下この節において「新設合併消滅相互会社」という。）の名称及び住所

(i) The names and addresses of the Mutual Companies that will be extinguished in the merger (hereinafter referred to as "Consolidated Mutual Companies" in this Section);

二　新設合併により設立する相互会社（以下この節において「新設合併設立相互会社」という。）の目的、名称及び主たる事務所の所在地

(ii) The purpose and name of the Mutual Company to be established in the merger (hereinafter referred to as the "Mutual Company Established by the Consolidation-Type Merger" in this Section) and the address of its principal office;

三　前号に掲げるもののほか、新設合併設立相互会社の定款で定める事項

(iii) In addition to what is listed in the preceding item, particulars specified by the articles of incorporation of the Mutual Company Established by the Consolidation-Type Merger;

四　新設合併設立相互会社の設立時取締役の氏名

(iv) The names of the directors at incorporation of the Mutual Company Established by the Consolidation-Type Merger;

五　次に掲げる場合の区分に応じ、次に定める事項

(v) The particulars set forth in the following items in accordance with the categories provided therein:

イ　新設合併設立相互会社が会計参与設置会社である場合　新設合併設立相互会社の設立時会計参与の氏名又は名称

(a) Where the Mutual Company Established by the Consolidation-Type Merger is a company with accounting advisors: the names of the accounting advisors at incorporation of the Mutual Company Established by the Consolidation-Type Merger;

ロ　新設合併設立相互会社が監査役設置会社である場合　新設合併設立相互会社の設立時監査役の氏名

(b) Where the Mutual Company Established by the Consolidation-Type Merger is a company with auditors: the names of the company auditors at incorporation of the Mutual Company Established by the Consolidation-Type Merger; or

ハ　新設合併設立相互会社が会計監査人設置会社である場合　新設合併設立相互会社の設立時会計監査人の氏名又は名称

(c) Where the Mutual Company Established by the Consolidation-Type Merger is a company with accounting auditors: the names of the accounting auditors at incorporation of the Mutual Company Established by the Consolidation-Type Merger;

六　新設合併消滅相互会社の社員に対して交付すべき金銭の額を定めたときは、その定め

(vi) The amount of any money to be granted to the members of the Consolidated Mutual Companies;

七　新設合併後における保険契約者の権利に関する事項

(vii) The particulars of the rights of Policyholders following the merger; and

八　その他内閣府令で定める事項

(viii) Any other particular specified by Cabinet Office Ordinance.

（相互会社が存続するときの株式会社と相互会社との吸収合併契約）

(Absorption-Type Merger Agreement between Stock and Mutual Companies Survived by Mutual Company)

第百六十二条　株式会社と相互会社とが吸収合併をする場合において、吸収合併後存続する保険会社等が相互会社であるときは、吸収合併契約において、次に掲げる事項を定めなければならない。

Article 162 (1) In an absorption-type merger between a Stock Company and a Mutual Company where the surviving Insurance Company, etc. is the Mutual Company, the merger agreement shall provide for the following particulars:

一　吸収合併により消滅する株式会社（以下この節において「吸収合併消滅株式会社」という。）及び吸収合併存続相互会社の商号及び名称並びに住所

(i) The trade names, names and addresses of the Stock Company extinguished in the merger (hereinafter referred to as "Absorbed Stock Company" in this Section) and the Mutual Company Surviving the Absorption-Type Merger;

二　吸収合併消滅株式会社の株主及び新株予約権者に対する補償の方法

(ii) The method of compensation for the shareholders and holders of share options of the Absorbed Stock Company;

三　吸収合併存続相互会社の準備金に関する事項

(iii) The particulars of the Reserves of the Mutual Company Surviving the Absorption-Type Merger;

四　吸収合併消滅株式会社の保険契約者の吸収合併後における権利に関する事項

(iv) The particulars of the rights of the Policyholders of the Absorbed Stock Company following the merger;

五　吸収合併がその効力を生ずる日

(v) The date on which the merger takes effect; and

六　その他内閣府令で定める事項

(vi) Any other particular specified by Cabinet Office Ordinance.

２　第六十八条第六項の規定は、前項の吸収合併の場合について準用する。この場合において、同条第六項中「第四項の準備金のほか、損失てん補準備金」とあるのは「損失てん補準備金」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 68, paragraph (6) shall apply mutatis mutandis to the absorption-type merger set forth in the preceding paragraph. In this case, the term "deficiency reserves in addition to the reserves set forth in paragraph (4)" in that paragraph shall be deemed to be replaced with "deficiency reserve"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

３　第七十二条第一項の規定は、第一項第一号の吸収合併消滅株式会社について準用する。この場合において、同条第一項中「第七十条第二項」とあるのは「第百六十五条の七第二項」と、「組織変更」とあるのは「吸収合併」と、「通知し、その承諾を得なければならない」とあるのは「通知しなければならない」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。

(3) The provisions of Article 72, paragraph (1) shall apply mutatis mutandis to the Absorbed Stock Company set forth in paragraph (1), item (i). In this case, the terms "Article 70, paragraph (2)" and "Entity Conversion" in that paragraph shall be deemed to be replaced with "Article 165-7, paragraph (2)" and "absorption-type merger," respectively; and the term "to obtain his/her consent" shall be deemed to be deleted; any other necessary technical change in interpretation shall be specified by Cabinet Order.

４　第八十三条の規定は、第一項の吸収合併について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of Article 83 shall apply mutatis mutandis to the absorption-type merger set forth in paragraph (1). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（相互会社を設立するときの株式会社と相互会社との新設合併契約）

(Consolidation-Type Merger between Stock and Mutual Companies Incorporating Mutual Company)

第百六十三条　株式会社と相互会社とが新設合併をする場合において、新設合併により設立する保険会社等が相互会社であるときは、新設合併契約において、次に掲げる事項を定めなければならない。

Article 163 (1) In a consolidation-type merger between a Stock Company (or stock companies) and a Mutual Company where the Insurance Company, etc. to be incorporated is a Mutual Company, the merger agreement shall provide for the following particulars:

一　新設合併により消滅する株式会社（以下この節において「新設合併消滅株式会社」という。）及び新設合併消滅相互会社の商号及び名称並びに住所

(i) The trade names, names and addresses of the Stock Company (or stock companies) extinguished in the merger (hereinafter referred to as "Consolidated Stock Company" in this Section) and the consolidated mutual company;

二　新設合併設立相互会社の目的、名称及び主たる事務所の所在地

(ii) The purpose and name of the Mutual Company Established by the Consolidation-Type Merger and the address of its principal office;

三　前号に掲げるもののほか、新設合併設立相互会社の定款で定める事項

(iii) In addition to what is listed in the preceding item, particulars specified by the articles of incorporation of the Mutual Company Established by the Consolidation-Type Merger;

四　新設合併設立相互会社の設立時取締役の氏名

(iv) The names of the directors at incorporation of the Mutual Company Established by the Consolidation-Type Merger;

五　次に掲げる場合の区分に応じ、次に定める事項

(v) The particulars set forth in the following items in accordance with the categories provided therein:

イ　新設合併設立相互会社が会計参与設置会社である場合　新設合併設立相互会社の設立時会計参与の氏名又は名称

(a) Where the Mutual Company Established by the Consolidation-Type Merger is a company with accounting advisors: the names of the accounting advisors at incorporation of the Mutual Company Established by the Consolidation-Type Merger;

ロ　新設合併設立相互会社が監査役設置会社である場合　新設合併設立相互会社の設立時監査役の氏名

(b) Where the Mutual Company Established by the Consolidation-Type Merger is a company with auditors: the names of the company auditors at incorporation of the Mutual Company Established by the Consolidation-Type Merger; or

ハ　新設合併設立相互会社が会計監査人設置会社である場合　新設合併設立相互会社の設立時会計監査人の氏名又は名称

(c) Where the Mutual Company Established by the Consolidation-Type Merger is a company with accounting auditors: the names of the accounting auditors at incorporation of the Mutual Company Established by the Consolidation-Type Merger;

六　新設合併消滅株式会社の株主及び新株予約権者に対する補償の方法

(vi) The method of compensation for the shareholders and holders of share options of the Consolidated Stock Company;

七　新設合併消滅相互会社の社員に対して交付すべき金銭の額を定めたときは、その定め

(vii) The amount of any money to be granted to the members of the consolidated mutual company;

八　新設合併設立相互会社の準備金に関する事項

(viii) The particulars of the Reserves of the Mutual Company Established by the Consolidation-Type Merger;

九　新設合併後における保険契約者の権利に関する事項

(ix) The particulars of the rights of Policyholders following the merger; and

十　その他内閣府令で定める事項

(x) Any other particular specified by Cabinet Office Ordinance.

２　前条第二項の規定は前項の新設合併の場合について、同条第三項の規定は新設合併消滅株式会社について、それぞれ準用する。この場合において、同項中「吸収合併」とあるのは「新設合併」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 paragraph (2) of the preceding Article shall apply mutatis mutandis to the consolidation-type merger set forth in the preceding paragraph; and the provisions of paragraph (3) of that Article shall apply mutatis mutandis to a Consolidated Stock Company. In this case, the term "absorption-type merger" in Article 162, paragraph (3) shall be deemed to be replaced with "consolidation-type merger"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

３　第八十三条の規定は、第一項の新設合併について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 83 shall apply mutatis mutandis to the consolidation-type merger set forth in paragraph (1). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（株式会社が存続するときの株式会社と相互会社との吸収合併契約）

(Absorption-Type Merger Agreement between Stock and Mutual Companies Survived by Stock Company)

第百六十四条　株式会社と相互会社とが吸収合併をする場合において、吸収合併後存続する保険会社等が株式会社であるときは、吸収合併契約において、次に掲げる事項を定めなければならない。

Article 164 (1) In an absorption between a Stock Company and a Mutual Company where the surviving Insurance Company, etc. is the Stock Company, the merger agreement shall provide for the following particulars:

一　吸収合併後存続する株式会社（以下この節において「吸収合併存続株式会社」という。）及び吸収合併消滅相互会社の商号及び名称並びに住所

(i) The trade names, names and addresses of the Stock Company surviving the merger (hereinafter referred to as "Stock Company Surviving the Absorption-Type Merger" in this Section) and the Absorbed Mutual Company;

二　吸収合併存続株式会社が吸収合併に際して吸収合併消滅相互会社の社員に対して株式等（株式又は金銭をいう。以下この節において同じ。）を交付するときは、当該株式等についての次に掲げる事項

(ii) The following particulars of any share, etc. (meaning any share or money; hereinafter the same shall apply in this Section) to be granted to the members of the Absorbed Mutual Company by the Stock Company Surviving the Absorption-Type Merger in carrying out the merger:

イ　当該株式等が吸収合併存続株式会社の株式であるときは、当該株式の数（種類株式発行会社にあっては、株式の種類及び種類ごとの数）又はその数の算定方法並びに当該吸収合併存続株式会社の資本金及び準備金の額に関する事項

(a) Where the share, etc. is the shares of the Stock Company Surviving the Absorption-Type Merger, the number of such shares (or, in a company with class shares, the classes of such shares and the number of shares by class) or the method of calculating such number, and the particulars of the amounts of capital and Reserves of the Stock Company Surviving the Absorption-Type Merger; or

ロ　当該株式等が金銭であるときは、当該金銭の額又はその算定方法

(b) Where the share, etc. is money, the amount of such money or the method of calculating the amount;

三　前号に規定する場合には、吸収合併消滅相互会社の社員（吸収合併存続株式会社を除く。）に対する同号の株式等の割当てに関する事項

(iii) Where the preceding item applies, the particulars of the allocation of Shares, etc. to the members of the Absorbed Mutual Company (excluding the Stock Company Surviving the Absorption-Type Merger) under that item;

四　吸収合併消滅相互会社の社員に対する株式の割当てにより生ずる一株に満たない端数に係る部分につき新たに発行する株式の売却の方法その他売却に関し内閣府令で定める事項

(iv) The method of sale for the new shares to be issued for fractional lots generated by the allocation of shares to the members of the Absorbed Mutual Company, and any other particular specified by Cabinet Office Ordinance regarding such sale;

五　前号の株式を買い受けるときは、買受けの方法その他当該買受けに関し内閣府令で定める事項

(v) Where the shares set forth in the preceding item are purchased, the method of the purchase and any other particular specified by Cabinet Office Ordinance regarding such purchase;

六　吸収合併消滅相互会社の基金の拠出者に対して交付すべき金銭の額を定めたときは、その定め

(vi) The amount of any money to be granted to the contributors to the funds of the Absorbed Mutual Company;

七　吸収合併消滅相互会社の保険契約者の吸収合併後における権利に関する事項

(vii) The particulars of the rights of the Policyholders of the Absorbed Mutual Company following the merger;

八　合併剰余金額に関する事項

(viii) The particulars of the amount of surplus from consolidation;

九　吸収合併がその効力を生ずる日

(ix) The date on which the merger takes effect; and

十　その他内閣府令で定める事項

(x) Any other particular specified by Cabinet Office Ordinance.

２　第八十九条第一項本文及び第二項の規定は、前項の吸収合併の場合について準用する。この場合において、同条第一項中「組織変更をする相互会社」とあるのは「吸収合併消滅相互会社」と、「効力発生日」とあるのは「第百六十四条第一項第九号の日」と、「組織変更計画」とあるのは「同項の吸収合併契約」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 the main clause of Article 89, paragraph (1) and Article 89, paragraph (2) shall apply mutatis mutandis to the absorption-type merger set forth in the preceding paragraph. In this case, the terms "converting Mutual Company," "Effective Date" and "entity conversion plan" in paragraph (1) of the same Article shall be deemed to be replaced with "Absorbed Mutual Company," "date set forth in Article 164, paragraph (1), item (ix)" and "absorption-type merger agreement set forth in Article 164, paragraph (1)," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

３　第九十条の規定は第一項の吸収合併について、第百六十二条第三項の規定は吸収合併消滅相互会社について、それぞれ準用する。この場合において、第九十条第一項中「組織変更をする相互会社の社員は、組織変更計画」とあるのは「吸収合併消滅相互会社の社員は、第百六十四条第一項の吸収合併契約」と、「組織変更後株式会社」とあるのは「吸収合併存続株式会社」と、第百六十二条第三項中「第百六十五条の七第二項」とあるのは「第百六十五条の十七第二項」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。

(3) The provisions of Article 90 shall apply mutatis mutandis to the absorption-type merger set forth in paragraph (1); and the provisions of Article 162, paragraph (3) shall apply mutatis mutandis to an Absorbed Mutual Company. In this case, the terms "members of a converting mutual company," "Converted Stock Company" and "entity conversion plan" in Article 90, paragraph (1) shall be deemed to be replaced with "members of an Absorbed Mutual Company," "Stock Company Surviving the Absorption-Type Merger" and "absorption-type merger agreement set forth in Article 164, paragraph (1)" respectively; and the term "Article 165-7, paragraph (2)" in Article 162, paragraph (3) shall be deemed to be replaced with "Article 165-17, paragraph (2)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

４　第九十一条の規定は、吸収合併存続株式会社について準用する。この場合において、同条中「組織変更剰余金額」とあるのは「合併剰余金額」と、同条第一項中「第八十六条第四項第二号の定款で定める事項として、」とあるのは「定款で」と、同条第三項中「前条第二項」とあるのは「第百六十四条第三項において準用する前条第二項」と、同条第四項中「、組織変更」とあるのは「、第百六十四条第一項の吸収合併」と、「その他組織変更」とあるのは「その他当該吸収合併」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。

(4) The provisions of Article 91 shall apply mutatis mutandis to a Stock Company Surviving an Absorption-Type Merger. In this case, the term "amount of surplus in Entity Conversion" in that Article shall be deemed to be replaced with "amount of merger surplus"; the term "as a particular to be specified by the articles of incorporation pursuant to the provisions of Article 86, paragraph (4), item (ii)" in Article 91, paragraph (1) shall be deemed to be replaced with "in its articles of incorporation"; the term "paragraph (3) of the preceding Article" in Article 91, paragraph (2) shall be deemed to be replaced with "paragraph (2) of the preceding Article as applied mutatis mutandis pursuant to Article 164, paragraph (3)"; and the terms "capital Reserve on Entity Conversion" and "calculations on Entity Conversion" in Article 91, paragraph (4) shall be deemed to be replaced with "capital Reserve on an absorption-type merger under Article 164, paragraph (1)" and "calculations on such absorption-type merger," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（株式会社を設立するときの株式会社と相互会社との新設合併契約）

(Consolidation-Type Merger Agreement between Stock and Mutual Companies Incorporating Stock Company)

第百六十五条　株式会社と相互会社とが新設合併をする場合において、新設合併により設立する保険会社等が株式会社であるときは、新設合併契約において、次に掲げる事項を定めなければならない。

Article 165 (1) In a consolidation-type merger between a Stock Company (or stock companies) and a Mutual Company where the Insurance Company, etc. to be incorporated is a Stock Company, the merger agreement shall provide for the following particulars:

一　新設合併消滅会社（新設合併消滅株式会社及び新設合併消滅相互会社をいう。以下この節において同じ。）の商号及び名称並びに住所

(i) The trade names, names and addresses of the consolidated companies (meaning the Consolidated Stock Company and the consolidated mutual company; hereinafter the same shall apply in this Section);

二　新設合併により設立する株式会社（以下この節において「新設合併設立株式会社」という。）の目的、商号、本店の所在地及び発行可能株式総数

(ii) The purpose, trade name, address of the head office, and total number of authorized shares of the Stock Company to be established in the merger (hereinafter referred to as "Stock Company Established by Consolidation-Type Merger" in this Section);

三　前号に掲げるもののほか、新設合併設立株式会社の定款で定める事項

(iii) In addition to what is listed in the preceding item, particulars specified by the articles of incorporation of the Stock Company Established by the Consolidation-Type Merger;

四　新設合併設立株式会社の設立に際して取締役となる者の氏名

(iv) The names of the persons to serve as directors at the incorporation of the Stock-Company Established by the Consolidation-Type Merger;

五　次に掲げる場合の区分に応じ、次に定める事項

(v) The particulars set forth in the following items in accordance with the categories provided therein:

イ　新設合併設立株式会社が会計参与設置会社である場合　新設合併設立株式会社の設立に際して会計参与となる者の氏名又は名称

(a) Where the Stock-Company Established by the Consolidation-Type Merger is a company with accounting advisors: the names of the persons to serve as accounting advisors at the incorporation of the Stock Company Established by the Consolidation-Type Merger;

ロ　新設合併設立株式会社が監査役設置会社である場合　新設合併設立株式会社の設立に際して監査役となる者の氏名

(b) Where the Stock Company Established by the Consolidation-Type Merger is a company with auditors: the names of the persons to serve as company auditors at the incorporation of the Stock Company Established by the Consolidation-Type Merger; or

ハ　新設合併設立株式会社が会計監査人設置会社である場合　新設合併設立株式会社の設立に際して会計監査人となる者の氏名又は名称

(c) Where the Stock Company Established by the Consolidation-Type Merger is a company with accounting auditors: the names of the persons to serve as accounting auditors at the incorporation of the Stock Company Established by the Consolidation-Type Merger;

六　新設合併設立株式会社が新設合併に際して新設合併消滅株式会社の株主に対して交付するその株式に代わる当該新設合併設立株式会社の株式の数（種類株式発行会社にあっては、株式の種類及び種類ごとの数）又はその数の算定方法

(vi) The number of the Stock Company Established by the Consolidation-Type Merger's shares (or, in a company with class shares, the classes of share and the number of shares by class) to be granted by the company in carrying out the merger to the shareholders of the Consolidated Stock Company in lieu of the latter company's shares, or the method of calculating such number;

七　新設合併設立株式会社が新設合併に際して新設合併消滅相互会社の社員に対して交付する当該新設合併設立株式会社の株式の数（種類株式発行会社にあっては、株式の種類及び種類ごとの数）又はその数の算定方法

(vii) The number of the Stock Company Established by the Consolidation-Type Merger's shares (or, in a company with class shares, the classes of shares and the number of shares by class) to be granted by the company in carrying out the merger to the members of the consolidated mutual company;

八　新設合併設立株式会社の資本金及び準備金の額に関する事項

(viii) The particulars of the amounts of the capital and reserves of the Stock Company Established by the Consolidation-Type Merger;

九　新設合併消滅株式会社の株主（新設合併消滅株式会社及び新設合併消滅相互会社を除く。）又は新設合併消滅相互会社の社員（新設合併消滅株式会社及び新設合併消滅相互会社を除く。）に対する第六号又は第七号の株式の割当てに関する事項

(ix) The particulars of the allocation of shares under item (vi) or (vii) to the shareholders of the Consolidated Stock Company (excluding any Consolidated Stock Company or consolidated mutual company) or the members of the consolidated mutual company (excluding any Consolidated Stock Company or consolidated mutual company);

十　新設合併消滅相互会社の社員に対する株式の割当てにより生ずる一株に満たない端数に係る部分につき新たに発行する株式の売却の方法その他売却に関し内閣府令で定める事項

(x) The method of sale for the new shares to be issued for fractional lots generated by the allocation of shares to the members of the consolidated mutual company, and any other particular specified by Cabinet Office Ordinance regarding such sale;

十一　前号の株式を買い受けるときは、買受けの方法その他当該買受けに関し内閣府令で定める事項

(xi) Where the shares set forth in the preceding item are purchased, the method of the purchase and any other particular specified by Cabinet Office Ordinance regarding such purchase;

十二　新設合併消滅株式会社が新株予約権を発行しているときは、新設合併設立株式会社が新設合併に際して当該新株予約権の新株予約権者に対して交付する当該新株予約権に代わる当該新設合併設立株式会社の新株予約権又は金銭についての次に掲げる事項

(xii) Where a Consolidated Stock Company has issued share options, the following particulars of the Stock Company Established by the Consolidation-Type Merger's share options or money to be granted by the latter company in carrying out the merger to the holders of share options of the Consolidated Stock Company in lieu of such share options:

イ　当該新設合併消滅株式会社の新株予約権の新株予約権者に対して新設合併設立株式会社の新株予約権を交付するときは、当該新株予約権の内容及び数又はその算定方法

(a) Where share options of the Stock Company Established by the Consolidation-Type Merger are granted to the holders of stock options of the Consolidated Stock Company, the contents and number of the share options thus granted and the method of calculating such number;

ロ　イに規定する場合において、イの新設合併消滅株式会社の新株予約権が新株予約権付社債に付された新株予約権であるときは、新設合併設立株式会社が当該新株予約権付社債についての社債（会社法第二条第二十三号（定義）に規定する社債をいう。ロにおいて同じ。）に係る債務を承継する旨並びにその承継に係る社債の種類及び種類ごとの各社債の金額の合計額又はその算定方法

(b) In the case prescribed in (a), if the share options of the Consolidated Stock Company set forth in (a) are share options attached to bonds, the fact that the Stock Company Established by the Consolidation-Type Merger will assume the obligations pertaining to the bonds (meaning bonds as defined in Article 2, item (xxiii) of the Companies Act; the same shall apply in this sub-item) with stock options, and the classes of bonds covered by such assumption and the total value of the bonds by class or the method of calculating such amount; or

ハ　イの新設合併消滅株式会社の新株予約権以外の当該新設合併消滅株式会社の新株予約権の新株予約権者に対して金銭を交付するときは、当該金銭の額又はその算定方法

(c) Where any money is granted to the holders of stock options of a Consolidated Stock Company other than that set forth in (a), the amount of such money or the method of calculating such amount;

十三　前号に規定する場合には、新設合併消滅株式会社の新株予約権の新株予約権者に対する同号の新設合併設立株式会社の新株予約権又は金銭の割当てに関する事項

(xiii) Where the preceding item applies, the particulars of the allocation of Stock Company Established by the Consolidation-Type Merger's share options or money to the holders of share options of the Consolidated Stock Company set forth in that item;

十四　新設合併消滅株式会社の株主又は新設合併消滅相互会社の基金の拠出者若しくは社員に対して交付すべき金額を定めたときは、その定め

(xiv) The amount of any money to be granted to the shareholders of the Consolidated Stock Company, or the contributors to the funds and the members of the consolidated mutual company;

十五　新設合併後における保険契約者の権利に関する事項

(xv) The particulars of the rights of Policyholders following the merger;

十六　合併剰余金額に関する事項

(xvi) The particulars of the amount of surplus from consolidation; and

十七　その他内閣府令で定める事項

(xvii) Any other particular specified by Cabinet Office Ordinance.

２　前項に規定する場合において、新設合併消滅株式会社の全部又は一部が種類株式発行会社であるときは、新設合併消滅会社は、新設合併消滅株式会社の発行する種類の株式の内容に応じ、同項第六号に掲げる事項として次に掲げる事項を定めることができる。

(2) In the case prescribed in the preceding paragraph, the consolidated companies may, where all or any of the consolidated stock company is a company with class shares, prescribe the following particulars as particulars listed in item (vi) of that paragraph, depending on the class structure of the shares issued by the Consolidated Stock Company:

一　ある種類の株式の株主に対して新設合併設立株式会社の株式の割当てをしないこととするときは、その旨及び当該株式の種類

(i) If they do not allocate shares of the Stock Company Established by the Consolidation-Type Merger to any specific class of shareholder, that fact and the relevant class of share; and

二　前号に掲げる事項のほか、新設合併設立株式会社の株式の割当てについて株式の種類ごとに異なる取扱いを行うこととするときは、その旨及び当該異なる取扱いの内容

(ii) In addition to what is listed in the preceding item, if they treat each class of share in a different manner in allocating shares of the Stock Company Established by the Consolidation-Type Merger, that fact and a description of such different treatment.

３　第一項に規定する場合には、同項第六号に掲げる事項についての定めは、新設合併消滅株式会社の株主（新設合併消滅株式会社、新設合併消滅相互会社及び前項第一号の種類の株式の株主を除く。）の有する株式の数（前項第二号に掲げる事項についての定めがある場合にあっては、各種類の株式の数）に応じて新設合併設立株式会社の株式を交付することを内容とするものでなければならない。

(3) Where paragraph (1) applies, the provisions for the particulars listed in item (vi) of that paragraph shall include a clause that the shares of the Stock Company Established by the Consolidation-Type Merger shall be allocated in accordance with the number of shares (or, where the articles of incorporation include provisions for the particulars listed in item (ii) of the preceding paragraph, the number of shares by class) held by each shareholder of the Consolidated Stock Company (excluding any Consolidated Stock Company, consolidated mutual company or holder of the class of share set forth in item (i) of the preceding paragraph).

４　第八十九条第一項本文及び第二項の規定は、第一項の新設合併の場合について準用する。この場合において、同条第一項中「組織変更をする相互会社」とあるのは「新設合併消滅相互会社」と、「効力発生日」とあるのは「新設合併設立株式会社の成立の日」と、「組織変更計画」とあるのは「第百六十五条第一項の新設合併契約」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。

(4) The provisions of the main clause of Article 89, paragraph (1) and Article 89, paragraph (2) shall apply mutatis mutandis to the consolidation-type merger set forth in paragraph (1). In this case, the terms "converting Mutual Company," "Effective Date" and "entity conversion plan" in paragraph (1) of the same Article shall be deemed to be replaced with "consolidated mutual company," "date of the establishment of the Stock Company Established by the Consolidation-Type Merger" and "consolidation-type merger agreement set forth in Article 165, paragraph (1)," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

５　第九十条の規定は第一項の新設合併について、第百六十二条第三項の規定は新設合併消滅相互会社について、それぞれ準用する。この場合において、第九十条第一項中「組織変更をする相互会社の社員は、組織変更計画」とあるのは「新設合併消滅相互会社の社員は、第百六十五条第一項の新設合併契約」と、「組織変更後株式会社」とあるのは「新設合併設立株式会社」と、第百六十二条第三項中「第百六十五条の七第二項」とあるのは「第百六十五条の十七第二項」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) The provisions of Article 90 shall apply mutatis mutandis to the consolidation-type merger set forth in paragraph (1); and the provisions of Article 162, paragraph (3) shall apply mutatis mutandis to a consolidated mutual company. In this case, the terms "members of a converting Mutual Company," "Converted Stock Company" and "entity conversion plan" in Article 90, paragraph (1) shall be deemed to be replaced with "members of a consolidated mutual company," "Stock Company Established by the Consolidation-Type Merger" and "consolidation-type merger agreement set forth in Article 165, paragraph (1)" respectively; and the term "Article 165-7, paragraph (2)" in Article 162, paragraph (3) shall be deemed to be replaced with "Article 165-17, paragraph (2)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

６　第九十一条の規定は、新設合併設立株式会社について準用する。この場合において、同条中「組織変更剰余金額」とあるのは「合併剰余金額」と、同条第一項中「第八十六条第四項第二号」とあるのは「第百六十五条第一項第三号」と、同条第三項中「前条第二項」とあるのは「第百六十五条第五項において準用する前条第二項」と、同条第四項中「、組織変更」とあるのは「、第百六十五条第一項の新設合併」と、「その他組織変更」とあるのは「その他当該新設合併」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。

(6) The provisions of Article 91 shall apply mutatis mutandis to a Stock Company Established by the Consolidation-Type Merger. In this case, the term "amount of surplus in Entity Conversion" in that Article shall be deemed to be replaced with "amount of surplus from consolidation"; the term "Article 86, paragraph (4), item (ii)" in Article 91, paragraph (1) shall be deemed to be replaced with "Article 165, paragraph (1), item (iii)"; the term "paragraph (2) of the preceding Article" in Article 91, paragraph (3) shall be deemed to be replaced with "paragraph (2) of the preceding Article as applied mutatis mutandis pursuant to Article 165, paragraph (5)"; and the terms "capital Reserve on Entity Conversion" and "calculations on Entity Conversion" in Article 91, paragraph (4) shall be deemed to be replaced with "capital reserves on a consolidation-type merger under Article 165, paragraph (1)" and "calculations on such consolidation-type merger," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第三款　合併の手続

Subsection 3 Procedure of Merger

第一目　消滅株式会社の手続

Division 1 Procedures for Extinguished Stock Companies

（合併契約に関する書面等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents Related to a Merger Agreement, etc.)

第百六十五条の二　消滅株式会社（吸収合併消滅株式会社及び新設合併消滅株式会社をいう。以下この節において同じ。）は、次に掲げる日のいずれか早い日から合併がその効力を生ずる日（以下この節において「効力発生日」という。）までの間、合併契約の内容その他内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各営業所に備え置かなければならない。

Article 165-2 (1) An Extinguished Stock Company (meaning an Absorbed Stock Company or a Consolidated Stock Company; hereinafter the same shall apply in this Section) shall, for the period ranging from any of the following dates, whichever is the earliest, to the date on which the merger takes effect (hereinafter referred to as "Effective Date" in this Section), keep at each of its business offices the documents or electromagnetic records in which the details of the merger agreement and any other particulars specified by Cabinet Office Ordinance are detailed or recorded.

一　次条第一項の株主総会又は同条第五項の種類株主総会の日の二週間前の日

(i) The day that is two weeks before the date of the shareholders' meeting set forth in paragraph (1) of the following Article or the class meeting set forth in paragraph (5) of the same Article;

二　第百六十五条の四第一項の規定による通知の日又は同条第二項の公告の日のいずれか早い日

(ii) The date of notice under Article 165-4, paragraph (1) or the date of public notice under paragraph (2) of the same Article, whichever is earlier; or

三　第百六十五条の七第二項の規定による公告の日

(iii) The date of public notice under Article 165-7, paragraph (2).

２　消滅株式会社の株主及び保険契約者その他の債権者は、消滅株式会社に対して、その営業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該消滅株式会社の定めた費用を支払わなければならない。

(2) The creditors of an Extinguished Stock Company, such as shareholders and Policyholders, may make the following requests to the company at any time during its operating hours; provided, however, that they pay the fees determined by the Extinguished Stock Company in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって消滅株式会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Extinguished Stock Company, or to be issued a document detailing such particulars.

（合併契約の承認）

(Authorization of Merger Agreement)

第百六十五条の三　消滅株式会社は、効力発生日の前日までに、株主総会の決議によって、合併契約の承認を受けなければならない。

Article 165-3 (1) An extinguished stock company shall have its merger agreement approved by a resolution of the shareholders' meeting by the day before the Effective Date.

２　消滅株式会社が前項の規定による決議をする場合には、会社法第三百九条第二項（株主総会の決議）の規定による決議によらなければならない。

(2) The resolution set forth in the preceding paragraph to be adopted by an extinguished stock company shall be a resolution under Article 309, paragraph (2) (Resolution of shareholders' meetings) of the Companies Act.

３　消滅株式会社は、第一項の規定による決議をする場合には、会社法第二百九十九条第一項（株主総会の招集の通知）の通知において、合併契約の要領を示さなければならない。

(3) An extinguished stock company shall, if it seeks to adopt a resolution under paragraph (1), provide an outline of the merger agreement in the notice to be given pursuant to Article 299, paragraph (1) (Notice of Calling of Shareholders' Meetings) of the Companies Act.

４　第二項の規定にかかわらず、消滅株式会社が公開会社（会社法第二条第五号（定義）に規定する公開会社をいう。以下この節において同じ。）である場合において、消滅株式会社の株主に対して交付する株式等の全部又は一部が譲渡制限株式であるときは、第一項の決議は、同法第三百九条第三項に定める決議によらなければならない。ただし、当該消滅株式会社が種類株式発行会社である場合は、この限りでない。

(4) Notwithstanding the provisions of paragraph (2), where the merger involves an extinguished stock company that is a public company (meaning a public company as defined in Article 2, item (v) (Definitions) of the Companies Act; hereinafter the same shall apply in this Section), and all or Part of the Shares, etc. to be distributed to the shareholders of the extinguished stock company are shares with restriction on transfer, the resolution set forth in paragraph (1) shall be a resolution under Article 309, paragraph (3) of that Act; provided, however, that this shall not apply to the cases where the extinguished stock company is a company with class shares.

５　新設合併消滅株式会社が種類株式発行会社である場合において、新設合併消滅株式会社の株主に対して交付する新設合併設立株式会社の株式の全部又は一部が譲渡制限株式であるときは、当該新設合併は、当該譲渡制限株式の割当てを受ける種類の株式（譲渡制限株式を除く。）の種類株主を構成員とする種類株主総会（当該種類株主に係る株式の種類が二以上ある場合にあっては、当該二以上の株式の種類別に区分された種類株主を構成員とする各種類株主総会）の決議がなければ、その効力を生じない。ただし、当該種類株主総会において議決権を行使することができる株主が存しない場合は、この限りでない。

(5) In a consolidation-type merger involving a Consolidated Stock Company that is a company with class shares, where all or Part of the shares of the Stock Company Established by the Consolidation-Type Merger to be distributed to the shareholders of the Consolidated Stock Company are shares with restriction on transfer, the merger shall be null and void unless approved by a resolution of the class meeting composed of the holders of the class of share (excluding shares with restriction on transfer) for which the shares with restriction on transfer are to be distributed (or, where the shares with restriction on transfer are to be distributed to the holders of two or more classes of share, the class meetings each composed of the holders of one of such classes of share); provided, however, that this shall not apply to the cases where no shareholders can exercise their voting rights in the relevant class meeting.

６　新設合併消滅株式会社が前項の規定による決議をする場合には、会社法第三百二十四条第三項（種類株主総会の決議）の規定による決議によらなければならない。

(6) Any resolution by a Consolidated Stock Company under the preceding paragraph shall be a resolution under Article 324, paragraph (3) (Resolution of Class Meetings) of the Companies Act.

（株主等に対する通知等）

(Notice, etc. to Shareholders, etc.)

第百六十五条の四　消滅株式会社は、効力発生日の二十日前までに、その株主及び登録株式質権者並びにその新株予約権者及び登録新株予約権質権者に対し、合併をする旨並びに吸収合併存続相互会社又は合併により設立する保険業を営む株式会社若しくは相互会社（以下この節において「新設合併設立会社」という。）の商号又は名称及び住所を通知しなければならない。

Article 165-4 (1) An extinguished stock company shall, no later than twenty days before the Effective Date, notify its shareholders and the registered pledgees of its shares, and the holders of its share options and the registered pledgees of its share options of the planned merger, and of the trade name or name and address of the Mutual Company Surviving the Absorption-Type Merger, or the Stock Company conducting Insurance Business or Mutual Company to be incorporated by the merger (hereinafter referred to as "Formed Company" in this Section).

２　前項の規定による通知は、公告をもってこれに代えることができる。

(2) A notice under the preceding paragraph may be replaced with a public notice.

３　会社法第二百十九条第一項（第六号に係る部分に限る。）、第二項及び第三項（株券の提出に関する公告等）、第二百二十条（株券の提出をすることができない場合）並びに第二百九十三条第一項（第三号に係る部分に限る。）（新株予約権証券の提出に関する公告等）の規定は、消滅株式会社について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 219, paragraph (1) (limited to the segment pertaining to item (vi)), (2) and (3) (Public Notice in Relation to Submission of Share Certificate), Article 220 (Cases Where Share Certificates Cannot be Submitted), and Article 293, paragraph (1) (limited to the segment pertaining to item (iii) (Public Notice in Relation to Submission of Share Option Certificate) of the Companies Act shall apply mutatis mutandis to an extinguished stock company. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（株式買取請求権）

(Right to Request Purchase of Shares)

第百六十五条の五　次に掲げる株主は、消滅株式会社に対し、自己の有する株式を公正な価格で買い取ることを請求することができる。

Article 165-5 (1) The following shareholders may request the extinguished stock company to purchase the shares that they hold at a fair price:

一　合併契約を承認するための株主総会（種類株主総会を含む。以下この号において同じ。）に先立って当該合併に反対する旨を当該消滅株式会社に対し通知し、かつ、当該株主総会において当該合併に反対した株主（当該株主総会において議決権を行使することができるものに限る。）

(i) A shareholder who, prior to the shareholders' meeting to approve the merger agreement (including the class meeting; hereinafter the same shall apply in this item), has given notice to the extinguished stock company of his/her intent to oppose the merger, and has actually opposed the merger at the shareholders' meeting (limited to a shareholder who can exercise his/her voting rights at the shareholders' meeting); and

二　当該株主総会において議決権を行使することができない株主

(ii) A shareholder who cannot exercise his/her voting rights at the shareholders' meeting.

２　会社法第七百八十五条第五項から第七項まで（反対株主の株式買取請求）、第七百八十六条（株式の価格の決定等）、第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第四号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、前項の規定による請求について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of Article 785, paragraphs (5) to (7) inclusive (Dissenting Shareholders' Share Purchase Demand), Article 786 (Determination, etc. of Price of Shares), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (iv)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to a request made under the preceding paragraph. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（新株予約権買取請求）

(Right to Request Purchase of Share Options)

第百六十五条の六　消滅株式会社の新株予約権者は、消滅株式会社に対し、自己の有する新株予約権を公正な価格で買い取ることを請求することができる。

Article 165-6 (1) A holder of share options of an extinguished stock company may request the company to purchase the share options that he/she holds at a fair price:

２　会社法第七百八十七条第五項から第七項まで（新株予約権買取請求）、第七百八十八条（新株予約権の価格の決定等）、第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第四号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、前項の規定による請求について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of Article 787, paragraphs (5) to (7) inclusive (Demand for Purchase of Share Options), Article 788 (Determination, etc. of Price of Share Options), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (iv)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to a request made under the preceding paragraph. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（債権者の異議）

(Objections of Creditors)

第百六十五条の七　消滅株式会社の保険契約者その他の債権者は、消滅株式会社に対し、合併について異議を述べることができる。

Article 165-7 (1) Policyholders or other creditors of an extinguished stock company may state to the company their objections to the merger.

２　消滅株式会社は、次に掲げる事項を官報及び当該消滅株式会社の定款で定めた公告方法により公告しなければならない。ただし、第四号の期間は、一月を下ることができない。

(2) An extinguished stock company shall give public notice of the following particulars in the Official Gazette and by the Method of Public Notice prescribed by its articles of incorporation; provided, however, that the period for item (iv) may not be shorter than one month:

一　合併をする旨

(i) The fact that a merger will be carried out;

二　吸収合併存続相互会社又は他の新設合併消滅会社（新設合併消滅株式会社及び新設合併消滅相互会社をいう。第百六十五条の十七第二項において同じ。）及び新設合併設立会社の商号又は名称及び住所

(ii) The trade names or names and addresses of the Mutual Company Surviving the Absorption-Type Merger or other consolidated companies (meaning consolidated stock companies and Consolidated Mutual Companies; the same shall apply in Article 165-17, paragraph (2)) and the Formed Company;

三　消滅株式会社の計算書類に関する事項として内閣府令で定めるもの

(iii) The particulars specified by Cabinet Office Ordinance as pertaining to the financial statements of an extinguished stock company;

四　消滅株式会社の保険契約者その他の債権者が一定の期間内に異議を述べることができる旨

(iv) The fact that Policyholders or other creditors of the extinguished stock company may state their objections within a certain period of time; 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, particulars specified by Cabinet Office Ordinance.

３　保険契約者その他の債権者が前項第四号の期間内に異議を述べなかったときは、当該保険契約者その他の債権者は、当該合併について承認をしたものとみなす。

(3) Where no Policyholders or other creditors have stated their objections within the period set forth in item (iv) of the preceding paragraph, such Policyholders or other creditors shall be deemed to have approved the merger.

４　第七十条第四項から第八項までの規定は、第一項の規定による債権者の異議について準用する。この場合において、同条第四項及び第六項中「第二項第四号」とあるのは「第百六十五条の七第二項第四号」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。

(4) The provisions of Article 70, paragraphs (4) to (8) inclusive shall apply mutatis mutandis to objections of creditors under paragraph (1). In this case, the term "paragraph (2), item (iv)" in paragraphs (5) and (6) of the same Article shall be deemed to be replaced with "Article 165-7, paragraph (2), item (iv)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（吸収合併の効力発生日の変更）

(Change in Effective Date of Absorption-Type Merger)

第百六十五条の八　吸収合併消滅株式会社は、吸収合併存続相互会社との合意により、効力発生日を変更することができる。

Article 165-8 (1) An Absorbed Stock Company may change the Effective Date in an agreement with the Mutual Company Surviving the Absorption-Type Merger.

２　前項の場合には、吸収合併消滅株式会社は、変更前の効力発生日（変更後の効力発生日が変更前の効力発生日前の日である場合にあっては、当該変更後の効力発生日）の前日までに、変更後の効力発生日を公告しなければならない。

(2) In the case set forth in the preceding paragraph, the Absorbed Stock Company shall give public notice of the Effective Date thus changed by the day before the original Effective Date (or, where the changed Effective Date falls before the original Effective Date, the changed Effective Date).

３　第一項の規定により効力発生日を変更したときは、変更後の効力発生日を効力発生日とみなして、この節の規定を適用する。

(3) Where the Effective Date has been changed pursuant to the provisions of paragraph (1), the changed Effective Date shall be deemed to be the Effective Date for the purpose of applying the provisions of this Section.

第二目　吸収合併存続株式会社の手続

Division 2 Procedures for a Stock Company Surviving an Absorption-Type Merger

（吸収合併契約に関する書面等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents Related to an Absorption-Type Merger Agreement, etc.)

第百六十五条の九　吸収合併存続株式会社は、次に掲げる日のいずれか早い日から効力発生日後六月を経過する日までの間、吸収合併契約の内容その他内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各営業所に備え置かなければならない。

Article 165-9 (1) A Stock Company Surviving an Absorption-Type Merger shall, for the period ranging from any of the following dates, whichever is the earliest, to the day that is six months after the Effective Date, keep at each of its business offices the documents or electromagnetic records in which the details of the absorption-type merger agreement and any other particulars specified by Cabinet Office Ordinance are detailed or recorded.

一　吸収合併契約について株主総会（種類株主総会を含む。）の決議によってその承認を受けなければならないときは、当該株主総会の日の二週間前の日

(i) Where the merger agreement needs to be approved by a resolution of the shareholders' meeting (including the class meeting), the day that is two weeks before the date of the shareholders' meeting;

二　第百六十五条の十二において準用する第百六十五条の四第一項の規定による通知の日又は第百六十五条の十二において準用する第百六十五条の四第二項の公告の日のいずれか早い日

(ii) The date of notice under Article 165-4, paragraph (1) as applied mutatis mutandis pursuant to Article 165-12 or the date of public notice under Article 165-4, paragraph (2) as applied mutatis mutandis pursuant to Article 165-12, whichever is earlier; or

三　第百六十五条の十二において準用する第百六十五条の七第二項の規定による公告の日

(iii) The date of public notice under Article 165-7, paragraph (2) as applied mutatis mutandis pursuant to Article 165-12.

２　吸収合併存続株式会社の株主及び保険契約者その他の債権者は、吸収合併存続株式会社に対して、その営業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併存続株式会社の定めた費用を支払わなければならない。

(2) The creditors of a Stock Company Surviving an Absorption-Type Merger, such as Shareholders and Policyholders, may make the following requests to the company at any time during its operating hours; provided, however, that they pay the fees determined by the Stock Company Surviving the Absorption-Type Merger in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって吸収合併存続株式会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Stock Company Surviving the Absorption-Type Merger, or to be issued a document detailing such particulars.

（吸収合併契約の承認等）

(Authorization of Absorption-Type Merger Agreement, etc.)

第百六十五条の十　吸収合併存続株式会社は、効力発生日の前日までに、株主総会の決議によって、吸収合併契約の承認を受けなければならない。

Article 165-10 (1) A Stock Company Surviving an Absorption-Type Merger shall have its merger agreement approved by a resolution of the shareholders' meeting by the day before the Effective Date.

２　吸収合併存続株式会社が前項の規定による決議をする場合には、会社法第三百九条第二項（株主総会の決議）の規定による決議によらなければならない。

(2) The resolution set forth in the preceding paragraph to be adopted by the Stock Company Surviving the Absorption-Type Merger shall be a resolution under Article 309, paragraph (2) (Resolution of Shareholders' Meetings) of the Companies Act.

３　吸収合併存続株式会社は、第一項の規定による決議をする場合には、会社法第二百九十九条第一項（株主総会の招集の通知）の通知において、吸収合併契約の要領を示さなければならない。

(3) A Stock Company Surviving an Absorption-Type Merger, if it seeks to adopt a resolution under paragraph (1), shall provide an outline of the absorption-type merger agreement in the notice to be given pursuant to Article 299, paragraph (1) (Notice of Calling of Shareholders' Meetings) of the Companies Act.

４　承継する吸収合併消滅相互会社の資産に吸収合併存続株式会社の株式が含まれる場合には、取締役は、第一項の株主総会において、当該株式に関する事項を説明しなければならない。

(4) Where a Stock Company Surviving an Absorption-Type Merger succeeds to the assets of the Absorbed Mutual Company including its own shares, its directors shall explain the particulars of such shares in the shareholders' meeting set forth in paragraph (1).

５　吸収合併存続会社が種類株式発行会社である場合において、吸収合併消滅相互会社の社員に交付する株式等が吸収合併存続株式会社の株式である場合には、吸収合併は、第百六十四条第一項第二号イの種類の株式（譲渡制限株式であって、会社法第百九十九条第四項（募集事項の決定）の定款の定めがないものに限る。）の種類株主を構成員とする種類株主総会（当該種類株主に係る株式の種類が二以上ある場合にあっては、当該二以上の株式の種類別に区分された種類株主を構成員とする各種類株主総会）の決議がなければ、その効力を生じない。ただし、当該種類株主総会において議決権を行使することができる株主が存しない場合は、この限りでない。

(5) In an absorption-type merger wherein the company surviving the merger is a company with class shares, and in which the Shares, etc. to be granted to the members of the Absorbed Mutual Company are shares of the Stock Company Surviving the Absorption-Type Merger, the merger shall be null and void unless approved by a resolution of the class meeting composed of the holders of the class of share set forth in Article 164, paragraph (1), item (ii), sub-item (a) (limited to the shares with restriction on transfer which are not covered by the provisions in the articles of incorporation set forth in Article 199, paragraph (4) (Determination of Subscription Requirements) of the Companies Act) (or, where the shares are to be granted to the holders of two or more classes of share, the class meetings each composed of the holders of one of such classes of share); provided, however, that this shall not apply to the cases where no shareholders can exercise their voting rights in the relevant class meeting.

６　吸収合併存続株式会社が前項の規定による決議をする場合には、会社法第三百二十四条第三項（種類株主総会の決議）の規定による決議によらなければならない。

(6) Any resolution by a Stock Company Surviving an Absorption-Type Merger under the preceding paragraph shall be a resolution under Article 324, paragraph (3) (Resolution of Class Meetings) of the Companies Act.

（吸収合併契約の承認を要しない場合等）

(Cases where Authorization of an Absorption-Type Merger Agreement is not Required, etc.)

第百六十五条の十一　前条第一項から第四項までの規定は、第一号に掲げる額の第二号に掲げる額に対する割合が五分の一（これを下回る割合を吸収合併存続株式会社の定款で定めた場合にあっては、その割合）を超えない場合には、適用しない。ただし、吸収合併消滅相互会社の社員に対して交付する株式等の全部又は一部が吸収合併存続株式会社の譲渡制限株式である場合であって、吸収合併存続株式会社が公開会社でないときは、この限りでない。

Article 165-11 (1) The provisions of the preceding Article paragraphs (1) to (4) inclusive shall not apply where the amount set forth in item (i) does not exceed one fifth (or any smaller proportion prescribed by the articles of incorporation of the Stock Company Surviving the Absorption-Type Merger) of the amount set forth in item (ii); provided, however, that this shall not apply to cases where all or part of the Shares, etc. delivered to members of an Absorbed Mutual Company are shares with restriction on transfer of the Stock Company Surviving the Absorption-Type Merger and where the Stock Company Surviving the Absorption-Type Merger is not a Public Company:

一　次に掲げる額の合計額

(i) The total of the following amounts:

イ　吸収合併消滅相互会社の社員に対して交付する吸収合併存続株式会社の株式の数に一株当たり純資産額（会社法第百四十一条第二項（株式会社による買取りの通知）に規定する一株当たり純資産額をいう。）を乗じて得た額

(a) The amount calculated by multiplying the number of Stock Company Surviving the Absorption-Type Merger's shares to be distributed to the members of the Absorbed Mutual Company by the amount of net assets per share (meaning the amount of net assets per share set forth in Article 141, paragraph (2) (Notice of purchases by Stock Company) of the Companies Act); and

ロ　吸収合併消滅相互会社の社員に対して交付する金銭の額

(b) The amount of money to be granted to the members of the Absorbed Mutual Company;

二　吸収合併存続株式会社の純資産額として内閣府令で定める方法により算定される額

(ii) The amount of net assets of the Stock Company Surviving the Absorption-Type Merger as calculated by the method specified by Cabinet Office Ordinance.

２　前項本文に規定する場合において、内閣府令で定める数の株式（前条第一項の株主総会において議決権を行使することができるものに限る。）を有する株主が次条において準用する第百六十五条の四第一項の規定による通知又は次条において準用する第百六十五条の四第二項の公告の日から二週間以内に吸収合併に反対する旨を吸収合併存続株式会社に対し通知したときは、効力発生日の前日までに、株主総会の決議によって、吸収合併契約の承認を受けなければならない。

(2) In the case prescribed in the main clause of the preceding paragraph, an absorption-type merger agreement shall be approved by a resolution of the shareholders' meeting by the day before the Effective Date, where the holders of the number of shares specified by Cabinet Office Ordinance (limited to those who can exercise their voting rights at the shareholders' meeting set forth in paragraph (1) of the preceding Article) have notified to the Stock Company Surviving the Absorption-Type Merger of their intention to oppose to the merger within two weeks from the date of notice under Article 165-4, paragraph (1) as applied mutatis mutandis pursuant to the following Article or the date of public notice under Article 165-4, paragraph (2) as applied mutatis mutandis pursuant to the following Article.

（準用規定）

(Provision on Mutatis Mutandis Application)

第百六十五条の十二　第百六十五条の四、第百六十五条の五第二項及び第百六十五条の七並びに会社法第七百九十七条第一項及び第二項（反対株主の株式買取請求）の規定は、吸収合併存続株式会社について準用する。この場合において、第百六十五条の四第一項中「及び住所」とあるのは「、住所及び第百六十五条の十第四項に規定する場合にあっては同項の株式に関する事項」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。

Article 165-12 The provisions of Article 165-4, Article 165-5, paragraph (2) and Article 165-7 of this Act of this Act and Article 797, paragraphs (1) and (2) (Dissenting Shareholders' Share Purchase Demand) of the Companies Act shall apply mutatis mutandis to a Stock Company Surviving an Absorption-Type Merger. In this case, the term "and address" in Article 165-4, paragraph (1) shall be deemed to be replaced with ", address and, where Article 165-10, paragraph (4) applies, the particulars of the shares set forth in that paragraph"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（吸収合併に関する書面等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents Related to Absorption-Type Merger, etc.)

第百六十五条の十三　吸収合併存続株式会社は、効力発生日後遅滞なく、吸収合併により吸収合併存続株式会社が承継した吸収合併消滅相互会社の権利義務その他の吸収合併に関する事項として内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を作成しなければならない。

Article 165-13 (1) A Stock Company Surviving an Absorption-Type Merger shall, without delay following the Effective Date, prepare documents or electromagnetic records in which the rights and obligations of the Absorbed Mutual Company assumed by the Stock Company Surviving the Absorption-Type Merger as a result of the absorption-type merger and any other particulars specified by Cabinet Office Ordinance as being involved in an absorption-type merger are detailed or recorded.

２　吸収合併存続株式会社は、効力発生日から六月間、前項の書面又は電磁的記録を各営業所に備え置かなければならない。

(2) A Stock Company Surviving an Absorption-Type Merger shall, for six months from the Effective Date, keep at each of its business offices documents or electromagnetic records set forth in the preceding paragraph.

３　吸収合併存続株式会社の株主及び保険契約者その他の債権者は、吸収合併存続株式会社に対して、その営業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併存続株式会社の定めた費用を支払わなければならない。

(3) The creditors of a Stock Company Surviving an Absorption-Type Merger, such as Shareholders and Policyholders, may make the following requests to the company at any time during its operating hours; provided, however, that they pay the fees determined by the Stock Company Surviving the Absorption-Type Merger in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって吸収合併存続株式会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Stock Company Surviving the Absorption-Type Merger, or to be issued a document detailing such particulars.

第三目　新設合併設立株式会社の手続

Division 3 Procedures for a Stock Company Established by Consolidation-Type Merger

第百六十五条の十四　会社法第二編第一章（第二十七条（第四号及び第五号を除く。）、第二十九条、第三十一条、第三十九条、第六節及び第四十九条を除く。）（設立）の規定は、新設合併設立株式会社の設立については、適用しない。

Article 165-14 (1) The provisions of Part II, Chapter I (excluding Article 27 (excluding items (iv) and (v)), Article 29, Article 31, Article 39, Section 6 and Article 49) (Incorporation) of the Companies Act shall not apply to the incorporation of a Stock Company Established by a Consolidation-Type Merger.

２　新設合併設立株式会社の定款は、新設合併消滅会社が作成する。

(2) The articles of incorporation of a Stock Company Established by a Consolidation-Type Merger shall be drafted by the consolidated companies.

３　前条の規定は、新設合併設立株式会社について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of the preceding Article shall apply mutatis mutandis to a Stock Company Established by a Consolidation-Type Merger. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

第四目　消滅相互会社の手続

Division 4 Procedures for Extinguished Mutual Companies

（合併契約に関する書面等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents Related to a Merger Agreement, etc.)

第百六十五条の十五　消滅相互会社（吸収合併消滅相互会社及び新設合併消滅相互会社をいう。以下この節において同じ。）は、次に掲げる日のいずれか早い日から効力発生日までの間、合併契約の内容その他内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各事務所に備え置かなければならない。

Article 165-15 (1) An extinguished mutual company (meaning an Absorbed Mutual Company or a consolidated mutual company; hereinafter the same shall apply in this Section) shall, for the period ranging from any of the following dates, whichever is earlier, to the Effective Date, keep at each of its offices the documents or electromagnetic records in which the details of the merger agreement and any other particulars specified by Cabinet Office Ordinance are detailed or recorded.

一　次条第一項の社員総会（総代会を設けているときは、総代会。以下この款において同じ。）の日の二週間前の日

(i) The day that is two weeks before the date of the general members' council meeting (or General Representative Members' Council Meeting, where the company has such a council; hereinafter the same shall apply in this Subsection) set forth in paragraph (1) of the following Article; or

二　第百六十五条の十七第二項の規定による公告の日

(ii) The date of public notice under Article 165-17, paragraph (2).

２　消滅相互会社の保険契約者その他の債権者は、消滅相互会社に対して、その事業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該消滅相互会社の定めた費用を支払わなければならない。

(2) Policyholders or other creditors of an extinguished mutual company may make the following requests to the company at any time during its business hours; provided, however, that they pay the fees determined by the extinguished mutual company in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって消滅相互会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the extinguished mutual company, or to be issued a document detailing such particulars.

（合併契約の承認）

(Authorization of Merger Agreement)

第百六十五条の十六　消滅相互会社は、効力発生日の前日までに、社員総会の決議によって、合併契約の承認を受けなければならない。

Article 165-16 (1) An extinguished mutual company shall have its merger agreement approved by a resolution of the general members' council by the day before the Effective Date.

２　消滅相互会社が前項の規定による決議をする場合には、第六十二条第二項の規定による決議によらなければならない。

(2) The resolution set forth in the preceding paragraph to be adopted by an extinguished mutual company shall be a resolution under Article 62, paragraph (2).

（債権者の異議）

(Objections of Creditors)

第百六十五条の十七　消滅相互会社の保険契約者その他の債権者は、消滅相互会社に対し、合併について異議を述べることができる。

Article 165-17 (1) Policyholders or other creditors of an extinguished mutual company may state to the company their objections to the merger.

２　消滅相互会社は、次に掲げる事項を官報及び当該消滅相互会社の定款で定めた公告方法により公告しなければならない。ただし、第三号の期間は、一月を下ることができない。

(2) An extinguished mutual company shall give public notice of the following particulars in the Official Gazette and by the Method of Public Notice prescribed by its articles of incorporation; provided, however, that the period for item (iii) may not be shorter than one month:

一　合併をする旨

(i) The fact that a merger will be carried out;

二　吸収合併存続会社（吸収合併存続相互会社及び吸収合併存続株式会社をいう。以下この節において同じ。）又は他の新設合併消滅会社及び新設合併設立会社の商号又は名称及び住所

(ii) The trade names or names and addresses of the Company Surviving the Absorption-Type Merger (meaning the Mutual Company Surviving the Absorption-Type Merger or Stock Company Surviving the Absorption-Type Merger; hereinafter the same shall apply in this Section) or other consolidated companies and the Formed Company;

三　消滅相互会社の保険契約者その他の債権者が一定の期間内に異議を述べることができる旨

(iii) The fact that Policyholders or other creditors of the extinguished mutual company may state their objections within a certain period of time; and

四　前各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 items, any particular specified by Cabinet Office Ordinance.

３　保険契約者その他の債権者が前項第三号の期間内に異議を述べなかったときは、当該保険契約者その他の債権者は、当該合併について承認をしたものとみなす。

(3) Where no Policyholders or other creditors have stated their objections within the period set forth in item (iii) of the preceding paragraph, such Policyholders or other creditors shall be deemed to have approved the merger.

４　第八十八条第四項から第六項まで及び第九項の規定は、第一項の規定による債権者の異議について準用する。この場合において、同条第四項及び第六項中「第二項第三号」とあるのは「第百六十五条の十七第二項第三号」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。

(4) The provisions of Article 88, paragraphs (4) to (6) inclusive shall apply mutatis mutandis to objections of creditors under paragraph (1). In this case, the term "paragraph (2), item (iii)" in paragraphs (4) and (6) of the same Article shall be deemed to be replaced with "Article 165-17, paragraph (2), item (iii)"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（吸収合併の効力発生日の変更）

(Change in Effective Date of an Absorption-Type Merger)

第百六十五条の十八　吸収合併消滅相互会社は、吸収合併存続会社との合意により、効力発生日を変更することができる。

Article 165-18 (1) An Absorbed Mutual Company may change the Effective Date in an agreement with the Company Surviving the Absorption-Type Merger.

２　前項の場合には、吸収合併消滅相互会社は、変更前の効力発生日（変更後の効力発生日が変更前の効力発生日前の日である場合にあっては、当該変更後の効力発生日）の前日までに、変更後の効力発生日を公告しなければならない。

(2) In the case set forth in the preceding paragraph, the Absorbed Mutual Company shall give public notice of the Effective Date thus changed by the day before the original Effective Date (or, where the changed Effective Date falls before the original Effective Date, the changed Effective Date).

３　第一項の規定により効力発生日を変更したときは、変更後の効力発生日を効力発生日とみなして、この節の規定を適用する。

(3) Where the Effective Date has been changed pursuant to the provisions of paragraph (1), the changed Effective Date shall be deemed to be the Effective Date for the purpose of applying the provisions of this Section.

第五目　吸収合併存続相互会社の手続

Division 5 Procedures for a Mutual Company Surviving an Absorption-Type Merger

（吸収合併契約に関する書面等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents Related to an Absorption-Type Merger Agreement, etc.)

第百六十五条の十九　吸収合併存続相互会社は、次に掲げる日のいずれか早い日から効力発生日後六月を経過する日までの間、吸収合併契約の内容その他内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各事務所に備え置かなければならない。

Article 165-19 (1) A Mutual Company Surviving an Absorption-Type Merger shall, for the period ranging from any of the following dates, whichever is earlier, to the day that is six months after the Effective Date, keep at each of its offices the documents or electromagnetic records in which the details of the absorption-type merger agreement and any other particulars specified by Cabinet Office Ordinance are detailed or recorded.

一　次条において準用する第百六十五条の十六第一項の社員総会の日の二週間前の日

(i) The day that is two weeks before the date of the general members' council meeting set forth in Article 165-16, paragraph (1) as applied mutatis mutandis pursuant to the following Article; or

二　次条において準用する第百六十五条の十七第二項の規定による公告の日

(ii) The date of public notice under Article 165-17, paragraph (2) as applied mutatis mutandis pursuant to the following Article.

２　吸収合併存続相互会社の保険契約者その他の債権者は、吸収合併存続相互会社に対して、その事業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併存続相互会社の定めた費用を支払わなければならない。

(2) Policyholders or other creditors of a Mutual Company Surviving an Absorption-Type Merger may make the following requests to the company at any time during its business hours; provided, however, that they pay the fees determined by the Mutual Company Surviving the Absorption-Type Merger in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって吸収合併存続相互会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Mutual Company Surviving the Absorption-Type Merger, or to be issued a document detailing such particulars.

（準用規定）

(Mutatis Mutandis Application of Provisions)

第百六十五条の二十　第百六十五条の十六及び第百六十五条の十七の規定は、吸収合併存続相互会社について準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 165-20 The provisions of Articles 165-16 and 165-17 shall apply mutatis mutandis to a Mutual Company Surviving an Absorption-Type Merger. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（吸収合併に関する書面等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents Related to an Absorption-Type Merger, etc.)

第百六十五条の二十一　吸収合併存続相互会社は、効力発生日後遅滞なく、吸収合併により吸収合併存続相互会社が承継した吸収合併消滅相互会社又は吸収合併消滅株式会社の権利義務その他の吸収合併に関する事項として内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を作成しなければならない。

Article 165-21 (1) A Mutual Company Surviving an Absorption-Type Merger shall, without delay following the Effective Date, prepare documents or electromagnetic records in which the rights and obligations of the Absorbed Mutual Company or Absorbed Stock Company which are assumed by the Mutual Company Surviving the Absorption-Type Merger as a result of the absorption-type merger and any other particulars specified by Cabinet Office Ordinance as being involved in an absorption-type merger are detailed or recorded.

２　吸収合併存続相互会社は、効力発生日から六月間、前項の書面又は電磁的記録を各事務所に備え置かなければならない。

(2) A Mutual Company Surviving an Absorption-Type Merger shall, for six months from the Effective Date, keep at each of its offices documents or electromagnetic records set forth in the preceding paragraph.

３　吸収合併存続相互会社の保険契約者その他の債権者は、吸収合併存続相互会社に対して、その事業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併存続相互会社の定めた費用を支払わなければならない。

(3) Policyholders or other creditors of a Mutual Company Surviving an Absorption-Type Merger may make the following requests to the company at any time during its business hours; provided, however, that they pay the fees determined by the Stock Company Surviving the Absorption-Type Merger in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって吸収合併存続相互会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Mutual Company Surviving the Absorption-Type Merger, or to be issued a document detailing such particulars.

第六目　新設合併設立相互会社の手続

Division 6 Procedures for a Mutual Company Established by Consolidation-Type Merger

第百六十五条の二十二　第二章第二節第二款（第二十三条（第一項第九号及び第四項を除く。）、第二十五条、第二十六条、第三十条の十第二項から第四項まで及び第六項並びに第三十条の十三第一項を除く。）の規定は、新設合併設立相互会社の設立については、適用しない。

Article 165-22 (1) The provisions of Chapter II, Section 2, Subsection 2 (excluding Article 23 (excluding paragraph (1), item (ix) and paragraph (4)), Article 25, Article 26, Article 30-10, paragraphs (2) to (4) inclusive and (6), and Article 30-13, paragraph (1)) shall not apply to the incorporation of a Mutual Company Established by a Consolidation-Type Merger.

２　新設合併設立相互会社の定款は、新設合併消滅会社が作成する。

(2) The articles of incorporation of a Mutual Company Established by a Consolidation-Type Merger shall be drafted by the consolidated companies.

３　前条の規定は、新設合併設立相互会社について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of the preceding Article shall apply mutatis mutandis to a Mutual Company Established by a Consolidation-Type Merger. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

第七目　株式会社の合併に関する特則

Division 7 Special Provisions on the Merger of Stock Companies

（合併契約に関する書面等の備置き及び閲覧等に関する特則）

(Special Provisions on the Retention and Inspection, etc. of Documents Related to Merger Agreements, etc.)

第百六十五条の二十三　保険業を営む株式会社が会社法第七百四十八条（合併契約の締結）の合併をする場合（合併後存続する会社又は合併により設立する会社が保険業を営む株式会社である場合に限る。）における同法第七百八十二条第一項、第七百九十四条第一項（吸収合併契約等に関する書面等の備置き及び閲覧等）及び第八百三条第一項（新設合併契約等に関する書面等の備置き及び閲覧等）の規定の適用については、これらの規定中「事項」とあるのは「事項及び内閣府令で定める事項」と、「その本店」とあるのは「各営業所」とする。

Article 165-23 For the purpose of applying the provisions of Article 782, paragraph (1), Article 794, paragraph (1) (Retention and Inspection, etc. of Documents, etc. Related to an Absorption-type Merger Agreement, etc.) and Article 803, paragraph (1) (Retention and Inspection, etc. of Documents, etc. Related to a Consolidation-type Merger Agreement, etc.) of the Companies Act to a merger of stock companies that conducts Insurance Business pursuant to Article 748 (Conclusion of a Merger Agreement) of that Act, the terms "Ordinance of the Ministry of Justice" and "its head office" in those provisions shall be deemed to be replaced with "Ordinance of the Ministry of Justice or Cabinet Office Ordinance" and "each of its business offices," respectively.

（債権者の異議に関する特則）

(Special Provisions on Objections of the Creditors)

第百六十五条の二十四　会社法第七百四十八条（合併契約の締結）の合併（合併後存続する会社又は合併により設立する会社が保険業を営む株式会社である場合に限る。）をする保険業を営む株式会社（以下この節において「会社法合併会社」という。）の保険契約者その他の債権者は、会社法合併会社に対し、合併について異議を述べることができる。

Article 165-24 (1) Policyholders or other creditors of a stock company conducting Insurance Business that seeks to carry out a merger under Article 748 (Conclusion of a Merger Agreement) of the Companies Act (limited to the cases where the company to survive the merger or to be incorporated by the merger is a stock company conducting Insurance Business) (hereinafter referred to as "Merging Company under the Companies Act" in this Section) may state to the company their objections to the merger.

２　前項の場合には、会社法合併会社は、次に掲げる事項を官報及び当該会社法合併会社の定款で定めた公告方法により公告しなければならない。ただし、第四号の期間は、一月を下ることができない。

(2) In the case set forth in the preceding paragraph, a Merging Company under the Companies Act shall give public notice of the following particulars in the Official Gazette and by the Method of Public Notice prescribed by its articles of incorporation; provided, however, that the period for item (iv) may not be shorter than one month:

一　合併をする旨

(i) The fact that a merger will be carried out;

二　合併をする会社及び合併後存続する会社又は合併により設立する会社の商号及び住所

(ii) The trade names and addresses of the merging companies and the company to survive the merger or the company to be incorporated by the merger;

三　前号に規定する会社の計算書類に関する事項として内閣府令で定めるもの

(iii) The particulars specified by Cabinet Office Ordinance as pertaining to the financial statements of the companies set forth in the preceding item;

四　会社法合併会社の保険契約者その他の債権者が一定の期間内に異議を述べることができる旨

(iv) The fact that Policyholders or other creditors of the Merging Company under the Companies Act may state their objections within a certain period of time; 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, any particular specified by Cabinet Office Ordinance.

３　保険契約者その他の債権者が前項第四号の期間内に異議を述べなかったときは、当該保険契約者その他の債権者は、当該合併について承認をしたものとみなす。

(3) Where no Policyholders or other creditors have stated their objections within the period set forth in item (iv) of the preceding paragraph, such Policyholders or other creditors shall be deemed to have approved the merger.

４　保険契約者その他の債権者が第二項第四号の期間内に異議を述べたときは、会社法合併会社は、当該保険契約者その他の債権者に対し、弁済し、若しくは相当の担保を提供し、又は当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託しなければならない。ただし、当該合併をしても当該保険契約者その他の債権者を害するおそれがないときは、この限りでない。

(4) Where any Policyholder or other creditor has stated his/her objection under paragraph (2), item (iv), the merging company under the Company Act shall make payment or provide equivalent security to such Policyholder or other creditor, or entrust equivalent property to a trust company, etc. for the purpose of ensuring that such Policyholder or other creditor receive the payment; provided, however, that this shall not apply to the cases where the merger poses no risk of harming the interest of such Policyholder or other creditor;

５　前項の規定は、保険契約者その他保険契約に係る権利を有する者の当該権利（保険金請求権等を除く。）については、適用しない。

(5) The provisions of the preceding paragraph shall not apply to the Policyholders or any rights held by other persons pertaining to insurance contracts (other than Insurance Claims, etc.).

６　第二項第四号の期間内に異議を述べた保険契約者（同項の規定による公告の時において既に保険金請求権等が生じている保険契約（当該保険金請求権等に係る支払により消滅することとなるものに限る。）に係る保険契約者を除く。以下この項及び次項において同じ。）の数が保険契約者の総数の五分の一を超え、かつ、当該異議を述べた保険契約者の保険契約に係る債権（保険金請求権等を除く。）の額に相当する金額として内閣府令で定める金額が保険契約者の当該金額の総額の五分の一を超えるときは、合併の承認の決議は、効力を有しない。

(6) Any resolution approving the merger under shall be null and void if the number of the Policyholders who have stated their objections within the period set forth in paragraph (2), item (iv) (excluding the holders of policies under which Insurance Claims, etc. had arisen by the time of public notice under paragraph (2) (but limited to those policies that would be terminated with the payment of the Insurance Claims, etc.); hereinafter the same shall apply in this paragraph and the following paragraph) exceeds one fifth of the total number of Policyholders, and the amount specified by Cabinet Office Ordinance as the credits (other than Insurance Claims, etc.) belonging to the insurance contracts of the Policyholders who have stated such objections exceeds one fifth of the total amount of credits belonging to the Policyholders.

７　前各項の規定によりされた合併は、前項の異議を述べた保険契約者及び保険契約者に係る保険契約に係る権利（保険金請求権等を除く。）を有する者についても、その効力を生ずる。

(7) A merger carried out pursuant to the provisions of the preceding paragraphs shall also be effective against the Policyholders who have stated their objections under the preceding paragraph and other persons who hold any right (other than Insurance Claims, etc.) pertaining to the insurance contracts involving the Policyholders.

８　前各項に定めるもののほか、これらの規定の適用に関し必要な事項は、政令で定める。

(8) In addition to what is provided for in the preceding paragraphs, necessary particulars for the application of those provisions shall be specified by Cabinet Order.

９　会社法第七百八十九条、第七百九十九条及び第八百十条（債権者の異議）の規定は、会社法合併会社については、適用しない。

(9) The provisions of Articles 789, 799 and 810 (Objections of Creditors) of the Companies Act shall not apply to a Merging Company under the Companies Act.

第八目　合併後の公告等

Division 8 Public Notice, etc. after Merger

第百六十六条　合併後存続する保険会社等又は合併により設立する保険会社等は、合併後、遅滞なく、合併がされたこと及び内閣府令で定める事項を公告しなければならない。第百六十五条の七第二項（第百六十五条の十二において準用する場合を含む。）、第百六十五条の十七第二項（第百六十五条の二十において準用する場合を含む。）又は前条第二項の規定による公告をした保険会社等が合併をしないこととなったときも、同様とする。

Article 166 (1) An Insurance Company, etc. surviving a merger or an Insurance Company, etc. incorporated by a merger shall, without delay following the merger, give public notice of the fact that the merger has been carried out and the particulars specified by Cabinet Office Ordinance. The same shall apply where an Insurance Company, etc. that has given public notice under paragraph (2) of the preceding Article (including the cases where it is applied mutatis mutandis pursuant to Article 165-12), Article 165-17, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20) or paragraph (2) of the preceding Article has renounced the planned merger.

２　合併後存続する保険会社等又は合併により設立する保険会社等は、合併の日から六月間、第百六十五条の七（第百六十五条の十二において準用する場合を含む。）、第百六十五条の十七（第百六十五条の二十において準用する場合を含む。）又は前条に規定する手続の経過その他の合併に関する事項として内閣府令で定める事項を記載し、又は記録した書面又は電磁的記録を各営業所又は各事務所に備え置かなければならない。

(2) An Insurance Company, etc. surviving a merger or an Insurance Company, etc. incorporated by a merger shall, for six months from the date of the merger, keep at each of its business offices or offices the documents or electromagnetic records in which the progress of the procedures provided for in Article 165-7 (including the cases where it is applied mutatis mutandis pursuant to Article 165-20), Article 165-17 (including the cases where it is applied mutatis mutandis pursuant to Article 165-20) and any other particulars specified by Cabinet Office Ordinance as being involved in a merger are detailed or recorded.

３　合併後存続する保険会社等又は合併により設立する保険会社等の株主及び保険契約者その他の債権者は、その営業時間内又は事業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該合併後存続する保険会社等又は合併により設立する保険会社等の定めた費用を支払わなければならない。

(3) The creditors, such as Shareholders and Policyholders, of an Insurance Company, etc. surviving a merger or an Insurance Company, etc. incorporated by a merger may make the following requests at any time during its operating hours or business hours; provided, however, that they pay the fees determined by the Insurance Company, etc. in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by Cabinet Office Ordinance; or

四　前項の電磁的記録に記録された事項を電磁的方法であって合併後存続する保険会社等又は合併により設立する保険会社等の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by the Insurance Company, etc. surviving a merger or the Insurance Company, etc. incorporated by a merger, or to be issued a document detailing such particulars.

第四款　合併の効力の発生等

Subsection 4 Effectuation, etc. of Merger

（合併の認可）

(Authorization of Merger)

第百六十七条　保険会社等の合併（保険会社等が合併後存続する場合又は保険会社等を合併により設立する場合に限る。）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 167 (1) Any merger involving an Insurance Company, etc. (limited to the cases where the Insurance Company, etc. survives the merger or where an Insurance Company, etc. is established by the merger) shall be null and void without the authorization of the Prime Minister.

２　内閣総理大臣は、前項の認可の申請があったときは、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。

(2) Whenever an application has been filed for the authorization set forth in the preceding paragraph, the Prime Minister shall examine whether it conforms to the following standards:

一　当該合併が、保険契約者等の保護に照らして、適当なものであること。

(i) The merger is appropriate in light of the protection of Policyholders, etc.;

二　保険会社による認可の申請にあっては、当該合併が、保険会社相互の適正な競争関係を阻害するおそれのないものであること。

(ii) If the application for authorization is from an Insurance Company, that the merger poses no risk of impeding the appropriate competitive relationships among insurance companies; and

三　当該合併後存続する保険会社等又は当該合併により設立する保険会社等が、合併後に、その業務を的確、公正かつ効率的に遂行する見込みが確実であること。

(iii) It is certain that the Insurance Company, etc. surviving the merger or the Insurance Company, etc. established by the merger will perform its business in an appropriate, fair and efficient manner following the merger.

３　内閣総理大臣は、第一項の認可の申請が保険会社と少額短期保険業者との合併に係るものであるときは、合併後存続する会社又は合併により設立される会社が保険会社でなければ、同項の認可をしてはならない。

(3) The Prime Minister must not give the authorization set forth in paragraph (1) for any application made under that paragraph for a merger between an Insurance Company and a Low-Cost, Short-Term Insurer, unless the company surviving the merger or the company established by the merger is an Insurance Company.

（みなし免許等）

(Deemed License, etc.)

第百六十八条　前条第一項の認可を受けて合併により設立される株式会社又は相互会社は、当該設立の時に、保険会社を当事者とする合併にあっては第三条第一項の内閣総理大臣の免許を受けたものとみなし、保険会社を当事者としない合併にあっては第二百七十二条第一項の登録を受けたものとみなす。

Article 168 (1) A Stock Company or Mutual Company established by a merger with the authorization set forth in paragraph (1) of the preceding Article shall, at the time of its establishment, be deemed to obtain the license from the Prime Minister set forth in Article 3, paragraph (1) where the merger involves an Insurance Company, or the registration set forth in Article 272, paragraph (1) where the merger does not involve any Insurance Company.

２　前項の免許は、合併により消滅する保険会社が受けていた第三条第一項の免許に係る同条第二項の免許の種類と同一の種類の免許とする。

(2) The license set forth in the preceding paragraph shall be either of the two types of license listed in Article 3, paragraph (2), whichever was obtained under paragraph (1) of the same Article by the Insurance Company that is extinguished in the merger.

（合併の効力の発生等）

(Effectuation, etc. of Merger)

第百六十九条　吸収合併存続相互会社は、効力発生日に、吸収合併消滅会社（吸収合併消滅相互会社又は吸収合併消滅株式会社をいう。以下この節において同じ。）の権利義務を承継する。

Article 169 (1) A Mutual Company Surviving an Absorption-Type Merger shall, on the Effective Date, succeed to the rights and obligations of the absorbed company (meaning the Absorbed Mutual Company or Absorbed Stock Company; hereinafter the same shall apply in this Section).

２　吸収合併消滅会社の吸収合併による解散は、吸収合併の登記の後でなければ、これをもって第三者に対抗することができない。

(2) The dissolution of an absorbed company following a merger may not be duly asserted against a third party prior to the registration of the merger.

３　吸収合併消滅株式会社の株式及び新株予約権は、効力発生日に、消滅する。

(3) The shares and share options of an Absorbed Stock Company shall expire on the Effective Date.

４　吸収合併消滅会社の保険契約者は、効力発生日に、吸収合併存続相互会社に入社する。ただし、吸収合併存続相互会社の定款で当該保険契約者の保険契約と同種の保険契約に係る保険契約者が社員とされていない場合は、この限りでない。

(4) The Policyholders of an absorbed company shall gain membership in the Mutual Company Surviving the Absorption-Type Merger on the Effective Date; provided, however, that this shall not apply to the cases where the Mutual Company Surviving the Absorption-Type Merger's articles of incorporation do not grant membership to the Policyholders with the same class of insurance contracts as those covered by the merger agreement.

５　前各項の規定は、第百六十五条の七若しくは第百六十五条の十七（第百六十五条の二十において準用する場合を含む。）の規定による手続が終了していない場合又は吸収合併を中止した場合には、適用しない。

(5) The provisions of the preceding paragraphs shall not apply where the procedure set forth in Article 165-7 or 165-17 (including the cases where it is applied mutatis mutandis pursuant to Article 165-20) has not been completed, or where the absorption-type merger has been voluntarily abandoned.

第百六十九条の二　新設合併設立相互会社は、その成立の日に、新設合併消滅会社の権利義務を承継する。

Article 169-2 (1) A Mutual Company Established by a Consolidation-Type Merger shall, on the date of its establishment, succeed to the rights and obligations of the consolidated companies.

２　新設合併消滅会社の保険契約者は、新設合併設立相互会社の成立の日に、新設合併設立相互会社に入社する。ただし、新設合併設立相互会社の定款で当該保険契約者の保険契約と同種の保険契約に係る保険契約者が社員とされていない場合は、この限りでない。

(2) The Policyholders of a consolidated company shall gain membership in the Mutual Company Established by a Consolidation-Type Merger on the date of the latter's establishment; provided, however, that this shall not apply to the cases where the Mutual Company Established by the Consolidation-Type Merger's articles of incorporation do not grant membership to the Policyholders with the same class of insurance contracts as those covered by the merger agreement.

３　新設合併消滅株式会社の株式及び新株予約権は、新設合併設立相互会社の成立の日に、消滅する。

(3) The shares and share options of a Consolidated Stock Company shall expire on the date of the establishment of the Mutual Company Established by the Consolidation-Type Merger.

第百六十九条の三　吸収合併存続株式会社は、効力発生日に、吸収合併消滅会社の権利義務を承継する。

Article 169-3 (1) A Stock Company Surviving an Absorption-Type Merger shall succeed to the rights and obligations of the absorbed company on the Effective Date.

２　吸収合併消滅会社の吸収合併による解散は、吸収合併の登記の後でなければ、これをもって第三者に対抗することができない。

(2) The dissolution of an absorbed company following a merger may not be duly asserted against a third party prior to the registration of the merger.

３　第百六十四条第一項第二号イに掲げる事項についての定めがある場合には、吸収合併消滅相互会社の社員は、効力発生日に、同項第三号に掲げる事項についての定めに従い、同項第二号イの株式の株主となる。

(3) Where the merger agreement provides for the particulars listed in Article 164, paragraph (1), item (ii), sub-item (a), the members of an Absorbed Mutual Company shall, on the Effective Date, become holders of the shares set forth in said sub-item pursuant to the provisions of the merger agreement on the particulars listed in Article 164, paragraph (1), item (iii).

４　前三項の規定は、第百六十五条の十二において準用する第百六十五条の七若しくは第百六十五条の十七の規定による手続が終了していない場合又は吸収合併を中止した場合には、適用しない。

(4) The provisions of the preceding three paragraphs shall not apply where the procedure set forth in Article 165-7 as applied mutatis mutandis pursuant to Article 165-12 or in Article 165-17 has not been completed, or where the absorption-type merger has been voluntarily abandoned.

第百六十九条の四　新設合併設立株式会社は、その成立の日に、新設合併消滅会社の権利義務を承継する。

Article 169-4 (1) A Stock Company Established by a Consolidation-Type Merger shall, on the date of its establishment, succeed to the rights and obligations of the consolidated companies.

２　新設合併消滅会社の株主又は社員は、新設合併設立株式会社の成立の日に、第百六十五条第一項第九号に掲げる事項についての定めに従い、同項第六号又は第七号の株式の株主となる。

(2) The shareholders or members of a consolidated company shall, on the date of the establishment of the Stock Company Established by the Consolidation-Type Merger, become the holders of the shares set forth in Article 165, paragraph (1), item (vi) or (vii) pursuant to the provisions of the merger agreement on the particulars listed in Article 165, paragraph (1), item (ix).

３　新設合併消滅株式会社の新株予約権は、新設合併設立株式会社の成立の日に、消滅する。

(3) The share options of a Consolidated Stock Company shall expire on the date of the establishment of the Stock Company Established by the Consolidation-Type Merger.

４　第百六十五条第一項第十二号イに規定する場合には、新設合併消滅株式会社の新株予約権の新株予約権者は、新設合併設立株式会社の成立の日に、同項第十三号に掲げる事項についての定めに従い、同項第十二号イの新設合併設立株式会社の新株予約権の新株予約権者となる。

(4) In the case prescribed in Article 165, paragraph (1), item (xii), sub-item (a), the holders of share options of a Consolidated Stock Company shall, on the date of the establishment of the Stock Company Established by the Consolidation-Type Merger, become holders of the latter company's share options as set forth in said sub-item, pursuant to the provisions of the merger agreement on the particulars listed in Article 165, paragraph (1), item (xiii).

（合併の登記）

(Registration of Merger)

第百六十九条の五　相互会社又は株式会社が吸収合併をしたときは、その効力が生じた日から二週間以内に、その主たる事務所又は本店の所在地において、吸収合併消滅会社については解散の登記をし、吸収合併存続会社については変更の登記をしなければならない。

Article 169-5 (1) Where a Mutual Company or stock company has undergone an absorption-type merger, it shall make, at the location of its principal office or head office, a registration of dissolution for the absorbed company and a registration of change for the Company Surviving the Absorption-Type Merger, within two weeks from the date on which the merger took effect.

２　二以上の相互会社又は株式会社が新設合併をする場合には、次の各号に掲げる場合の区分に応じ、当該各号に定める日から二週間以内に、その主たる事務所又は本店の所在地において、新設合併消滅会社については解散の登記をし、新設合併設立会社については設立の登記をしなければならない。

(2) Where two or more Mutual Companies or Stock Companies are involved in a consolidation-type merger, they shall complete, at the location of their principal offices or head offices, registrations of dissolution for the consolidated companies and a registration of incorporation for the Formed Company, within two weeks from the dates specified in each of the following items in accordance with the categories provided therein:

一　新設合併消滅会社が株式会社のみである場合　次に掲げる日のいずれか遅い日

(i) Where the consolidated companies only include stock companies, any of the following dates, whichever is the latest:

イ　第百六十五条の三第一項の株主総会の決議の日

(a) The date of the resolution at the shareholders' meeting set forth in Article 165-3, paragraph (1);

ロ　新設合併をするために種類株主総会の決議を要するときは、当該決議の日

(b) Where a resolution of the class meeting is required for the merger, the date of such resolution;

ハ　第百六十五条の四第一項の規定による通知又は同条第二項の公告をした日から二十日を経過した日

(c) The day on which twenty days have elapsed since a notice under Article 165-4, paragraph (1) or a public notice under paragraph (2) of the same Article was given;

ニ　第百六十五条の七の規定による手続が終了した日

(d) The date of completion of the procedure set forth in Article 165-7; or

ホ　新設合併消滅会社が合意により定めた日

(e) Any date fixed by the consolidated companies in an agreement;

二　新設合併消滅会社が相互会社のみである場合　次に掲げる日のいずれか遅い日

(ii) Where the consolidated companies only include Mutual Companies, any of the following dates, whichever is the latest:

イ　第百六十五条の十六第一項の社員総会の決議の日

(a) The date of the resolution of the general members' council set forth in Article 165-16, paragraph (1);

ロ　第百六十五条の十七の規定による手続が終了した日

(b) The date of completion of the procedure set forth in Article 165-17; or

ハ　新設合併消滅会社が合意により定めた日

(c) Any date fixed by the consolidated companies in an agreement; or

三　新設合併消滅会社が株式会社及び相互会社である場合　前二号に定める日のいずれか遅い日

(iii) Where the consolidated companies include a Stock Company (or stock companies) and a Mutual Company, any of the dates specified in the preceding two items, whichever is the latest.

３　前二項に規定する場合には、当該相互会社又は株式会社は、これらの規定に規定する日から三週間以内に、支店又は従たる事務所の所在地においても、これらの規定に規定する登記をしなければならない。ただし、第一項に規定する変更の登記は、会社法第九百三十条第二項各号（支店の所在地における登記）（第六十四条第三項において準用する場合を含む。）に掲げる事項に変更が生じた場合に限り、するものとする。

(3) In the cases prescribed in the preceding two paragraphs, the Mutual Company or Stock Company shall also complete the registration(s) set forth in the applicable provisions at the location of its (their) branch offices or secondary offices, within three weeks from the date specified in the applicable provision; provided, however, that a registration of change under paragraph (1) shall only be made where the change affects any of the particulars listed in the items of Article 930, paragraph (2) (Registration at Location of Branch Offices) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 64, paragraph (3)).

（合併の登記の申請等）

(Application for Registration of Merger, etc.)

第百七十条　第百五十九条第一項及び第百六十五条の二十三の合併による変更の登記の申請書には、商業登記法第十八条、第十九条（申請書の添付書面）及び第四十六条（添付書面の通則）（これらの規定を第六十七条において準用する場合を含む。）並びに同法第八十条（吸収合併の登記）（第三項において準用する場合を含む。）に定める書類のほか、次に掲げる書類を添付しなければならない。

Article 170 (1) The following documents shall be attached to a written application for registration of change due to a merger under Article 159, paragraph (1) and Article 165-23, in addition to the documents set forth in Articles 18 and 19 (Documents to be Attached to Written Application) and Article 46 (General Rules on Attached Documents) of the Commercial Registration Act (including the cases where they are applied mutatis mutandis pursuant to Article 67), and Article 80 (Registration of Absorption-Type Merger) of that Act (including the cases where it is applied mutatis mutandis pursuant to paragraph (3)):

一　第百六十五条の七第二項（第百六十五条の十二において準用する場合を含む。）、第百六十五条の十七第二項（第百六十五条の二十において準用する場合を含む。）又は第百六十五条の二十四第二項の規定による公告をしたことを証する書面

(i) A document certifying that a public notice has been given under Article 165-7, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 165-12), Article 165-17, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20) or Article 165-24, paragraph (2);

二　消滅株式会社又は吸収合併存続株式会社にあっては、第百六十五条の七第二項第四号（第百六十五条の十二において準用する場合を含む。）の期間内に異議を述べた保険契約者の数が第百六十五条の七第四項（第百六十五条の十二において準用する場合を含む。以下この号において同じ。）において準用する第七十条第六項（第二百五十五条第二項の規定により読み替えて適用する場合（以下この号において単に「第二百五十五条第二項の規定により読み替えて適用する場合」という。）を含む。以下この号において同じ。）の保険契約者の総数の五分の一（第二百五十五条第二項の規定により読み替えて適用する場合にあっては、十分の一）を超えなかったことを証する書面又はその者の第百六十五条の七第四項において準用する第七十条第六項の内閣府令で定める金額が第百六十五条の七第四項において準用する第七十条第六項の金額の総額の五分の一（第二百五十五条第二項の規定により読み替えて適用する場合にあっては、十分の一）を超えなかったことを証する書面

(ii) For an extinguished stock company or Stock Company Surviving an Absorption-Type Merger, a document certifying that the number of the Policyholders who raised their objections within the period set forth in Article 165-7, paragraph (2), item (iv) (including the cases where it is applied mutatis mutandis pursuant to Article 165-12) has not exceeded one fifth of the total number of Policyholders set forth in Article 70, paragraph (6) (including the cases where it is applied with relevant changes in interpretation pursuant to the provisions of Article 255, paragraph (2) (hereinafter referred to as "The Cases of Application with Relevant Changes in Interpretation Pursuant to the Provision of Article 255, paragraph (2)"in this item); hereinafter the same shall apply in this item) as applied mutatis mutandis pursuant to Article 165-7, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 165-12; hereinafter the same shall apply in this item) (or, in The Cases of Application with Relevant Changes in Interpretation Pursuant to the Provision of Article 255, paragraph (2), one tenth of such total number), or a document certifying that the amount of credits specified by Cabinet Office Ordinance set forth in Article 70, paragraph (6) as applied mutatis mutandis pursuant to Article 165-7, paragraph (4) as belonging to such Policyholders has not exceeded one fifth (or, in The Cases of Application with Relevant Changes in Interpretation Pursuant to the Provision of Article 255, paragraph (2), one tenth) of the total amount set forth in Article 70, paragraph (6) as applied mutatis mutandis pursuant to Article 165-7, paragraph (4);

三　消滅相互会社又は吸収合併存続相互会社にあっては、第百六十五条の十七第二項第三号（第百六十五条の二十において準用する場合を含む。）の期間内に異議を述べた保険契約者の数が第百六十五条の十七第四項（第百六十五条の二十において準用する場合を含む。以下この号において同じ。）において準用する第八十八条第六項（第二百五十五条第二項の規定により読み替えて適用する場合（以下この号において単に「第二百五十五条第二項の規定により読み替えて適用する場合」という。）を含む。以下この号において同じ。）の保険契約者の総数の五分の一（第二百五十五条第二項の規定により読み替えて適用する場合にあっては、十分の一）を超えなかったことを証する書面又はその者の第百六十五条の十七第四項において準用する第八十八条第六項の内閣府令で定める金額が第百六十五条の十七第四項において準用する第八十八条第六項の金額の総額の五分の一（第二百五十五条第二項の規定により読み替えて適用する場合にあっては、十分の一）を超えなかったことを証する書面

(iii) For an extinguished Mutual Company or a Mutual Company Surviving an Absorption-Type Merger, a document certifying that the number of the Policyholders who raised their objections within the period set forth in Article 165-17, paragraph (2), item (iii) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20) has not exceeded one fifth of the total number of Policyholders set forth in Article 88, paragraph (6) (including the cases where it is applied with relevant changes in interpretation pursuant to the provisions of Article 255, paragraph (2) (hereinafter referred to as "The Cases of Application with Relevant Changes in Interpretation Pursuant to the Provision of Article 255, paragraph (2)"in this item); hereinafter the same shall apply in this item) as applied mutatis mutandis pursuant to Article 165-17, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20; hereinafter the same shall apply in this item) (or, in The Cases of Application with Relevant Changes in Interpretation Pursuant to the Provision of Article 255, paragraph (2), one tenth of such total number), or a document certifying that the amount of credits specified by Cabinet Office Ordinance set forth in Article 88, paragraph (6) as applied mutatis mutandis pursuant to Article 165-17, paragraph (4) as belonging to such Policyholders has not exceeded one fifth (or, in The Cases of Application with Relevant Changes in Interpretation Pursuant to the Provision of Article 255, paragraph (2), one tenth) of the total amount set forth in Article 88, paragraph (6) as applied mutatis mutandis pursuant to Article 165-17, paragraph (4);

四　会社法合併会社にあっては、第百六十五条の二十四第二項第四号の期間内に異議を述べた保険契約者の数が同条第六項（第二百五十五条第二項の規定により読み替えて適用する場合（以下この号において単に「第二百五十五条第二項の規定により読み替えて適用する場合」という。）を含む。以下この号において同じ。）の保険契約者の総数の五分の一（第二百五十五条第二項の規定により読み替えて適用する場合にあっては、十分の一）を超えなかったことを証する書面又はその者の第百六十五条の二十四第六項の内閣府令で定める金額が同項の金額の総額の五分の一（第二百五十五条第二項の規定により読み替えて適用する場合にあっては、十分の一）を超えなかったことを証する書面

(iv) For a Merging Company under the Companies Act, a document certifying that the number of the Policyholders who raised their objections within the period set forth in Article 165-24, paragraph (2), item (iv) has not exceeded one fifth of the total number of Policyholders set forth in paragraph (6) of the same Article (including the cases where it is applied with relevant changes in interpretation pursuant to the provisions of Article 255, paragraph (2) (hereinafter referred to as "The Cases of Application with Relevant Changes in Interpretation Pursuant to the Provision of Article 255, paragraph (2)"in this item); hereinafter the same shall apply in this item) (or, in The Cases of Application with Relevant Changes in Interpretation Pursuant to the Provision of Article 255, paragraph (2), one tenth of such total number), or a document certifying that the amount of credits specified by Cabinet Office Ordinance set forth in Article 165-24, paragraph (6) as belonging to such Policyholders has not exceeded one fifth (or, in The Cases of Application with Relevant Changes in Interpretation Pursuant to the Provision of Article 255, paragraph (2), one tenth) of the total amount set forth in that paragraph; and

五　第二百五十四条第三項の規定による公告をしたときは、これを証する書面

(v) A document certifying any public notice made under Article 254, paragraph (3).

２　第百五十九条第一項及び第百六十五条の二十三の合併による設立の登記の申請書には、商業登記法第十八条、第十九条及び第四十六条（これらの規定を第六十七条において準用する場合を含む。）並びに同法第八十一条（新設合併の登記）（次項において準用する場合を含む。）に定める書類のほか、前項各号に掲げる書類を添付しなければならない。

(2) The documents listed in the items of the preceding paragraph shall be attached to a written application for registration of incorporation due to a merger under Article 159, paragraph (1) and Article 165-23, in addition to the documents set forth in Articles 18, 19 and 46 of the Commercial Registration Act (including the cases where they are applied mutatis mutandis pursuant to Article 67), and Article 81 (Registration of Consolidation-Type Merger) of that Act (including the cases where it is applied mutatis mutandis pursuant to the following paragraph).

３　商業登記法第七十九条から第八十三条まで（合併の登記）の規定は、相互会社に関する登記について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 79 to 83 inclusive (Registration of Merger) of the Commercial Registration Act shall apply mutatis mutandis to a registration pertaining to a Mutual Company. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（合併の無効の訴え）

(Actions to Invalidate a Merger)

第百七十一条　会社法第八百二十八条第一項（第七号及び第八号に係る部分に限る。）及び第二項（第七号及び第八号に係る部分に限る。）（会社の組織に関する行為の無効の訴え）、第八百三十四条（第七号及び第八号に係る部分に限る。）（被告）、第八百三十五条第一項（訴えの管轄）、第八百三十六条から第八百三十九条まで（担保提供命令、弁論等の必要的併合、認容判決の効力が及ぶ者の範囲、無効又は取消しの判決の効力）、第八百四十三条（第一項第三号及び第四号並びに第二項ただし書を除く。）（合併の無効判決の効力）、第八百四十六条（原告が敗訴した場合の損害賠償責任）並びに第九百三十七条第三項（第二号及び第三号に係る部分に限る。）及び第四項（裁判による登記の嘱託）の規定は第百五十九条第一項の合併の無効の訴えについて、同法第八百六十八条第五項（非訟事件の管轄）、第八百七十条（第十五号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定はこの条において準用する同法第八百四十三条第四項の申立てについて、それぞれ準用する。この場合において、同法第八百二十八条第二項第七号及び第八号中「社員等」とあるのは「相互会社の社員、取締役、監査役若しくは清算人（委員会設置会社にあっては、社員、取締役、執行役又は清算人）」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。

Article 171 The provisions of Article 828, paragraph (1) (limited to the segment pertaining to items (vii) and (viii)) and (2) (limited to the segment pertaining to items (vii) and (viii)) (Actions to Invalidate Acts Concerning the Organization of a Company), Article 834 (limited to the segment pertaining to items (vii) and (viii)) (Defendant), Article 835, paragraph (1) (Jurisdiction over Actions), Article 836 to 839 inclusive (Order to Provide Security, Mandatory Consolidation of Oral Arguments, etc., Persons Affected by a Judgment Being Upheld, Effects of a Judgment of Invalidity, Revocation or Rescission), Article 843 (excluding paragraph (1), items (iii) and (iv), and the proviso to paragraph (2)) (Effects of a Judgment of Invalidity of a Merger), Article 846 (Liability for Damages Where a Judgment Is Entered Against the Plaintiff), and Article 937, paragraph (3) (limited to the segment pertaining to items (ii) and (iii)) and (4) (Commissioning of Registration by a Judicial Decision) of the Companies Act shall apply mutatis mutandis to an action to invalidate a merger under Article 159, paragraph (1); and the provisions of Article 868, paragraph (5) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (xv)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of that Act shall apply mutatis mutandis to an application under Article 843, paragraph (4) of that Act as applied mutatis mutandis pursuant to this Article. In this case, the term "members, etc." in Article 828, paragraph (2), items (vii) and (viii) of that Act shall be deemed to be replaced with "members, directors, company auditors or liquidator(s) (or, in a company with Committees, members, directors, executive officers or liquidator(s)) of a Mutual Company"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第百七十二条　削除

Article 172 Deleted

第百七十三条　削除

Article 173 Deleted

第三節　会社分割

Section 3 Company Split

（保険業を営む株式会社の分割）

(Split of Stock Company Conducting Insurance Business)

第百七十三条の二　保険業を営む株式会社（以下この節において「保険株式会社」という。）がその会社分割（以下この節において「分割」という。）によりその保険契約を承継させる場合においては、責任準備金の算出の基礎が同一である保険契約（第百七十三条の四第二項の公告の時において既に保険事故が発生している保険契約（当該保険事故に係る保険金の支払により消滅することとなるものに限る。）その他の政令で定める保険契約を除く。）の全部を包括して承継させなければならない。

Article 173-2 (1) Where a Stock Company that conducts Insurance Business (hereinafter referred to as "Stock Insurance Company" in this Section) transfers its insurance contracts in a company split (hereinafter referred to as "Split" in this Section), the transfer shall cover the whole insurance contracts for which the policy reserves is calculated on the same basis (excluding the insurance contracts specified by Cabinet Order, such as those for which an insured event had occurred by the time of public notice under Article 173-4, paragraph (2) (limited to those contracts which would be terminated with the payment of the insurance proceeds pertaining to the insured event)).

２　分割により保険契約を承継させる保険株式会社は、新設分割計画又は吸収分割契約（以下「分割計画等」という。）において、当該分割により承継させるものとする保険契約について、契約条項の軽微な変更で保険契約者の不利益とならないものを定めることができる。

(2) A Stock Insurance Company that transfers its insurance contracts in a Split may, in the relevant incorporation-type company split plan or absorption-type split agreement (hereinafter referred to as "Split Plan, etc."), stipulate minor changes to the clauses of the insurance contracts to be transferred in the Split, so long as such changes are not disadvantageous to the Policyholders.

（分割に関する書面等の備置き及び閲覧等）

(Retention and Inspection, etc. of Documents Pertaining to a Split, etc.)

第百七十三条の三　分割の当事者である保険株式会社についての会社法第七百八十二条第一項（吸収合併契約等に関する書面等の備置き及び閲覧等）、第七百九十四条第一項（吸収合併契約等に関する書面等の備置き及び閲覧等）及び第八百三条第一項（新設合併契約等に関する書面等の備置き及び閲覧等）の規定の適用については、これらの規定中「事項」とあるのは「事項及び内閣府令で定める事項」と、「その本店」とあるのは「各営業所」とする。

Article 173-3 For the purpose of applying the provisions of Article 782, paragraph (1) (Retention and Inspection. etc. of Documents, etc. Related to an Absorption-type Merger Agreement, etc.), Article 794, paragraph (1) (Retention and Inspection, etc. of Documents, etc. Related to an Absorption-type Merger Agreement, etc.) and Article 803, paragraph (1) (Retention and Inspection, etc. of Documents, etc. Related to a Consolidation-type Merger Agreement, etc.) of the Companies Act to a Stock Insurance Company involved in a Split, the terms "particulars prescribed by the Ordinance of the Ministry of Justice" and "head office" in those provisions shall be deemed to be replaced with "particulars prescribed by a Ordinance of the Ministry of Justice and particulars specified by Cabinet Office Ordinance" and "business offices," respectively.

（債権者の異議）

(Objections of Creditors)

第百七十三条の四　保険株式会社が分割の当事者となる場合には、次の各号に掲げる者は、当該各号に定める保険株式会社に対し、分割について異議を述べることができる。

Article 173-4 (1) Where a Stock Insurance Company is involved in a Split, the persons listed in the following items may state their objections thereto to the Stock Insurance Company set forth in each of those items:

一　保険株式会社である吸収分割会社（吸収分割をする株式会社又は合同会社をいう。以下この条において同じ。）の保険契約者その他の債権者（会社法第七百八十九条第一項第二号（債権者の異議）に定める債権者であるものに限る。）　当該吸収分割会社

(i) Policyholders or other creditors (limited to the creditors set forth in Article 789, paragraph (1), item (ii) (Objections of Creditors) of the Companies Act) of a splitting company in an absorption-type split (meaning a Stock Company or limited liability company carrying out an absorption-type split; hereinafter the same shall apply in this Article) that is a Stock Insurance Company: the splitting company in an absorption-type split;

二　保険株式会社である吸収分割承継会社（吸収分割会社がその事業に関して有する権利義務の全部又は一部を当該吸収分割会社から承継する株式会社、合名会社、合資会社又は合同会社をいう。以下同じ。）の保険契約者その他の債権者　当該吸収分割承継会社

(ii) Policyholders or other creditors of a succeeding company in an absorption-type split (meaning a Stock Company, general Partnership company, limited Partnership company or limited liability company assuming, in whole or in Part, the rights and obligations of the splitting company in an absorption-type split with regard to its business; the same shall apply hereinafter) that is a Stock Insurance Company: the succeeding company in an absorption-type split; and

三　保険株式会社である新設分割会社（新設分割をする株式会社又は合同会社をいう。以下この条において同じ。）の保険契約者その他の債権者（会社法第八百十条第一項第二号（債権者の異議）に定める債権者であるものに限る。）　当該新設分割会社

(iii) Policyholders or other creditors (limited to the creditors set forth in Article 810, paragraph (1), item (ii) (Objections of Creditors) of the Companies Act) of a splitting company in an incorporation-type company split (meaning a Stock Company or limited liability company carrying out an incorporation-type company split; hereinafter the same shall apply in this Article) that is a Stock Insurance Company: the splitting company in an incorporation-type company split.

２　前項の場合には、同項各号に定める保険株式会社（以下この条において「分割当事会社」という。）は、次に掲げる事項を官報及び当該分割当事会社が定款で定めた公告方法により公告し、かつ、知れている債権者（会社法第七百八十九条第三項又は第八百十条第三項の債権者に限る。）には、各別にこれを催告しなければならない。ただし、第四号の期間は、一月を下ることができない。

(2) In the case set forth in the preceding paragraph, a Stock Insurance Company falling under any of the items of that paragraph (hereinafter referred to as "Split-Involved Company" in this Article) shall give public notice of the following particulars in the Official Gazette and by the Method of Public Notice prescribed by the Split-Involved Company in its articles of incorporation, and notify each of the known creditors of said particulars (limited to the creditors set forth in Article 789, paragraph (3) or Article 810, paragraph (3) of the Companies Act); provided, however, that the period set forth in item (iv) may not be shorter than one month:

一　分割をする旨

(i) The fact that a Split will be carried out;

二　次のイ又はロに掲げる分割の区分に応じ、当該イ又はロに定める会社の商号及び住所

(ii) The trade name and address of the companies listed in (a) or (b) in accordance with the categories of Split set forth in (a) and (b):

イ　吸収分割　吸収分割会社及び吸収分割承継会社

(a) In the case of an absorption-type split: the splitting company in an absorption-type split and the succeeding company in an absorption-type split; or

ロ　新設分割　新設分割会社及び新設分割により設立する株式会社、合名会社、合資会社又は合同会社

(b) In the case of an incorporation-type split: the splitting company in an incorporation-type company split and the Stock Company, general Partnership company, limited Partnership company or limited liability company to be incorporated by the Split.

三　前号イ又はロに定める株式会社の計算書類に関する事項として内閣府令で定めるもの

(iii) The particulars specified by Cabinet Office Ordinance as pertaining to the financial statements of a Stock Company falling under (a) or (b) of the preceding item;

四　分割当事会社の保険契約者その他の債権者が一定の期間内に異議を述べることができる旨

(iv) The fact that Policyholders or other creditors of the Split-Involved Company may raise their objections within a certain period of time; 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, particulars specified by Cabinet Office Ordinance.

３　保険契約者その他の債権者が前項第四号の期間内に異議を述べなかったときは、当該保険契約者その他の債権者は、当該分割について承認をしたものとみなす。

(3) Where no Policyholders or other creditors have raised their objections within the period set forth in item (iv) of the preceding paragraph, such Policyholders or other creditors shall be deemed to have approved the merger.

４　保険契約者その他の債権者が第二項第四号の期間内に異議を述べたときは、分割当事会社は、当該保険契約者その他の債権者に対し、弁済し、若しくは相当の担保を提供し、又は当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託しなければならない。ただし、当該分割をしても当該保険契約者その他の債権者を害するおそれがないときは、この限りでない。

(4) Where any Policyholder or other creditor has raised his/her objection under paragraph (2), item (iv), the Split-Involved Company shall make payment or provide equivalent security to such Policyholder or other creditor, or entrust equivalent property to a trust company, etc. for the purpose of ensuring that such Policyholder or other creditor receive the payment; provided, however, that this shall not apply to the cases where the Split poses no risk of harming the interest of such Policyholder or other creditor.

５　前項の規定は、保険契約者その他保険契約に係る権利を有する者の当該権利（保険金請求権等を除く。）については、適用しない。

(5) The provisions of the preceding paragraph shall not apply to the Policyholders or any rights held by other persons pertaining to insurance contracts (other than Insurance Claims, etc.).

６　第二項第四号の期間内に異議を述べた保険契約者（同項の規定による公告の時において既に保険金請求権等が生じている保険契約（当該保険金請求権等に係る支払により消滅することとなるものに限る。）に係る保険契約者を除く。以下この項及び次項において同じ。）の数が保険契約者（第一項の規定により異議を述べることができるものに限る。）の総数の五分の一を超え、かつ、当該異議を述べた保険契約者の保険契約に係る債権（保険金請求権等を除く。）の額に相当する金額として内閣府令で定める金額が保険契約者（同項の規定により異議を述べることができるものに限る。）の当該金額の総額の五分の一を超えるときは、分割は、その効力を有しない。

(6) Any Split shall be invalid if the number of the Policyholders who have raised their objections within the period set forth in paragraph (2), item (iv) (excluding the holders of policies under which Insurance Claims, etc. had already arisen at the time of public notice under the paragraph (2) (but limited to those policies that would be terminated with the payment of the Insurance Claims, etc.); hereinafter the same shall apply in this paragraph and the following paragraph) exceeds one fifth of the total number of Policyholders (limited to those who may raise their objections pursuant to the provisions of paragraph (1)), and the amount specified by Cabinet Office Ordinance as the credits (other than Insurance Claims, etc.) belonging to the insurance contracts of the Policyholders who have raised such objections exceeds one fifth of the total amount of credits belonging to the Policyholders (limited to those who may raise their objections pursuant to the provisions of paragraph (1)).

７　前各項の規定によりされた分割は、前項の異議を述べた保険契約者及び保険契約者に係る保険契約に係る権利（保険金請求権等を除く。）を有する者についても、その効力を生ずる。

(7) A Split carried out pursuant to the provisions of the preceding paragraphs shall also be effective against the Policyholders who have raised their objections under the preceding paragraph and other persons who hold any right (other than Insurance Claims, etc.) pertaining to the insurance contracts involving the Policyholders.

８　前各項に定めるもののほか、これらの規定の適用に関し必要な事項は、政令で定める。

(8) In addition to what is provided for in the preceding paragraphs, the necessary particulars for applying those provisions shall be specified by Cabinet Order.

９　会社法第七百八十九条、第七百九十九条（債権者の異議）及び第八百十条の規定は、第一項各号に定める保険株式会社については、適用しない。

(9) The provisions of Articles 789 and 799 (Objections of Creditors) and Article 810 of the Companies Act shall not apply to a Stock Insurance Company falling under paragraph (1), item (i) or (ii).

１０　第一項に規定する場合における会社法第七百五十九条第二項及び第三項（株式会社に権利義務を承継させる吸収分割の効力の発生等）、第七百六十一条第二項及び第三項（持分会社に権利義務を承継させる吸収分割の効力の発生等）、第七百六十四条第二項及び第三項（株式会社を設立する新設分割の効力の発生等）、第七百六十六条第二項及び第三項（持分会社を設立する新設分割の効力の発生等）、第七百九十一条第一項第一（吸収分割又は株式交換に関する書面等の備置き及び閲覧等）、第八百一条第二項（吸収合併等に関する書面等の備置き及び閲覧等）並びに第八百十一条第一項第一号（新設分割又は株式移転に関する書面等の備置き及び閲覧等）の規定の適用については、同法第七百五十九条第二項、第七百六十一条第二項、第七百六十四条第二項及び第七百六十六条第二項中「の規定により異議」とあるのは「又は保険業法第百七十三条の四第一項の規定により異議」と、「）の各別の催告」とあるのは「）又は保険業法第百七十三条の四第二項の各別の催告」と、同法第七百五十九条第二項及び第七百六十一条第二項中「第七百八十九条第二項の各別の催告」とあるのは「第七百八十九条第二項又は保険業法第百七十三条の四第二項の各別の催告」と、同法第七百六十四条第二項及び第七百六十六条第二項中「第八百十条第二項の各別の催告」とあるのは「第八百十条第二項又は保険業法第百七十三条の四第二項の各別の催告」と、同法第七百五十九条第三項及び第七百六十一条第三項中「第七百八十九条第一項第二号」とあるのは「第七百八十九条第一項第二号又は保険業法第百七十三条の四第一項」と、「同条第二項」とあるのは「第七百八十九条第二項又は同法第百七十三条の四第二項」と、同法第七百六十四条第三項及び第七百六十六条第三項中「第八百十条第一項第二号」とあるのは「第八百十条第一項第二号又は保険業法第百七十三条の四第一項」と、「同条第二項」とあるのは「第八百十条第二項又は同法第百七十三条の四第二項」と、同法第七百九十一条第一項第一号、第八百一条第二項及び第八百十一条第一項第一号中「法務省令」とあるのは「内閣府令」とする。

(10) For the purpose of applying to the cases set forth in paragraph (1) the provisions of Article 759, paragraphs (2) and (3) (Effectuation, etc. of an Absorption-type Company Split Which Causes a Stock Company to Succeed to Rights and Obligations), Article 761, paragraphs (2) and (3) (Effectuation, etc. of an Absorption-type Company Split Which Causes a Membership Company to Succeed to Rights and Obligations), Article 764, paragraphs (2) and (3) (Effectuation, etc. of an Incorporation-type Company Split by Which a Stock Company is Incorporated), and Article 766, paragraphs (2) and (3) (Effectuation, etc. of an Incorporation-type Company Split by Which a Membership Company is Incorporated), Article 791, paragraph (1), item (i) (Retention and Inspection, etc. of Documents, etc. Related to an Absorption-type Company Split or Share Exchange), Article 801, paragraph (2) (Retention and Inspection, etc. of Documents, etc. Related to an Absorption-type Merger, etc.) and Article 811, paragraph (1), item (i) (Retention and Inspection, etc. of Documents, etc. Related to an Incorporation-type Company Split or Share Transfer) of the Companies Act, the term "objections pursuant to the provisions of Article 789, paragraph (1), item (ii) (including the cases where it is applied mutatis mutandis pursuant to Article 793, paragraph (2); the same shall apply in the following paragraph)" in Article 759, paragraph (2) and Article 761, paragraph (2) of that Act shall be deemed to be replaced with "objections pursuant to the provisions of Article 789, paragraph (1), item (ii) (including the cases where it is applied mutatis mutandis pursuant to Article 793, paragraph (2); the same shall apply in the following paragraph) or the provisions of Article 173-4, paragraph (1) of the Insurance Business Act"; the term "individual notification under Article 789, paragraph (2) (excluding item (iii) and including the cases where it is applied mutatis mutandis pursuant to Article 793, paragraph (2); the same shall apply hereinafter in this paragraph as well as in the following paragraph)" in Article 759, paragraph (2) and Article 761, paragraph (2) of that Act shall be deemed to be replaced with "individual notification under Article 789, paragraph (2) (excluding item (iii) and including the cases where it is applied mutatis mutandis pursuant to Article 793, paragraph (2); the same shall apply hereinafter in this paragraph as well as in the following paragraph) or under Article 173-4, paragraph (2) of the Insurance Business Act"; the term "objections pursuant to the provisions of Article 810, paragraph (1), item (ii) (including the cases where it is applied mutatis mutandis pursuant to Article 813, paragraph (2); the same shall apply in the following paragraph)" in Article 764, paragraph (2) and Article 766, paragraph (2) of that Act shall be deemed to be replaced with "objections pursuant to the provisions of Article 810, paragraph (1), item (ii) (including the cases where it is applied mutatis mutandis pursuant to Article 813, paragraph (2); the same shall apply in the following paragraph) or the provisions of Article 173-4, paragraph (1) of the Insurance Business Act"; the term "individual notification under Article 810, paragraph (2) (excluding item (iii) and including the cases where it is applied mutatis mutandis pursuant to Article 813, paragraph (2); the same shall apply hereinafter in this paragraph as well as in the following paragraph)" in Article 764, paragraph (2) and Article 766, paragraph (2) of that Act shall be deemed to be replaced with "individual notification under Article 810, paragraph (2) (excluding item (iii) and including the cases where it is applied mutatis mutandis pursuant to Article 813, paragraph (2); the same shall apply hereinafter in this paragraph as well as in the following paragraph) or under Article 173-4, paragraph (2) of the Insurance Business Act"; the term "individual notification under Article 789, paragraph (2)" in Article 759, paragraph (2) and Article 761, paragraph (2) of that Act shall be deemed to be replaced with "individual notification under Article 789, paragraph (2) or under Article 173-4, paragraph (2) of the Insurance Business Act"; the term "individual notification under Article 810, paragraph (2)" in Article 764, paragraph (2) and Article 766, paragraph (2) of that Act shall be deemed to be replaced with "individual notification under Article 810, paragraph (2) or under Article 173-4, paragraph (2) of the Insurance Business Act"; the terms "Article 789, paragraph (1), item (ii)" and "paragraph (2) of the same Article" in Article 759, paragraph (3) and Article 761, paragraph (3) of that Act shall be deemed to be replaced with "Article 789, paragraph (1), item (ii) or Article 173-4, paragraph (1) of the Insurance Business Act" and "Article 789, paragraph (2) or Article 173-4, paragraph (2) of that Act," respectively; and the terms "Article 810, paragraph (1), item (ii)" and "Article 810, paragraph (2)" in Article 764, paragraph (3) and Article 766, paragraph (3) of that Act shall be deemed to be replaced with "Article 810, paragraph (1), item (ii) or Article 173-4, paragraph (1) of the Insurance Business Act" and "Article 810, paragraph (2) or Article 173-4, paragraph (2) of that Act," respectively; and the term "Ordinance of the Ministry of Justice" in Article 791, paragraph (1), item (i), Article 801, paragraph (2) and Article 811, paragraph (1), item (i) of that Act shall be deemed to be replaced with "Cabinet Office Ordinance," respectively.

１１　会社法第七百五十九条第二項及び第三項、第七百六十一条第二項及び第三項、第七百六十四条第二項及び第三項並びに第七百六十六条第二項及び第三項の規定は、保険契約に係る権利を有する者、第九十九条第三項に規定する保険金信託業務に係る金銭信託の受益者その他の政令で定める債権者については、適用しない。

(11) The provisions of Article 759, paragraphs (2) and (3), Article 761, paragraphs (2) and (3), Article 764, paragraphs (2) and (3), and Article 766, paragraphs (2) and (3) of the Companies Act shall not apply to the creditor specified by Cabinet Order, such as a person holding any right pertaining to an insurance contract, a Beneficiary of money trust pertaining to the Insurance-Proceed Trust Services set forth in Article 99, paragraph (3).

（保険契約の締結の停止）

(Suspension of Conclusion of Insurance Contracts)

第百七十三条の五　分割により保険契約を承継させる保険株式会社は、分割の決議があった時から分割をし、又はしないこととなった時まで、その分割により承継させようとする保険契約と同種の保険契約を締結してはならない。

Article 173-5 A Stock Insurance Company that transfers its insurance contracts in a Split shall not conclude any insurance contract that belongs to the same type as the insurance contracts to be transferred, for the period ranging from the time of adoption of the resolution on the Split to the time of execution or renunciation of the Split.

（保険株式会社の分割の認可）

(Authorization of Split of Stock Insurance Company)

第百七十三条の六　保険株式会社の分割は、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 173-6 (1) Any Split of a Stock Insurance Company shall be null and void without the authorization of the Prime Minister.

２　内閣総理大臣は、前項の認可の申請があったときは、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。

(2) Whenever an application has been filed for the authorization set forth in the preceding paragraph, the Prime Minister shall examine whether it conforms to the following standards:

一　当該分割が、保険契約者等の保護に照らして、適当なものであること。

(i) The Split is appropriate in light of the protection of Policyholders, etc.;

二　保険会社による認可の申請にあっては、当該分割が、保険会社相互の適正な競争関係を阻害するおそれのないものであること。

(ii) If the application for authorization is from an Insurance Company, that the Split poses no risk of impeding the appropriate competitive relationships among Insurance Companies; and

三　当該認可の申請をした保険株式会社が、分割後に、その業務を的確、公正かつ効率的に遂行する見込みが確実であること。

(iii) It is certain that the Stock Insurance Company applying for the authorization will perform its business in an appropriate, fair and efficient manner following the Split.

３　内閣総理大臣は、第一項の認可の申請が保険会社の保険契約を承継させる分割に係るものであるときは、当該保険契約を承継する会社が保険会社でなければ、同項の認可をしてはならない。

(3) The Prime Minister may not approve any application made under paragraph (1) pertaining to a Split that involves the transfer of insurance contracts of an Insurance Company, unless the company that acquires the insurance contracts is an Insurance Company.

（分割の公告等）

(Public Notice, etc. of Split)

第百七十三条の七　分割により保険契約を承継させる保険株式会社は、当該分割後、遅滞なく、当該分割により保険契約を承継させたこと及び内閣府令で定める事項を公告しなければならない。分割をしないこととなったときも、同様とする。

Article 173-7 (1) A Stock Insurance Company that transfers its insurance contracts in a Split shall, following the Split, give public notice of without delay the fact that its insurance contracts have been transferred in the Split and other particulars specified by Cabinet Office Ordinance. The same shall apply where the company has renounced the Split.

２　分割により保険契約を承継した保険株式会社は、当該分割の日後三月以内に、当該分割による承継に係る保険契約者に対し、その旨（分割計画等において、当該分割による承継に係る保険契約について第百七十三条の二第二項に規定する軽微な変更を定めたときは、当該分割により保険契約を承継したこと及び当該軽微な変更の内容）を通知しなければならない。

(2) A Stock Insurance Company that has acquired insurance contracts in a Split shall, within three months from the date of the Split, notify the Policyholders affected by the transfer of insurance contracts in the Split thereof (or, where any minor change under Article 173-2, paragraph (2) is stipulated in the Split Plan, etc. with regard to the insurance contracts transferred in the Split, of the fact that it has acquired the insurance contracts in the Split and the contents of such minor change).

３　分割により保険契約を承継させる保険株式会社が保険契約者に対して貸付金その他の債権を有しており、かつ、当該債権が分割計画等により保険契約を承継する保険株式会社に承継されることとされている場合において、第一項前段の規定による公告が時事に関する事項を掲載する日刊新聞紙に掲載する方法によりされたときは、当該保険契約者に対して民法第四百六十七条（指名債権の譲渡の対抗要件）の規定による確定日付のある証書による通知があったものとみなす。この場合においては、当該公告の日付をもって確定日付とする。

(3) Where a Stock Insurance Company that transfers its insurance contracts in a Split has outstanding loans or other claims against Policyholders, and such claims are to be assigned to the Stock Insurance Company that acquires the insurance contracts under the Split Plan, etc., a notice in the form of an instrument carrying a fixed date under Article 467 (Requirement for Assertion of Assignment of Nominative Claims Against Third Parties) of the Civil Code shall be deemed to have been given to the Policyholders if a public notice under the first sentence of paragraph (1) has been given by way of publication in a daily newspaper that publishes the particulars of current events. In this case, the date of the public notice shall be deemed to be the fixed date.

（分割の登記）

(Registration of Split)

第百七十三条の八　新設分割による設立の登記の申請書には、商業登記法第十八条、第十九条（申請書の添付書面）、第四十六条（添付書面の通則）、第八十六条（第八号を除く。）（会社分割の登記）及び第百九条第二項（第三号中同法第八十六条第八号に掲げる書面に係る部分を除き、同法第百十六条第一項及び第百二十五条において準用する場合を含む。）（会社分割の登記）に規定する書類のほか、次に掲げる書類を添付しなければならない。

Article 173-8 (1) The following documents shall be attached to a written application for registration of incorporation due to an incorporation-type split, in addition to the documents specified in Articles 18 and 19 (Documents to be Attached to Written Application), Article 46 (General Rules on Attached Documents), Article 86 (excluding item (viii)) (Registration of Company Split) and Article 109, paragraph (2) (excluding that segment in item (iii) pertaining to the documents listed in Article 86, item (viii) of that Act and including the cases where it is applied mutatis mutandis pursuant to Article 116, paragraph (1) and Article 125 of that Act) (Registration of Company Split) of the Commercial Registration Act:

一　第百七十三条の四第二項の規定による公告をしたことを証する書面

(i) A document certifying that a public notice under Article 173-4, paragraph (2) has been given;

二　第百七十三条の四第四項の異議を述べた保険契約者その他の債権者があるときは、当該保険契約者その他の債権者に対し、弁済し、相当の担保を提供し、若しくは当該保険契約者その他の債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託したこと又は当該分割をしても当該保険契約者その他の債権者を害するおそれがないことを証する書面

(ii) Where any Policyholder or other creditor has raised his/her objection under Article 173-4, paragraph (4), a document certifying that the company has made payment or provided equivalent security to such Policyholder or other creditor, or entrusted equivalent property to a trust company, etc. for the purpose of ensuring that such Policyholder or other creditor receive the payment, or a document certifying that the Split poses no risk of harming the interest of such Policyholder or other creditor;

三　第百七十三条の四第六項の異議を述べた保険契約者の数が同項の保険契約者の総数の五分の一を超えなかったことを証する書面又はその者の同項の内閣府令で定める金額が同項の金額の総額の五分の一を超えなかったことを証する書面

(iii) A document certifying that the number of Policyholders who raised their objections under Article 173-4, paragraph (6) has not exceeded one fifth of the total number of Policyholders, or a document certifying that the amount specified by Cabinet Office Ordinance set forth in that paragraph as the credits belonging to such Policyholders has not exceeded one fifth of the total amount set forth in that paragraph;

２　吸収分割承継会社である株式会社、合名会社、合資会社又は合同会社がする吸収分割による変更の登記の申請書には、商業登記法第十八条、第十九条、第四十六条、第八十五条（保険株式会社に係る同条第三号又は第八号に掲げる書面に係る部分を除く。）（会社分割の登記）、第九十三条（添付書面の通則）（同法第百十一条及び第百十八条において準用する場合を含む。）及び第百九条第一項（第二号中同法第八十五条第八号に掲げる書面に係る部分を除き、同法第百十六条第一項及び第百二十五条において準用する場合を含む。）に規定する書類のほか、前項各号に掲げる書類を添付しなければならない。

(2) The documents listed in the items of the preceding paragraph shall be attached to a written application for registration of change due to an absorption-type split carried out by a Stock Company, general Partnership company, limited Partnership company or limited liability company that is the succeeding company in an absorption-type split, in addition to the documents set forth in the following provisions of the Commercial Registration Act: Article 18, Article 19, Article 46, Article 85 (excluding the segment pertaining to the documents listed in item (iii) or (viii) of the same Article with regard to a Stock Insurance Company) (Registration of Company Split), Article 93 (General Rules on Attached Documents) (including the cases where it is applied mutatis mutandis pursuant to Articles 111 and 118 of that Act) and Article 109, paragraph (1) (excluding that segment in item (ii) pertaining to the documents listed in Article 85, item (viii) of that Act and including the cases where it is applied mutatis mutandis pursuant to Article 106, paragraph (1) and Article 125 of that Act).

第四節　清算

Section 4 Liquidation

（内閣総理大臣による清算人の選任及び解任）

(Appointment and Dismissal of Liquidators by Prime Minister)

第百七十四条　内閣総理大臣は、保険会社等が第百五十二条第一項の規定により読み替えて適用する会社法第四百七十一条第六号（解散の事由）（第百五十二条第二項において準用する場合を含む。）に掲げる事由によって解散したものであるときは利害関係人若しくは法務大臣の請求により又は職権で、第百八十条の四第一項又は同法第四百七十八条第一項（清算人の就任）の規定により清算人となる者がないとき、及び保険会社等が第百八十条第二号又は同法第四百七十五条第二号（清算の開始原因）に掲げる場合に該当することとなったものであるときは利害関係人の請求により又は職権で、清算人を選任する。

Article 174 (1) The Prime Minister shall appoint liquidators, at the request of interested persons or the Minister of Justice, or without any party's request, where an Insurance Company, etc. has dissolved on the grounds listed in Article 471, item (vi) (Grounds for Dissolution) of the Companies Act as applied with relevant changes in interpretation pursuant to the provisions of Article 152, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 152, paragraph (2)), or at the request of interested persons or without any party's request where no one is entitled to become a liquidator pursuant to the provisions of Article 180-4, paragraph (1) or under Article 478, paragraph (1) (Assumption of Office of Liquidators) of that Act or where an Insurance Company, etc. falls under Article 180, item (ii) or under Article 475, item (ii) (Causes of Commencement of Liquidation) of that Act.

２　保険業を営む株式会社に対する会社法第四百七十七条第四項（株主総会以外の機関の設置）の規定の適用については、同項中「大会社」とあるのは、「保険会社若しくは保険業法第二百七十二条の四第一項第一号ロに掲げる株式会社」とする。

(2) For the purpose of applying the provisions of Article 477, paragraph (4) (Establishment of Structures Other than Shareholders' Meetings) of the Companies Act to a Stock Company that conducts Insurance Business, the term "Large Company" in that paragraph shall be deemed to be replaced with "Insurance Company or a Stock Company listed in Article 272-4, paragraph (1), item (i), sub-item (b) of the Insurance Business Act."

３　会社法第四百七十八条第二項から第四項までの規定は、保険業を営む株式会社については、適用しない。

(3) The provisions of Article 478, paragraphs (2) to (4) inclusive of the Companies Act shall not apply to a Stock Company that conducts Insurance Business.

４　保険会社等が第三条第一項の免許又は第二百七十二条第一項の登録の取消しによって解散したときは、第百八十条の四第一項又は会社法第四百七十八条第一項の規定にかかわらず、内閣総理大臣が清算人を選任する。

(4) Notwithstanding the provisions of Article 180-4, paragraph (1) or Article 478, paragraph (1) of the Companies Act, the Prime Minister shall appoint liquidators where an Insurance Company, etc. has dissolved due to the cancellation of a license under Article 3, paragraph (1) or a registration under Article 272, paragraph (1).

５　第八条の二第二項の規定は、保険業を営む株式会社の清算人について準用する。

(5) The provisions of Article 8-2, paragraph (2) shall apply mutatis mutandis to the liquidator(s) of a Stock Company that conducts Insurance Business.

６　保険業を営む株式会社に対する会社法第四百七十八条第六項において準用する同法第三百三十一条第一項第三号（取締役の資格等）の規定の適用については、同号中「この法律」とあるのは、「保険業法、この法律」とする。

(6) For the purpose of applying to a Stock Company that conducts Insurance Business, the provisions of Article 331, paragraph (1), item (iii) (Qualifications of Directors) of the Companies Act as applied mutatis mutandis pursuant to Article 478, paragraph (6) of that Act, the term "this Act" in that item shall be deemed to be replaced with "the Insurance Business Act, this Act."

７　内閣総理大臣は、第一項、第四項又は第九項の規定により清算人を選任する場合には、その清算人の中から清算に係る株式会社又は相互会社（以下この節において「清算保険会社等」という。）を代表する清算人（以下この節において「代表清算人」という。）を定めることができる。

(7) The Prime Minister may, if he/she appoints liquidators pursuant to the provisions of paragraph (1), (4) or (9), designate from among them a liquidator (hereinafter referred to as "Representative Liquidator" in this Section) who represents the Stock Company or Mutual Company to be liquidated (hereinafter referred to as "Insurance Company in Liquidation, etc." in this Section).

８　清算人（内閣総理大臣が選任した者及び特別清算の場合の清算人を除く。）は、その就職の日から二週間以内に次に掲げる事項を内閣総理大臣に届け出なければならない。ただし、その間に特別清算が開始した場合は、この限りでない。

(8) The liquidator(s) (excluding the persons appointed by the Prime Minister and the liquidator(s) in the case of special liquidation) shall, within two weeks from the date of their assumption of office, notify the Prime Minister of the following particulars; provided, however, that this shall not apply to the cases where special liquidation has commenced in the meantime.

一　解散の事由（第百八十条第二号又は会社法第四百七十五条第二号に掲げる場合に該当することとなった清算保険会社等にあっては、その旨）及びその年月日

(i) Grounds for the dissolution (or, for an Insurance Company in Liquidation, etc. falling under Article 180, item (ii) or under Article 475, item (ii) of the Companies Act, that fact) and the date of dissolution; and

二　清算人の氏名及び住所

(ii) The name(s) and address(es) of the liquidator(s).

９　内閣総理大臣は、保険会社等の清算（特別清算を除く。）の場合において、重要な事由があると認めるときは、清算人を解任することができる。この場合において、内閣総理大臣は、清算人を選任することができる。

(9) In the case of the liquidation of an Insurance Company, etc. (other than a special liquidation), the Prime Minister may dismiss a liquidator, if he/she finds material grounds for such dismissal. In this case, the Prime Minister may appoint another liquidator.

１０　保険業を営む株式会社の清算の場合における会社法第四百七十九条（清算人の解任）の規定の適用については、同条第一項中「前条第二項から第四項までの規定により裁判所」とあるのは「内閣総理大臣」と、同条第二項中「清算人」とあるのは「清算人（内閣総理大臣が選任した者を除く。）」とする。

(10) For the purpose of applying the provisions of Article 479 (Dismissal of Liquidators) of the Companies Act to the liquidation of a Stock Company that conducts Insurance Business, the term "court pursuant to the provisions of paragraphs (2) to (4) inclusive of the preceding Article" in paragraph (1) of that Article shall be deemed to be replaced with "Prime Minister"; and the term "liquidator" in paragraph (2) of that Article shall be deemed to be replaced with "liquidator (other than a person appointed by the Prime Minister)."

１１　商業登記法第七十三条第一項及び第三項（清算人の登記）並びに第七十四条第一項（清算人に関する変更の登記）（第百八十三条第二項において準用する場合を含む。）の規定は、内閣総理大臣が選任した清算人について準用する。この場合において、必要な技術的読替えは、政令で定める。

(11) The provisions of Article 73, paragraphs (1) and (3) (Registration of Liquidators), and Article 74, paragraph (1) (Registration of Change with Regard to Liquidators) of the Commercial Registration Act (including the cases where it is applied mutatis mutandis pursuant to Article 183, paragraph (2)) shall apply mutatis mutandis to a liquidator appointed by the Prime Minister. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

１２　第九項の規定により内閣総理大臣が清算人を解任する場合においては、内閣総理大臣は、清算保険会社等の本店又は主たる事務所の所在地の登記所にその旨の登記を嘱託しなければならない。

(12) The Prime Minister shall, where he/she dismisses a liquidator pursuant to the provisions of paragraph (9), commission a registration to that effect to the registry office with jurisdiction over the head office or principal office of the Insurance Company in Liquidation, etc.

（内閣総理大臣の選任する清算人の報酬）

(Remuneration for Liquidators Appointed by Prime Minister)

第百七十五条　前条第一項、第四項又は第九項の規定により選任された清算人は、清算保険会社等から報酬を受けることができる。

Article 175 (1) A liquidator appointed pursuant to the provisions of paragraphs (1), (4) or (9) of the preceding Article may receive remuneration from the Insurance Company in Liquidation, etc.

２　前項の報酬の額は、内閣総理大臣が定める。

(2) The amount of the remuneration set forth in the preceding paragraph shall be determined by the Prime Minister.

（決算書類等の提出）

(Submission of Closing Financial Statements, etc.)

第百七十六条　清算保険会社等の清算人（特別清算の場合の清算人を除く。）は、会社法第四百九十二条第三項（財産目録等の作成等）若しくは第四百九十七条第二項（貸借対照表等の定時株主総会への提出等）（これらの規定を第百八十条の十七において準用する場合を含む。）又は第五百七条第三項（清算事務の終了等）（第百八十三条第一項において準用する場合を含む。）の規定により株主総会等においてこれらの規定に規定するものについて承認を得たときは、遅滞なく、これらの規定に規定するもの（電磁的記録で作成され、又はその作成に代えて電磁的記録の作成がされているときは、内閣府令で定める電磁的記録又は当該電磁的記録に記録された情報の内容を記載した書面）を内閣総理大臣に提出しなければならない。

Article 176 The liquidator(s) of an Insurance Company in Liquidation, etc. (other than the liquidator(s) in the case of a special liquidation) shall, if the Shareholders' Meeting, etc. has approved the material set forth in Article 492, paragraph (3) (Preparation of Inventory of Property) or Article 497, paragraph (2) (Provision of Balance Sheet to Annual Shareholders' Meeting) (including the cases where they are applied mutatis mutandis pursuant to Article 180-17), or Article 507, paragraph (3) (Conclusion of Liquidation) (including the cases where it is applied mutatis mutandis pursuant to Article 183, paragraph (1)) of the Companies Act, submit such material (or, where such material has been prepared in the form of electromagnetic record or where an electromagnetic record has been prepared in lieu of such material, the electromagnetic record specified by Cabinet Office Ordinance or a document describing the information contained in the electromagnetic record) to the Prime Minister without delay.

（解散後の保険契約の解除）

(Cancellation of Insurance Contracts after Dissolution)

第百七十七条　保険会社等が、第百五十二条第一項の規定により読み替えて適用する会社法第四百七十一条第三号若しくは第六号（解散の事由）（第百五十二条第二項において準用する場合を含む。）に掲げる事由又は第百五十二条第三項第二号に掲げる事由によって解散したときは、保険契約者は、将来に向かって保険契約の解除をすることができる。

Article 177 (1) Where an Insurance Company, etc. has dissolved on the grounds listed in Article 471, item (iii) or (vi) (Grounds for Dissolution) of the Companies Act as applied with relevant changes in interpretation pursuant to the provisions of Article 152, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 152, paragraph (2)) or in Article 152, paragraph (3), item (ii), a Policyholder may cancel his/her insurance contract prospectively.

２　前項の場合において、保険契約者が同項の規定による保険契約の解除をしなかったときは、当該保険契約は、解散の日から三月を経過した日にその効力を失う。

(2) In the case referred to in the preceding paragraph, any insurance contract that is not cancelled by the Policyholder pursuant to the provisions of that paragraph shall lose its effect on the day that is three months after the date of dissolution.

３　前二項の場合においては、清算保険会社等は、被保険者のために積み立てた金額、未経過期間（保険契約に定めた保険期間のうち、当該保険契約が解除され、又は効力を失った時において、まだ経過していない期間をいう。）に対応する保険料その他内閣府令で定める金額を保険契約者に払い戻さなければならない。

(3) In the cases set forth in the preceding two paragraphs, the Insurance Company in Liquidation, etc. shall refund to the Policyholder the amount of money reserved for the insured, any unearned premium (meaning the insurance premium paid for that Part of the period of insurance stipulated in an insurance contract which had not lapsed by the time at which the insurance contract was cancelled or lost its effect) and any other amount of money specified by Cabinet Office Ordinance.

（債権申出期間中の弁済の許可）

(Permission of Performance during Period for Stating Claims)

第百七十八条　保険業を営む株式会社の清算の場合における会社法第五百条（債務の弁済の制限）の規定の適用については、同条第二項中「裁判所」とあるのは、「内閣総理大臣」とする。

Article 178 For the purpose of applying the provisions of Article 500 (Restrictions on Performance of Obligations) of the Companies Act to the liquidation of a Stock Company that conducts Insurance Business, the term "court" in paragraph (2) of that Article shall be deemed to be replaced with "Prime Minister."

（清算の監督命令）

(Order for Supervision of Liquidation)

第百七十九条　内閣総理大臣は、保険会社等の清算（特別清算を除く。）の場合において、必要があると認めるときは、当該清算保険会社等に対し、財産の供託その他清算の監督上必要な措置を命ずることができる。

Article 179 (1) In the case of the liquidation of an Insurance Company, etc. (other than a special liquidation), the Prime Minister may, if he/she finds it necessary, order the Insurance Company in Liquidation, etc. to deposit its properties or to take any other necessary measure for supervising the liquidation.

２　第百二十八条第一項、第百二十九条第一項、第二百七十二条の二十二第一項及び第二百七十二条の二十三第一項の規定は、前項の場合において、内閣総理大臣が清算保険会社等の清算の監督上必要があると認めるときについて準用する。

(2) The provisions of Article 128, paragraph (1), Article 129, paragraph (1), Article 272-22, paragraph (1) and Article 272-23, paragraph (1) shall apply mutatis mutandis to the case referred to in the preceding paragraph, if the Prime Minister finds it necessary for supervising the liquidation of an Insurance Company in Liquidation, etc.

（相互会社の清算の開始原因）

(Causes of Commencement of Mutual Company's Liquidation)

第百八十条　相互会社は、次に掲げる場合には、この節の定めるところにより、清算をしなければならない。

Article 180 A Mutual Company shall go into liquidation in the following cases, pursuant to the provisions of this Section:

一　解散した場合（第百五十二条第二項において準用する会社法第四百七十一条第四号に掲げる事由によって解散した場合及び破産手続開始の決定により解散した場合であって当該破産手続が終了していない場合を除く。）

(i) Where the company has dissolved (excluding the cases where it has dissolved on the grounds listed in Article 471, item (iv) of the Companies Act as applied mutatis mutandis pursuant to Article 152, paragraph (2) and where it has dissolved as a result of a ruling for the commencement of bankruptcy proceedings and such bankruptcy proceedings have not ended); or

二　設立の無効の訴えに係る請求を認容する判決が確定した場合

(ii) Where a judgment allowing an action to invalidate the company's incorporation has become final and binding.

（清算相互会社の能力）

(Capacity of Mutual Companies in Liquidation)

第百八十条の二　前条の規定により清算をする相互会社（以下この節において「清算相互会社」という。）は、清算の目的の範囲内において、清算が結了するまではなお存続するものとみなす。

Article 180-2 A Mutual Company that goes into liquidation pursuant to the provisions of the preceding Article (hereinafter referred to as a "Mutual Company in Liquidation" in this Section) shall be deemed to remain in existence until the liquidation is completed, to the extent of the purpose of the liquidation.

（清算相互会社の社員総会及び総代会以外の機関）

(Administrative Organs of Mutual Companies in Liquidation Other than General Members' Councils and General Representative Members' Councils)

第百八十条の三　清算相互会社は、一人又は二人以上の清算人及び監査役を置かなければならない。

Article 180-3 (1) A Mutual Company in Liquidation shall have one or more liquidator(s) and company auditor(s).

２　清算相互会社は、定款の定めによって、清算人会又は監査役会を置くことができる。

(2) A Mutual Company in Liquidation may have a board of liquidators or a board of company auditors as prescribed by its articles of incorporation.

３　監査役会を置く旨の定款の定めがある清算相互会社は、清算人会を置かなければならない。

(3) A Mutual Company in Liquidation whose articles of incorporation provide for the establishment of a board of company auditors shall also have a board of liquidators.

４　第百八十条各号に掲げる場合に該当することとなった時において委員会設置会社であった清算相互会社においては、監査委員が監査役となる。

(4) In a Mutual Company in Liquidation that was a company with Committees when it fell under Article 180, item (i) or (ii), the Audit Committee Members shall become the company auditors.

５　第五十一条の規定は、清算相互会社については、適用しない。

(5) The provisions of Article 51 shall not apply to a Mutual Company in Liquidation.

（清算人の就任）

(Assumption of Office of Liquidators)

第百八十条の四　次に掲げる者は、清算相互会社の清算人となる。

Article 180-4 (1) The following persons shall become the liquidators of a Mutual Company in Liquidation:

一　取締役（次号又は第三号に掲げる者がある場合を除く。）

(i) Directors (unless the company has a person falling under the following item or item (iii));

二　定款で定める者

(ii) Person(s) prescribed by the articles of incorporation; and

三　社員総会（総代会を設けているときは、総代会）の決議によって選任された者

(iii) Person(s) elected by a resolution of the general members' council (or General Representative Members' Council, where the company has such a council).

２　第百八十条各号に掲げる場合に該当することとなった時において委員会設置会社であった清算相互会社における前項第一号及び第五十三条の五第三項の規定の適用については、前項第一号中「取締役」とあるのは「監査委員以外の取締役」と、同条第三項中「社外監査役（相互会社の監査役であって、過去に当該相互会社又はその実質子会社の取締役、執行役若しくは会計参与（会計参与が法人であるときは、その職務を行うべき社員）又は支配人その他の使用人となったことがないものをいう。以下同じ。）」とあるのは「過去に当該監査役会設置会社又はその実質子会社の取締役（社外取締役を除く。）、執行役若しくは会計参与（会計参与が法人であるときは、その職務を行うべき社員）又は支配人その他の使用人となったことがないもの」とする。

(2) For the purpose of applying the provisions of item (i) of the preceding paragraph and Article 53-5, paragraph (3) to a Mutual Company in Liquidation that was a company with Committees when it fell under Article 180, item (i) or (ii), the term "Directors" in item (i) of the preceding paragraph shall be deemed to be replaced with "Directors other than Audit Committee Members"; and the term "outside company auditors (meaning those company auditors of a Mutual Company who have never been a director, executive officer or accounting advisor (or, if the accounting advisor is a juridical person, any member of that juridical person who is supposed to carry out relevant duties), or manager or any other employee of the Mutual Company or any of its de facto Subsidiaries; the same shall apply hereinafter)" in Article 180, paragraph (3) shall be deemed to be replaced with "persons who have never been a director, executive officer or accounting advisor (or, if the accounting advisor is a juridical person, any member of that juridical person who is supposed to carry out relevant duties), or manager or any other employee of the company with a board of auditors or any of its de facto Subsidiaries."

３　第八条の二第二項、第五十三条及び第五十三条の二第一項の規定は清算相互会社の清算人について、同条第三項の規定は清算人会設置相互会社（清算人会を置く清算相互会社をいう。以下この節において同じ。）における清算人について、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。

(3) The provisions of Article 8-2, paragraph (2), Article 53 and Article 53-2, paragraph (1) shall apply mutatis mutandis to the liquidator(s) of a Mutual Company in Liquidation; and the provisions of Article 53-2, paragraph (3) shall apply mutatis mutandis to the liquidators of a Mutual Company with a board of liquidators (meaning a mutual liquidating company that has a board of liquidators; hereinafter the same shall apply in this Section). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（清算人の解任）

(Dismissal of Liquidators)

第百八十条の五　清算相互会社の清算人（第百七十四条第一項、第四項及び第九項の規定により内閣総理大臣が選任した者を除く。）は、いつでも、社員総会（総代会を設けているときは、総代会）の決議によって解任することができる。

Article 180-5 (1) A liquidator (other than a person appointed by the Prime Minister pursuant to the provisions of Article 174, paragraph (1), (4) or (9)) may be dismissed at any time by a resolution of the general members' council (or General Representative Members' Council, where the company has such a council).

２　重要な事由があるときは、裁判所は、社員総数の千分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上又は三千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、第三十八条第一項に規定する政令で定める数以上の社員）であって六月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続き社員である者（総代会を設けているときは、これらの者又は九名（これを下回る数を定款で定めた場合にあっては、その数）以上の総代）の申立てにより、前項の清算人を解任することができる。

(2) The court may, if it finds any material grounds, dismiss a liquidator under the preceding paragraph in response to a petition filed by members representing at least three thousandths (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or three thousand (or any smaller number prescribed by the articles of incorporation) or more members of the Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 38, paragraph (1)), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation) (or, in a company with a General Representative Members' Council, those members or nine (or any smaller number prescribed by the articles of incorporation) or more representative members).

３　会社法第八百六十八条第一項（非訟事件の管轄）、第八百七十条（第三号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は前項の規定による申立てについて、同法第九百三十七条第一項（第二号ホ及び第三号イに係る部分に限る。）（裁判による登記の嘱託）の規定は前項の規定による第一項の清算人の解任の裁判について、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。

(3) The provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 870 (limited to the segment pertaining to item (iii)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to a petition under the preceding paragraph; and the provisions of Article 937, paragraph (1) (limited to the segment pertaining to item (ii), sub-item (e) and item (iii), sub-item (a)) (Commissioning of Registration by a Judicial Decision) of that Act shall apply mutatis mutandis to a judicial decision on the dismissal of a liquidator under paragraph (1). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

４　第五十三条の十二第一項から第三項までの規定並びに会社法第八百六十八条第一項、第八百七十条（第二号に係る部分に限る。）、第八百七十一条、第八百七十二条（第四号に係る部分に限る。）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条、第八百七十六条及び第九百三十七条第一項（第二号ロ及びハに係る部分に限る。）の規定は、第一項の清算人について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of Article 53-12, paragraphs (1) to (3) inclusive, and the provisions of Article 868, paragraph (1), Article 870 (limited to the segment pertaining to item (ii), Article 871, Article 872 (limited to the segment pertaining to item (iv)), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875, Article 876 and Article 937, paragraph (1) (limited to the segment pertaining to item (ii), sub-items (b) and (c)) of the Companies Act shall apply mutatis mutandis to the liquidator set forth in paragraph (1). In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（監査役の任期）

(Company Auditor's Term of Office)

第百八十条の六　第五十三条の六の規定は、清算相互会社の監査役については、適用しない。

Article 180-6 The provisions of Article 53-6 shall not apply to the company auditors of a Mutual Company in Liquidation.

（清算人の職務）

(Liquidator's Duties)

第百八十条の七　清算相互会社の清算人は、次に掲げる職務を行う。

Article 180-7 The liquidator(s) of a Mutual Company in Liquidation shall carry out the following duties:

一　現務の結了

(i) Completion of pending transactions;

二　債権の取立て及び債務の弁済

(ii) Collection of debts and performance of obligations; and

三　残余財産の分配

(iii) Distribution of residual assets.

（業務の執行）

(Execution of Business)

第百八十条の八　清算人は、清算相互会社（清算人会設置相互会社を除く。以下この条において同じ。）の業務を執行する。

Article 180-8 (1) The liquidator(s) shall execute the business of the Mutual Company in Liquidation (other than a Mutual Company with a board of liquidators; hereinafter the same shall apply in this Article).

２　清算人が二人以上ある場合には、清算相互会社の業務は、定款に別段の定めがある場合を除き、清算人の過半数をもって決定する。

(2) If a Mutual Company in Liquidation has two or more liquidators, the business of the company is decided by the majority of the liquidators, unless otherwise provided for in the articles of incorporation.

３　前項の場合には、清算人は、次に掲げる事項についての決定を各清算人に委任することができない。

(3) In the case set forth in the preceding paragraph, the liquidators may not delegate to any liquidator a decision regarding any of the following particulars:

一　支配人の選任及び解任

(i) Appointment or dismissal of a manager;

二　従たる事務所の設置、移転及び廃止

(ii) Establishment, relocation or abolition of a secondary office;

三　第四十一条第一項又は第四十九条第一項において準用する会社法第二百九十八条第一項各号に掲げる事項

(iii) Particulars listed in the items of Article 298, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 41, paragraph (1) or Article 49, paragraph (1); or

四　清算人の職務の執行が法令及び定款に適合することを確保するための体制その他清算相互会社の業務の適正を確保するために必要なものとして内閣府令で定める体制の整備

(iv) Revision of a system to ensure that the liquidators carry out their duties in compliance with applicable laws and regulations and the articles of incorporation, and any other system required by Cabinet Office Ordinance for ensuring that the business of a Mutual Company in Liquidation is executed in an appropriate manner.

４　会社法第三百五十三条から第三百五十七条まで（株式会社と取締役との間の訴えにおける会社の代表、表見代表取締役、忠実義務、競業及び利益相反取引の制限、取締役の報告義務）、第三百六十条第一項（株主による取締役の行為の差止め）及び第三百六十一条（取締役の報酬等）の規定は、清算人（同条の規定については、第百七十四条第一項、第四項又は第九項の規定により内閣総理大臣が選任したものを除く。）について準用する。この場合において、同法第三百五十三条中「第三百四十九条第四項」とあるのは「保険業法第百八十条の九第五項において準用する第三百四十九条第四項」と、同法第三百五十四条中「代表取締役」とあるのは「代表清算人」と、同法第三百六十条第一項中「株式を有する株主」とあるのは「社員である者」と、「著しい損害」とあるのは「回復することができない損害」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。

(4) The provisions of Article 353 to 357 inclusive (Representation of Companies in Actions Between Stock Company and Directors, Apparent Representative Directors, Duty of Loyalty, Restrictions on Competition and Conflicting Interest Transactions, Director's Duty to Report), Article 360, paragraph (1) (Prohibition of Directors' Actions by the Shareholders) and Article 361 (Remuneration for Directors) of the Companies Act shall apply mutatis mutandis to a liquidator (with regard to the provisions of Article 361 of that Act, other than a liquidator appointed by the Prime Minister pursuant to the provisions of Article 174, paragraph (1), (4) or (9)). In this case, the term "Article 349, paragraph (4)" in Article 353 of that Act shall be deemed to be replaced with "Article 349, paragraph (4) as applied mutatis mutandis pursuant to Article 180-9, paragraph (5) of the Insurance Business Act"; the term "a Representative Director" in Article 354 of that Act shall be deemed to be replaced with "the Representative Liquidator"; and the terms "shareholders having the shares" and "substantial detriment" in Article 360, paragraph (1) of that Act shall be deemed to be replaced with "persons who have been members of the company" and "irreparable damage," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（清算相互会社の代表）

(Representative of Mutual Company in Liquidation)

第百八十条の九　清算人は、清算相互会社を代表する。ただし、他に代表清算人その他清算相互会社を代表する者を定めた場合は、この限りでない。

Article 180-9 (1) The liquidator(s) shall represent the Mutual Company in Liquidation; provided, however, that this shall not apply to the cases where the liquidating Insurance Company appoints a Representative Liquidator or any other person to act as its representative.

２　前項本文の清算人が二人以上ある場合には、清算人は、各自、清算相互会社を代表する。

(2) Where a Mutual Company in Liquidation has two or more liquidators, each of the liquidators shall represent the company for the purpose of the main clause of the preceding paragraph.

３　清算相互会社（清算人会設置相互会社を除く。）は、定款、定款の定めに基づく清算人（第百七十四条第一項、第四項又は第九項の規定により内閣総理大臣が選任した者を除く。以下この項において同じ。）の互選又は社員総会（総代会を設けているときは、総代会）の決議によって、清算人の中から代表清算人を定めることができる。

(3) A Mutual Company in Liquidation (other than a Mutual Company with a board of liquidators) may appoint a Representative Liquidator from among its liquidators (excluding a person appointed by the Prime Minister pursuant to the provisions of Article 174, paragraph (1), (4) or (9); hereinafter the same shall apply in this paragraph) in accordance with its articles of incorporation, by mutual vote of the liquidators pursuant to the provisions of its articles of incorporation, or by a resolution of the general members' council (or General Representative Members' Council, where the company has such a council).

４　第百八十条の四第一項第一号の規定により取締役が清算人となる場合において、代表取締役を定めていたときは、当該代表取締役が代表清算人となる。

(4) Where a representative director has been appointed, the representative director shall act as the Representative Liquidator if the directors become the liquidators pursuant to the provisions of Article 180-4, paragraph (1), item (i).

５　会社法第三百四十九条第四項及び第五項（株式会社の代表）並びに第三百五十一条（代表取締役に欠員を生じた場合の措置）の規定は清算相互会社の代表清算人について、同法第三百五十二条（取締役の職務を代行する者の権限）の規定は民事保全法（平成元年法律第九十一号）第五十六条（法人の代表者の職務執行停止の仮処分等の登記の嘱託）に規定する仮処分命令により選任された清算相互会社の清算人又は代表清算人の職務を代行する者について、会社法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十条（第二号に係る部分に限る。）（陳述の聴取）、第八百七十一条（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十四条（第一号及び第四号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は清算相互会社の清算人又は代表清算人について、同法第九百三十七条第一項（第二号ロ及びハに係る部分に限る。）（裁判による登記の嘱託）の規定は清算相互会社の一時代表清算人の職務を行うべき者について、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。

(5) The provisions of Article 349, paragraphs (4) and (5) (Representatives of Companies) and Article 351 (Measures when Vacancy Arises in Office of Representative Director) of the Companies Act shall apply mutatis mutandis to the Representative Liquidator of a Mutual Company in Liquidation; the provisions of Article 352 (Authority of Persons Who Perform Duties on Behalf of Directors) of that Act shall apply mutatis mutandis to a person appointed by a provisional disposition order under Article 56 (Commission of Registration of Provisional Disposition for Stay of Execution of Duties by Representative of Juridical Person, etc.) of the Civil Provisional Relief Act to act for a liquidator or the Representative Liquidator of a Mutual Company in Liquidation; the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 870 (limited to the segment pertaining to item (ii)) (Hearing of Statements), Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal), Article 874 (limited to the segment pertaining to items (i) and (iv)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to the liquidator(s) or Representative Liquidator of a Mutual Company in Liquidation; and the provisions of Article 937, paragraph (1) (limited to the segment pertaining to item (ii), sub-items (b) and (c)) (Commissioning of Registration by a Judicial Decision) of that Act shall apply mutatis mutandis to a person who must carry out the duties of the temporary Representative Liquidator of a Mutual Company in Liquidation. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（清算相互会社についての破産手続の開始）

(Commencement of Bankruptcy Proceedings for Mutual Company in Liquidation)

第百八十条の十　清算相互会社の財産がその債務を完済するのに足りないことが明らかになったときは、清算人は、直ちに破産手続開始の申立てをしなければならない。

Article 180-10 (1) The liquidators shall, if it has become clear that the assets of the Mutual Company in Liquidation are not sufficient to fully discharge its debts, immediately file a petition for commencement of bankruptcy proceedings.

２　清算人は、清算相互会社が破産手続開始の決定を受けた場合において、破産管財人にその事務を引き継いだときは、その任務を終了したものとする。

(2) If a Mutual Company in Liquidation has become subject to a ruling for the commencement of bankruptcy proceedings, the liquidator(s) shall be deemed to have accomplished their duties when they have transferred their tasks to the bankruptcy trustee.

３　前項に規定する場合において、清算相互会社が既に債権者に支払ったものがあるときは、破産管財人は、これを取り戻すことができる。

(3) In the case prescribed in the preceding paragraph, the bankruptcy trustee may recover any payment made to creditors by the Mutual Company in Liquidation.

（清算人の清算相互会社に対する損害賠償責任）

(Liquidator's Liability for Damages to Mutual Company in Liquidation)

第百八十条の十一　清算人は、その任務を怠ったときは、清算相互会社に対し、これによって生じた損害を賠償する責任を負う。

Article 180-11 (1) A liquidator shall be liable to the Mutual Company in Liquidation for any damage caused by the failure to carry out his/her (their) duties.

２　清算人が第百八十条の八第四項において準用する会社法第三百五十六条第一項の規定に違反して同項第一号の取引をしたときは、当該取引により清算人又は第三者が得た利益の額は、前項の損害の額と推定する。

(2) Where a liquidator has carried out the transaction listed in Article 356, paragraph (1), item (i) of the Companies Act in violation of Article 356, paragraph (1) of that Act as applied mutatis mutandis pursuant to Article 180-8, paragraph (4), the amount of the profit gained by the liquidator or any third party from such transaction shall be presumed to be the amount of the damage set forth in the preceding paragraph.

３　第百八十条の八第四項において準用する会社法第三百五十六条第一項第二号又は第三号の取引によって清算相互会社に損害が生じたときは、次に掲げる清算人は、その任務を怠ったものと推定する。

(3) Any of the following liquidators shall be presumed to have failed to carry out his/her duties if the Mutual Company in Liquidation has suffered any damage from the transaction set forth in Article 356, paragraph (1), item (ii) or (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 180-8, paragraph (4):

一　第百八十条の八第四項において準用する会社法第三百五十六条第一項の清算人

(i) A liquidator falling under Article 356, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 180-8, paragraph (4);

二　清算相互会社が当該取引をすることを決定した清算人

(ii) A liquidator who decided that the Mutual Company in Liquidation carry out such transaction; or

三　当該取引に関する清算人会の承認の決議に賛成した清算人

(iii) A liquidator who agreed to the board of liquidators' resolution to approve such transaction.

４　第五十三条の三十四及び会社法第四百二十八条第一項（取締役が自己のためにした取引に関する特則）の規定は、清算相互会社の清算人の第一項の責任について準用する。この場合において、同条第一項中「第三百五十六条第一項第二号（第四百十九条第二項において準用する場合を含む。）」とあるのは「保険業法第百八十条の八第四項において準用する第三百五十六条第一項第二号」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。

(4) The provisions of Article 53-34 and the provisions of Article 428, paragraph (1) (Special Provision on Transactions Carried out by Director for Himself/Herself) of the Companies Act shall apply mutatis mutandis to the liability of a liquidator under paragraph (1). In this case, the term "Article 356, paragraph (1), item (ii) (including the cases where it is applied mutatis mutandis pursuant to Article 419, paragraph (2))" in Article 428, paragraph (1) of that Act shall be deemed to be replaced with "Article 356, paragraph (1), item (ii) as applied mutatis mutandis pursuant to Article 180-8, paragraph (4) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（清算人の第三者に対する損害賠償責任）

(Liquidator's Liability for Damages to a Third Party)

第百八十条の十二　清算相互会社の清算人がその職務を行うについて悪意又は重大な過失があったときは、当該清算人は、これによって第三者に生じた損害を賠償する責任を負う。

Article 180-12 (1) A liquidator of a Mutual Company in Liquidation shall be liable to a third party for any damage caused by his/her bad faith or gross negligence in carrying out his/her duties.

２　前項の清算人が、次に掲げる行為をしたときも、同項と同様とする。ただし、当該清算人が当該行為をすることについて注意を怠らなかったことを証明したときは、この限りでない。

(2) The provisions of the preceding paragraph shall also apply where the liquidator set forth in that paragraph has acted as follows; provided, however, that this shall not apply to the cases where the liquidator has proven that he/she did not fail to exercise due care in so acting:

一　社債（第六十一条に規定する社債をいう。）を引き受ける者の募集をする際に通知しなければならない重要な事項についての虚偽の通知又は当該募集のための当該清算相互会社の事業その他の事項に関する説明に用いた資料についての虚偽の記載若しくは記録

(i) Giving false notice with respect to any important particular of which notice must be given in soliciting subscribers for bonds (meaning the bonds set forth in Article 61), or including a false detail or record in any material used to explain the Mutual Company in Liquidation's business or other particulars for the purpose of such solicitation;

二　第百八十条の十七において準用する会社法第四百九十二条第一項に規定する財産目録等並びに第百八十条の十七において準用する同法第四百九十四条第一項の貸借対照表及び事務報告並びにこれらの附属明細書に記載し、又は記録すべき重要な事項についての虚偽の記載又は記録

(ii) Including a false detail or record with regard to any important particular that must be detailed or recorded in the inventory of property, etc. set forth in Article 492, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 180-17 or the balance sheet and administrative report set forth in Article 494, paragraph (1) of that Act as applied mutatis mutandis pursuant to Article 180-17, or in the annexed detailed statements thereto;

三　虚偽の登記

(iii) Making a false registration; or

四　虚偽の公告

(iv) Giving false public notice.

（清算人及び監査役の連帯責任）

(Joint and Several Liability of Liquidators and Company Auditors)

第百八十条の十三　清算人又は監査役が清算相互会社又は第三者に生じた損害を賠償する責任を負う場合において、他の清算人又は監査役も当該損害を賠償する責任を負うときは、これらの者は、連帯債務者とする。

Article 180-13 (1) If a liquidator or company auditor is liable for any damage caused to the Mutual Company in Liquidation or a third party, and the other liquidator(s) or company auditor(s) are also liable for such damages, the other liquidator(s) or company auditor(s) shall be his/her joint and several obligors.

２　前項の場合には、第五十三条の三十六において準用する会社法第四百三十条の規定は、適用しない。

(2) The provisions of Article 430 of the Companies Act as applied mutatis mutandis pursuant to Article 53-36 shall not apply to the case set forth in the preceding paragraph.

（清算人会の権限等）

(Authority, etc. of Board of Liquidators)

第百八十条の十四　清算相互会社の清算人会は、すべての清算人で組織する。

Article 180-14 (1) The board of liquidators of a Mutual Company in Liquidation shall be composed of all of its liquidators.

２　清算人会は、次に掲げる職務を行う。

(2) The board of liquidators shall carry out the following duties:

一　清算人会設置相互会社の業務執行の決定

(i) Decisions on the execution of business of the Mutual Company with a board of liquidators;

二　清算人の職務の執行の監督

(ii) Supervision of the execution of duties by the liquidators; and

三　代表清算人の選定及び解職

(iii) Appointment and removal of the Representative Liquidator.

３　清算人会は、清算人の中から代表清算人を選定しなければならない。ただし、他に代表清算人があるときは、この限りでない。

(3) The board of liquidators shall appoint the Representative Liquidator from among the liquidators; provided, however, that this shall not apply to the cases where the Representative Liquidator has been appointed otherwise.

４　清算人会は、その選定した代表清算人及び第百八十条の九第四項の規定により代表清算人となった者を解職することができる。

(4) The board of liquidators may remove the Representative Liquidator that it has appointed or the person who has become the Representative Liquidator pursuant to the provisions of Article 180-9, paragraph (4).

５　第百七十四条第七項の規定により内閣総理大臣が清算相互会社の代表清算人を定めたときは、清算人会は、代表清算人を選定し、又は解職することができない。

(5) Where the Prime Minister has appointed the Representative Liquidator of a Mutual Company in Liquidation pursuant to the provisions of Article 174, paragraph (7), the board of liquidators may not appoint or remove the Representative Liquidator.

６　清算人会は、次に掲げる事項その他の重要な業務執行の決定を清算人に委任することができない。

(6) The board of liquidators may not delegate to any liquidator an important decision on the execution of business, including on any of the following particulars:

一　重要な財産の処分及び譲受け

(i) The appropriation of and acceptance of assignment of important assets ;

二　多額の借財

(ii) Contracting of a large amount of debt;

三　支配人その他の重要な使用人の選任及び解任

(iii) Appointment or removal of a manager or any other important employee;

四　従たる事務所その他の重要な組織の設置、変更及び廃止

(iv) Establishment, change or abolition of a secondary office or any other important structure;

五　第六十一条第一号に掲げる事項その他の社債（同条に規定する社債をいう。）を引き受ける者の募集に関する重要な事項として内閣府令で定める事項

(v) The particulars specified by Cabinet Office Ordinance as important particulars of the solicitation of subscribers for bonds (meaning the bonds set forth in Article 61), such as the particulars listed in Article 61, item (i); or

六　清算人の職務の執行が法令及び定款に適合することを確保するための体制その他清算相互会社の業務の適正を確保するために必要なものとして内閣府令で定める体制の整備

(vi) Revision of a system to ensure that the liquidators carry out their duties in compliance with applicable laws and regulations and the articles of incorporation, and any other system required by Cabinet Office Ordinance for ensuring that the business of a Mutual Company in Liquidation is executed in an appropriate manner.

７　次に掲げる清算人は、清算人会設置相互会社の業務を執行する。

(7) The business of a Mutual Company with a board of liquidators shall be executed by:

一　清算相互会社の代表清算人

(i) The Representative Liquidator in a Mutual Company in Liquidation; or

二　代表清算人以外の清算人であって、清算人会の決議によって清算人会設置相互会社の業務を執行する清算人として選定されたもの

(ii) A liquidator other than the Representative Liquidator appointed by a resolution of the board of liquidators to execute the business of the Mutual Company with a board of directors.

８　前項各号に掲げる清算人は、三月に一回以上、自己の職務の執行の状況を清算人会に報告しなければならない。

(8) A liquidator listed in the items of the preceding paragraph shall report, at least once in every three months, the status of execution of his/her duties to the board of liquidators.

９　会社法第三百六十四条（取締役会設置会社と取締役との間の訴えにおける会社の代表）及び第三百六十五条（競業及び取締役会設置会社との取引等の制限）の規定は、清算人会設置相互会社について準用する。この場合において、同法第三百六十四条中「第三百五十三条」とあるのは「保険業法第百八十条の八第四項において準用する第三百五十三条」と、同法第三百六十五条第一項中「第三百五十六条」とあるのは「保険業法第百八十条の八第四項において準用する第三百五十六条」と、同条第二項中「第三百五十六条第一項各号」とあるのは「保険業法第百八十条の八第四項において準用する第三百五十六条第一項各号」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。

(9) The provisions of Article 364 (Representation of Company in Actions between Companies with Board of Directors and Directors) and Article 365 (Restrictions on Competition and Transactions with Companies with Board of Directors) of the Companies Act shall apply mutatis mutandis to a Mutual Company with a board of liquidators. In this case, the term "Article 353" in Article 364 of that Act shall be deemed to be replaced with "Article 353 as applied mutatis mutandis pursuant to Article 180-8, paragraph (4) of the Insurance Business Act"; the term "Article 356" in Article 365, paragraph (1) of that Act shall be deemed to be replaced with "Article 356 as applied mutatis mutandis pursuant to Article 180-8, paragraph (4) of the Insurance Business Act"; and the term "the items of Article 356, paragraph (1)" in Article 365, paragraph (2) of that Act shall be deemed to be replaced with "the items of Article 356, paragraph (1) as applied mutatis mutandis pursuant to Article 180-8, paragraph (4) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（清算人会の運営）

(Operations of Board of Liquidators)

第百八十条の十五　会社法第二編第四章第五節第二款（第三百六十七条、第三百七十一条第三項及び第五項、第三百七十二条第三項並びに第三百七十三条を除く。）（運営）の規定は清算人会設置相互会社の清算人会の運営について、同法第八百六十八条第一項（非訟事件の管轄）、第八百六十九条（疎明）、第八百七十条（第一号に係る部分に限る。）（陳述の聴取）、第八百七十一条本文（理由の付記）、第八百七十二条（第四号に係る部分に限る。）（即時抗告）、第八百七十三条本文（原裁判の執行停止）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定はこの条において準用する同法第三百七十一条第二項又は第四項の規定による許可の申立てについて、それぞれ準用する。この場合において、同条第二項（議事録等）中「株主」とあるのは「社員（総代会を設けているときは、総代）」と、「株式会社の営業時間内は、いつでも」とあるのは「裁判所の許可を得て」と、同条第六項中「親会社若しくは子会社」とあるのは「保険業法第三十三条の二第一項に規定する実質子会社」と、同法第三百七十二条第二項（取締役会への報告の省略）中「第三百六十三条第二項」とあるのは「保険業法第百八十条の十四第八項」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。

Article 180-15 The provisions of Part II, Chapter IV, Section 5, Subsection 2 (excluding Article 367, Article 371, paragraphs (3) and (5), Article 372, paragraph (3), and Article 373) (Operations) of the Companies Act shall apply mutatis mutandis to the operations of the board of liquidators of a Mutual Company with a board of liquidators; and the provisions of Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 869 (Prima Facie Showing), Article 870 (limited to the segment pertaining to item (i)) (Hearing of Statements), the main clause of Article 871 (Appending of the Reason), Article 872 (limited to the segment pertaining to item (iv)) (Immediate Appeal) the main clause of Article 873 (Stay of Execution of the Judicial Decision of the Prior Instance), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of that Act shall apply mutatis mutandis to an application for permission under Article 371, paragraph (2) or (4) of that Act as applied mutatis mutandis pursuant to this Article. In this case, the terms "shareholder" and "at any time during the business hours of a Stock Company" in Article 371, paragraph (2) (Minutes) of that Act shall be deemed to be replaced with "member (or representative member, where the company has a General Representative Members' Council)" and "with the permission of the court," respectively; the term "Parent Company or Subsidiary" in Article 371, paragraph (6) of that Act shall be deemed to be replaced with "de facto Subsidiaries as set forth in Article 33-2, paragraph (1) of the Insurance Business Act"; and the term "Article 363, paragraph (2)" in Article 372, paragraph (2) (Omission of report to board of directors) of that Act shall be deemed to be replaced with "Article 180-14, paragraph (8) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（取締役等に関する規定の適用）

(Application of Provisions on Directors, etc.)

第百八十条の十六　清算相互会社については、第二章第二節第三款、同節第四款第一目及び第二目、第五十三条の五第二項、第五十三条の十一において準用する会社法第三百四十三条第一項及び第二項、第五十三条の十一において準用する同法第三百四十五条第四項において準用する同条第三項、第五十三条の十五において準用する同法第三百五十九条、同款第六目並びに第六十二条の二の規定中取締役、代表取締役、取締役会又は相互会社に関する規定は、それぞれ清算人、代表清算人、清算人会又は清算人会設置相互会社に関する規定として清算人、代表清算人、清算人会又は清算人会設置相互会社に適用があるものとする。

Article 180-16 For the purpose of applying to a Mutual Company in Liquidation the provisions of Chapter II, Section 2, Subsection 3; Chapter II, Section 2, Subsection 4, Divisions 1 and 2; Article 53-5, paragraph (2); Article 343, paragraphs (1) and (2) of the Companies Act as applied mutatis mutandis pursuant to Article 53-11; Article 345, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 345, paragraph (4) of that Act as applied mutatis mutandis pursuant to Article 53-11; Article 359 of that Act as applied mutatis mutandis pursuant to Article 53-15; Chapter II, Section 2, Subsection 4, Division 6; and Article 62-2, the provisions pertaining to a director, representative director, board of directors or Mutual Company shall be deemed applicable to a liquidator, Representative Liquidator, board of liquidators or Mutual Company with board of liquidators, respectively.

（財産目録等）

(Inventory of Property, etc.)

第百八十条の十七　会社法第二編第九章第一節第三款（第四百九十六条第三項並びに第四百九十七条第一項第三号を除く。）（財産目録等）の規定は、清算相互会社について準用する。この場合において、同法第四百九十二条第一項（財産目録等の作成等）中「第四百八十九条第七項各号」とあるのは「保険業法第百八十条の十四第七項各号」と、「第四百七十五条各号」とあるのは「同法第百八十条各号」と、同法第四百九十四条第一項（貸借対照表等の作成及び保存）中「第四百七十五条各号」とあるのは「保険業法第百八十条各号」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。

Article 180-17 The provisions of Part II, Chapter IX, Section 1, Subsection 3 (excluding Article 496, paragraph (3) and Article 497, paragraph (1), item (iii)) (Property Inventories) of the Companies Act shall apply mutatis mutandis to a Mutual Company in Liquidation. In this case, the terms "the items of Article 489, paragraph (7)" and "the items of Article 475" in Article 492, paragraph (1) (Preparation of Inventory of Property) of that Act shall be deemed to be replaced with "Article 180-14, paragraph (7), item (i) or (ii) of the Insurance Business Act" and "Article 180, item (i) or (ii) of that Act," respectively; and the term "the items of Article 475" in Article 494, paragraph (1) (Preparation and Retention of Balance Sheet) of that Act shall be deemed to be replaced with "Article 180, item (i) or (ii) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（財産処分の順序）

(Order of Appropriation of Property)

第百八十一条　清算相互会社の清算人は、相互会社の債務の弁済及び基金の払戻しをしなければならない。

Article 181 (1) The liquidator(s) of a Mutual Company in Liquidation shall perform the obligations, and redeem the funds of the Mutual Company.

２　前項の場合において、基金の払戻しは、相互会社の債務の弁済をした後でなければ、してはならない。

(2) In the case referred to in the preceding paragraph, the funds shall not be redeemed prior to the performance of the Mutual Company's obligations.

（債務の弁済等）

(Performance of Obligations, etc.)

第百八十一条の二　会社法第二編第九章第一節第四款（債務の弁済等）、第八百六十八条第一項（非訟事件の管轄）、第八百七十一条（理由の付記）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、清算相互会社について準用する。この場合において、同法第四百九十九条第一項（債権者に対する公告等）中「第四百七十五条各号」とあるのは「保険業法第百八十条各号」と、同法第五百条第二項中「裁判所」とあるのは「内閣総理大臣」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。

Article 181-2 The provisions of Part II, Chapter IX, Section 1, Subsection 4 (Performance of Obligations), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 871 (Appending of the Reason), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to a Mutual Company in Liquidation. In this case, the term "the items of Article 475" in Article 499, paragraph (1) (Public Notices to Creditors) of that Act shall be deemed to be replaced with "Article 180, item (i) or (ii) of the Insurance Business Act"; and the term "court" in Article 500, paragraph (2) of that Act shall be deemed to be replaced with "Prime Minister"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（残余財産の分配）

(Distribution of Residual Assets)

第百八十二条　清算相互会社の残余財産の処分については、定款に定めがない場合には、社員総会（総代会を設けているときは、総代会）の決議によらなければならない。

Article 182 (1) Unless otherwise provided in the articles of incorporation, any appropriation of the residual assets of a Mutual Company in Liquidation shall be made by a resolution of the general members' council (or General Representative Members' Council, where the company has such a council).

２　清算相互会社の残余財産は、社員に分配し、又は保険契約者等の保護に資するような方法により処分しなければならない。

(2) The residual assets of a Mutual Company in Liquidation shall be distributed to its members or disposed of in a manner that contributes to the protection of Policyholders, etc.

３　清算相互会社の残余財産を社員に分配する場合には、社員の寄与分（社員の支払った保険料及び当該保険料として収受した金銭を運用することによって得られた収益のうち、保険金、返戻金その他の給付金の支払、事業費の支出その他の支出（第百七十七条第三項の規定による払戻しを含む。）に充てられていないものとして内閣府令で定めるところにより計算した金額をいう。）に応じて、しなければならない。

(3) Any distribution of the residual assets of a Mutual Company in Liquidation to its members shall be made in accordance with the members' amount of contribution (meaning the amount calculated pursuant to the provisions of Cabinet Office Ordinance as that part of the profits obtained by investing the insurance premiums paid by the members and the amount of money received as such insurance premiums which have neither been allocated to any payments such as insurance proceeds or refunds, nor to any business or other expenditures (including any refund under Article 177, paragraph (3)).

４　清算相互会社の残余財産を第二項に規定する保険契約者等の保護に資するような方法により処分する場合には、退社員の全体について前項の内閣府令に準じて内閣府令で定めるところにより計算した金額の総額を上限とする。

(4) Any measures of the residual assets of a Mutual Company in Liquidation in a manner that contributes to the protection of Policyholders, etc. under paragraph (2) shall be made in an amount not exceeding the total amount calculated in accordance with Cabinet Office Ordinance set forth in the preceding paragraph for all withdrawing members, pursuant to the provisions of Cabinet Office Ordinance.

５　第一項の場合には、第六十二条第二項に定める決議によらなければならない。

(5) The resolution set forth in paragraph (1) shall be a resolution under Article 62, paragraph (2).

６　第一項の決議は、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。

(6) Any resolution under paragraph (1) shall be null and void without the authorization of the Prime Minister.

（清算事務の終了等）

(Completion of Liquidation Process, etc.)

第百八十三条　会社法第五百七条（清算事務の終了等）、第五百八条（帳簿資料の保存）、第八百六十八条第一項（非訟事件の管轄）、第八百七十一条（理由の付記）、第八百七十四条（第一号に係る部分に限る。）（不服申立ての制限）、第八百七十五条（非訟事件手続法の規定の適用除外）及び第八百七十六条（最高裁判所規則）の規定は、清算相互会社について準用する。この場合において、同法第五百八条第一項中「第四百八十九条第七項各号」とあるのは「保険業法第百八十条の十四第七項各号」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。

Article 183 (1) The provisions of Article 507 (Conclusion of Liquidation), Article 508 (Retention of Accounting Materials), Article 868, paragraph (1) (Jurisdiction over Non-Contentious Cases), Article 871 (Appending of the Reason), Article 874 (limited to the segment pertaining to item (i)) (Restrictions on Appeal), Article 875 (Exclusion from Application of the Provisions of the Non-Contentious Cases Procedures Act) and Article 876 (Supreme Court Rules) of the Companies Act shall apply mutatis mutandis to a Mutual Company in Liquidation. In this case, the term "the items of Article 489, paragraph (7)" in Article 508, paragraph (1) of that Act shall be deemed to be replaced with "Article 180-14, paragraph (7), item (i) or (ii) of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

２　会社法第九百二十八条（第二項を除く。）（清算人の登記）、第九百二十九条（第一号に係る部分に限る。）（清算結了の登記）及び第九百三十二条本文（支店における変更の登記等）並びに商業登記法第七十三条から第七十五条まで（清算人の登記、清算人に関する変更の登記、清算結了の登記）の規定は、相互会社の清算に関する登記について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of Article 928 (excluding paragraph (2)) (Registration of a Liquidator), Article 929 (limited to the segment pertaining to item (i)) (Registration of Completion of Liquidation) and the main clause of Article 932 (Registration of a Change, etc. with Regard to a Branch Office) of the Companies Act, and Article 73 to 75 inclusive (Registration of Liquidators, Registration of Change Related to Liquidator, Registration of Completion of Liquidation) of the Commercial Registration Act shall apply mutatis mutandis to a registration regarding the liquidation of a Mutual Company. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

（相互会社の特別清算に関する会社法の準用）

(Mutatis Mutandis Application of the Companies Act to the Special Liquidation of a Mutual Company)

第百八十四条　会社法第二編第九章第二節（第五百二十二条第三項及び第五百四十一条を除く。）（特別清算）、第七編第二章第四節（特別清算に関する訴え）、同編第三章第一節（第八百六十八条第二項から第五項まで及び第八百七十条から第八百七十四条までを除く。）（総則）及び第三節（第八百七十九条、第八百八十条並びに第八百九十八条第一項第二号及び第五項を除く。）（特別清算の手続に関する特則）並びに第九百三十八条第一項から第五項まで（特別清算に関する裁判による登記の嘱託）の規定は、清算相互会社について準用する。この場合において、同法第五百二十二条第一項（調査命令）中「総株主（株主総会において決議をすることができる事項の全部につき議決権を行使することができない株主を除く。）の議決権の百分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上の議決権を六箇月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続き有する株主若しくは発行済株式（自己株式を除く。）の百分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上の数の株式を六箇月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続き有する株主」とあるのは「社員総数の千分の三（これを下回る割合を定款で定めた場合にあっては、その割合）以上に相当する数の社員若しくは三千名（これを下回る数を定款で定めた場合にあっては、その数）以上の社員（特定相互会社にあっては、保険業法第三十八条第一項に規定する政令で定める数以上の社員）で六箇月（これを下回る期間を定款で定めた場合にあっては、その期間）前から引き続いて社員である者」と、同法第五百三十二条第二項（監督委員の報酬等）中「債権又は清算株式会社の株式」とあるのは「債権」と、同法第五百三十六条第三項（事業の譲渡の制限等）中「第七章（第四百六十七条第一項第五号を除く。）」とあるのは「保険業法第六十二条の二」と、同法第五百六十二条（清算人の調査結果等の債権者集会に対する報告）中「第四百九十二条第一項」とあるのは「保険業法第百八十条の十七において準用する第四百九十二条第一項」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。

Article 184 The provisions of Part II, Chapter IX, Section 2 (excluding Article 522, paragraph (3) and Article 541) (Special Liquidations), Part VII, Chapter II, Section 4 (Action Concerning Special Liquidation), Part VII, Chapter III, Sections 1 (excluding Article 868, paragraphs (2) to (5) inclusive and Article 870 to 874 inclusive) (General Provisions) and 3 (excluding Article 879, Article 880, and Article 898, paragraphs (1), (2) and (5)) (Special Provisions on Procedures of Special Liquidation ), and Article 938, paragraphs (1) to (5) inclusive (Commissioning of Registration by a Juridical Decision Concerning Special Liquidation) of the Companies Act shall apply mutatis mutandis to a Mutual Company in Liquidation. In this case, the term "shareholders who have held, for the consecutive period of the past six months or more (or, in cases where a shorter period is provided for in the articles of incorporation, such period), not less than 3 percent of the voting rights held by all of the shareholders (excluding the shareholders that cannot exercise voting rights on all matters on which resolutions can be passed at the shareholders' meeting; or, in cases where any proportion less than that is provided for in the articles of incorporation, such proportion) or shareholders who have held, for the consecutive period of the past six months or more (or, in cases where a shorter period is provided for in the articles of incorporation, such period), not less than 3 percent of the issued shares (excluding treasury shares; or, in cases where a lower proportion is provided for in the articles of incorporation, such proportion)" in Article 522, paragraph (1) (Order to investigate) of that Act shall be deemed to be replaced with "members representing at least three thousandths (or any smaller proportion prescribed by the articles of incorporation) of the total membership, or three thousand (or any smaller number prescribed by the articles of incorporation) or more members of the Mutual Company (or, in a Specified Mutual Company, members equal to or exceeding the number specified by Cabinet Order set forth in Article 38, paragraph (1) of the Insurance Business Act), who have been members of the Mutual Company without interruption for the preceding six months (or any shorter period prescribed by the articles of incorporation)"; the term "assigned claims owed by the Liquidating Stock Company or shares in" in Article 532, paragraph (2) (Remunerations of Supervisors) of that Act shall be deemed to be replaced with "acquire any claim against"; the term "Chapter VII (excluding Article 467, paragraph (1), item (v))" in Article 536, paragraph (3) (Restrictions on Assignment of Business) of that Act shall be deemed to be replaced with "Article 62-2 of the Insurance Business Act"; and the term "Article 492, paragraph (1)" in Article 562 (Report to Creditors' Meeting of Outcome of Investigations by Liquidators) of that Act shall be deemed to be replaced with "Article 492, paragraph (1) as applied mutatis mutandis pursuant to Article 180-17 of the Insurance Business Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

第九章　外国保険業者

Chapter IX Foreign Insurers

第一節　通則

Section 1 General Rules

（免許）

(License)

第百八十五条　外国保険業者は、第三条第一項の規定にかかわらず、日本に支店等（外国保険業者の日本における支店、従たる事務所その他の事務所又は外国保険業者の委託を受けて当該外国保険業者の日本における保険業に係る保険の引受けの代理をする者の事務所をいう。以下この節から第五節までにおいて同じ。）を設けて内閣総理大臣の免許を受けた場合に限り、当該免許に係る保険業を当該支店等において行うことができる。

Article 185 (1) A Foreign Insurer may, only in cases where it established a branch office, etc. in Japan (meaning an office in Japan, such as a branch office or secondary office, of the Foreign Insurer, or the office of a person delegated by the Foreign Insurer to act as an agent for the underwriting of insurance for the Foreign Insurer's Insurance Business in Japan; the same shall apply hereinafter in this Section to Section 5 inclusive) and obtained a license of the Prime Minister, transact Insurance Business under that license at said branch office, etc., notwithstanding the provisions of Article 3, paragraph (1).

２　前項の免許は、外国生命保険業免許及び外国損害保険業免許の二種類とする。

(2) The license set forth in the preceding paragraph refers to two types of licenses: the foreign life insurance business license and the foreign non-life insurance business license.

３　外国生命保険業免許と外国損害保険業免許とは、同一の者が受けることはできない。

(3) The same person cannot obtain both the foreign life insurance business license and the foreign non-life insurance business license.

４　外国生命保険業免許は、第三条第四項第一号に掲げる保険の引受けを行い、又はこれに併せて同項第二号若しくは第三号に掲げる保険の引受けを行う事業に係る免許とする。

(4) The foreign life insurance business license shall be a license pertaining to the business of underwriting the classes of insurance listed in Article 3, paragraph (4), item (i) or, in addition, underwriting the classes of insurance listed in the same paragraph, items (ii) or (iii).

５　外国損害保険業免許は、第三条第五項第一号に掲げる保険の引受けを行い、又はこれに併せて同項第二号若しくは第三号に掲げる保険の引受けを行う事業に係る免許とする。

(5) The foreign non-life insurance business license shall be a license pertaining to the business of underwriting the classes of insurance listed in Article 3, paragraph (5), item (i) or, in addition, underwriting the classes of insurance listed in the same paragraph, item (ii) or (iii).

６　外国保険会社等は、日本に住所若しくは居所を有する人若しくは日本に所在する財産又は日本国籍を有する船舶若しくは航空機に係る保険契約については、内閣府令で定める場合を除くほか、日本国内において締結しなければならない。

(6) A Foreign Insurance Company, etc. shall, except as otherwise specified by Cabinet Office Ordinance, conclude, in Japan, an insurance contract pertaining to any persons with an address or residence in Japan or property located in Japan, or vessels or aircraft with Japanese nationality.

（日本に支店等を設けない外国保険業者等）

(Foreign Insurers, etc. Without Branch Offices, etc. in Japan)

第百八十六条　日本に支店等を設けない外国保険業者は、日本に住所若しくは居所を有する人若しくは日本に所在する財産又は日本国籍を有する船舶若しくは航空機に係る保険契約（政令で定める保険契約を除く。次項において同じ。）を締結してはならない。ただし、同項の許可に係る保険契約については、この限りでない。

Article 186 (1) A Foreign Insurer without a branch office, etc. in Japan shall not conclude an insurance contract pertaining to any persons with an address or residence in Japan or property located in Japan, or vessels or aircrafts with Japanese nationality (except for insurance contracts specified by Cabinet Order; the same shall apply in the following paragraph); provided, however, that this shall not apply to insurance contracts pertaining to the permission set forth in the same paragraph.

２　日本に支店等を設けない外国保険業者に対して日本に住所若しくは居所を有する人若しくは日本に所在する財産又は日本国籍を有する船舶若しくは航空機に係る保険契約の申込みをしようとする者は、当該申込みを行う時までに、内閣府令で定めるところにより、内閣総理大臣の許可を受けなければならない。

(2) A person that seeks to apply to a Foreign Insurer without a branch office, etc. in Japan for an insurance contract pertaining to any persons with an address or residence in Japan or property located in Japan, or vessels or aircrafts with Japanese nationality, shall obtain the permission of the Prime Minister pursuant to the provisions of Cabinet Office Ordinance before the application is made.

３　内閣総理大臣は、次の各号のいずれかに該当すると認められる場合には、前項の許可をしてはならない。

(3) The Prime Minister shall not grant the permission set forth in the preceding paragraph in the case where the insurance contract is found to fall under any of the following items:

一　当該保険契約の内容が法令に違反し、又は不公正であること。

(i) The contents of that insurance contract are in violation of laws and regulations or are unfair;

二　当該保険契約の締結に代えて、保険会社又は外国保険会社等との間において当該契約と同等又は有利な条件で保険契約を締結することが容易であること。

(ii) In place of concluding that insurance contract, it is easy to conclude an insurance contract between insurance companies or foreign insurance companies, etc. which have equivalent or favorable conditions relative to that insurance contract;

三　当該保険契約の条件が、保険会社又は外国保険会社等との間において当該契約と同種の保険契約を締結する場合に通常付されるべき条件に比して著しく権衡を失するものであること。

(iii) The conditions of that insurance contract are significantly less balanced compared to the conditions that shall normally be attached in the case of concluding an insurance contract similar to that contract between insurance companies or foreign insurance companies, etc.;

四　当該保険契約を締結することにより、被保険者その他の関係者の利益が不当に侵害されるおそれがあること。

(iv) There is a risk of unjustifiable infringement to the interests of the insured and other relevant persons due to the conclusion of that insurance contract; and

五　当該保険契約を締結することにより、日本における保険業の健全な発展に悪影響を及ぼし、又は公益を害するおそれがあること。

(v) There is a risk of adverse effect to the sound development of the Insurance Business in Japan or harm to the public interest due to the conclusion of that insurance contract.

（免許申請手続等）

(Application Procedures for a License, etc.)

第百八十七条　第百八十五条第一項の免許を受けようとする外国保険業者は、次に掲げる事項を記載した免許申請書を内閣総理大臣に提出しなければならない。

Article 187 (1) A Foreign Insurer that seeks to obtain the license set forth in Article 185, paragraph (1) shall submit a written application for a license to the Prime Minister, detailing the following particulars:

一　当該外国保険業者の本国（当該外国保険業者が保険業の開始又は当該外国保険業者に係る法人の設立に当たって準拠した法令を制定した国をいう。以下この節から第四節までにおいて同じ。）の国名並びに当該外国保険業者の氏名又は商号若しくは名称、住所又は本店若しくは主たる事務所の所在地及び保険業の開始又は設立の年月日

(i) The name of the home country of that Foreign Insurer (meaning the country where that Foreign Insurer started Insurance Business or the country that enacted laws and regulations in relation to the establishment of a juridical person pertaining to that Foreign Insurer; hereinafter the same shall apply in this Section to Section 4 inclusive) and the name or trade name or denomination of that Foreign Insurer, address or location of the head office or principal office, and date of commencement or establishment of Insurance Business;

二　日本における代表者の氏名及び住所

(ii) Name and address of the representative person in Japan;

三　受けようとする免許の種類

(iii) Types of license desired; and

四　日本における主たる店舗（支店等のうち、外国保険業者がその日本における保険業の本拠として定めたものをいう。以下この節から第四節までにおいて同じ。）

(iv) Principal branch in Japan (meaning the branch office, etc. which the Foreign Insurer has prescribed as the headquarters of Insurance Business in Japan; hereinafter the same shall apply in this Section to Section 4 inclusive).

２　前項の免許申請書には、次に掲げる事項を証する本国の権限のある機関の証明書を添付しなければならない。

(2) A certificate proving the following particulars which was issued by the competent organization in the home country shall be attached to the written application for a license set forth in the preceding paragraph:

一　当該外国保険業者の保険業の開始又は当該外国保険業者に係る法人の設立が適法に行われたこと。

(i) That the commencement of Insurance Business of that Foreign Insurer or the establishment of a juridical person pertaining to that Foreign Insurer was done lawfully; and

二　当該免許を受けて行おうとする日本における保険業と同種類の保険業を本国において適法に行っていること。

(ii) That the Foreign Insurer is lawfully conducting Insurance Business in its home country that are similar to the Insurance Business it seeks to conduct in Japan after obtaining that license.

３　前項に定めるもののほか、第一項の免許申請書には、次に掲げる書類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。

(3) In addition to what is prescribed in the preceding paragraph, the following documents and other documents specified by Cabinet Office Ordinance shall be attached to the written application for a license set forth in paragraph (1):

一　定款又はこれに準ずる書類

(i) Articles of incorporation or equivalent documents;

二　日本における事業の方法書

(ii) Statement of business procedures in Japan;

三　日本において締結する保険契約の普通保険約款

(iii) General policy conditions of the insurance contract concluded in Japan; and

四　日本において締結する保険契約に係る保険料及び責任準備金の算出方法書

(iv) Statement of calculation procedures for insurance premiums and policy reserves pertaining to the insurance contract concluded in Japan.

４　前項第二号から第四号までに掲げる書類には、内閣府令で定める事項を記載しなければならない。

(4) The documents listed in item (ii) to (iv) inclusive of the preceding paragraph must detail the particulars specified by Cabinet Office Ordinance.

５　第五条の規定は、第百八十五条第一項の免許の申請があった場合について準用する。この場合において、第五条第一項第一号及び第二号中「保険会社の業務」とあるのは「外国保険会社等の日本における業務」と、同項第三号中「前条第二項第二号及び第三号」とあるのは「第百八十七条第三項第二号及び第三号」と、同項第四号中「前条第二項第四号」とあるのは「第百八十七条第三項第四号」と読み替えるものとする。

(5) The provisions of Article 5 shall apply mutatis mutandis to cases where an application has been filed for the license set forth in Article 185, paragraph (1). In this case, the term "business of an Insurance Company" in Article 5, paragraph (1), items (i) and (ii) shall be deemed to be replaced with "business in Japan of a Foreign Insurance Company, etc.", the term "the preceding Article, paragraph (2), items (ii) and (iii)" in the same paragraph, item (iii) shall be deemed to be replaced with "Article 187, paragraph (3), items (ii) and (iii)", and the term "the preceding Article, paragraph (2), item (iv)" in the same paragraph, item (iv) shall be deemed to be replaced with "Article 187, paragraph (3), item (iv)".

（免許の条件）

(Conditions for a License)

第百八十八条　内閣総理大臣は、外国生命保険業免許の申請をした外国保険業者の行おうとする日本における保険業が、保険金額が外国通貨で表示された保険契約で政令で定める者を相手方とするものの引受けのみに係るものである場合には、当該保険契約に係る業務のみを行うことができる旨の条件を付して第百八十五条第一項の免許をすることができる。

Article 188 (1) The Prime Minister may, in the case where the Insurance Business that a Foreign Insurer which applied for a foreign life insurance business license seeks to conduct in Japan only involves the underwriting of insurance contracts in which the insurance proceeds are indicated in a foreign currency and for which the counter parties are the persons specified by Cabinet Order, grant a license set forth in Article 185, paragraph (1) with conditions attached to the effect that the Foreign Insurer may only conduct business that is related to that insurance contract.

２　前項の条件が付された第百八十五条第一項の免許を受けた外国生命保険会社等に対しては、第百九十六条その他の政令で定める規定は適用しないものとするほか、この法律の適用に関し必要な特例を政令で定めることができる。

(2) The provisions specified by a Cabinet Order, such as Article 196, shall not apply to Foreign Life Insurance Companies, etc., which obtained the license set forth in Article 185, paragraph (1) attached with conditions set forth in the preceding paragraph; any necessary special measures concerning the application of this Act may be specified by Cabinet Order.

３　第一項に規定する場合における外国保険業者の第百八十五条第一項の免許の申請手続の特例その他第一項の規定の適用に関し必要な事項は、政令で定める。

(3) Special measures regarding the application procedures for a license set forth in Article 185, paragraph (1) of a Foreign Insurer in the case prescribed in paragraph (1) and other necessary particulars involving the application of the provisions of paragraph (1) shall be specified by Cabinet Order.

（内閣総理大臣の告示）

(Public Notice of Prime Minister)

第百八十九条　内閣総理大臣は、第百八十五条第一項の免許をしたときは、その旨及び第百八十七条第一項各号に掲げる事項を、遅滞なく、官報で告示するものとする。同項第一号、第二号又は第四号に掲げる事項の変更について第二百九条の規定による届出があったときも、同様とする。

Article 189 The Prime Minister shall, whenever he/she grants the license set forth in Article 185, paragraph (1), give public notice thereof and the particulars listed in the items of Article 187, paragraph (1) in the official gazette without delay. The same shall apply if a notification is made under the provisions of Article 209 on the change of particulars listed in the same paragraph, items (i), (ii) or (iv).

（供託）

(Deposit)

第百九十条　外国保険会社等は、日本における保険契約者等の保護のため必要かつ適当なものとして政令で定める額の金銭を、日本における主たる店舗の最寄りの供託所に供託しなければならない。

Article 190 (1) A Foreign Insurance Company, etc. shall deposit money to the deposit office closest to the principal branch in Japan in the amount specified by Cabinet Order deemed to be necessary and appropriate to protect Policyholders, etc. in Japan.

２　内閣総理大臣は、日本における保険契約者等の保護のため必要があると認めるときは、外国保険会社等に対し、その日本における保険業を開始する前に、前項の政令で定める額のほか、相当と認める額の金銭の供託を命ずることができる。

(2) The Prime Minister may, if he/she finds it necessary to protect Policyholders, etc. in Japan, order a Foreign Insurance Company, etc. to deposit money in the amount found to be reasonable, in addition to the amount specified by Cabinet Order of the preceding paragraph, prior to commencing Insurance Business in Japan.

３　外国保険会社等は、政令で定めるところにより、当該外国保険会社等のために所要の供託金が内閣総理大臣の命令に応じて供託される旨の契約を締結し、その旨を内閣総理大臣に届け出たときは、当該契約の効力の存する間、当該契約において供託されることとなっている金額（以下この条において「契約金額」という。）につき前二項の供託金の全部又は一部の供託をしないことができる。

(3) If Foreign Insurance Company, etc., pursuant to the provisions of Cabinet Order, concludes a contract pursuant to the provisions of Cabinet Order under which the required deposit will be deposited for that Foreign Insurance Company, etc. at the order of the Prime Minister, and notifies the Prime Minister of this, said Foreign Insurance Company, etc. may choose not to deposit all or part of the amount set forth in the preceding two paragraphs in the amount that it has been decided will be deposited under that contract while the contract is in effect (hereinafter referred to in this Article as "Contract Amount").

４　内閣総理大臣は、日本における保険契約者等の保護のため必要があると認めるときは、外国保険会社等と前項の契約を締結した者又は当該外国保険会社等に対し、契約金額に相当する金額の全部又は一部を供託すべき旨を命ずることができる。

(4) The Prime Minister may, if he/she finds it necessary to protect Policyholders, etc. in Japan, order any persons who have concluded the contract set forth in the preceding paragraph with a Foreign Insurance Company, etc. or that Foreign Insurance Company, etc. to deposit all or part of the amount corresponding to the Contract Amount.

５　外国保険会社等は、第一項の供託金（第二項の規定により同項の金銭の供託を命ぜられた場合には、その供託金を含む。）につき供託（第三項の契約の締結を含む。第八項において同じ。）を行い、その旨を内閣総理大臣に届け出た後でなければ、その免許に係る保険業を開始してはならない。

(5) A Foreign Insurance Company, etc. shall not commence Insurance Business pertaining to its license unless it has deposited (including the conclusion of the contract set forth in paragraph (3); the same shall apply in paragraph (8)) the deposit set forth in paragraph (1) (including the following deposit in the case where a company is ordered to deposit the money set forth in paragraph (2) pursuant to the provisions of the same paragraph) and notified the Prime Minister of this.

６　日本における保険契約に係る保険契約者、被保険者又は保険金額を受け取るべき者は、保険契約により生じた債権に関し、当該外国保険会社等に係る供託金について、他の債権者に先立ち弁済を受ける権利を有する。

(6) Policyholders under insurance contracts in Japan, the insured, or any persons who shall receive insurance proceeds have the right to receive payment ahead of other obligees with regard to the deposit pertaining to that Foreign Insurance Company, etc. concerning claims resulting from an insurance contract.

７　前項の権利の実行に関し必要な事項は、政令で定める。

(7) The necessary particulars related to the execution of the rights set forth in the preceding paragraph shall be specified by Cabinet Order.

８　外国保険会社等は、第六項の権利の実行その他の理由により、供託金の額（契約金額を含む。）が第一項の政令で定める額に不足することとなったときは、内閣府令で定める日から二週間以内にその不足額につき供託を行い、その旨を遅滞なく内閣総理大臣に届け出なければならない。

(8) If a deposit amount (including Contract Amount) has come short of the amount specified by Cabinet Order which is referred to in paragraph (1) for any reason such as the execution of the rights set forth in paragraph (6), the Foreign Insurance Company, etc. shall deposit the deficit within two weeks from the date specified by Cabinet Office Ordinance and notify the Prime Minister of this without delay.

９　外国保険会社等は、国債証券、地方債証券その他の内閣府令で定める有価証券（社債、株式等の振替に関する法律第二百七十八条第一項（振替債の供託）に規定する振替債を含む。第二百二十三条第十項、第二百七十二条の五第九項及び第二百九十一条第九項において同じ。）をもって、第一項、第二項又は前項の供託金に代えることができる。

(9) A Foreign Insurance Company, etc. may replace the deposit set forth in paragraph (1), paragraph (2), or the preceding paragraph with national government bond certificates, local government bond certificates, or other securities specified by Cabinet Office Ordinance (including transfer bonds specified by Article 278, paragraph (1) (Deposit of Transfer Bonds) of the Act on Transfer of Corporate Bonds, Shares, etc.; the same shall apply in Article 223, paragraph (10), Article 272-5, paragraph (9) and Article 291, paragraph (9)).

１０　第一項、第二項、第四項又は第八項の規定により供託した供託金は、次の各号のいずれかに該当する場合には、政令で定めるところにより、取り戻すことができる。

(10) A deposit which was deposited pursuant to the provisions of paragraph (1), (2), (4), or (8) may be reclaimed pursuant to the provisions of Cabinet Order in a case under any of the following items:

一　当該外国保険会社等に係る第百八十五条第一項の免許が第二百五条又は第二百六条の規定により取り消されたとき。

(i) If the license set forth in Article 185, paragraph (1) pertaining to that Foreign Insurance Company, etc. is revoked pursuant to the provisions of Articles 205 or 206; and

二　当該外国保険会社等に係る第百八十五条第一項の免許が第二百七十三条の規定によりその効力を失ったとき。

(ii) If the license set forth in Article 185, paragraph (1) pertaining to that Foreign Insurance Company, etc. loses its validity pursuant to the provisions of Article 273.

１１　前各項に定めるもののほか、供託金に関し必要な事項は、内閣府令・法務省令で定める。

(11) In addition to what is specified in the preceding paragraphs, the necessary particulars of deposits shall be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Justice.

（外国保険会社等の商号又は名称）

(Trade Name or Denomination of a Foreign Insurance Company, etc.)

第百九十一条　第七条第二項の規定は、外国保険会社等には適用しない。

Article 191 The provisions of Article 7, paragraph (2) shall not apply to a Foreign Insurance Company, etc.

（日本における代表者）

(Representative Person in Japan)

第百九十二条　外国保険会社等（会社法第二条第二号（定義）に規定する外国会社を除く。以下この項から第三項までにおいて同じ。）の日本における代表者は、当該外国保険会社等の日本における業務に関する一切の裁判上又は裁判外の行為をする権限を有する。

Article 192 (1) Representative persons in Japan of a Foreign Insurance Company, etc. (except for foreign companies prescribed in Article 2, item (ii) (Definitions) of the Companies Act; hereinafter the same shall apply in this paragraph to paragraph (3) inclusive) shall have the authority to take any action in or out of court in connection with the business in Japan of that Foreign Insurance Company, etc.

２　前項の権限に加えた制限は、善意の第三者に対抗することができない。

(2) Restrictions on the right set forth in the preceding paragraph may not be asserted against a third party without knowledge of such restrictions.

３　外国保険会社等は、その日本における代表者がその職務を行うについて第三者に加えた損害を賠償する責任を負う。

(3) A Foreign Insurance Company, etc. shall bear responsibility for the compensation of damage caused to a third party in connection with representative persons in Japan carrying out their duties.

４　外国保険会社等の日本における代表者は、その退任の後においても、これに代わるべき代表者の氏名及び住所その他の場所について商法第二十二条（支配人の登記）若しくは会社法第九百三十三条第二項（外国会社の登記）（第二百十五条において準用する場合を含む。）の登記又は第百八十九条後段の規定による告示があるまでは、なお日本における代表者としての権利義務を有する。

(4) Representative persons in Japan of a Foreign Insurance Company, etc. shall, even after retiring from their posts, have rights and duties as representative persons in Japan until the registration of Article 22 (Registration of Manager) of the Commercial Code or Article 933, paragraph (2) (Registration of Foreign Company) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 215) regarding the name and address and other locations of representative persons who shall act in their place or public notice under the provisions of the second sentence of Article 189 is made.

５　外国保険会社等の日本における代表者は、内閣総理大臣の認可を受けた場合を除き、他の会社の常務に従事してはならない。

(5) Representative persons in Japan of a Foreign Insurance Company, etc. shall not engage in the day-to-day business of other company, except if authorized by the Prime Minister.

６　内閣総理大臣は、前項の認可の申請があったときは、当該申請に係る事項が当該外国保険会社等の日本における業務の健全かつ適切な運営を妨げるおそれがないと認める場合でなければ、これを認可してはならない。

(6) Whenever an application has been filed for the authorization referred to in the preceding paragraph, the Prime Minister may only grant the authorization if he/she finds that the particulars given in the application are unlikely to interfere with the sound and appropriate business operation of the Foreign Insurance Company, etc. in Japan.

（外国相互会社）

(Foreign Mutual Company)

第百九十三条　外国相互会社は、日本において取引を継続してしようとするときは、日本における代表者を定めなければならない。この場合において、その日本における代表者のうち一人以上は、日本に住所を有する者でなければならない。

Article 193 (1) A Foreign Mutual Company shall prescribe representative persons in Japan if it seeks to continue conducting in Japan. In this case, at least one of the representative persons in Japan shall be a person with an address in Japan.

２　会社法第八百十八条（登記前の継続取引の禁止等）及び第八百十九条（貸借対照表に相当するものの公告）の規定は、外国相互会社について準用する。この場合において、同条第一項中「外国会社の登記をした外国会社（日本における同種の会社又は最も類似する会社が株式会社であるものに限る。）」とあるのは「外国相互会社の登記をした外国相互会社」と、「第四百三十八条第二項」とあるのは「保険業法第五十四条の六第二項」と、同条第二項中「第九百三十九条第一項第一号又は第二号」とあるのは「保険業法第二百十七条第一項第一号」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 818 (Prohibition, etc. of Continuous Transactions Prior to Registration) and Article 819 (Public Notice of What is Equivalent to a Balance Sheet) of the Companies Act shall apply mutatis mutandis to a Foreign Mutual Company. In this case, the term "foreign company registered as a foreign company (limited to those where similar companies or their closest equivalents in Japan are stock companies)" in the same Article, paragraph (1) shall be deemed to be replaced with "Foreign Mutual Company registered as a Foreign Mutual Company", the term "Article 438, paragraph (2)" in the same Article, paragraph (1) shall be deemed to be replaced with "Article 54-6, paragraph (2) of the Insurance Business Act," and the term "Article 939, paragraph (1), item (i) or (ii)" in the same Article, paragraph (2) shall be deemed to be replaced with "Article 217, paragraph (1), item (i) of the Insurance Business Act." In addition, the necessary technical change in interpretation shall be specified by Cabinet Order.

第二節　業務、経理等

Section 2 Business, Accounting, etc.

（顧客の利益の保護のための体制整備）

(Establishment of System for Protection of Customers' Interests)

第百九十三条の二　外国保険会社等は、当該外国保険会社等又はその親金融機関等若しくは子金融機関等が行う取引に伴い、当該外国保険会社等又はその子金融機関等が行う業務（保険業その他の内閣府令で定める業務に限る。）に係る顧客の利益が不当に害されることのないよう、内閣府令で定めるところにより、当該業務に関する情報を適正に管理し、かつ、当該業務の実施状況を適切に監視するための体制の整備その他必要な措置を講じなければならない。

Article 193-2 (1) Whenever a Foreign Insurance Company, etc., or its Parent Financial Institution, etc. or Subsidiary Financial Institution, etc. conducts any transaction, such Foreign Insurance Company, etc. shall, pursuant to the provisions of Cabinet Office Ordinance, properly manage the information on business conducted by itself or its Subsidiary Financial Institution, etc. (limited to Insurance Business and any other business specified by Cabinet Office Ordinance) and establish a system for properly supervising the status of implementation of said business or taking any other measures necessary so that the interests of the customer of said business will not be unjustly impaired.

２　前項の「親金融機関等」とは、外国保険会社等の総株主等の議決権の過半数を保有している者その他の当該外国保険会社等と密接な関係を有する者として政令で定める者のうち、保険会社、銀行、金融商品取引業者その他政令で定める金融業を行う者をいう。

(2) The term "Parent Financial Institution, etc." as used in the preceding paragraph means a person who holds the majority of All Shareholders' Voting Rights, etc. in a Foreign Insurance Company, etc. and any other person that is specified by Cabinet Order as being closely related to said Foreign Insurance Company, etc. and which is an Insurance Company, Bank, Financial Instruments Transaction Business Operator, or any other person conducting financial business that is specified by Cabinet Order.

３　第一項の「子金融機関等」とは、外国保険会社等が総株主等の議決権の過半数を保有している者その他の当該外国保険会社等と密接な関係を有する者として政令で定める者のうち、保険会社、銀行、金融商品取引業者その他政令で定める金融業を行う者をいう。

(3) The term "Subsidiary Financial Institution, etc." as used in paragraph (1) means a person in which a Foreign Insurance Company, etc. holds the majority of All Shareholders' Voting Rights, etc., and any other person that is specified by Cabinet Order as being closely related to said Foreign Insurance Company, etc. and which is an Insurance Company, Bank, Financial Instruments Transaction Business Operator, or any other person conducting financial business that is specified by Cabinet Order.

（特殊関係者との間の取引等）

(Transactions, etc. with Specially Related Parties)

第百九十四条　外国保険会社等は、当該外国保険会社等と政令で定める特殊の関係のある者（以下この条において「特殊関係者」という。）又は特殊関係者に係る顧客との間で、次に掲げる取引又は行為をしてはならない。ただし、当該取引又は行為をすることにつき内閣府令で定めるやむを得ない理由がある場合において、内閣総理大臣の承認を受けたときは、この限りでない。

Article 194 A Foreign Insurance Company, etc. shall not make any of the following transactions or actions with parties to which it is specially related as specified by a Cabinet Order (hereinafter referred to as a "Specially Related Party" in this Article) or a customer of any Specially Related Party; provided, however, that this shall not apply where the Prime Minister has approved such transaction or action for any of the compelling reasons specified by a Cabinet Office Ordinance:

一　特殊関係者との間で当該外国保険会社等の支店等において行う取引で、当該外国保険会社等の取引の通常の条件と著しく異なる条件で行う資産の売買その他の取引

(i) Any transaction, such as the purchase and sale of assets, conducted with a Specially Related Party in a branch office, etc. of the Foreign Insurance Company, etc. on significantly different terms and conditions from those applied to normal transactions of the Foreign Insurance Company, etc.; or

二　特殊関係者との間又は特殊関係者に係る顧客との間で当該外国保険会社等の支店等において行う取引又は行為のうち前号に掲げるものに準ずる取引又は行為で、当該外国保険会社等の行う日本における保険業の健全かつ適切な運営に支障を及ぼすおそれのあるものとして内閣府令で定める取引又は行為

(ii) Any transaction or action taken with a Specially Related Party or a customer related to a Specially Related Party in a branch office, etc. of the Foreign Insurance Company, etc. that is equivalent to the transaction listed in the preceding item and specified by a Cabinet Office Ordinance as posing a risk to the sound and appropriate management of the Insurance Business conducted by the Foreign Insurance Company, etc. in Japan.

（本店又は主たる事務所の決算書類の提出）

(Submission of Closing Financial Statements of Head Office or Principal Office)

第百九十五条　外国保険会社等は、事業年度ごとに、その本店又は主たる事務所において作成した財産目録、貸借対照表、損益計算書及び事業報告を、内閣府令で定めるところにより、当該事業年度終了後相当の期間内に、内閣総理大臣に提出しなければならない。

Article 195 A Foreign Insurance Company, etc. shall, for each business year, submit to the Prime Minister an inventory of property, balance sheet, profit and loss statement and business report prepared in its head office or principal office, pursuant to the provisions of a Cabinet Office Ordinance, within a reasonable period of time following the end of the business year.

（定款等の備付け及び閲覧等）

(Retention and Inspection, etc. of the Articles of Incorporation, etc.)

第百九十六条　外国保険会社等の日本における代表者は、定款若しくはこれに準ずる書類（外国相互会社にあっては、これらの書類及び日本における社員の名簿）又はこれらの電磁的記録を、日本における主たる店舗に備え置かなければならない。

Article 196 (1) The representative person of a Foreign Insurance Company, etc. in Japan shall keep in its principal branch in Japan its articles of incorporation or any other equivalent document (or, for a Foreign Mutual Company, such document and its members list in Japan), or a electromagnetic record thereof.

２　外国保険会社等の日本における代表者は、前条に規定する書類又は電磁的記録を、同条の規定により提出した日の翌日から起算して五年を経過する日まで、内閣府令で定めるところにより、日本における主たる店舗に備え置かなければならない。

(2) The representative person of a Foreign Insurance Company, etc. in Japan shall, pursuant to the provisions of a Cabinet Office Ordinance, keep in its principal branch in Japan the document or electromagnetic record set forth in the preceding Article for five years from the day following the date of its submission pursuant to the provisions of that Article.

３　外国保険会社等の日本における代表者は、内閣府令で定めるところにより、日本における事業年度に係る毎決算期に次に掲げる書類及び附属明細書を作成し、その計算の基礎となった日本における事業年度終了の日の翌日から起算して五年を経過する日まで、日本における主たる店舗に備え置かなければならない。

(3) The representative person of a Foreign Insurance Company, etc. in Japan shall, pursuant to the provisions of a Cabinet Office Ordinance, prepare the following documents and annex detailed statements thereto for each accounting period of the business year in Japan and keep them in its principal branch in Japan for five years from the day following the date of the end of the business year in Japan covered by such accounting.

一　日本における保険業の貸借対照表

(i) Balance sheet for Insurance Business conducted in Japan;

二　日本における保険業の損益計算書

(ii) Profit and loss statement for Insurance Business conducted in Japan; and

三　日本における保険業の事業報告

(iii) Business report for Insurance Business conducted in Japan.

４　前項の書類は、電磁的記録をもって作成することができる。

(4) The documents set forth in the preceding paragraph may be prepared in the form of electromagnetic record.

５　外国保険会社等の保険契約者、保険金額を受け取るべき者その他の債権者及び被保険者は、外国保険会社等の業務を行うべき時間内は、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該外国保険会社等の定めた費用を支払わなければならない。

(5) The creditors and insured of a Foreign Insurance Company, etc., such as Policyholders and beneficiaries of insurance proceeds, may make the following requests at any time during the hours in which the Foreign Insurance Company, etc. should be doing business; provided, however, that they pay the fees determined by the Foreign Insurance Company, etc. in making a request falling under item (ii) or (iv):

一　第一項から第三項までの書類が書面をもって作成されているときは、当該書面の閲覧の請求

(i) Where the documents set forth in paragraphs (1) to (3) inclusive are prepared in writing, a request to inspect such documents;

二　前号の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents referred to in the preceding item;

三　第一項から第三項までの書類が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) Where the documents set forth in paragraphs (1) to (3) inclusive are prepared in the form of electromagnetic record, a request to inspect anything that shows the particulars recorded in the electromagnetic records in a manner specified by a Cabinet Office Ordinance; or

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って外国保険会社等の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding item by the electromagnetic means determined by the Foreign Insurance Company, etc., or to be issued a document detailing such particulars.

（資産の国内保有義務）

(Obligation to Hold Assets in Japan)

第百九十七条　外国保険会社等は、第百九十九条において準用する第百十六条第一項及び第百十七条第一項の規定により日本において積み立てた責任準備金及び支払備金の額を基礎として内閣府令で定めるところにより計算した金額と第百九十条の供託金その他の自己資本に相当するものとして内閣府令で定める金額との合計額に相当する資産を、内閣府令で定めるところにより、日本において保有しなければならない。

Article 197 A Foreign Insurance Company, etc. shall, pursuant to the provisions of a Cabinet Office Ordinance, hold in Japan the assets equivalent to the sum total of the amount calculated pursuant to the provisions of a Cabinet Office Ordinance on the basis of the policy reserves and reserves for outstanding claims set aside in Japan pursuant to the provisions of Article 116, paragraph (1) and 117, paragraph (1) as applied mutatis mutandis pursuant to Article 199, and the amount specified by a Cabinet Office Ordinance as equivalent to equity capital, such as the deposit set forth in Article 190.

（会社法等の準用）

(Mutatis Mutandis Application of the Companies Act, etc.)

第百九十八条　会社法第八条（会社と誤認させる名称等の使用の禁止）の規定は外国相互会社であると誤認されるおそれのある商号又は名称の使用について、同法第九条（自己の商号の使用を他人に許諾した会社の責任）の規定は外国相互会社の名称について、同法第一編第三章第一節（会社の使用人）の規定は外国相互会社の使用人について、同章第二節（第十八条を除く。）（会社の代理商）の規定は外国相互会社のために取引の代理又は媒介をする者について、同編第四章（第二十四条を除く。）（事業の譲渡をした場合の競業の禁止等）の規定は外国相互会社が事業を譲渡し、又は事業若しくは営業を譲り受けた場合について、第五十四条、第五十四条の二並びに第五十四条の三第一項及び第四項の規定は外国相互会社の帳簿その他の資料について、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 198 (1) The provisions of Article 8 (No Use of Name, etc. that is likely to be mistaken for a company) of the Companies Act shall apply mutatis mutandis to the use of a trade name or name that is likely to be mistaken for a Foreign Mutual Company; the provisions of Article 9 (Liability of Company Permitting Others to Use Its Trade Name) of that Act shall apply mutatis mutandis to the name of a Foreign Mutual Company; the provisions of Part I, Chapter III, Section 1 (Employees of a Company) of that Act shall apply mutatis mutandis to the employees of a Foreign Mutual Company; the provisions of Part I, Chapter III, Section 2 (excluding Article 18) (Commercial Agents of the Companies) of that Act shall apply mutatis mutandis to a person acting as an agent or intermediary in a transaction for a Foreign Mutual Company; the provisions of Part I, Chapter IV (excluding Article 24) (Non Competition after Assignment of Business) of that Act shall apply mutatis mutandis to the cases where a Foreign Mutual Company has assigned its business or acquired any business or operation; and the provisions of Article 54, Article 54-2 and Article 54-3, paragraphs (1) and (4) shall apply mutatis mutandis to the books and other materials of a Foreign Mutual Company. In this case, any technical change in interpretation required shall be specified by Cabinet Order.

２　商法第二編第一章（第五百一条から第五百三条まで及び第五百二十三条を除く。）（総則）の規定は外国相互会社の行う行為について、同編第二章（売買）の規定は外国相互会社が商人又は相互会社（外国相互会社を含む。）との間で行う売買について、同編第三章（交互計算）の規定は外国相互会社が平常取引をする者との間で行う相殺に係る契約について、同編第五章（第五百四十五条を除く。）（仲立営業）の規定は外国相互会社が行う他人間の商行為の媒介について、同編第六章（第五百五十八条を除く。）（問屋営業）並びに第五百九十三条（寄託）の規定は外国相互会社について、それぞれ準用する。

(2) The provisions of Part II, Chapter I (excluding Article 501 to 503 inclusive and Article 523) (General Provisions) of the Commercial Code shall apply mutatis mutandis to the actions taken by a Foreign Mutual Company; the provisions of Part II, Chapter II (Buying or Selling) of said Code shall apply mutatis mutandis to buying or selling between a Foreign Mutual Company and a merchant or Mutual Company (including a Foreign Mutual Company); the provisions of Part II, Chapter III (Current Account) of said Code shall apply mutatis mutandis to a contract pertaining to set-offs between a Foreign Mutual Company and a person with which it has normal transactions; the provisions of Part II, Chapter V (excluding Article 545) (Brokerage Business) of said Code shall apply mutatis mutandis to the acting as an intermediary by a Foreign Mutual Company in a commercial transaction between third parties; and the provisions of Part II, Chapter VI (excluding Article 558) (Commission Agent Business) and Article 593 (Deposit) of said Code shall apply mutatis mutandis to a Foreign Mutual Company.

（業務等に関する規定の準用）

(Mutatis Mutandis Application of Provisions on Business, etc.)

第百九十九条　第九十七条、第九十七条の二第一項及び第二項、第九十八条、第九十九条第一項、第二項及び第四項から第六項まで、第百条並びに第百条の二の規定は外国保険会社等の支店等における業務について、第九十九条第三項及び第七項から第十項までの規定は外国生命保険会社等の支店等における業務について、第百一条から第百五条までの規定は外国損害保険会社等が他の損害保険会社（外国損害保険会社等を含む。）との間で行う共同行為について、第七条の二、第百九条、第百十条第一項及び第三項、第百十一条第一項及び第三項から第六項まで、第百十二条、第百十四条から第百十八条まで並びに第百二十条から第百二十二条までの規定は外国保険会社等について、第百五条の二の規定は外国生命保険会社等について、第百五条の三の規定は外国損害保険会社等について、それぞれ準用する。この場合において、第九十七条第一項中「第三条第二項」とあるのは「第百八十五条第二項」と、第九十九条第六項中「相互会社」とあるのは「外国相互会社」と、同条第八項中「第百三十三条若しくは第百三十四条の規定により同法第三条第一項の免許が取り消された場合若しくは同法第二百七十三条の規定により同法第三条第一項」とあるのは「第二百五条若しくは第二百六条の規定により同法第百八十五条第一項の免許が取り消された場合若しくは同法第二百七十三条の規定により同法第百八十五条第一項」と、「第百三十三条又は第百三十四条の規定により同法第三条第一項」とあるのは「第二百五条又は第二百六条の規定により同法第百八十五条第一項」と、同条第九項中「第百十一条第一項及び第二項」とあるのは「第百九十九条において準用する第百十一条第一項」と、第百五条の二第一項各号並びに同条第二項及び第三項第二号中「指定生命保険業務紛争解決機関」とあるのは「指定外国生命保険業務紛争解決機関」と、同条第一項各号中「生命保険業務」とあるのは「外国生命保険業務」と、第百五条の三第一項各号並びに同条第二項及び第三項第二号中「指定損害保険業務紛争解決機関」とあるのは「指定外国損害保険業務紛争解決機関」と、同条第一項各号中「損害保険業務」とあるのは「外国損害保険業務」と、第百九条中「事業年度」とあるのは「日本における事業年度」と、第百十条第一項中「事業年度ごとに、業務」とあるのは「日本における事業年度ごとに、日本における業務」と、第百十一条第一項中「事業年度ごとに、業務」とあるのは「日本における事業年度ごとに、日本における業務」と、同項及び同条第四項中「本店又は主たる事務所及び支店又は従たる事務所その他これらに準ずる場所として内閣府令で定める場所」とあるのは「外国保険会社等の日本における支店その他これに準ずる場所として内閣府令で定める場所」と、同条第六項中「当該保険会社及びその子会社等の業務」とあるのは「当該外国保険会社等の日本における業務」と、第百十二条第一項中「所有する」とあるのは「日本において所有する」と、「内閣府令で定めるところにより、内閣総理大臣」とあるのは「内閣総理大臣」と、同条第二項中「内閣府令」とあるのは「日本において内閣府令」と、第百十四条第一項中「保険契約者」とあるのは「日本における保険契約者」と、第百十五条第一項中「所有する」とあるのは「日本において所有する」と、「価格変動準備金」とあるのは「日本において価格変動準備金」と、同条第二項中「株式等」とあるのは「日本における株式等」と、第百十六条第一項中「毎決算期」とあるのは「日本における事業年度に係る毎決算期」と、「保険契約」とあるのは「日本における保険契約」と、「責任準備金」とあるのは「日本において責任準備金」と、同条第二項中「長期の」とあるのは「日本における長期の」と、同条第三項中「保険契約」とあるのは「日本における保険契約」と、第百十七条第一項中「毎決算期」とあるのは「日本における事業年度に係る毎決算期」と、「保険契約」とあるのは「日本における保険契約」と、「支出として」とあるのは「支出として日本において」と、「支払備金」とあるのは「日本において支払備金」と、第百十八条第一項中「内閣府令で定める保険契約」とあるのは「日本における保険契約のうち内閣府令で定めるもの」と、「設けなければならない」とあるのは「日本において設けなければならない」と、第百二十条第一項中「生命保険会社及び内閣府令で定める要件に該当する損害保険会社」とあるのは「外国生命保険会社等及び内閣府令で定める要件に該当する外国損害保険会社等」と、「は、取締役会において保険計理人」とあるのは「の日本における代表者は、当該外国保険会社等の日本における保険計理人」と、「保険料の算出方法」とあるのは「日本において締結する保険契約に係る保険料の算出方法」と、同条第二項及び第三項中「保険計理人」とあるのは「外国保険会社等の日本における保険計理人」と、第百二十一条中「保険計理人」とあるのは「外国保険会社等の日本における保険計理人」と、「毎決算期」とあるのは「日本における事業年度に係る毎決算期」と、「取締役会」とあるのは「外国保険会社等の日本における代表者」と、第百二十二条中「保険計理人」とあるのは「外国保険会社等の日本における保険計理人」と、「当該保険会社」とあるのは「当該外国保険会社等」と読み替えるものとする。

Article 199 The provisions of Article 97, Article 97-2, paragraphs (1) and (2), Article 98, Article 99, paragraphs (1), (2) and (4) to (6) inclusive, Article 100 and Article 100-2 shall apply mutatis mutandis to the business of the branch offices, etc. of a Foreign Insurance Company, etc.; the provisions of Article 99, paragraphs (3) and (7) to (10) inclusive shall apply mutatis mutandis to the business of the branch offices, etc. of a Foreign Life Insurance Company, etc.; the provisions of Article 101 to 105 inclusive shall apply mutatis mutandis to concerted actions taken by a Foreign Non-Life Insurance Company, etc. with another Non-Life Insurance Company (including a Foreign Non-Life Insurance Company, etc.); the provisions of Article 7-2, Article 109, Article 110, paragraphs (1) and (3), Article 111, paragraph (1) and paragraphs (3) to (6) inclusive, Article 112, Article 114 to 118 inclusive, and Article 120 to 122 inclusive shall apply mutatis mutandis to a Foreign Insurance Company, etc.; the provisions of Article 105-2 shall apply mutatis mutandis to a Foreign Life Insurance Company, etc.; and the provisions of Article 105-3 shall apply mutatis mutandis to a Foreign Non-Life Insurance Company, etc. In this case, the term "Article 3, paragraph (2)" in Article 97, paragraph (1) shall be deemed to be replaced with "Article 185, paragraph (2)"; the term "Mutual Company" in Article 99, paragraph (6) shall be deemed to be replaced with "Foreign Mutual Company"; the term "In the case where the license of Article 3, paragraph (1) of the Insurance Business Act is cancelled pursuant to the provisions of Article 133 or 134 of that Act, or in the case where the license of Article 3, paragraph (1) of that Act loses its effect pursuant to the provisions of Article 273 of that Act" in Article 99, paragraph (8) shall be deemed to be replaced with "In the case where the license of Article 185, paragraph (1) of the Insurance Business Act is cancelled pursuant to the provisions of Article 205 or 206 of that Act, or in the case where the license of Article 185, paragraph (1) of that Act loses its effect pursuant to the provisions of Article 273 of that Act"; the term "Article 3, paragraph (1) of the Insurance Business Act pursuant to the provisions of Article 133 or 134 of that Act" in Article 99, paragraph (8) shall be deemed to be replaced with "Article 185, paragraph (1) of the Insurance Business Act pursuant to the provisions of Article 205 or 206 of that Act"; the term "Article 111, paragraphs (1) and (2)" in Article 99, paragraph (9) shall be deemed to be replaced with "Article 111, paragraph (1) as applied mutatis mutandis pursuant to Article 199"; the term "Designated Dispute Resolution Organization for Life Insurance Services" in the items of paragraph (1) of Article 105-2, paragraph (2) of that Article and item (ii) of paragraph (3) of that Article shall be deemed to be replaced with "Designated Dispute Resolution Organization for Foreign Life Insurance Services"; the term "Life Insurance Services" in the items of paragraph (1) of that Article shall be deemed to be replaced with "Foreign Life Insurance Services"; the term "Designated Dispute Resolution Organization for Non-Life Insurance Services" in the items of paragraph (1) of Article 105-3, paragraph (2) of that Article and item (ii) of paragraph (3) of that Article shall be deemed to be replaced with "Designated Dispute Resolution Organization for Foreign Non-Life Insurance Services"; the term "Non-Life Insurance Services" in the items of paragraph (1) of that Article shall be deemed to be replaced with "Foreign Non-Life Insurance Services"; the term "business year" in Article 109 shall be deemed to be replaced with "business year in Japan"; the term "for each business year, prepare an interim business report and business report describing the status of its business and property" in Article 110, paragraph (1) shall be deemed to be replaced with "for each business year in Japan, prepare an interim business report and business report describing the status of its business and property in Japan"; the term "for each business year, prepare explanatory documents detailing the particulars specified by Cabinet Office Ordinance as pertaining to the status of its business and property" in Article 111, paragraph (1) shall be deemed to be replaced with "for each business year in Japan, prepare explanatory documents detailing the particulars specified by Cabinet Office Ordinance as pertaining to the status of its business and property in Japan"; the term "its head office or principal office and its branch offices or secondary offices, or any other equivalent place specified by a Cabinet Office Ordinance" in Article 111, paragraphs (1) and (4) shall be deemed to be replaced with "the branch office of the Foreign Insurance Company, etc. in Japan or any other equivalent place specified by a Cabinet Office Ordinance"; the term "business and property of the Insurance Company and its Subsidiary, etc." in Article 111, paragraph (6) shall be deemed to be replaced with "business and property of the Foreign Insurance Company, etc. in Japan"; the term "owns" in Article 112, paragraph (1) shall be deemed to be replaced with "owns in Japan"; the term ", pursuant to the provisions of a Cabinet Office Ordinance" in Article 112, paragraph (1) shall be deemed to be deleted; the term "set aside as a reserve" in Article 112, paragraph (2) shall be deemed to be replaced with "set aside in Japan as a reserve"; the term "Policyholders" in Article 114, paragraph (1) shall be deemed to be replaced with "Policyholders in Japan"; the terms "within its portfolio" and "set aside as price fluctuation reserve" in Article 115, paragraph (1) shall be deemed to be replaced with "within its portfolio in Japan" and "set aside in Japan as price fluctuation reserve," respectively; the term "Shares, etc." in Article 115, paragraph (2) shall be deemed to be replaced with "Shares, etc. in Japan"; the terms "each accounting period," "insurance contracts" and "set aside a certain amount of money" in Article 116, paragraph (1) shall be deemed to be replaced with "each accounting period of the business year in Japan," "insurance contracts in Japan" and "set aside in Japan a certain amount of money," respectively; the term "funding the policy reserve" in Article 116, paragraph (2) shall be deemed to be replaced with "funding in Japan the policy reserve"; the term "insurance contract" in Article 116, paragraph (3) shall be deemed to be replaced with "insurance contract in Japan"; the terms "each accounting period," "insurance contracts," "as expenditure" and "reserves for outstanding claims" in Article 117, paragraph (1) shall be deemed to be replaced with "each accounting period of the business year in Japan," "insurance contracts in Japan," "in Japan as expenditure" and "reserves for outstanding claims in Japan," respectively; the terms "insurance contract specified by a Cabinet Office Ordinance" and "create" in Article 118, paragraph (1) shall be deemed to be replaced with "insurance contract in Japan specified by a Cabinet Office Ordinance" and "create in Japan," respectively; the terms "board of directors," "Life Insurance Company or a Non-Life Insurance Company meeting the requirements specified by a Cabinet Office Ordinance," "actuary" and "method of calculating insurance premiums" in Article 120, paragraph (1) shall be deemed to be replaced with "representative person," "Foreign Life Insurance Company, etc. or a Foreign Non-Life Insurance Company, etc. meeting the requirements specified by a Cabinet Office Ordinance," "actuary of the Foreign Insurance Company, etc. in Japan" and "method of calculating the insurance premiums applicable to the insurance contracts concluded in Japan," respectively; the term "actuary" in Article 120, paragraph (2) shall be deemed to be replaced with "actuary of a Foreign Insurance Company, etc. in Japan"; the terms "Insurance Company" and "actuary" in Article 120, paragraph (3) shall be deemed to be replaced with "Foreign Insurance Company, etc." and "actuary in Japan" respectively; the terms "actuary," "each accounting period," and "board of directors" in Article 121 shall be deemed to be replaced with "actuary of a Foreign Insurance Company, etc. in Japan," "each accounting period of the business year in Japan" and "representative person of the Foreign Insurance Company, etc. in Japan," respectively; and the terms "Insurance Company" and "actuary" in Article 122 shall be deemed to be replaced with "Foreign Insurance Company, etc." and "actuary in Japan", respectively.

第三節　監督

Section 3 Supervision

（報告又は資料の提出）

(Submission of Reports or Materials)

第二百条　内閣総理大臣は、外国保険会社等の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等の保護を図るため必要があると認めるときは、外国保険会社等又は第百八十五条第一項に規定する保険の引受けの代理をする者に対し、当該外国保険会社等の日本における業務又は財産の状況に関し報告又は資料の提出を求めることができる。

Article 200 (1) The Prime Minister may, if he/she finds it necessary to protect Policyholders, etc. in Japan by ensuring the sound and appropriate business operation of a Foreign Insurance Company, etc. in Japan, request the Foreign Insurance Company, etc. or a person acting as an agent for the underwriting of insurance prescribed in Article 185, paragraph (1) to submit reports or materials concerning the status of its business in Japan or property of the Foreign Insurance Company, etc.

２　内閣総理大臣は、外国保険会社等の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等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、当該外国保険会社等の特殊関係者（第百九十四条に規定する特殊関係者をいう。次項及び次条において同じ。）又は当該外国保険会社等から日本における業務の委託を受けた者（前項の保険の引受けの代理をする者を除く。次項において同じ。）に対し、当該外国保険会社等の日本における業務又は財産の状況に関し参考となるべき報告又は資料の提出を求めることができる。

(2) If and to the extent that the Prime Minister finds it particularly necessary to protect Policyholders, etc. in Japan by ensuring the sound and appropriate business operation of a Foreign Insurance Company, etc. in Japan, he/she may request any Specially Related Party of the Foreign Insurance Company, etc. (meaning a Specially Related Party as prescribed in Article 194; the same shall apply in the following paragraph and the following Article) or person the Foreign Insurance Company, etc. has entrusted with its business in Japan (except for the person acting as an agent for the underwriting of insurance set forth in the preceding paragraph; the same shall apply in the next paragraph), to submit reports or materials that would be helpful to understand the status of the business in Japan or property of the Foreign Insurance Company, etc..

３　外国保険会社等の特殊関係者又は当該外国保険会社等から日本における業務の委託を受けた者は、正当な理由があるときは、前項の規定による報告又は資料の提出を拒むことができる。

(3) A Specially Related Party of a Foreign Insurance Company, etc. or person that a Foreign Insurance Company, etc. has entrusted with its business in Japan may refuse to submit reports or materials required under the preceding paragraph if there are justifiable grounds for it to do so.

（立入検査）

(On-Site Inspection)

第二百一条　内閣総理大臣は、外国保険会社等の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等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、外国保険会社等の支店等に立ち入らせ、当該外国保険会社等の日本における業務若しくは財産の状況に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

Article 201 (1) The Prime Minister may, if he/she finds it necessary to protect Policyholders, etc. in Japan by ensuring the sound and appropriate business operation of a Foreign Insurance Company, etc. in Japan, have his/her officials enter a branch office, etc. of the Foreign Insurance Company, etc., ask questions on the status of its business in Japan or property of the Foreign Insurance Company, etc., or inspect relevant items such as books and documents.

２　内閣総理大臣は、前項の規定による立入り、質問又は検査を行う場合において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、外国保険会社等の特殊関係者若しくは当該外国保険会社等から日本における業務の委託を受けた者の施設に立ち入らせ、当該外国保険会社等に対する質問若しくは検査に必要な事項に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

(2) If and to the extent that the Prime Minister finds it particularly necessary in entering a site, asking questions, or conducting an inspection under the preceding paragraph, he/she may have his/her officials enter a facility of any Specially Related Party of the Foreign Insurance Company, etc. or person the Foreign Insurance Company, etc. has entrusted with its business in Japan, have such officials question the Foreign Insurance Company, etc. or ask questions about particulars that are necessary for the inspection, or have such officials inspect relevant items such as books and documents.

３　外国保険会社等の特殊関係者又は当該外国保険会社等から日本における業務の委託を受けた者は、正当な理由があるときは、前項の規定による質問及び検査を拒むことができる。

(3) A Specially Related Party of a Foreign Insurance Company, etc. or a person that a Foreign Insurance Company, etc. has entrusted with its business in Japan may refuse the questioning and inspection under the provisions of the preceding paragraph if there are justifiable grounds for it to do so.

（健全性の基準）

(Standard of Soundness)

第二百二条　内閣総理大臣は、外国保険会社等に係る次に掲げる額を用いて、外国保険会社等の日本における業務の運営の健全性を判断するための基準として保険金等の支払能力の充実の状況が適当であるかどうかの基準を定めることができる。

Article 202 The Prime Minister may use the following amounts with respect to a Foreign Insurance Company, etc. and establish whether or not the Foreign Insurance Company, etc. has an appropriate level of solvency in terms of its ability to pay Insurance Proceeds, etc. as the standard by which the soundness of its business management in Japan is determined:

一　第百九十条の供託金その他の内閣府令で定めるものの額の合計額

(i) Total amount of the items specified by Cabinet Office Ordinance, such as the deposit set forth in Article 190; and

二　日本において引き受けている保険に係る保険事故の発生その他の理由により発生し得る危険であって通常の予測を超えるものに対応する額として内閣府令で定めるところにより計算した額

(ii) Amount calculated pursuant to the provisions of Cabinet Office Ordinance as the amount for coping with possible risks exceeding standard predictions that may occur due to any events pertaining to the insurance being underwritten in Japan, such as insured events.

（事業の方法書等に定めた事項の変更命令）

(Order to Change Regarding Particulars Prescribed in Statement of Business Procedures, etc.)

第二百三条　内閣総理大臣は、外国保険会社等の業務若しくは財産の状況に照らして、又は事情の変更により、外国保険会社等の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等の保護を図るため必要があると認めるときは、当該外国保険会社等に対し、その必要の限度において、第百八十七条第三項第二号から第四号までに掲げる書類に定めた事項の変更を命ずることができる。

Article 203 If and to the extent that the Prime Minister finds it necessary to protect Policyholders, etc. in Japan by ensuring the sound and appropriate business operation of a Foreign Insurance Company, etc. in Japan in light of the situation of the business or property of the Foreign Insurance Company, etc. or a change in the circumstances, he/she may order the Foreign Insurance Company, etc. to modify the particulars prescribed in the documents listed in Article 187, paragraph (3), items (ii) to (iv) inclusive.

（業務の停止等）

(Suspension of Business, etc.)

第二百四条　内閣総理大臣は、外国保険会社等の業務又は財産の状況に照らして、外国保険会社等の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等の保護を図るため必要があると認めるときは、当該外国保険会社等に対し、措置を講ずべき事項及び期限を示して、当該外国保険会社等の日本における業務の運営の健全性を確保するための改善計画の提出を求め、若しくは提出された改善計画の変更を命じ、又はその必要の限度において、期限を付して日本における業務の全部若しくは一部の停止を命じ、若しくは財産の供託その他監督上必要な措置を命ずることができる。

Article 204 (1) If the Prime Minister finds it necessary to protect Policyholders, etc. in Japan by ensuring the sound and appropriate business operation of a Foreign Insurance Company, etc. in Japan in light of the status of the business or property of the Foreign Insurance Company, etc., he/she may request that Foreign Insurance Company, etc. to submit an improvement plan for ensuring soundness in the business operation of that Foreign Insurance Company, etc. in Japan or order a change to the submitted improvement plan by designating the particulars and the time limit for which measures must be taken, or, to the extent the Prime Minister finds necessary, he/she may order suspension of the whole or part of business of that Foreign Insurance Company by setting a limit or order deposit of property of that Foreign Insurance Company or other measures necessary for the purpose of supervision.

２　前項の規定による命令（改善計画の提出を求めることを含む。）であって、外国保険会社等の保険金等の支払能力の充実の状況によって必要があると認めるときにするものは、外国保険会社等の保険金等の支払能力の充実の状況に係る区分に応じ内閣府令・財務省令で定めるものでなければならない。

(2) An order under the preceding paragraph(including the request of submission of an improvement plan) that it is found to be necessary to issue due to the level of solvency of the Foreign Insurance Company, etc. in terms of its ability to pay Insurance Proceeds, etc., must be an order specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance for the category that corresponds to the level of solvency of the Foreign Insurance Company, etc. in terms of its ability to pay Insurance Proceeds, etc.

（免許の取消し等）

(Rescission of License, etc.)

第二百五条　内閣総理大臣は、外国保険会社等が次の各号のいずれかに該当することとなったときは、当該外国保険会社等の日本における業務の全部若しくは一部の停止若しくは日本における代表者の解任を命じ、又は第百八十五条第一項の免許を取り消すことができる。

Article 205 The Prime Minister may, if a Foreign Insurance Company, etc. has come to fall under any of the following items, order the full or partial suspension of the business in Japan of the Foreign Insurance Company, etc. or the dismissal of the representative person in Japan, or rescind the license set forth in Article 185, paragraph (1):

一　法令（外国の法令を含む。）、法令に基づく内閣総理大臣の処分又は第百八十七条第三項各号に掲げる書類に定めた事項のうち特に重要なものに違反したとき。

(i) If it is in violation of laws and regulations (including foreign laws and regulations), the measures of the Prime Minister pursuant to laws and regulations, or particularly vital particulars among those prescribed in the documents listed in the items of Article 187, paragraph (3)

二　第百八十五条第一項の免許又は本国において受けている保険業に係る免許（当該免許に類する許可、登録その他の行政処分を含む。第二百九条第七号において同じ。）に付された条件に違反したとき。

(ii) If it is in violation of the conditions attached to the license set forth in Article 185, paragraph (1) or the license obtained in its country for Insurance Business (including any administrative measures similar to said license, such as permission or registration; the same shall apply in Article 209, item (vii)); and

三　公益を害する行為をしたとき。

(iii) If it engages in conduct that is prejudicial to the public interest.

第二百六条　内閣総理大臣は、外国保険会社等の財産の状況が著しく悪化し、日本における保険業を継続することが日本における保険契約者等の保護の見地から適当でないと認めるときは、当該外国保険会社等の第百八十五条第一項の免許を取り消すことができる。

Article 206 The Prime Minister may, if he/she finds that the situation of the property of a Foreign Insurance Company, etc. is significantly worsening and that it is not appropriate for it to continue in the Insurance Business in Japan from the viewpoint of protecting Policyholders, etc. in Japan, rescind the license of the Foreign Insurance Company, etc. set forth in Article 185, paragraph (1).

（監督に関する規定の準用）

(Mutatis Mutandis Application of Provisions Concerning Supervision)

第二百七条　第百二十三条から第百二十五条までの規定は、外国保険会社等について準用する。この場合において、第百二十三条第一項中「第四条第二項第二号から第四号まで」とあるのは「第百八十七条第三項第二号から第四号まで」と、第百二十四条第一号中「第四条第二項第二号及び第三号」とあるのは「第百八十七条第三項第二号及び第三号」と、「第五条第一項第三号イからホまで」とあるのは「第百八十七条第五項において準用する第五条第一項第三号イからホまで」と、同条第二号中「第四条第二項第四号」とあるのは「第百八十七条第三項第四号」と、「第五条第一項第四号イからハまで」とあるのは「第百八十七条第五項において準用する第五条第一項第四号イからハまで」と、第百二十五条中「第五条第一項第三号イからホまで又は第四号イからハまで」とあるのは「第百八十七条第五項において準用する第五条第一項第三号イからホまで又は第四号イからハまで」と読み替えるものとする。

Article 207 The provisions in Article 123 to 125 inclusive shall apply mutatis mutandis to a Foreign Insurance Company, etc. In this case, the term "Article 4, paragraph (2), items (ii) to (iv) inclusive" in Article 123, paragraph (1) shall be deemed to be replaced with "Article 187, paragraph (3), items (ii) to (iv) inclusive," the term "Article 4, paragraph (2), items (ii) and (iii)" in Article 124, paragraph (1) shall be deemed to be replaced with "Article 187, paragraph (3), items (ii) and (iii)," the term "Article 5, paragraph (1), item (iii), sub-items (a) to (e) inclusive" in Article 124, paragraph (1) shall be deemed to be replaced with "Article 5, paragraph (1), item (iii), sub-items (a) to (e) inclusive as applied mutatis mutandis pursuant to Article 187, paragraph (5)," the term "Article 4, paragraph (2), item (iv)" in the same Article, item (ii) shall be deemed to be replaced with "Article 187, paragraph (3), item (iv)," the term "Article 5, paragraph (1), item (iv), sub-items (a) to (c) inclusive" in the same Article, item (ii) shall be deemed to be replaced with "Article 5, paragraph (1), item (iv), sub-items (a) to (c) inclusive as applied mutatis mutandis pursuant to Article 187, paragraph (5)," and the term "Article 5, paragraph (1), item (iii), sub-items (a) to (e) inclusive or item (iv), sub-items (a) to (c) inclusive" in Article 125 shall be deemed to be replaced with "Article 5, paragraph (1), item (iii), sub-items (a) to (e) inclusive or item (iv), sub-items (a) to (c) inclusive as applied mutatis mutandis pursuant to Article 187, paragraph (5)."

第四節　保険業の廃止等

Section 4 Abolition of Insurance Business, etc.

（日本における保険業の廃止）

(Abolition of Insurance Business in Japan)

第二百八条　外国保険会社等は、日本における保険業を廃止しようとする場合（次条第六号に該当する場合を除く。）には、内閣総理大臣の認可を受けなければならない。

Article 208 A Foreign Insurance Company, etc. shall, if it seeks to abolish its Insurance Business in Japan (excluding the cases falling under paragraph (6) of the following Article), obtain authorization from the Prime Minister.

（外国保険会社等の届出）

(Notification by Foreign Insurance Company, etc.)

第二百九条　外国保険会社等は、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、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。

Article 209 If a Foreign Insurance Company, etc. falls under any of the following items, it shall notify the Prime Minister of this without delay pursuant to the provisions of Cabinet Office Ordinance:

一　日本における保険業を開始したとき。

(i) it has started its Insurance Business in Japan;

二　第百八十七条第一項第一号、第二号若しくは第四号に掲げる事項又は同条第三項第一号に掲げる書類に定めた事項を変更したとき。

(ii) it has modified any of the particulars listed in Article 187, paragraph (1), item (i), (ii) or (iv), or any of the particulars prescribed by the document listed in Article 187, paragraph (3), item (i);

三　資本金若しくは出資の額又は基金の総額を変更したとき。

(iii) it has modified the amount of its capital or contribution, or the total amount of its funds;

四　組織変更をしたとき。

(iv) it has carried out an Entity Conversion;

五　合併をし、会社分割により事業を承継させ、若しくは承継し、又は事業の全部若しくは重要な一部の譲渡若しくは譲受け（支店等のみに係るものを除く。）をしたとき。

(v) it has merged, transferred or succeeded to a business through a company split, or assigned or acquired the whole or an important Part of a business (other than a business that only pertains to branch offices, etc.);

六　解散（合併によるものを除く。）をし、又は保険業の廃止をしたとき。

(vi) it has dissolved (for any other reason than a merger) or abolished its Insurance Business;

七　本国において受けている保険業に係る免許を取り消されたとき。

(vii) it has had its license for Insurance Business canceled in its home country;

八　破産手続開始の決定があったとき。

(viii) it has become subject to a ruling for the commencement of bankruptcy proceedings; or

九　その他内閣府令で定める場合に該当するとき。

(ix) it falls under any of the other cases specified by Cabinet Office Ordinance.

（保険契約の包括移転に関する規定の準用）

(Mutatis Mutandis Application of Provisions on Portfolio Transfers of Insurance Contracts)

第二百十条　第七章第一節の規定は、外国保険会社等の日本における保険契約の移転について準用する。この場合において、第百三十五条第三項中「債権者」とあるのは「第百八十五条第一項に規定する支店等に係る債権者」と、第百三十六条第一項及び第三項中「移転会社及び移転先会社」とあるのは「移転先会社」と、第百三十六条の二第一項中「前条第一項の株主総会等の会日の二週間前」とあるのは「第百三十五条第一項の契約に係る契約書（以下この節において「移転契約書」という。）の作成日」と、「第百三十五条第一項の契約に係る契約書」とあるのは「移転契約書」と、「各営業所又は各事務所」とあるのは「支店等」と、同条第二項中「移転会社の株主又は保険契約者」とあるのは「移転対象契約者」と、第百三十七条第一項中「第百三十六条第一項の決議」とあるのは「移転契約書の作成」と、第百三十八条中「第百三十六条第一項の決議があった時」とあるのは「移転契約書を作成した時」と、「締結してはならない」とあるのは「日本において締結してはならない」と、第百三十九条第二項第三号中「債権者」とあるのは「第百八十五条第一項に規定する支店等に係る債権者」と読み替えるものとする。

Article 210 (1) The provisions of Chapter VII, Section 1 shall apply mutatis mutandis to the comprehensive transfer of insurance contracts in Japan by a Foreign Insurance Company, etc. In this case, the term "creditors" in Article 135, paragraph (3) shall be deemed to be replaced with "creditors of branch offices, etc. set forth in Article 185, paragraph (1)"; the term "Transferor Company and the Transferee Company" in Article 136, paragraphs (1) and (3) shall be deemed to be replaced with "Transferee Company"; the terms "two weeks before the date of the Shareholders' Meeting, etc. set forth in paragraph (1) of the preceding Article," "written agreement concluded under Article 135, paragraph (1)" and "business offices or offices" in Article 136-2, paragraph (1) shall be deemed to be replaced with "the date of preparation of the written agreement concluded under Article 135, paragraph (1) (hereinafter referred to as "Transfer Agreement" in this Section)," "Transfer Agreement" and "branch offices, etc.," respectively; the term "shareholder or Policyholder of the Transferor Company" in Article 136-2, paragraph (2) shall be deemed to be replaced with "affected Policyholder"; the term "resolution set forth in Article 136, paragraph (1)" in Article 137, paragraph (1) shall be deemed to be replaced with "preparation of the Transfer Agreement"; the terms "the time of the adoption of resolution under Article 136, paragraph (1)" and "shall not conclude" in Article 138 shall be deemed to be replaced with "the time of preparation of the Transfer Agreement" and "shall not conclude in Japan," respectively; and the term "creditors" in Article 139, paragraph (2), item (iii) shall be deemed to be replaced with "creditors of branch offices, etc. set forth in Article 185, paragraph (1)."

２　外国保険会社等が日本における保険契約の全部を移転したときは、その日本における保険業を廃止したものとみなす。この場合においては、第二百八条の規定は、適用しない。

(2) Any Foreign Insurance Company, etc. that has transferred all of its insurance contracts in Japan shall be deemed to have abolished its Insurance Business in Japan. The provisions of Article 208 shall not apply in this case.

（事業の譲渡又は譲受け並びに業務及び財産の管理の委託に関する規定の準用）

(Mutatis Mutandis Application of Provisions on the Transfer or Acceptance of Business, and Entrustment of Business and Property Administration)

第二百十一条　第百四十二条の規定は外国保険会社等を全部又は一部の当事者とする日本における事業の譲渡又は譲受けについて、第七章第三節の規定は外国保険会社等がその日本における業務及び財産の管理の委託をする場合について、それぞれ準用する。この場合において、第百四十四条第二項中「当該管理の委託をする保険会社（以下この節において「委託会社」という。）及び受託会社」とあるのは「受託会社」と、第百四十六条第二項中「本店又は主たる事務所」とあるのは「同項の日本における主たる店舗」と、同条第三項中「、第十九条」とあるのは「及び第十九条」と、「及び第四十六条（添付書面の通則）（これらの規定を第六十七条」とあるのは「（これらの規定を第二百十六条第一項」と、第百四十八条第三項中「保険業法第百四十四条第二項に規定する委託会社」とあるのは「日本における業務及び財産の管理の委託をした保険業法第二条第七項に規定する外国保険会社等」と、同条第四項中「保険業法第百四十四条第一項」とあるのは「保険業法第二百十一条において準用する同法第百四十四条第一項」と、第百四十九条第一項中「委託会社及び受託会社」とあるのは「受託会社」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。

Article 211 The provisions of Article 142 shall apply mutatis mutandis to a transfer or acceptance of business in Japan involving a Foreign Insurance Company, etc. or foreign insurance companies, etc.; and the provisions of Chapter VII, Section 3 shall apply mutatis mutandis where a Foreign Insurance Company, etc. has entrusted the administration of its business and property in Japan. In this case, the term "both the Insurance Company entrusting administration of business (hereinafter referred to as "Entrusting Company" in this Section) and the Entrusted Company" in Article 144, paragraph (2) shall be deemed to be replaced with "the Entrusted Company"; the term "head office or principal office" in Article 146, paragraph (2) shall be deemed to be replaced with "principal branch in Japan set forth in that paragraph"; the term ", Article 19" in item (iii) of that paragraph shall be deemed to be replaced with "and Article 19," the term "and Article 46 (General Rules on Attached Documents) of the Commercial Registration Act (including the cases where they are applied mutatis mutandis pursuant to Article 67)" in Article 146, paragraph (3) shall be deemed to be replaced with "(including the cases where they are applied mutatis mutandis pursuant to Article 216, paragraph (1)"; the term "Entrusting Company set forth in Article 144, paragraph (2) of the Insurance Business Act" in Article 148, paragraph (3) shall be deemed to be replaced with "Foreign Insurance Company, etc. as defined in Article 2, paragraph (7) of the Insurance Business Act that has entrusted the administration of its business and property in Japan"; the term "Article 144, paragraph (1) of the Insurance Business Act" in Article 148, paragraph (4) shall be deemed to be replaced with "Article 144, paragraph (1) of the Insurance Business Act as applied mutatis mutandis pursuant to Article 211 of that Act"; and the term "both the Entrusting Company and the Entrusted Company" in Article 149, paragraph (1) shall be deemed to be replaced with "the Entrusted Company"; any other necessary technical changes in interpretation shall be specified by Cabinet Order.

（外国保険会社等の清算）

(Liquidation of a Foreign Insurance Company, etc.)

第二百十二条　外国保険会社等は、次の各号のいずれかに該当するときは、日本に所在する財産の全部について清算をしなければならない。

Article 212 (1) A Foreign Insurance Company, etc. shall, if it falls under any of the following items, liquidate the whole of its property in Japan:

一　当該外国保険会社等に係る第百八十五条第一項の免許が第二百五条又は第二百六条の規定により取り消されたとき。

(i) its license under Article 185, paragraph (1) has been cancelled pursuant to the provisions of Article 205 or 206; or

二　当該外国保険会社等に係る第百八十五条第一項の免許が第二百七十三条の規定によりその効力を失ったとき。

(ii) its license under Article 185, paragraph (1) has lost its effect pursuant to the provisions of Article 273.

２　前項の規定により外国保険会社等が清算をする場合には、内閣総理大臣は、利害関係人の請求により又は職権で、清算人を選任する。当該清算人を解任する場合についても、同様とする。

(2) If a Foreign Insurance Company, etc. goes into liquidation pursuant to the provisions of the preceding paragraph, the Prime Minister shall appoint (a) liquidator(s) at the request of any interested person or without any party's request. The same shall apply where he/she dismisses the liquidator(s).

３　内閣総理大臣は、前項の規定により清算人を解任する場合においては、当該清算に係る外国保険会社等の日本における主たる店舗の所在地の登記所にその旨の登記を嘱託しなければならない。

(3) The Prime Minister shall, where he/she dismisses a liquidator pursuant to the provisions of the preceding paragraph, commission the registry office with jurisdiction over the principal branch of the Foreign Insurance Company in Liquidation, etc. in Japan to make a registration to that effect.

４　第百七十八条の規定により読み替えて適用する会社法第五百条（債務の弁済の制限）の規定並びに同法第四百七十六条（清算株式会社の能力）、第二編第九章第一節第二款（清算株式会社の機関）、第四百九十二条（財産目録等の作成等）、同節第四款（第五百条を除く。）（債務の弁済等）、第五百八条（帳簿資料の保存）、同章第二節（第五百十条、第五百十一条及び第五百十四条を除く。）（特別清算）、第七編第三章第一節（総則）及び第三節（特別清算の手続に関する特則）並びに第九百三十八条第一項から第五項まで（特別清算に関する裁判による登記の嘱託）の規定は、その性質上許されないものを除き、第一項の規定による日本にある外国保険会社等の財産についての清算について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of Article 500 (Restrictions on Performance of Obligations) of the Companies Act as applied with relevant changes in interpretation pursuant to the provisions of Article 178, and the provisions of Article 476 (Capacity of Liquidating Stock Companies), Part II, Chapter IX, Section 1, Subsection 2 (Structures for Liquidating Stock Companies), Article 492 (Preparation of an Inventory of Property), Part II, Chapter IX, Section 1, Subsection 4 (excluding Article 500) (Performance of Obligations), Article 508 (Retention of Accounting Materials), Part II, Chapter IX, Section 2 (excluding Articles 510, 511 and 514) (Special Liquidations), Part VII, Chapter III, Sections 1 (General Provisions) and 3 (Special Provisions on Procedures of Special Liquidation) and Article 938, paragraphs (1) to (5) inclusive (Commissioning of Registration by a Juridical Decision on Special Liquidation) of that Act shall apply mutatis mutandis to the liquidation of the property of a Foreign Insurance Company, etc. in Japan under paragraph (1), unless their specific characters forbid such application. In this case, any other necessary technical changes in interpretation shall be specified by Cabinet Order.

５　第百七十七条の規定は第一項の規定による外国保険会社等の清算の場合について、第百七十五条及び第百七十九条第一項の規定は第一項の規定による外国保険会社等の清算の場合（前項において準用する会社法第二編第九章第二節（第五百十条、第五百十一条及び第五百十四条を除く。）、第七編第三章第一節及び第三節並びに第九百三十八条第一項から第五項までの規定の適用がある場合を除く。以下この項において同じ。）について、第二百条第一項及び第二百一条第一項の規定は第一項の規定による外国保険会社等の清算の場合において内閣総理大臣が清算に係る外国保険会社等の清算の監督上必要があると認めるときについて、それぞれ準用する。この場合において、第百七十七条第二項中「解散の日」とあるのは「当該外国保険会社等に係る第百八十五条第一項の免許が取り消され、又はその効力を失った日」と、同条第三項中「清算保険会社等」とあるのは「清算に係る外国保険会社等」と、第百七十五条中「前条第一項、第四項又は第九項」とあるのは「第二百十二条第二項」と、「清算保険会社等」とあるのは「清算に係る外国保険会社等」と、第百七十九条第一項中「清算保険会社等」とあるのは「清算に係る外国保険会社等」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) The provisions of Article 177 shall apply mutatis mutandis to the liquidation of a Foreign Insurance Company, etc. under paragraph (1); the provisions of Article 175 and Article 179, paragraph (1) shall apply mutatis mutandis to the liquidation of a Foreign Insurance Company, etc. under paragraph (1) (excluding the cases to which apply the provisions of Part II, Chapter IX, Section 2 (excluding Articles 510, 511 and 514), Part VII, Chapter III, Sections 1 and 3, and Article 938, paragraphs (1) to (5) inclusive of the Companies Act as applied mutatis mutandis pursuant to the preceding paragraph; hereinafter the same shall apply in this paragraph); and the provisions of Article 200, paragraph (1) and Article 201, paragraph (1) shall apply mutatis mutandis to the liquidation of a Foreign Insurance Company, etc. under paragraph (1) where the Prime Minister finds it necessary for supervising the liquidation of the Foreign Insurance Company in Liquidation, etc. In this case, the term "date of dissolution" in Article 177, paragraph (2) shall be deemed to be replaced with "date of cancellation or expiration of the license issued to the Foreign Insurance Company, etc. under Article 185, paragraph (1)"; the term "Insurance Company in Liquidation, etc." in Article 177, paragraph (3) shall be deemed to be replaced with "Foreign Insurance Company in Liquidation, etc."; the terms "paragraph (1), (4) or (9) of the preceding Article" and "Insurance Company in Liquidation, etc." in Article 175 shall be deemed to be replaced with "Article 212, paragraph (2)" and "Foreign Insurance Company in Liquidation, etc.," respectively; and the term "Insurance Company in Liquidation, etc." in Article 179, paragraph (1) shall be deemed to be replaced with "Foreign Insurance Company in Liquidation, etc."; any other necessary technical change in interpretation shall be specified by Cabinet Order.

６　第百八十五条第一項の内閣総理大臣の免許を受けた外国保険会社等（外国相互会社を除く。）については、会社法第八百二十条（日本に住所を有する日本における代表者の退任）の規定は、適用しない。

(6) The provisions of Article 812 (Resignation of Representatives in Japan Whose Domiciles Are in Japan) of the Companies Act shall not apply to a Foreign Insurance Company, etc. (other than a Foreign Mutual Company) that has obtained a license from the Prime Minister set forth in Article 185, paragraph (1).

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第二百十三条　会社法第八百二十二条第一項から第三項まで（日本にある外国会社の財産についての清算）、第七編第一章第二節（外国会社の取引継続禁止又は営業所閉鎖の命令）、同編第三章第一節（総則）、第四節（外国会社の清算の手続に関する特則）及び第五節（会社の解散命令等の手続に関する特則）、第九百三十七条第二項（裁判による登記の嘱託）並びに第九百三十八条第六項（特別清算に関する裁判による登記の嘱託）の規定は、外国相互会社が日本国内に従たる事務所その他の事務所を設けた場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 213 The provisions of Article 822, paragraphs (1) to (3) inclusive (Liquidation of a Foreign Company's Property in Japan), Part VII, Chapter I, Section 2 (Order of Prohibition of Continuous Transactions or Closure of a Business Office of a Foreign Company), Part VII, Chapter III, Sections 1 (General Provisions), 4 (Special Provisions on Liquidation Proceedings of a Foreign Company) and 5 (Special Provisions on Procedures of a Dissolution Order, etc. for a Company), Article 937, paragraph (2) (Commissioning of Registration by a Judicial Decision), and Article 938, paragraph (6) (Commissioning of Registration by a Juridical Decision Concerning Special Liquidation) of the Companies Act shall apply mutatis mutandis where a Foreign Mutual Company has established a secondary office or other office in Japan. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

第五節　雑則

Section 5 Miscellaneous Provisions

（登記簿）

(Registry)

第二百十四条　登記所に、外国相互会社登記簿を備える。

Article 214 A registry office shall keep a registry of foreign mutual companies.

（会社法の準用）

(Mutatis Mutandis Application of the Companies Act)

第二百十五条　会社法第七編第四章第一節（第九百七条を除く。）（総則）並びに第九百三十三条（第一項第一号及び第二項第七号を除く。）（外国会社の登記）、第九百三十四条第二項（日本における代表者の選任の登記等）、第九百三十五条第二項（日本における代表者の住所の移転の登記等）及び第九百三十六条第二項（日本における営業所の設置の登記等）の規定は、外国相互会社の登記について準用する。この場合において、同法第七編第四章第一節（第九百七条を除く。）中「この法律」とあるのは「保険業法及びこの法律」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。

Article 215 The provisions of Part VII, Chapter IV, Section 1 (excluding Article 907) (General Provisions), and Article 933 (excluding paragraph (1), item (i) and paragraph (2), item (vii)) (Registration of Foreign Company), Article 934, paragraph (2) (Registration, etc. of Appointment of a Representative in Japan), Article 935, paragraph (2) (Registration, etc. of the Relocation of the Domicile of a Representative in Japan) and Article 936, paragraph (2) (Registration, etc. of Establishment of a Business Office in Japan) of the Companies Act shall apply mutatis mutandis to the registration of a Foreign Mutual Company. In this case, the term "this Act" in Part VII, Chapter IV, Section 1 (excluding Article 907) of that Act shall be deemed to be replaced with "the Insurance Business Act and this Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（商業登記法の準用）

(Mutatis Mutandis Application of the Commercial Registration Act)

第二百十六条　商業登記法第一条の三から第五条まで（登記所、事務の委任、事務の停止、登記官、登記官の除斥）、第七条から第十五条まで（登記簿等の持出禁止、登記簿の滅失と回復、登記簿等の滅失防止、登記事項証明書の交付等、登記事項の概要を記載した書面の交付、附属書類の閲覧、印鑑証明、電磁的記録の作成者を示す措置の確認に必要な事項等の証明、手数料、当事者申請主義、嘱託による登記）、第十七条第一項、第二項及び第四項（登記申請の方式）、第十八条から第十九条の二まで（申請書の添付書面、申請書に添付すべき電磁的記録）、第二十条第一項及び第二項（印鑑の提出）、第二十一条から第二十三条の二まで（受付、受領証、登記の順序、登記官による本人確認）、第二十四条（第十一号及び第十二号を除く。）（申請の却下）、第二十五条から第二十七条まで（提訴期間経過後の登記、行政区画等の変更、同一の所在場所における同一の商号の登記の禁止）、第三十三条（商号の登記の抹消）、第四十四条、第四十五条（会社の支配人の登記）、第五十一条、第五十二条（本店移転の登記）、第百二十八条（申請人）、第百二十九条（外国会社の登記）、第百三十条第一項及び第三項（変更の登記）並びに第百三十二条から第百四十八条まで（更正、抹消の申請、職権抹消、行政手続法の適用除外、行政機関の保有する情報の公開に関する法律の適用除外、行政機関の保有する個人情報の保護に関する法律の適用除外、審査請求、審査請求事件の処理、行政不服審査法の適用除外、省令への委任）の規定は、外国相互会社に関する登記について準用する。この場合において、同法第十七条第四項中「事項又は前項の規定により申請書に記載すべき事項」とあるのは「事項」と、「前二項」とあるのは「同項」と、同法第五十一条第一項中「本店」とあるのは「日本国内の事務所」と、同法第百二十九条第一項中「会社法第九百三十三条第一項の規定による外国会社」とあるのは「外国相互会社の事務所の設置」と、同条第三項中「日本における代表者を定めた旨又は日本に営業所」とあるのは「日本国内に事務所」と、同法第百三十条第三項中「前二項の登記の」とあるのは「第一項の登記の」と、「既に前二項」とあるのは「既に同項」と、「、前二項」とあるのは「、同項」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。

Article 216 The provisions of Article 1-3 to 5 inclusive (Registry Office, Delegation of Affairs, Suspension of Affairs, Registrar, Disqualification of Registrar), Article 7 to 15 inclusive (Prohibition on Carrying Out of Registries and Other Documents, Loss and Restoration of Registries, Prevention of Loss of Registry, Issuance of Certificate of Registered Matters, Issuance of Documents Specifying Extract of Matters Registered, Inspection of Annexed Documents, Certificate of Seal Impression, Certification of Matters Required for Verification of Measures to Identify the Creator of Electromagnetic Records and Other Matters, Fees, Registration Upon Application by a Relevant Party, Registration upon Commission), Article 17, paragraphs (1), (2) and (4) (Method of Application for Registration), Article 18 to 19-2 inclusive (Documents to be Attached to Written Application, Electromagnetic Record to be Attached to Written Application), Article 20, paragraphs (1) and (2) (Submission of Seal Impression), Article 21 to 23-2 inclusive (Acceptance of Applications, Receipt, Order of Registration, Identify Confirmation by Registrar), Article 24 (excluding items (xi) and (xii)) (Dismissal of Application), Article 25 to 27 inclusive (Registration to be Made after Lapse of Period for Filing Action, Change in Administrative Zone, etc., Prohibition of Registration of Identical Trade Name at Same Location), Article 33 (Cancellation of Registration of Trade Name), Articles 44 and 45 (Registration of Company's Manager), Articles 51 and 52 (Registration of Relocation of Head Office), Article 128 (Applicant), Article 129 (Registration of Foreign Company), Article 130, paragraphs (1) and (3) (Registration of Change), and Article 132 to 148 inclusive (Correction, Application for Cancellation, Ex Officio Cancellation, Exclusion from Application of the Administrative Procedure Act, Exclusion from Application of the Act on Access to Information Held by Administrative Organs, Request for Review, Handling of Request of Review Case, Exclusion from Application of the Administrative Appeal Act, Delegation to Ordinance of the Ministry) of the Commercial Registration Act shall apply mutatis mutandis to a registration regarding a Foreign Mutual Company. In this case, the term "or the particulars that are required to be included in a written application pursuant to the provisions of the preceding paragraph" in Article 17, paragraph (4) of that Act shall be deemed to be deleted; the term "preceding two paragraphs" in Article 17, paragraph (4) of that Act shall be deemed to be replaced with "that paragraph"; the term "head office" in Article 51, paragraph (1) of that Act shall be deemed to be replaced with "office in Japan"; the term "a foreign company under Article 933, paragraph (1) of the Companies Act" in Article 129, paragraph (1) of that Act shall be deemed to be replaced with "the establishment of an office of a Foreign Mutual Company"; the term "the company has designated its representative person in Japan or established a business office in Japan" in Article 129, paragraph (3) of that Act shall be deemed to be replaced with "the company has established an office in Japan"; and the terms "for registration under the preceding two paragraphs," "registration has been made under the preceding two paragraphs" and "documents set forth in the preceding two paragraphs" in Article 130, paragraph (3) of that Act shall be deemed to be replaced with "for registration under the preceding paragraph," "registration has been made under that paragraph" and "document set forth in that paragraph," respectively; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（外国保険会社等の公告方法）

(Method of Public Notice by a Foreign Insurance Company, etc.)

第二百十七条　外国保険会社等（外国会社及び外国相互会社に限る。次項及び第三項において同じ。）の公告方法は、次に掲げる方法のいずれかを定めなければならない。

Article 217 (1) A Foreign Insurance Company, etc. (limited to a foreign company or Foreign Mutual Company; the same shall apply in the following paragraph and paragraph (3)) shall designate as its Method of Public Notice:

一　時事に関する事項を掲載する日刊新聞紙に掲載する方法

(i) Publication in a daily newspaper that publishes the particulars of current events; or

二　電子公告

(ii) Electronic public notice.

２　外国保険会社等が前項第二号に掲げる方法を公告方法とする旨を定める場合には、電子公告を公告方法とする旨を定めれば足りる。この場合においては、事故その他やむを得ない事由によって電子公告による公告をすることができない場合の公告方法として、同項第一号に掲げる方法を定めることができる。

(2) Where a Foreign Insurance Company, etc. designates the method listed in item (ii) of the preceding paragraph as its Method of Public Notice, it shall be sufficient for the company to prescribe that electronic public notice shall be its Method of Public Notice. In this case, the company may designate the method listed in item (i) of that paragraph as the Method of Public Notice to be adopted where it is unable to give an electronic public notice due to an accident or any other unavoidable circumstances.

３　会社法第九百四十条第一項（第一号を除く。）及び第三項（電子公告の公告期間等）、第九百四十一条（電子公告調査）、第九百四十六条（調査の義務等）、第九百四十七条（電子公告調査を行うことができない場合）、第九百五十一条第二項（財務諸表等の備置き及び閲覧等）、第九百五十三条（改善命令）並びに第九百五十五条（調査記録簿等の記載等）の規定は、外国保険会社等が電子公告によりこの法律又は他の法律の規定による公告をする場合について準用する。この場合において、同法第九百四十条第一項第二号中「第四百四十条第一項」とあるのは「保険業法第百九十三条第二項において準用する第八百十九条第一項」と、「定時株主総会」とあるのは「手続」と、同条第三項中「前二項」とあるのは「第一項」と、同法第九百四十一条中「この法律又は他の法律の規定による公告（第四百四十条第一項の規定による公告を除く」とあるのは「保険業法の規定による公告（同法第百九十三条第二項において準用する第八百十九条第一項の規定による公告を除く」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。

(3) The provisions of Article 940, paragraph (1) (excluding item (i)) and (3) (Public Notice Period, etc. of Electronic Public Notice), Article 941 (Electronic Public Notice Investigation), Article 946 (Obligation, etc. of Investigation), Article 947 (Cases Where an Electronic Public Notice Investigation Is Unable to Be Carried Out), Article 951, paragraph (2) (Retention and Inspection, etc. of Financial Statements, etc.), Article 953 (Order for Improvement), and Article 955 (Statements, etc. in an Investigation Record Book, etc.) of the Companies Act shall apply mutatis mutandis where a Foreign Insurance Company, etc. gives public notice under this Act or any other Act in the form of electronic public notice. In this case, the terms "Article 440, paragraph (1)" and "annual shareholders' meeting" in Article 940, paragraph (1), item (ii) of that Act shall be deemed to be replaced with "Article 819, paragraph (1) as applied mutatis mutandis pursuant to Article 193, paragraph (2) of the Insurance Business Act" and "procedure" respectively; the term "the preceding two paragraphs" in Article 940, paragraph (3) of that Act shall be deemed to be replaced with "paragraph (1)"; and the term "public notice under this Act or any other Act (excluding the public notice under Article 440, paragraph (1)" in Article 941 of that Act shall be deemed to be replaced with "public notice under the Insurance Business Act (excluding the public notice under Article 819, paragraph (1) as applied mutatis mutandis pursuant to Article 193, paragraph (2) of that Act"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

４　外国保険会社等（外国会社及び外国相互会社を除く。）の公告方法は、時事に関する事項を掲載する日刊新聞紙に掲載する方法とする。

(4) The Method of Public Notice by a Foreign Insurance Company, etc. (other than a foreign company or Foreign Mutual Company) shall be publication in a daily newspaper that publishes the particulars of current events.

（駐在員事務所の設置の届出等）

(Notification of Establishment of a Representative Office in a Foreign State, etc.)

第二百十八条　第百八十五条第一項の免許を有しない外国保険業者は、次の各号のいずれかに該当する場合には、第一号に掲げる場合にあってはあらかじめ、その旨及び当該業務の内容、当該業務を行う施設の所在地その他内閣府令で定める事項を、第二号から第四号までに掲げる場合にあっては遅滞なく、その旨を内閣総理大臣に届け出なければならない。

Article 218 (1) If a Foreign Insurer who does not have a license as set forth in Article 185, paragraph (1) falls under any of the following items and if item (i) applies, the insurer shall notify the Prime Minister of this and of the content of the relevant business, the location of the offices conducting such business and any other particular specified by Cabinet Office Ordinance and, if item (ii), (iii) or (iv) applies, shall notify the Prime Minister of this without delay:

一　次に掲げる業務を行うため、日本国内に駐在員事務所その他の施設を設置しようとするとき（他の目的により設置している事務所その他の施設において当該業務を行おうとする場合を含む。）。

(i) The insurer seeks to establish a resident office in a foreign state or any other office in Japan to conduct any of the following business (including the cases where it seeks to conduct such business in an office that has been established for any other purpose):

イ　保険業に関する情報の収集又は提供

(a) Collection or provision of information regarding the Insurance Business; or

ロ　その他保険業に関連を有する業務

(b) Any other business related to the Insurance Business;

二　前号の施設を廃止したとき。

(ii) The insurer has abolished the office set forth in the preceding item;

三　第一号の施設において行う同号イ又はロに掲げる業務を廃止したとき。

(iii) The insurer has abolished the business listed in item (i), sub-item (a) or (b) that were provided at the office set forth in that item; or

四　第一号の場合において届け出た事項を変更したとき。

(iv) The insurer has modified any of the particulars for which it has provided notification under item (i).

２　内閣総理大臣は、公益上必要があると認めるときは、前項の外国保険業者に対し、同項第一号の施設において行う同号イ又はロに掲げる業務に関し報告又は資料の提出を求めることができる。

(2) The Prime Minister may, if he/she finds it necessary for the public interest, request the Foreign Insurer set forth in the preceding paragraph to submit a report or materials concerning the business listed in item (i), sub-item (a) or (b) of that paragraph that is conducted at the office set forth in that item.

第六節　特定法人に対する特則

Section 6 Special Provisions on Specified Juridical Persons

（免許）

(Licensing)

第二百十九条　次の各号のいずれにも該当する法人（以下この節において「特定法人」という。）は、保険の引受けを行う当該特定法人の社員（以下「引受社員」という。）の日本における保険業に係る引受けの代理並びに当該日本における保険業に係る当該特定法人及びその引受社員の業務の代理をする者（以下この節において「総代理店」という。）を定め、引受社員が日本において保険業を行うことについて、内閣総理大臣の免許を受けることができる。

Article 219 (1) A juridical person falling under both of the following items (hereinafter referred to as "Specified Juridical Person" in this Section) may designate a person (hereinafter referred to as "General Representative" in this Section) to act as an underwriting agent for those members of the Specified Juridical Person who provide insurance underwriting (hereinafter referred to as "Underwriting Members") for the juridical person's Insurance Business in Japan, or as a business agent for the Specified Juridical Person and its Underwriting Members for such Insurance Business in Japan, and obtain a license from the Prime Minister for its Underwriting Members to conduct Insurance Business in Japan:

一　外国の特別の法令により設立された法人であること。

(i) It was incorporated under a special foreign law or regulation; and

二　その社員である者が、外国の法令の特別の規定により、当該外国において保険業の免許（当該免許に類する許可、登録その他の行政処分を含む。）を受けないで、保険業を行うことが認められていること。

(ii) Pursuant to a special provisions of foreign laws or regulations, its members are allowed to conduct Insurance Business in the relevant foreign state without obtaining a license for Insurance Business (including any administrative measure similar to such license, such as permission or registration);

２　前項の免許は、特定生命保険業免許及び特定損害保険業免許の二種類とする。

(2) The license set forth in the preceding paragraph shall be in two types: a specified life insurance business license and a specified non-life insurance business license.

３　特定生命保険業免許と特定損害保険業免許とは、同一の特定法人が受けることはできない。

(3) The same Specified Juridical Person may not obtain both a specified life insurance business license and a specified non-life insurance business license.

４　特定生命保険業免許は、引受社員が日本における事業として第三条第四項第一号に掲げる保険の引受けを行い、又はこれに併せて同項第二号若しくは第三号に掲げる保険の引受けを行うことに係る免許とする。

(4) A specified life insurance business license shall be a license for Underwriting Members to underwrite the type of insurance listed in Article 3, paragraph (4), item (i) as a business undertaking in Japan or, in addition, to underwrite the type of insurance listed in Article 3, paragraph (4), item (ii) or (iii).

５　特定損害保険業免許は、引受社員が日本における事業として第三条第五項第一号に掲げる保険の引受けを行い、又はこれに併せて同項第二号若しくは第三号に掲げる保険の引受けを行うことに係る免許とする。

(5) A specified non-life insurance business license shall be a license for an Underwriting Member to underwrite the type of insurance listed in Article 3, paragraph (5), item (i) as a business undertaking in Japan or, in addition, to underwrite the type of insurance listed in Article 3, paragraph (5), item (ii) or (iii).

６　特定法人が第一項の免許を受けた場合には、当該特定法人の引受社員は、第三条第一項及び第百八十五条第一項の規定にかかわらず、第二項の免許の種類に従い、総代理店の事務所において日本における保険業を行うことができる。

(6) The Underwriting Members of a Specified Juridical Person that has obtained a license under paragraph (1) may, notwithstanding the provisions of Article 3, paragraph (1) and Article 185, paragraph (1), conduct Insurance Business in Japan in the offices of their general agent in accordance with the type of license issued under paragraph (2).

（免許申請手続）

(Application Procedures for Licensing)

第二百二十条　前条第一項の免許を受けようとする特定法人は、次に掲げる事項を記載した免許申請書を内閣総理大臣に提出しなければならない。

Article 220 (1) Any Specified Juridical Person that seeks to obtain the license set forth in paragraph (1) of the preceding Article shall submit to the Prime Minister a written application for a license detailing the following particulars:

一　当該特定法人の商号又は名称、本店又は主たる事務所の所在地及び設立の年月日

(i) The trade name or name, address of the head office or principal office, and date of the incorporation of the Specified Juridical Person;

二　当該特定法人の設立に当たって準拠した法令を制定した国（以下この節において「設立準拠法国」という。）の国名

(ii) The name of the country that enacted the law or regulation under which the Specified Juridical Person was incorporated (hereinafter referred to as "Country with Jurisdiction over Incorporation" in this Section);

三　当該特定法人及び引受社員を日本において代表する者（以下この節において「日本における代表者」という。）の氏名及び住所

(iii) The name and address of the person who represents the Specified Juridical Person and its Underwriting Members in Japan (hereinafter referred to as the "Representative Person in Japan" in this Section);

四　受けようとする免許の種類

(iv) The type of license desired; and

五　当該特定法人及び引受社員の日本における主たる店舗（総代理店の本店をいう。以下この節において同じ。）

(v) The principal branch of the Specified Juridical Person and its Underwriting Members in Japan (meaning the head office of the General Representative; hereinafter the same shall apply in this Section).

２　前項の免許申請書には、当該特定法人の設立が適法に行われたこと及び引受社員が設立準拠法国において適法に日本において行おうとする保険業と同種類の保険業を行っていることを証する設立準拠法国の権限のある機関の証明書を添付しなければならない。

(2) A certificate issued by the competent authorities of the Country with Jurisdiction over Incorporation certifying that the Specified Juridical Person was incorporated legally and that its Underwriting Members legally conduct the same type of Insurance Business as that which they seek to conduct in Japan, in the Country with Jurisdiction over Incorporation, shall be attached to the written application for a license set forth in the preceding paragraph.

３　前項に定めるもののほか、第一項の免許申請書には、次に掲げる書類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。

(3) In addition to what is listed in the preceding paragraph, the following documents and other documents specified by Cabinet Office Ordinance shall be attached to the written application for the license set forth in paragraph (1):

一　特定法人の定款又はこれに準ずる書類

(i) The articles of incorporation of the Specified Juridical Person or any other equivalent document;

二　引受社員の日本における事業に係る事業の方法書

(ii) A statement of business procedures pertaining to the business of the Underwriting Members in Japan;

三　引受社員が日本において締結する保険契約に係る普通保険約款

(iii) The general policy conditions pertaining to the insurance contracts to be concluded by the Underwriting Members in Japan;

四　引受社員が日本において締結する保険契約に係る保険料及び責任準備金の算出方法書

(iv) A statement on the calculation methods for the insurance premiums and policy reserves pertaining to the insurance contracts to be concluded by the Underwriting Members in Japan; and

五　引受社員が日本において行う保険の引受けについて保険契約の内容を確定するための協議を行うことのある者で内閣府令で定めるものの氏名又は商号及び住所又は本店の所在地を記載した書類

(v) A document indicating the name or trade name, and address or location of the head office of the person specified by Cabinet Office Ordinance with whom the Underwriting Members may consult for the purpose of confirming the contents of insurance contracts in connection with the insurance underwriting business that they conduct in Japan.

４　前項第二号から第四号までに掲げる書類には、内閣府令で定める事項を記載しなければならない。

(4) The documents listed in item (ii) to (iv) inclusive of the preceding paragraph must detail the particulars specified by Cabinet Office Ordinance.

（免許審査基準）

(Licensing Examination Standards)

第二百二十一条　内閣総理大臣は、第二百十九条第一項の免許の申請があったときは、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 221 (1) Whenever an application has been filed for the license set forth in Article 219, paragraph (1), the Prime Minister shall examine whether it conforms to the following standards:

一　当該申請をした者（以下この項において「申請者」という。）が、その人的構成等に照らして、引受社員の日本における業務の的確、公正かつ効率的な遂行を確保するために必要な知識及び経験を有し、かつ、十分な社会的信用を有する者であること。

(i) The person that filed the application (hereinafter referred to as "Applicant" in this paragraph) has, in light of its human resource structure, etc., the necessary knowledge and experience to carry out the business of the Underwriting Members in an appropriate, fair and efficient manner, and must have sufficient social credibility;

二　申請者が、設立準拠法国の法令又は当該法人の規約により引受社員の保険契約上の債務の履行を確実にするための財産を保有していることその他保険契約者等の保護のための措置が十分に講じられていること。

(ii) The Applicant has sufficient property to ensure the performance of the insurance contract obligations of the Underwriting Members pursuant to the laws and regulations of the Country with Jurisdiction over Incorporation or the bylaws of the juridical person, and has taken other measures for the protection of Policyholders, etc. in a sufficient manner;

三　引受社員の行う日本における保険業に係る収支の見込みが良好であること。

(iii) The prospects of revenues and expenditures for the Insurance Business the Underwriting Members would conduct in Japan are satisfactory

四　前条第三項第二号及び第三号に掲げる書類に記載された事項が、第五条第一項第三号イからホまでに掲げる基準に適合するものであること。

(iv) The particulars detailed in the documents listed in paragraph (3), item (ii) and (iii) of the preceding Article conform to the standards listed in Article 5, paragraph (1), item (iii), sub-item (a) to (e) inclusive; and

五　前条第三項第四号に掲げる書類に記載された事項が、第五条第一項第四号イからハまでに掲げる基準に適合するものであること。

(v) The particulars detailed in the documents listed in paragraph (3), item (iv) of the preceding Article conform to the standards listed in Article 5, paragraph (1), item (iv), sub-items (a) to (c) inclusive.

２　内閣総理大臣は、前項に定める審査の基準に照らし公益上必要があると認めるときは、その必要の限度において、第二百十九条第一項の免許に条件を付し、及びこれを変更することができる。

(2) If and to the extent that the Prime Minister finds it necessary for the public interest in light of standards for examination prescribed in the preceding paragraph, he/she may impose conditions on the license referred to in Article 219, paragraph (1) or change them.

（内閣総理大臣の告示）

(Public Notice by the Prime Minister)

第二百二十二条　内閣総理大臣は、第二百十九条第一項の免許をしたときは、その旨及び第二百二十条第一項各号に掲げる事項を、遅滞なく、官報で告示するものとする。同項第一号、第二号、第三号又は第五号に掲げる事項の変更について第二百三十四条の規定による届出があったときも、同様とする。

Article 222 If the Prime Minister has granted a license under Article 219, paragraph (1), he/she shall publish that fact and the particulars listed in the items of Article 220, paragraph (1) without delay in the Official Gazette. The same shall apply where the Prime Minister has been notified pursuant to Article 234 of the modification of any particular listed in Article 220, paragraph (1), item (i), (ii), (iii) or (v).

（供託）

(Deposits)

第二百二十三条　第二百十九条第一項の免許を受けた特定法人（以下「免許特定法人」という。）は、日本における保険契約者等の保護のため必要かつ適当なものとして政令で定める額の金銭を、日本における主たる店舗の最寄りの供託所に供託しなければならない。

Article 223 (1) A Specified Juridical Person that has obtained a license under Article 219, paragraph (1) (hereinafter referred to as "Licensed Specified Juridical Person") shall deposit the amount of money specified by Cabinet Order as necessary and appropriate for the protection of Policyholders, etc. in Japan with the deposit office located nearest to its principal branch in Japan.

２　内閣総理大臣は、日本における保険契約者等の保護のため必要があると認めるときは、免許特定法人に対し、引受社員が日本における保険業を開始する前に、前項の政令で定める額のほか、相当と認める額の金銭の供託を命ずることができる。

(2) If the Prime Minister finds it necessary for the protection of Policyholders, etc. in Japan, he/she may order a Licensed Specified Juridical Person to deposit, in addition to the amount of money specified by Cabinet Order set forth in the preceding paragraph, the amount of money that he/she finds appropriate prior to the commencement of Insurance Business in Japan by its Underwriting Members.

３　免許特定法人は、政令で定めるところにより、当該免許特定法人のために所要の供託金が内閣総理大臣の命令に応じて供託される旨の契約を締結し、その旨を内閣総理大臣に届け出たときは、当該契約の効力の存する間、当該契約において供託されることとなっている金額（以下この条において「契約金額」という。）につき前二項の供託金の全部又は一部の供託をしないことができる。

(3) If a Licensed Specified Juridical Person has concluded an agreement stipulating that a required amount of deposit be made for the Licensed Specified Juridical Person by order of the Prime Minister pursuant to the provisions of Cabinet Order and has notified the Prime Minister of this, it may withhold in whole or in Part the deposit under the preceding two paragraphs regarding the amount to be deposited under said agreement (hereinafter referred to as the "Contract Amount" in this Article), so long as the agreement remains in effect.

４　内閣総理大臣は、日本における保険契約者等の保護のため必要があると認めるときは、免許特定法人と前項の契約を締結した者又は当該免許特定法人に対し、契約金額に相当する金額の全部又は一部を供託すべき旨を命ずることができる。

(4) If the Prime Minister finds it necessary for the protection of Policyholders, etc. in Japan, he/she may order a person who has concluded with a Licensed Specified Juridical Person an agreement as set forth in the preceding paragraph or the Licensed Specified Juridical Person concerned to make a deposit in an amount corresponding to the whole or Part of the Contract Amount.

５　引受社員は、免許特定法人が第一項の供託金（第二項の規定により同項の金銭の供託を命ぜられた場合には、その供託金を含む。）につき供託（第三項の契約の締結を含む。第九項において同じ。）を行い、その旨を内閣総理大臣に届け出た後でなければ、第二百十九条第一項の免許に係る保険業を開始してはならない。

(5) Underwriting Members may not commence Insurance Business under a license referred to in Article 219, paragraph (1), unless the Licensed Specified Juridical Person has made the deposit under paragraph (1) (including any deposit made following an order for the deposit of money under paragraph (2) pursuant to the provisions of that paragraph) (including the conclusion of an agreement under paragraph (3); the same shall apply in paragraph (9)) and has notified the Prime Minister of this.

６　引受社員の日本における保険契約に係る保険契約者、被保険者又は保険金額を受け取るべき者は、保険契約により生じた債権に関し、免許特定法人に係る供託金について、他の債権者に先立ち弁済を受ける権利を有する。

(6) The Policyholders, insurers or beneficiaries of insurance contracts concluded by Underwriting Members in Japan shall, with regard to any credit arising out of the insurance contracts, have a priority claim over other creditors on the deposit pertaining to the Licensed Specified Juridical Person.

７　前項の規定の適用については、免許特定法人は、その引受社員が日本において引き受けた保険に係る保険契約について、当該保険契約に係る引受社員の債務を連帯して保証したものとみなす。

(7) For the purpose of applying the provisions of the preceding paragraph, a Licensed Specified Juridical Person shall be deemed to have jointly and severally guaranteed the obligations of its Underwriting Members under the insurance contracts that they have concluded in Japan.

８　第六項の権利の実行に関し必要な事項は、政令で定める。

(8) The necessary particulars for enforcing a claim under paragraph (6) shall be specified by Cabinet Order.

９　免許特定法人は、第六項の権利の実行その他の理由により、供託金の額（契約金額を含む。）が第一項の政令で定める額に不足することとなったときは、内閣府令で定める日から二週間以内にその不足額につき供託を行い、その旨を遅滞なく内閣総理大臣に届け出なければならない。

(9) If and when the amount of a deposit (including the Contract Amount) falls below the amount specified by Cabinet Order set forth in paragraph (1) for reasons such as the enforcement of a claim under paragraph (6), the Licensed Specified Juridical Person shall compensate for the shortfall within two weeks from the date specified by Cabinet Office Ordinance, and notify the Prime Minister to that effect without delay.

１０　免許特定法人は、国債証券、地方債証券その他の内閣府令で定める有価証券をもって、第一項、第二項又は前項の供託金に代えることができる。

(10) A Licensed Specified Juridical Person may deposit any of the securities specified by Cabinet Office Ordinance, such as a national government bond or local government bond, in lieu of the deposit set forth in paragraph (1), (2) or the preceding paragraph.

１１　第一項、第二項、第四項又は第九項の規定により供託した供託金は、次の各号のいずれかに該当する場合には、政令で定めるところにより、取り戻すことができる。

(11) The deposit made pursuant to the provisions of paragraph (1), (2), (4) or (9) may be recovered pursuant to the provisions of Cabinet Order, if and when:

一　当該免許特定法人に係る第二百十九条第一項の免許が第二百三十一条又は第二百三十二条の規定により取り消されたとき。

(i) The license granted to the Licensed Specified Juridical Person under Article 219, paragraph (1) is cancelled pursuant to the provisions of Article 231 or 232; or

二　当該免許特定法人に係る第二百十九条第一項の免許が第二百三十六条の規定によりその効力を失ったとき。

(ii) The license granted to the Licensed Specified Juridical Person under Article 219, paragraph (1) loses its effect pursuant to the provisions of Article 236.

１２　前各項に定めるもののほか、供託金に関し必要な事項は、内閣府令・法務省令で定める。

(12) In addition to what is provided for in the preceding paragraphs, necessary particulars of a deposit shall be specified by Cabinet Office Ordinance/Ordinance of the Ministry of Justice.

（日本において保険業を行う引受社員の届出等）

(Notification on Underwriting Members Conducting Insurance Business in Japan, etc.)

第二百二十四条　日本における代表者は、日本において保険業を行う引受社員及び第二百二十条第三項第五号の内閣府令で定める者の氏名又は商号及び住所又は本店の所在地を、あらかじめ、内閣総理大臣に届け出なければならない。届け出た事項に変更があったときも、同様とする。

Article 224 (1) A Representative Person in Japan shall notify the Prime Minister in advance of the names and addresses of the Underwriting Members to conduct Insurance Business in Japan, as well as the name or trade name, and address or location of the head office of the person specified by Cabinet Office Ordinance set forth in Article 220, paragraph (3), item (v). The same shall apply to any change in a particular of which notification has been given.

２　日本における代表者は、日本において保険業を行う引受社員の名簿を日本における主たる店舗に備え置かなければならない。

(2) A Representative Person in Japan shall keep at its principal branch in Japan a list of the Underwriting Members conducting Insurance Business in Japan.

３　引受社員の日本における業務に係る保険契約者、保険金額を受け取るべき者その他の債権者及び被保険者は、総代理店に対して、その業務を行うべき時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該総代理店の定めた費用を支払わなければならない。

(3) Policyholders and beneficiaries of insurance proceeds in connection with the business of the Underwriting Members in Japan, and other creditors and insured parties, may make any of the following requests to the General Representative at any time during the hours in which it should be doing business; provided, however, that they must pay the fees determined by the General Representative in making a request falling under item (ii) or (iv):

一　前項の名簿が書面をもって作成されているときは、当該書面の閲覧の請求

(i) Where the list set forth in the preceding paragraph has been prepared in writing, a request to inspect such a document;

二　前号の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents referred to in the preceding item;

三　前項の名簿が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) Where the list set forth in the preceding paragraph has been prepared in the form of electromagnetic records, a request to inspect anything that shows the particulars recorded in the electromagnetic records in a manner specified by Cabinet Office Ordinance; or

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って総代理店の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding item by the electromagnetic means determined by the General Representative, or to be issued a document detailing such particulars.

（事業の方法書等に定めた事項の変更）

(Modification of Particulars Prescribed in a Statement of Business Procedures, etc.)

第二百二十五条　免許特定法人は、第二百二十条第三項第二号から第四号までに掲げる書類に定めた事項（日本における保険契約者等の保護に欠けるおそれが少ないものとして内閣府令で定める事項を除く。）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 225 (1) A Licensed Specified Juridical Person shall obtain authorization from the Prime Minister when it seeks to modify any of the particulars prescribed in the documents listed in Article 220, paragraph (3), items (ii) to (iv) inclusive (excluding the particulars specified by Cabinet Office Ordinance as posing little risk to the protection of Policyholders, etc. in Japan).

２　免許特定法人は、前項に規定する書類に定めた事項を変更しようとする場合で、同項の内閣府令で定める事項を変更しようとするときは、あらかじめ、当該変更しようとする旨を内閣総理大臣に届け出なければならない。

(2) A Licensed Specified Juridical Person shall, when it seeks to modify any of the particulars that are prescribed in the preceding paragraph and are specified by Cabinet Office Ordinance set forth in that paragraph, notify the Prime Minister to that effect in advance.

３　第百二十四条及び第百二十五条の規定は、第一項の認可及び前項の届出について準用する。この場合において、第百二十四条第一号中「第四条第二項第二号及び第三号」とあるのは「第二百二十条第三項第二号及び第三号」と、同条第二号中「第四条第二項第四号」とあるのは「第二百二十条第三項第四号」と読み替えるものとする。

(3) The provisions of Articles 124 and 125 shall apply mutatis mutandis to the authorization under paragraph (1) and the notification set forth in the preceding paragraph. In this case, the term "Article 4, paragraph (2), items (ii) and (iii)" in Article 124, item (i) shall be deemed to be replaced with "Article 220, paragraph (3), items (ii) and (iii)"; and the term "Article 4, paragraph (2), item (iv)" in Article 124, item (ii) shall be deemed to be replaced with "Article 220, paragraph (3), item (iv)."

（報告又は資料の提出）

(Submission of Reports and Materials)

第二百二十六条　内閣総理大臣は、引受社員の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等の保護を図るため必要があると認めるときは、免許特定法人、引受社員又は総代理店に対し、当該免許特定法人又は引受社員の日本における業務又は財産の状況に関し報告又は資料の提出を求めることができる。

Article 226 (1) If the Prime Minister finds it necessary to protect Policyholders, etc. in Japan by ensuring the sound and appropriate business operation of the Underwriting Members in Japan, he/she may request the Licensed Specified Juridical Person, Underwriting Members or General Representative to submit a report or materials concerning the status of the business or property of the Licensed Specified Juridical Person or its Underwriting Members in Japan.

２　内閣総理大臣は、引受社員の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等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、当該引受社員の属する免許特定法人又は当該引受社員から日本における業務の委託を受けた者（当該引受社員及び総代理店を除く。次項並びに次条第二項及び第三項において「免許特定法人等から業務の委託を受けた者」という。）に対し、当該免許特定法人又は引受社員の日本における業務又は財産の状況に関し参考となるべき報告又は資料の提出を求めることができる。

(2) If and to the extent that the Prime Minister finds it particularly necessary for the protection of Policyholders, etc. in Japan and for ensuring the sound and appropriate business operation of the Underwriting Members in Japan, he/she may request the Licensed Specified Juridical Person to which the Underwriting Members belong or a person the Underwriting Members have entrusted with their business in Japan (other than the Underwriting Members or General Representative; referred to as a "Person That a Licensed Specified Juridical Person, etc. Has Entrusted With Its Business" in the following paragraph, and paragraphs (2) and (3) of the following Article) to submit a report or materials that should serve as a reference concerning the status of the business or property of the Licensed Specified Juridical Person or Underwriting Members in Japan.

３　免許特定法人等から業務の委託を受けた者は、正当な理由があるときは、前項の規定による報告又は資料の提出を拒むことができる。

(3) A Person That a Licensed Specified Juridical Person, etc. Has Entrusted With Its Business may refuse to submit reports or materials required under the preceding paragraph if there are justifiable grounds for it to do so.

（立入検査）

(On-Site Inspections)

第二百二十七条　内閣総理大臣は、引受社員の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等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、総代理店の事務所に立ち入らせ、当該免許特定法人又は引受社員の日本における業務又は財産の状況に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

Article 227 (1) If the Prime Minister finds it necessary for ensuring the sound and appropriate business operation of the Underwriting Members in Japan and for protecting Policyholders, etc. in Japan, he/she may have his/her officials enter the offices of the General Representative, ask questions on the status of the business or property of the Licensed Specified Juridical Person or its Underwriting Members, or inspect relevant items such as books and documents.

２　内閣総理大臣は、前項の規定による立入り、質問又は検査を行う場合において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、免許特定法人等から業務の委託を受けた者の施設に立ち入らせ、その免許特定法人若しくは引受社員に対する質問若しくは検査に必要な事項に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

(2) If and to the extent that the Prime Minister finds it to be particularly necessary in entering a site, asking questions, or conducting an inspection pursuant to the provisions of the preceding paragraph, he/she may have his/her officials enter the office of a Person That the Licensed Specified Juridical Person, etc. Has Entrusted With Its Business, have such officials question the Licensed Specified Juridical Person or its Underwriting Members or ask questions about any particulars that are necessary for their inspection, or have such officials inspect relevant materials such as books and documents.

３　免許特定法人等から業務の委託を受けた者は、正当な理由があるときは、前項の規定による質問及び検査を拒むことができる。

(3) A Person That a Licensed Specified Juridical Person, etc. Has Entrusted With Its Business may refuse the questioning and inspection under the preceding paragraph if there are justifiable grounds for it to do so.

（健全性の基準）

(Standard of Soundness)

第二百二十八条　内閣総理大臣は、免許特定法人に係る次に掲げる額を用いて、引受社員の日本における業務の運営の健全性を判断するための基準として引受社員の保険金等の支払能力の充実の状況が適当であるかどうかの基準を定めることができる。

Article 228 The Prime Minister may use the following amounts with respect to a Licensed Specified Juridical Person and establish whether or not the Underwriting Members have an appropriate level of solvency in terms of their ability to pay Insurance Proceeds, etc. as the standard by which the soundness of the Underwriting Members' business management in Japan is determined:

一　第二百二十三条の供託金その他の内閣府令で定めるものの額の合計額

(i) The sum total of the amounts specified by Cabinet Office Ordinance, such as the deposit under Article 223; and

二　引受社員の日本において引き受けている保険に係る保険事故の発生その他の理由により発生し得る危険であって通常の予測を超えるものに対応する額として内閣府令で定めるところにより計算した額

(ii) An amount calculated pursuant to the provisions of Cabinet Office Ordinance as the amount corresponding to that part of risks which might materialize beyond normal expectations for any reasons pertaining to the insurance underwritten in Japan by the Underwriting members, such as the occurrence of insured events.

（事業の方法書等に定めた事項の変更命令）

(Order to Modify Particulars Prescribed in a Statement of Business Procedures, etc.)

第二百二十九条　内閣総理大臣は、免許特定法人及び引受社員の業務若しくは財産の状況に照らして、又は事情の変更により、引受社員の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等の保護を図るため必要があると認めるときは、当該免許特定法人に対し、その必要の限度において、第二百二十条第三項第二号から第四号までに掲げる書類に定めた事項の変更を命ずることができる。

Article 229 If and to the extent that the Prime Minister finds it necessary for protecting Policyholders, etc. in Japan and for ensuring the sound and appropriate business operation of the Underwriting Members in Japan in light of the status of the business or property of the Licensed Specified Juridical Person and Underwriting Members or any changes in the circumstances, he/she may order the Licensed Specified Juridical Person to modify the particulars prescribed in the documents listed in Article 220, paragraph (3), items (ii) to (iv) inclusive.

（業務の停止等）

(Suspension of Business, etc.)

第二百三十条　内閣総理大臣は、免許特定法人又は引受社員の業務又は財産の状況に照らして、引受社員の日本における業務の健全かつ適切な運営を確保し、日本における保険契約者等の保護を図るため必要があると認めるときは、当該免許特定法人又は引受社員に対し、措置を講ずべき事項及び期限を示して、当該引受社員の日本における業務の運営の健全性を確保するための改善計画の提出を求め、若しくは提出された改善計画の変更を命じ、又はその必要の限度において、期限を付して引受社員の日本における業務の全部若しくは一部の停止を命じ、若しくは財産の供託その他監督上必要な措置を命ずることができる。

Article 230 (1) If the Prime Minister finds it necessary for protecting the Policyholders, etc. in Japan and for ensuring the sound and appropriate business operation of the Underwriting Members in Japan in light of the status of the business or property of the Licensed Specified Juridical Person or Underwriting Members, he/she may request the Licensed Specified Juridical Person or Underwriting Members to submit an improvement program to ensure the soundness of the business operations of the Underwriting Members in Japan by identifying particulars for which measures must be taken as well as a time limit or order the modification of the submitted improvement program, or may, to the extent that he/she finds necessary, order the full or partial suspension of the business in Japan with a time limit or order the deposit of property or other measures necessary for supervision.

２　前項の規定による命令（改善計画の提出を求めることを含む。）であって、引受社員の保険金等の支払能力の充実の状況によって必要があると認めるときにするものは、引受社員の保険金等の支払能力の充実の状況に係る区分に応じ内閣府令・財務省令で定めるものでなければならない。

(2) An order under the preceding paragraph (including the request for submission of an improvement program) that it is found to be necessary to issue due to the Underwriting Members' level of solvency in terms of their ability to pay Insurance Proceeds, etc., must be an order specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance for the category that corresponds to the Underwriting Members' level of solvency in terms of their ability to pay Insurance Proceeds, etc.

（免許の取消し等）

(Rescission of a License, etc.)

第二百三十一条　内閣総理大臣は、免許特定法人又は引受社員が次の各号のいずれかに該当することとなったときは、引受社員の日本における業務の全部若しくは一部の停止若しくは日本における代表者の解任を命じ、又は第二百十九条第一項の免許を取り消すことができる。

Article 231 The Prime Minister may order the full or partial suspension of business in Japan by the Underwriting Members or the dismissal of the Representative Person in Japan, or rescind the license set forth in Article 219, paragraph (1), if a Licensed Specified Juridical Person or its Underwriting Member:

一　法令（外国の法令を含む。）、法令に基づく内閣総理大臣の処分又は第二百二十条第三項第一号から第四号までに掲げる書類に定めた事項のうち特に重要なものに違反したとき。

(i) violates a law or regulation (including foreign law or regulation), any measures of the Prime Minister pursuant to a law or regulation, or any of the particularly important particulars prescribed in the documents listed in Article 220, paragraph (3), items (i) to (iv) inclusive;

二　当該免許に付された条件に違反したとき。

(ii) violates any of the conditions attached to the license; or

三　公益を害する行為をしたとき。

(iii) engages in any conduct that harms public interest.

第二百三十二条　内閣総理大臣は、免許特定法人及び引受社員の財産の状況が著しく悪化し、引受社員が日本における保険業を継続することが日本における保険契約者等の保護の見地から適当でないと認めるときは、当該免許特定法人の第二百十九条第一項の免許を取り消すことができる。

Article 232 If the Prime Minister finds that the status of the property of a Licensed Specified Juridical Person or its Underwriting Members has deteriorated so significantly that it is not appropriate for the Underwriting Members to conduct Insurance Business in Japan from the viewpoint of protecting Policyholders, etc. in Japan, he/she may cancel the license issued to the Licensed Specified Juridical Person under Article 219, paragraph (1).

（総代理店の廃止の認可）

(Authorization of Abolition of a General Representative)

第二百三十三条　免許特定法人は、総代理店を廃止しようとする場合には、内閣総理大臣の認可を受けなければならない。

Article 233 A Licensed Specified Juridical Person shall, when it seeks to abolish its General Representative, obtain authorization from the Prime Minister.

（免許特定法人の届出）

(Notification by Licensed Specified Juridical Person)

第二百三十四条　免許特定法人は、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、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。

Article 234 If a Licensed Specified Juridical Person falls under any of the following items, it shall notify the Prime Minister of this without delay:

一　当該免許特定法人の引受社員が日本における保険業を開始したとき。

(i) its Underwriting Members have started their Insurance Business in Japan;

二　第二百二十条第一項第一号、第二号、第三号若しくは第五号に掲げる事項又は同条第三項第一号に掲げる書類に定めた事項を変更したとき。

(ii) it has modified any of the particulars listed in Article 220, paragraph (1), item (i), (ii), (iii) or (v), or any of the particulars provided for in the document listed in Article 220, paragraph (3), item (i);

三　当該免許特定法人が組織変更をしたとき。

(iii) it has carried out an Entity Conversion;

四　当該免許特定法人が事業の全部の譲渡をしたとき。

(iv) it has assigned the whole of its business;

五　当該免許特定法人が解散（合併によるものを除く。）をしたとき。

(v) it has dissolved (for any other reason than a merger);

六　当該免許特定法人について破産手続開始の決定があったとき。

(vi) it has been subject to a ruling for the commencement of bankruptcy proceedings;

七　日本において保険業を行う引受社員について破産手続開始の決定があったとき。

(vii) its Underwriting Member conducting Insurance Business in Japan has been subject to a ruling for the commencement of bankruptcy proceedings; or

八　その他内閣府令で定める場合に該当するとき。

(viii) When it falls under any other case specified by Cabinet Office Ordinance.

（免許特定法人及び引受社員の清算）

(Liquidation of Licensed Specified Juridical Person and Underwriting Members)

第二百三十五条　免許特定法人及び引受社員は、次の各号のいずれかに該当するときは、日本に所在する財産の全部について清算をしなければならない。

Article 235 (1) A Licensed Specified Juridical Person and its Underwriting Members shall, when it falls under any of the following items, liquidate the whole of their property in Japan when:

一　当該免許特定法人に係る第二百十九条第一項の免許が第二百三十一条又は第二百三十二条の規定により取り消されたとき。

(i) the license issued to the Licensed Specified Juridical Person under Article 219, paragraph (1) has been canceled pursuant to the provisions of Article 231 or 232; or

二　当該免許特定法人に係る第二百十九条第一項の免許が次条の規定によりその効力を失ったとき。

(ii) the license issued to the Licensed Specified Juridical Person under Article 219, paragraph (1) has lost its effect pursuant to the provisions of the following Article.

２　前項の規定により免許特定法人及び引受社員が清算をする場合には、内閣総理大臣は、利害関係人の請求により又は職権で、清算人を選任する。当該清算人を解任する場合についても、同様とする。

(2) The Prime Minister shall appoint (a) liquidator(s) at the request of interested persons or without any party's request, where a Licensed Specified Juridical Person and its Underwriting Members go into liquidation pursuant to the provisions of the preceding paragraph. The same shall apply to the dismissal of such liquidator(s).

３　内閣総理大臣は、前項の規定により清算人を解任する場合においては、当該清算に係る免許特定法人及び引受社員の日本における主たる店舗の所在地の登記所にその旨の登記を嘱託しなければならない。

(3) The Prime Minister shall, where he/she dismisses a liquidator pursuant to the provisions of the preceding paragraph, commission a registration to that effect to the registry office with jurisdiction over the principal branch of the liquidating Licensed Specified Juridical Person and its Underwriting Members in Japan.

４　第百七十八条の規定により読み替えて適用する会社法第五百条（債務の弁済の制限）の規定並びに同法第四百七十六条（清算株式会社の能力）、第二編第九章第一節第二款（清算株式会社の機関）、第四百九十二条（財産目録等の作成等）、同節第四款（第五百条を除く。）（債務の弁済等）、第五百八条（帳簿資料の保存）、同章第二節（第五百十条、第五百十一条及び第五百十四条を除く。）（特別清算）、第七編第三章第一節（総則）及び第三節（特別清算の手続に関する特則）並びに第九百三十八条第一項から第五項まで（特別清算に関する裁判による登記の嘱託）の規定は、その性質上許されないものを除き、第一項の規定による免許特定法人及び引受社員の財産についての清算について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of Article 500 (Restrictions on Performance of Obligations) of the Companies Act as applied with relevant changes in interpretation pursuant to the provisions of Article 178, and the provisions of Article 476 (Capacity of Liquidating Stock Companies), Part II, Chapter IX, Section 1, Subsection 2 (Structures for Liquidating Stock Companies), Article 492 (Preparation of Inventory of Property), Part II, Chapter IX, Section 1, Subsection 4 (excluding Article 500) (Performance of Obligations), Article 508 (Retention of Accounting Materials), Part II, Chapter IX, Section 2 (excluding Articles 510, 511 and 514) (Special Liquidations), Part VII, Chapter III, Sections 1 (General Provisions) and 3 (Special Provisions on the Procedures of Special Liquidation) and Article 938, paragraphs (1) to (5) inclusive (Commissioning of Registration by a Juridical Decision Concerning Special Liquidation) of that Act shall apply mutatis mutandis to the liquidation of the property of a Licensed Specified Juridical Person and its Underwriting Members under paragraph (1), unless their specific characters forbid such application. In this case, any other necessary technical change in interpretation shall be specified by Cabinet Order.

５　第百七十七条の規定は第一項の規定による免許特定法人及び引受社員の清算の場合について、第百七十五条及び第百七十九条第一項の規定は第一項の規定による免許特定法人及び引受社員の清算の場合（前項において準用する会社法第二編第九章第二節（第五百十条、第五百十一条及び第五百十四条を除く。）、第七編第三章第一節及び第三節並びに第九百三十八条第一項から第五項までの規定の適用がある場合を除く。以下この項において同じ。）について、第二百二十六条第一項及び第二百二十七条第一項の規定は第一項の規定による免許特定法人及び引受社員の清算の場合において内閣総理大臣が清算に係る免許特定法人及び引受社員の清算の監督上必要があると認めるときについて、それぞれ準用する。この場合において、第百七十七条第二項中「解散の日」とあるのは「当該免許特定法人に係る第二百十九条第一項の免許が取り消され、又はその効力を失った日」と、同条第三項中「清算保険会社等」とあるのは「清算に係る引受社員」と、第百七十五条中「前条第一項、第四項又は第九項」とあるのは「第二百三十五条第二項」と、「清算保険会社等」とあるのは「当該清算に係る免許特定法人及び引受社員」と、第百七十九条第一項中「清算保険会社等」とあるのは「清算に係る免許特定法人及び引受社員」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) The provisions of Article 177 shall apply mutatis mutandis to the liquidation of a Licensed Specified Juridical Person and its Underwriting Members under paragraph (1); the provisions of Article 175 and Article 179, paragraph (1) shall apply mutatis mutandis to the liquidation of a Licensed Specified Juridical Person and its Underwriting Members under paragraph (1) (excluding the cases to which apply the provisions of Part II, Chapter IX, Section 2 (excluding Articles 510, 511 and 514), Part VII, Chapter III, Sections 1 and 3, and Article 938, paragraphs (1) to (5) inclusive of the Companies Act as applied mutatis mutandis pursuant to the preceding paragraph; hereinafter the same shall apply in this paragraph); and the provisions of Article 226, paragraph (1) and Article 227, paragraph (1) shall apply mutatis mutandis to the liquidation of a Licensed Specified Juridical Person and its Underwriting Members under paragraph (1) where the Prime Minister finds it necessary for supervising the liquidation of the liquidating Licensed Specified Juridical Person and its Underwriting Members. In this case, the term "date of dissolution" in Article 177, paragraph (2) shall be deemed to be replaced with "date of cancellation or expiration of the license issued to the Licensed Specified Juridical Person under Article 219, paragraph (1)"; the term "Insurance Company in Liquidation, etc." in Article 177, paragraph (3) shall be deemed to be replaced with "liquidating Underwriting Members"; the terms "paragraph (1), (4) or (9) of the preceding Article" and "Insurance Company in Liquidation, etc." in Article 175 shall be deemed to be replaced with "Article 235, paragraph (2)" and "liquidating Licensed Specified Juridical Person and its Underwriting Members," respectively; and the term "Insurance Company in Liquidation, etc." in Article 179, paragraph (1) shall be deemed to be replaced with "liquidating Licensed Specified Juridical Person and its Underwriting Members"; any other necessary technical change in interpretation shall be specified by Cabinet Order.

（免許の失効）

(Expiration of License)

第二百三十六条　免許特定法人が次の各号のいずれかに該当するときは、当該免許特定法人の第二百十九条第一項の内閣総理大臣の免許は、その効力を失う。

Article 236 (1) The license from the Prime Minister to a Licensed Specified Juridical Person set forth in Article 219, paragraph (1) shall, when it falls under any of the following items, lose its effect when:

一　日本における保険業をすべての引受社員が廃止したとき。

(i) all of its Underwriting Members have abolished their Insurance Business in Japan; or

二　当該免許を受けた日から六月を経過しても日本における保険業を開始した引受社員がないとき（やむを得ない理由がある場合において、あらかじめ、免許特定法人が内閣総理大臣の承認を受けたときを除く。）。

(ii) no Underwriting Members start their Insurance Business in Japan within six months from the date of obtaining such license (excluding the cases where the Licensed Specified Juridical Person has received in advance the authorization of the Prime Minister for any compelling reason).

２　第二百三十四条第四号から第六号までのいずれかに該当して同条の規定による届出があったときは、当該届出をした免許特定法人に係る第二百十九条第一項の内閣総理大臣の免許は、その効力を失う。

(2) Where any of Article 234, items (iv) to (vi) inclusive applies and the notification under Article 234 has been made, the license from the Prime Minister to the Licensed Specified Juridical Person that has made such notification shall lose its effect.

（内閣総理大臣の告示）

(Public Notice by Prime Minister)

第二百三十七条　次に掲げる場合には、内閣総理大臣は、その旨を官報で告示するものとする。

Article 237 In the following cases, the Prime Minister shall give public notice to the relevant effect in the Official Gazette:

一　第二百三十条第一項若しくは第二百三十一条の規定又は第二百四十条の規定により適用する第二百四十一条第一項の規定により引受社員の日本における業務の全部又は一部の停止を命じたとき。

(i) When he/she orders suspension of the whole or part of Underwriting Members' business in Japan under Article 230, paragraph (1) or Article 231, or under Article 240, paragraph (1) as applied pursuant to the provisions of Article 240;

二　第二百三十一条又は第二百三十二条の規定により第二百十九条第一項の免許を取り消したとき。

(ii) When he/she rescinds the license set forth in Article 219, paragraph (1) canceled pursuant to the provisions of Article 231 or 232;

三　第二百四十条の規定により適用する第二百四十一条第一項の規定による保険管理人による業務及び財産の管理を命ずる処分又は第二百四十条の規定により適用する第二百五十八条第一項の規定による命令をしたとき。

(iii) any measures ordering the administration of business and property by an insurance administrator under Article 241, paragraph (1) as applied pursuant to the provisions of Article 240, or any order under Article 258, paragraph (1) as applied pursuant to the provisions of Article 240; and

四　前条の規定により第二百十九条第一項の免許がその効力を失ったとき。

(iv) When the license granted under Article 219, paragraph (1) loses its effect pursuant to the provisions of the preceding Article.

（公告）

(Public Notice)

第二百三十八条　免許特定法人又は引受社員がこの法律の規定により行う公告は、時事に関する事項を掲載する日刊新聞紙に掲載しなければならない。

Article 238 Any public notice given by a Licensed Specified Juridical Person or its Underwriting Members pursuant to the provisions of this Act shall be published in a daily newspaper that publishes the particulars of current events.

（総代理店の届出等）

(Notification by General Representative, etc.)

第二百三十九条　第二百十九条第一項の免許を受けようとする特定法人及び当該特定法人の引受社員に係る総代理店になろうとする者は、当該免許の申請時までに、その旨、業務の内容、引受社員の日本に所在する財産の管理の方法その他の内閣府令で定める事項を内閣総理大臣に届け出なければならない。届け出た事項に変更があったときも、同様とする。

Article 239 A person who seeks to act as General Representative for a Specified Juridical Person that seeks to obtain the license set forth in Article 219, paragraph (1) or the Underwriting Members of the Specified Juridical Person shall, by the time of application for such license, shall notify the Prime Minister of the particulars specified by Cabinet Office Ordinance, such as the relevant fact, the contents of its business and the method of managing the property of the Underwriting Members in Japan. The same shall apply to any change in a particular with regard to which notification has been given.

（この法律の適用関係等）

(Application of this Act, etc.)

第二百四十条　特定法人が第二百十九条第一項の免許を受けた場合におけるこの法律の適用については、次に定めるところによる。

Article 240 (1) This Act shall apply as follows where a Specified Juridical Person has obtained the license set forth in Article 219, paragraph (1):

一　第百八十五条第六項、第百八十六条第三項、第百九十一条、第百九十七条、第百九十九条において準用する第九十七条、第九十七条の二第一項及び第二項、第九十八条から第百条の二まで、第百十二条並びに第百十四条から第百二十二条まで、第二百十条、第二編第十章（第二百六十二条、第二百六十五条の二、第二百六十五条の三、第二百六十五条の六及び第二百六十五条の四十二を除く。）、第三編並びに第五編の規定（これらの規定に係る罰則を含む。）の適用については、免許特定法人の引受社員を外国保険会社等又は第二百十九条第二項の免許の種類に応じ外国生命保険会社等若しくは外国損害保険会社等とみなす。この場合において、第百九十七条中「第百九十条」とあるのは「第二百二十三条」と、第百九十九条において準用する第九十七条第一項中「第百八十五条第二項」とあるのは「第二百十九条第二項」と、第百九十九条において準用する第九十九条第八項中「第二百五条若しくは第二百六条の規定により同法第百八十五条第一項の免許が取り消された場合若しくは同法第二百七十三条の規定により同法第百八十五条第一項」とあるのは「第二百三十一条若しくは第二百三十二条の規定により同法第二百十九条第一項の免許が取り消された場合若しくは同法第二百三十六条の規定により同法第二百十九条第一項」と、「第二百五条又は第二百六条の規定により同法第百八十五条第一項」とあるのは「第二百三十一条又は第二百三十二条の規定により同法第二百十九条第一項」とする。

(i) For the purpose of applying the provisions of Article 185, paragraph (6); Article 186, paragraph (3); Article 191; Article 197; Article 97, Article 97-2, paragraphs (1) and (2), Article 98 to 100-2 inclusive, Article 112, and Article 114 to 122 inclusive as applied mutatis mutandis pursuant to Article 199; Article 210; Part II, Chapter X (excluding Articles 262, 265-2, 265-3, 265-6 and 265-42); Part III; and Part V (including the penal provisions pertaining thereto), the Underwriting Members of a Licensed Specified Juridical Person shall be deemed to be a Foreign Insurance Company, etc., or a Foreign Life Insurance Company, etc. or Foreign Non-Life Insurance Company, etc. in accordance with the type of license issued under Article 219, paragraph (2). In this case, the term "Article 190" in Article 197 shall be deemed to be replaced with "Article 223"; the term "Article 185, paragraph (2)" in Article 97, paragraph (1) as applied mutatis mutandis pursuant to Article 199 shall be deemed to be replaced with "Article 219, paragraph (2)"; and the terms "In the case where the license of Article 185, paragraph (1) of the Insurance Business Act is canceled pursuant to the provisions of Article 205 or 206 of that Act, or in the case where the license of Article 185, paragraph (1) of that Act loses its effect pursuant to the provisions of Article 273 of that Act" and "Article 185, paragraph (1) of the Insurance Business Act pursuant to the provisions of Article 205 or 206 of that Act" in Article 99, paragraph (8) as applied mutatis mutandis pursuant to Article 199 shall be deemed to be replaced with "In the case where the license of Article 219, paragraph (1) of the Insurance Business Act is canceled pursuant to the provisions of Article 231 or 232 of that Act, or in the case where the license of Article 219, paragraph (1) of that Act loses its effect pursuant to the provisions of Article 236 of that Act" and "Article 219, paragraph (1) of the Insurance Business Act pursuant to the provisions of Article 231 or 232 of that Act," respectively.

二　第百九十九条において準用する第百一条から第百五条までの規定（これらの規定に係る罰則を含む。）の適用については、特定損害保険業免許を受けた特定法人の日本において保険業を行う引受社員を外国損害保険会社等とみなす。

(ii) For the purpose of applying the provisions of Article 101 to 105 inclusive (including the penal provisions pertaining thereto) as applied mutatis mutandis pursuant to Article 199, those Underwriting Members of a Specified Juridical Person with the specified non-life insurance business license who conduct Insurance Business in Japan shall be deemed to be a Foreign Non-Life Insurance Company, etc.

三　第百九十五条、第百九十九条において準用する第七条の二、第百十条第一項及び第三項並びに第百十一条第一項及び第三項から第六項まで、第二百六十二条、第二百六十五条の二、第二百六十五条の三、第二百六十五条の六並びに第二百六十五条の四十二の規定（これらの規定に係る罰則を含む。）の適用については、免許特定法人を外国保険会社等とみなす。この場合において、第百九十五条中「財産目録、貸借対照表」とあるのは「当該免許特定法人及び引受社員の貸借対照表」と、第百九十九条において準用する第百十条第一項中「日本における業務」とあるのは「免許特定法人及び引受社員の日本における業務」と、第百九十九条において準用する第百十一条第一項中「日本における業務」とあるのは「免許特定法人及び引受社員の日本における業務」と、同項及び同条第四項中「外国保険会社等の日本における支店その他これに準ずる場所として内閣府令で定める場所」とあるのは「第二百十九条第一項に規定する総代理店の本店及び支店その他これに準ずる場所として内閣府令で定める場所」と、同条第六項中「当該外国保険会社等の日本における業務」とあるのは「当該免許特定法人及び引受社員の日本における業務」とする。

(iii) For the purpose of applying the provisions of Article 195; Article 7-2, Article 110, paragraphs (1) and (3), and Article 111, paragraph (1) and paragraphs (3) to (6) inclusive as applied mutatis mutandis pursuant to Article 199; Article 262; Article 265-2; Article 265-3; Article 265-6; and Article 265-42 (including the penal provisions pertaining thereto), a Licensed Specified Juridical Person shall be deemed to be a Foreign Insurance Company, etc. In this case, the term "inventory of property, balance sheet" in Article 195 shall be deemed to be replaced with "balance sheet of the Licensed Specified Juridical Person and its Underwriting Members"; the term "its business and property in Japan" in Article 110, paragraph (1) as applied mutatis mutandis pursuant to Article 199 shall be deemed to be replaced with "the business and property of the Licensed Specified Juridical Person and its Underwriting Members in Japan"; the term "its business and property in Japan" in Article 111, paragraph (1) as applied mutatis mutandis pursuant to Article 119 shall be deemed to be replaced with "the business and property of the Licensed Specified Juridical Person and its Underwriting Members in Japan"; the term "the branch office of the Foreign Insurance Company, etc. in Japan or any other equivalent place specified by Cabinet Office Ordinance" in Article 111, paragraphs (1) and (4) as applied mutatis mutandis pursuant to Article 119 shall be deemed to be replaced with "the head office and branch offices of the General Representative set forth in Article 219, paragraph (1) or any other equivalent place specified by Cabinet Office Ordinance"; and the term "business and property of the Foreign Insurance Company, etc. in Japan" in Article 111, paragraph (6) as applied mutatis mutandis pursuant to Article 119 shall be deemed to be replaced with "business and property of the Licensed Specified Juridical Person and its Underwriting Members in Japan."

三の二　第百九十九条において準用する第百五条の二の規定の適用については、特定生命保険業免許を受けた特定法人を外国生命保険会社等とみなす。この場合において、第百九十九条において準用する第百五条の二第一項各号並びに同条第二項及び第三項第二号中「指定外国生命保険業務紛争解決機関」とあるのは「指定特定生命保険業務紛争解決機関」と、同条第一項各号中「外国生命保険業務」とあるのは「特定生命保険業務」とする。

(iii)-2 For the purpose of applying the provisions of Article 105-2 as applied mutatis mutandis pursuant to Article 199, a Specified Juridical Person which has obtained a specified life insurance business license shall be deemed to be a Foreign Life Insurance Company, etc. In this case, the term "Designated Dispute Resolution Organization for Foreign Life Insurance Services" in the items of paragraph (1) of Article 105-2, paragraph (2) of that Article and item (ii) of paragraph (3) of that Article as applied mutatis mutandis pursuant to Article 199 shall be deemed to be replaced with "Designated Dispute Resolution Organization for Specified Life Insurance Services"; and the term "Foreign Life Insurance Services" in the items of paragraph (1) of that Article shall be deemed to be replaced with "Specified Life Insurance Services."

三の三　第百九十九条において準用する第百五条の三の規定の適用については、特定損害保険業免許を受けた特定法人を外国損害保険会社等とみなす。この場合において、第百九十九条において準用する第百五条の三第一項各号並びに同条第二項及び第三項第二号中「指定外国損害保険業務紛争解決機関」とあるのは「指定特定損害保険業務紛争解決機関」と、同条第一項各号中「外国損害保険業務」とあるのは「特定損害保険業務」とする。

(iii)-3 For the purpose of applying the provisions of Article 105-3 as applied mutatis mutandis pursuant to Article 199, a Specified Juridical Person which has obtained a specified non-life insurance business license shall be deemed to be a Foreign Non-Life Insurance Company, etc. In this case, the term "Designated Dispute Resolution Organization for Foreign Non-Life Insurance Services" in the items of paragraph (1) of Article 105-3, paragraph (2) of that Article and item (ii) of paragraph (3) of that Article as applied mutatis mutandis pursuant to Article 199 shall be deemed to be replaced with "Designated Dispute Resolution Organization for Specified Non-Life Insurance Services"; and the term "Foreign Non-Life Insurance Services" in the items of paragraph (1) of that Article shall be deemed to be replaced with "Specified Non-Life Insurance Services."

四　第百九十二条及び第百九十六条の規定（これらの規定に係る罰則を含む。）の適用については、日本における代表者を外国保険会社等の日本における代表者とみなす。この場合において、同条第五項中「外国保険会社等の保険契約者」とあるのは「引受社員の保険契約者」と、「外国保険会社等の業務」とあるのは「総代理店の業務」と、「当該外国保険会社等」とあるのは「当該総代理店」とする。

(iv) For the purpose of applying the provisions of Articles 192 and 196 (including the penal provisions pertaining thereto), a Representative Person in Japan shall be deemed to be the representative person of a Foreign Insurance Company, etc. in Japan. In this case, the terms "Policyholders, beneficiaries of insurance benefits, other creditors and insurers of a Foreign Insurance Company, etc.," "Foreign Insurance Company, etc. should be doing business" and "determined by the Foreign Insurance Company, etc." in Article 196, paragraph (5) shall be deemed to be replaced with "Policyholders, beneficiaries of insurance benefits, other creditors and insurers of Underwriting Members," "General Representative should be doing business" and "determined by the General Representative," respectively.

五　第百九十九条において準用する第百九条並びに第二百十一条において準用する第百四十二条及び第七章第三節の規定（これらの規定に係る罰則を含む。）の適用については、免許特定法人及び引受社員を外国保険会社等とみなす。

(v) For the purpose of applying the provisions of Article 109 as applied mutatis mutandis pursuant to Article 199, and Article 142 and Chapter VII, Section 3 as applied mutatis mutandis pursuant to Article 211 (including the penal provisions pertaining thereto), a Licensed Specified Juridical Person and its Underwriting Members shall be deemed to be a Foreign Insurance Company, etc.

六　第二百十八条の規定は、免許特定法人の引受社員については、適用しない。

(vi) The provisions of Article 218 shall not apply to the Underwriting Members of a Licensed Specified Juridical Person.

２　原子力損害の賠償に関する法律（昭和三十六年法律第百四十七号）その他の政令で定める法令の適用については、政令で定めるところにより、免許特定法人の引受社員を外国保険会社等又は第二百十九条第二項の免許の種類に応じ外国生命保険会社等若しくは外国損害保険会社等とみなす。

(2) For the purpose of applying the laws and regulations specified by Cabinet Order, such as the Act on Compensation for Nuclear Damage (Act No. 147 of 1961), the Underwriting Members of a Licensed Specified Juridical Person shall be deemed, pursuant to the provisions of Cabinet Order, as a Foreign Insurance Company, etc., or a Foreign Life Insurance Company, etc. or Foreign Non-Life Insurance Company, etc. in accordance with the type of license issued under Article 219, paragraph (2).

第十章　保険契約者等の保護のための特別の措置等

Chapter X Special Measures, etc. for Protection of Policyholders, etc.

第一節　契約条件の変更

Section 1 Modification of Contract Conditions

（契約条件の変更の申出）

(Reporting of Modification of Contract Conditions)

第二百四十条の二　保険会社（外国保険会社等を含む。第二百四十条の五及び第二百四十条の六を除き、以下この節において同じ。）は、その業務又は財産の状況に照らしてその保険業（外国保険会社等にあっては、日本における保険業。以下この条、第二百四十条の十一、第二百四十一条及び第二百六十二条において同じ。）の継続が困難となる蓋然性がある場合には、内閣総理大臣に対し、当該保険会社に係る保険契約（変更対象外契約を除く。）について保険金額の削減その他の契約条項の変更（以下この節において「契約条件の変更」という。）を行う旨の申出をすることができる。

Article 240-2 (1) An Insurance Company (including a Foreign Insurance Company, etc.; hereinafter the same shall apply in this Section, excluding Article 240-5 and Article 240-6) may report to the Prime Minister to the effect that it will modify the clause of its contract (hereinafter referred to as a "Modification of Contract Conditions" in this Section), such as a reduction in the insurance proceeds and other modifications to contract clauses with regard to insurance contracts pertaining to that Insurance Company (excluding Contracts Exempt from Modification) in the case that there is a probability that the continuation of that Insurance Company's Insurance Business (In the case of Foreign Insurance Companies, etc., Insurance Business in Japan. Hereinafter the same shall apply in this Article, Article 240-11, Article 241 and Article 262) will be difficult in the light of the state of its business or property.

２　保険会社は、前項の申出をする場合には、契約条件の変更を行わなければ保険業の継続が困難となる蓋然性があり、保険契約者等（外国保険会社等の場合にあっては、日本における保険契約者等。以下この章において同じ。）の保護のため契約条件の変更がやむを得ない旨及びその理由を、文書をもって、示さなければならない。

(2) In the case that an Insurance Company reports as set forth in the preceding paragraph, that Insurance Company shall show that there is a probability that the continuation of its Insurance Business will be difficult unless it makes a Modification of Contract Conditions, and that a Modification of Contract Conditions is inevitable for the protection of Insurance Policyholders, etc. (in the case of Foreign Insurance Companies, etc., Policyholders, etc. in Japan. Hereinafter the same shall apply in this Chapter), and the reason in writing.

３　内閣総理大臣は、第一項の申出に理由があると認めるときは、その申出を承認するものとする。

(3) If the Prime Minister finds there to be grounds in the report set forth in paragraph (1), he/she shall approve the report.

４　第一項に規定する「変更対象外契約」とは、契約条件の変更の基準となる日において既に保険事故が発生している保険契約（当該保険事故に係る保険金の支払により消滅することとなるものに限る。）その他の政令で定める保険契約をいう。

(4) The term "Contracts Exempt from Modification," as prescribed in paragraph (1), refers to the insurance contracts specified by Cabinet Order, such as those for which an insured event has already occurred by the date of reference of the Modification of Contract Conditions (limited to those contracts which would be terminated with the payment of the insurance proceeds pertaining to the insured event).

（業務の停止等）

(Suspension of Business, etc.)

第二百四十条の三　内閣総理大臣は、前条第三項の承認をした場合において、保険契約者等の保護のため必要があると認めるときは、当該保険会社に対し、期限を付して当該保険会社の保険契約の解約に係る業務の停止その他必要な措置を命ずることができる。

Article 240-3 If the Prime Minister finds it necessary for the protection of Insurance Policyholders, etc., in cases approved in paragraph (3) of the preceding Article, he/she may order that Insurance Company to suspend its business pertaining to the cancellation of said Insurance Company's insurance contracts and other necessary measures with a time limit.

（契約条件の変更の限度）

(Limitations on Modification of Contract Conditions)

第二百四十条の四　契約条件の変更は、契約条件の変更の基準となる日までに積み立てるべき責任準備金に対応する保険契約に係る権利に影響を及ぼすものであってはならない。

Article 240-4 (1) A Modification of Contract Conditions shall not affect the rights pertaining to an insurance contract corresponding to the policy reserves that must be accumulated by the date of reference of said Modification of Contract Conditions.

２　契約条件の変更によって変更される保険金、返戻金その他の給付金の計算の基礎となる予定利率については、保険契約者等の保護の見地から保険会社の資産の運用の状況その他の事情を勘案して政令で定める率を下回ってはならない。

(2) Concerning the assumed interest rate that is to become the basis of calculation for the payments that are modified by the Modification of Contract Conditions, such as insurance proceeds and refunds, from the standpoint of the protection of Insurance Policyholders, etc., the assumed interest rate shall not be less than the rate specified by Cabinet Order, taking into account the Insurance Company's property operating situation and other circumstances.

（契約条件の変更の決議）

(Resolution of Modification of Contract Conditions)

第二百四十条の五　保険会社は、契約条件の変更を行おうとするときは、第二百四十条の二第三項の承認を得た後、契約条件の変更につき、株主総会等の決議を経なければならない。

Article 240-5 (1) An Insurance Company, when it seeks to carry out a Modification of Contract Conditions, shall obtain approval as set forth in Article 240-2, paragraph (3), and after that, a resolution mandating the Modification of Contract Conditions shall be passed by the Shareholders' Meeting, etc. of the Insurance Company.

２　前項の場合には、会社法第三百九条第二項（株主総会の決議）の決議又は第六十二条第二項の決議によらなければならない。

(2) Cases described in the preceding paragraph shall be resolved as set forth in Article 309, paragraph (2) (Resolutions of a Shareholders' Meeting) or under Article 62, paragraph (2) of the Companies Act.

３　第一項の決議を行う場合には、保険会社は、会社法第二百九十九条第一項（株主総会の招集の通知）（第四十一条第一項及び第四十九条第一項において準用する場合を含む。）の規定による通知において、契約条件の変更がやむを得ない理由、契約条件の変更の内容、契約条件の変更後の業務及び財産の状況の予測、基金及び保険契約者等以外の債権者に対する債務の取扱いに関する事項、経営責任に関する事項その他の内閣府令で定める事項を示さなければならない。

(3) An Insurance Company, in cases where a resolution is carried out as set forth in paragraph (1), shall, in a notice pursuant to the provisions of Article 299, paragraph (1) of the Companies Act (Notices of Convocation for Shareholders' Meetings) (including the cases where it is applied mutatis mutandis pursuant to Article 41, paragraph (1) and Article 49, paragraph (1)), show the particulars specified by Cabinet Office Ordinance, such as the reason why the Modification of Contract Conditions is inevitable, the details of the Modification of Contract Conditions, a forecast of the business and property situation after the Modification of Contract Conditions is effected, the particulars of funding and the handling of debts against creditors apart from Insurance Policyholders, etc. and the particulars of management responsibility.

４　第一項の決議を行う場合において、契約条件の変更に係る保険契約に関する契約者配当、剰余金の分配その他の金銭の支払に関する方針があるときは、前項の通知において、その内容を示さなければならない。

(4) In cases where a resolution is carried out as set forth in paragraph (1), where there is a policy on monetary payments concerning the insurance contracts pertaining to the Modification of Contract Conditions, such as policy dividend and the distribution of the surplus, the Insurance Company shall show the details in the notice set forth in the preceding paragraph.

５　前項の方針については、その方針を定款に記載し、又は記録しなければならない。

(5) Concerning the policy set forth in the preceding paragraph, the Insurance Company shall describe or record the policy in its articles of incorporation.

（契約条件の変更における株主総会等の特別決議等に関する特例）

(Special Provisions concerning Extraordinary Resolutions, etc. of Shareholders' Meeting, etc., pertaining to Modification of Contract Conditions)

第二百四十条の六　株式会社である保険会社における前条第一項の決議又はこれとともにする会社法第三百九条第二項第四号、第五号、第九号、第十一号若しくは第十二号（株主総会の決議）若しくは第三百二十四条第二項第一号若しくは第四号（種類株主総会の決議）に掲げる株主総会若しくは種類株主総会の決議若しくは第六十九条第二項、第百三十六条第二項、第百四十四条第三項、第百六十五条の三第二項若しくは第百六十五条の十第二項の規定による決議は、これらの規定にかかわらず、出席した株主の議決権の三分の二以上に当たる多数をもって、仮にすることができる。

Article 240-6 (1) Resolutions set forth in paragraph (1) of the preceding Article of an Insurance Company that is a Stock Company, or resolutions listed in Article 309, paragraph (2), item (iv), (v), (ix), (xi), or (xii) of the Companies Act (Resolution of Shareholders' Meetings), or listed in Article 324, paragraph (2), item (i) or (iv) of that Act (Resolution of Class Meetings), or resolutions pursuant to the provisions of Article 69, paragraph (2), Article 136, paragraph (2), Article 144, paragraph (3), Article 165-3, paragraph (2), or Article 165-10, paragraph (2) of that Act that are to be decided together with said resolutions, may be made provisionally with the two-thirds majority vote of the attending shareholders, notwithstanding these provisions.

２　株式会社である保険会社における前条第一項の決議とともにする会社法第三百九条第三項各号若しくは第三百二十四条第三項各号に掲げる株主総会若しくは種類株主総会の決議又は同法第三百二十三条（種類株主総会の決議を必要とする旨の定めがある場合）の規定若しくは第百六十五条の三第四項若しくは第六項若しくは第百六十五条の十第六項の規定による決議は、これらの規定にかかわらず、出席した株主の過半数であって出席した株主の議決権の三分の二以上に当たる多数をもって、仮にすることができる。

(2) Resolutions of a Shareholders' Meeting or a class meeting listed in the items of Article 309, paragraph (3) or in Article 324, paragraph (3), items (i) and (ii) of the Companies Act, or resolutions pursuant to the provisions of Article 323 of that Act (in the case that the provisions require a resolution of a class meeting), or in Article 165-3, paragraph (4) and Article 165-3, paragraph (6), or Article 165-10, paragraph (6) of that Act that are to be decided together with resolutions as set forth in paragraph (1) of the preceding Article of an Insurance Company that is a Stock Company may be made provisionally with the two-thirds majority vote of the attending shareholders at a session where the majority of the shareholders are present, notwithstanding these provisions.

３　相互会社である保険会社における前条第一項の決議又はこれとともにする第五十七条第二項、第六十条第二項、第六十二条第二項、第六十二条の二第二項、第八十六条第二項、第百三十六条第二項、第百四十四条第三項、第百五十六条又は第百六十五条の十六第二項（第百六十五条の二十において準用する場合を含む。）の規定による決議は、これらの規定にかかわらず、出席した社員（総代会を設けているときは、総代）の議決権の四分の三以上に当たる多数をもって、仮にすることができる。

(3) Resolutions as set forth in paragraph (1) of the preceding Article of an Insurance Company that is a Mutual Company, or resolutions pursuant to the provisions of Article 57, paragraph (2), Article 60, paragraph (2), Article 62, paragraph (2), Article 62-2, paragraph (2), Article 86, paragraph (2), Article 136, paragraph (2), Article 144, paragraph (3), Article 156, or Article 165-16, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20) that are to be decided together with said resolutions may be made provisionally with the three-quarter majority vote of the attending members (or, where the company has a General Representative Members' Council, attending representative members).

４　第一項の規定により仮にした決議（以下この条において「仮決議」という。）があった場合においては、各株主に対し、当該仮決議の趣旨を通知し、当該仮決議の日から一月以内に再度の株主総会を招集しなければならない。

(4) In the case that a resolution is made provisionally pursuant to the provisions of paragraph (1) (hereinafter referred to as "Provisional Resolution" in this Article), the Insurance Company shall notify the purpose of said Provisional Resolution to its shareholders and shall call a subsequent Shareholders' Meeting within one month of the date of adoption of the Provisional Resolution.

５　前項の株主総会において第一項に規定する多数をもって仮決議を承認した場合には、当該承認のあった時に、当該仮決議をした事項に係る決議があったものとみなす。

(5) In the case where a Provisional Resolution is approved by majority as prescribed in paragraph (1) at the Shareholders' Meeting set forth in the preceding paragraph, a resolution on the particulars of said Provisional Resolution shall be deemed to have existed when said approval was given.

６　前二項の規定は、第二項の規定により仮にした決議があった場合について準用する。この場合において、前項中「第一項」とあるのは、「第二項」と読み替えるものとする。

(6) The provisions of the preceding two paragraphs shall apply mutatis mutandis to cases where a resolution is made provisionally pursuant to the provisions of paragraph (2). In these cases, the term "paragraph (1)" in the preceding paragraph shall be deemed to be replaced with the term "paragraph (2)."

７　第四項及び第五項の規定は、第三項の規定により仮にした決議があった場合について準用する。この場合において、第四項中「各株主」とあるのは「各社員（総代会を設けているときは、各総代）」と、同項及び第五項中「株主総会」とあるのは「社員総会（総代会を設けているときは、総代会）」と、同項中「第一項」とあるのは「第三項」と読み替えるものとする。

(7) The provisions of paragraph (4) and paragraph (5) shall apply mutatis mutandis to cases where a resolution is made provisionally pursuant to the provisions of paragraph (3). In these cases, the term "shareholders" in paragraph (4) shall be deemed to be replaced with the term "Members" (in cases where a General Representative Members' Council has been established, "representative members"), the term "Shareholders' Meeting" in that paragraph and in paragraph (5) shall be deemed to be replaced with the term "general members' council meeting" (or "General Representative Members' Council Meeting," where the company has such a council), and the term "paragraph (1)" in that paragraph shall be deemed to be replaced with the term "paragraph (3)."

（契約条件の変更に係る書類の備置き等）

(Retention, etc. of Documents Related to the Modification of Contract Conditions)

第二百四十条の七　保険会社は、第二百四十条の五第一項の決議を行うべき日の二週間前（外国保険会社等にあっては、契約条件の変更についての決定を行った日）から第二百四十条の十三第一項の規定による公告の日まで、契約条件の変更がやむを得ない理由、契約条件の変更の内容、契約条件の変更後の業務及び財産の状況の予測、基金及び保険契約者等以外の債権者に対する債務の取扱いに関する事項、経営責任に関する事項その他の内閣府令で定める事項（第二百四十条の五第四項に規定する方針がある場合にあっては、その方針の内容を含む。）を記載し、又は記録した書面又は電磁的記録を各営業所又は各事務所（外国保険会社等にあっては、第百八十五条第一項に規定する支店等）に備え置かなければならない。

Article 240-7 (1) From two weeks prior to the date the resolution shall be made as set forth in Article 240-5, paragraph (1) (in the case of Foreign Insurance Companies, etc., the date the decision was made concerning the Modification of Contract Conditions) until the date of issuance of the public notice pursuant to the provisions of Article 240-13, paragraph (1), the Insurance Company shall keep a document or electromagnetic records describing or recording the particulars specified by Cabinet Office Ordinance, such as the reason why the Modification of Contract Conditions is inevitable, the details of the Modification of Contract Conditions, a forecast of the business and property situation after the Modification of Contract Conditions is effected, the particulars of the funding and the handling of debts against creditors apart from Insurance Policyholders, etc., and the particulars of management responsibility (in cases where there is a policy pursuant to the provisions of Article 240-5, paragraph (4), including the contents of the policy), at the company's business offices and other offices (in the case of Foreign Insurance Companies, etc., branch offices, etc. pursuant to the provisions of Article 185, paragraph (1)).

２　保険会社の株主又は保険契約者（外国保険会社等にあっては、日本における保険契約者）は、当該保険会社に対して、その営業時間内又は事業時間内は、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該保険会社の定めた費用を支払わなければならない。

(2) Shareholders or Insurance Policyholders of the Insurance Company (in the case of Foreign Insurance Companies, etc., Insurance Policyholders in Japan) may make the following listed requests to that Insurance Company at any time during its operating hours or business hours; however, that they shall pay the fees determined by the Insurance Company in making a request falling under item (ii) or (iv);

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request for a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph in a manner specified by a Cabinet Office Ordinance;

四　前項の電磁的記録に記録された事項を電磁的方法であって当該保険会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by the electromagnetic means determined by that Insurance Company, or to be issued a document detailing such particulars.

（保険調査人）

(Insurance Inspectors)

第二百四十条の八　内閣総理大臣は、第二百四十条の二第三項の承認をした場合において、必要があると認めるときは、保険調査人を選任し、保険調査人をして、契約条件の変更の内容その他の事項を調査させることができる。

Article 240-8 (1) If the Prime Minister finds it necessary, in cases approved as set forth in Article 240-2, paragraph (3), he/she may appoint an Insurance Inspector and cause that Insurance Inspector to investigate relevant particulars such as the content of the Modification of Contract Conditions.

２　前項の場合においては、内閣総理大臣は、保険調査人が調査すべき事項及び内閣総理大臣に対して調査の結果の報告をすべき期限を定めなければならない。

(2) In the case referred to in the preceding paragraph, the Prime Minister shall specify the particulars that must be investigated by the Insurance Inspector and the deadline by which he/she must report the investigation findings to the Prime Minister.

３　内閣総理大臣は、保険調査人が調査を適切に行っていないと認めるときは、保険調査人を解任することができる。

(3) If the Prime Minister finds that the Insurance Inspector is not carrying out the investigation appropriately, he/she may dismiss the Insurance Inspector.

４　会社更生法（平成十四年法律第百五十四号）第八十条及び第八十一条第一項（管財人の注意義務並びに費用の前払及び報酬）の規定は、保険調査人について準用する。この場合において、同項中「裁判所」とあるのは「内閣総理大臣」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。

(4) The provisions of Article 80 and Article 81, paragraph (1) (Duty of Care and Advance Payment of Costs and Compensation of Trustees) of the Corporate Rehabilitation Act (Act No. 154 of 2002) shall apply mutatis mutandis to the Insurance Inspector. In this case, the term "court" in that paragraph shall be deemed to be replaced with "the Prime Minister," and any technical changes in interpretation required shall be specified by a Cabinet Order.

５　前項において準用する会社更生法第八十一条第一項に規定する費用及び報酬は、第二百四十条の二第一項の保険会社（次条及び第三百十八条の二において「被調査会社」という。）の負担とする。

(5) The costs and compensation prescribed in Article 81, paragraph (1) of the Corporate Rehabilitation Act, as applied mutatis mutandis pursuant to the preceding paragraph, shall be borne by an Insurance Company (referred to as the "Company Being Investigated" in the following Article and in Article 318-2) as provided in Article 240-2, paragraph (1).

（保険調査人の調査等）

(Investigations, etc., by Insurance Inspectors)

第二百四十条の九　保険調査人は、被調査会社の取締役、執行役、会計参与、監査役、会計監査人及び支配人その他の使用人並びにこれらの者であった者に対し、被調査会社の業務及び財産の状況（これらの者であった者については、その者が当該被調査会社の業務に従事していた期間内に知ることのできた事項に係るものに限る。）につき報告を求め、又は被調査会社の帳簿、書類その他の物件を検査することができる。

Article 240-9 (1) The Insurance Inspector may request directors, executive officers, accounting advisors, company auditors, accounting auditors, and managers or any other employee of the Company Being Investigated, and any person who has resigned from these positions, to make a report on the status of the business and property of the Company Being Investigated (with regard to any person who has resigned from these positions, limited to the status of particulars that could have been known by said person during the period when he/she was engaged to work for that Company Being Investigated), or inspect relevant items such as the books and documents of the Company Being Investigated.

２　保険調査人は、その職務を行うため必要があるときは、官庁、公共団体その他の者に照会し、又は協力を求めることができる。

(2) The Insurance Inspector may, when it is necessary to carry out his/her duty, inquire with, or request the cooperation of, relevant persons such as government agencies, public entities.

（保険調査人の秘密保持義務）

(Confidentiality Obligation of Insurance Inspectors)

第二百四十条の十　保険調査人は、その職務上知ることのできた秘密を漏らしてはならない。保険調査人がその職を退いた後も、同様とする。

Article 240-10 (1) The Insurance Inspector shall not divulge any secret learned in the course of his/her duties. The same shall apply after the Insurance Inspector resigns from office.

２　保険調査人が法人であるときは、保険調査人の職務に従事するその役員及び職員は、その職務上知ることのできた秘密を漏らしてはならない。その役員又は職員が保険調査人の職務に従事しなくなった後においても、同様とする。

(2) When the Insurance Inspector is a juridical person, its officers and employees who are engaged in the duties of the Insurance Inspector shall not divulge any secret learned in the course of his/her duties. The same shall apply after said officers or employees are no longer engaged in the duties of the Insurance Inspector.

（契約条件の変更に係る承認）

(Approval for the Modification of Contract Conditions)

第二百四十条の十一　保険会社は、第二百四十条の五第一項の決議（外国保険会社等にあっては、契約条件の変更についての決定。以下この節において同じ。）があった場合（第二百四十条の六第五項（同条第六項及び第七項において準用する場合を含む。）の規定により第二百四十条の五第一項の決議があったものとみなされる場合を含む。）には、当該決議の後、遅滞なく、当該決議に係る契約条件の変更について、内閣総理大臣の承認を求めなければならない。

Article 240-11 (1) In cases where a resolution (in the case of Foreign Insurance Companies, etc., a decision concerning the Modification of Contract Conditions; hereinafter the same shall apply in this Section) pursuant to the provisions of Article 240-5, paragraph (1) (including cases where it is deemed that there was a resolution as set forth in Article 240-5, paragraph (1) pursuant to the provisions of Article 240-6, paragraph (5) (including the cases where it is applied mutatis mutandis to paragraph (6) and paragraph (7) of that Article)), after that resolution, the Insurance Company shall, without delay, seek the approval of the Prime Minister concerning the Modification of Contract Conditions pertaining to that resolution.

２　内閣総理大臣は、当該保険会社において保険業の継続のために必要な措置が講じられた場合であって、かつ、第二百四十条の五第一項の決議に係る契約条件の変更が当該保険会社の保険業の継続のために必要なものであり、保険契約者等の保護の見地から適当であると認められる場合でなければ、前項の承認をしてはならない。

(2) The Prime Minister shall not grant approval set forth in the preceding paragraph except in cases where measures necessary for the continuation of Insurance Business have been undertaken by that Insurance Company, and the Modification of Contract Conditions pertaining to the resolution as set forth in Article 240-5, paragraph (1) is found necessary for the continuation of Insurance Business of that Insurance Company, and appropriate from the standpoint of the protection of Insurance Policyholders, etc.

（契約条件の変更の通知及び異議申立て等）

(Notice of the Modification of Contract Conditions and Raising of Objections, etc.)

第二百四十条の十二　保険会社は、前条第一項の承認があった場合には、当該承認があった日から二週間以内に、第二百四十条の五第一項の決議に係る契約条件の変更の主要な内容を公告するとともに、契約条件の変更に係る保険契約者（以下この条において「変更対象契約者」という。）に対し、同項の決議に係る契約条件の変更の内容を、書面をもって、通知しなければならない。

Article 240-12 (1) In cases where approval is granted as set forth in paragraph (1) of the preceding Article, within two weeks of the date of said approval being granted, the Insurance Company shall make a public notice of the main contents of the Modification of Contract Conditions pertaining to the resolution set forth in Article 240-5, paragraph (1), and shall also notify the Insurance Policyholders who are subject to the Modification of Contract Conditions (hereinafter referred to as "Policyholders Subject to the Modification" in this Article) in writing of the contents of the Modification of Contract Conditions under the resolution set forth in that paragraph.

２　前項の場合においては、契約条件の変更がやむを得ない理由を示す書類、契約条件の変更後の業務及び財産の状況の予測を示す書類、基金及び保険契約者等以外の債権者に対する債務の取扱いに関する事項を示す書類、経営責任に関する事項を示す書類その他の内閣府令で定める書類（第二百四十条の五第四項に規定する方針がある場合にあっては、その方針の内容を示す書類を含む。）を添付し、変更対象契約者で異議がある者は、一定の期間内に異議を述べるべき旨を、前項の書面に付記しなければならない。

(2) In the case referred to in the preceding paragraph, the Insurance Company shall attach the documents specified by Cabinet Office Ordinance, such as documents showing the reason why the Modification of Contract Conditions is inevitable, documents showing a forecast of the business and property situation after the Modification of Contract Conditions is effected, documents showing the particulars of funding and the handling of debts against creditors other than Insurance Policyholders, etc., and documents showing to the particulars of management responsibility (in cases where there is a policy pursuant to the provisions set forth in Article 240-5, paragraph (4), including documents showing the content of the policy). Moreover, the Insurance Company shall attach a supplementary note to the effect that any Policyholder Subject to the Modification who has an objection must raise that objection within a set period of time.

３　前項の期間は、一月を下ってはならない。

(3) The period under the preceding paragraph cannot be less than a month.

４　第二項の期間内に異議を述べた変更対象契約者の数が変更対象契約者の総数の十分の一を超え、かつ、当該異議を述べた変更対象契約者の保険契約に係る債権の額に相当する金額として内閣府令で定める金額が変更対象契約者の当該金額の総額の十分の一を超えるときは、契約条件の変更をしてはならない。

(4) Contract conditions shall not be modified when the number of Policyholders Subject to the Modification who have raised objections within the period of time set forth in paragraph (2) exceeds one tenth of the total number of Policyholders Subject to the Modification and the amount specified by a Cabinet Office Ordinance as an amount equivalent to the sum of the claims pertaining to the insurance contracts of Policyholders Subject to the Modification who have raised such objections exceeds one tenth of the total amount of that amount of Policyholders Subject to the Modification.

５　第二項の期間内に異議を述べた変更対象契約者の数又はその者の前項の内閣府令で定める金額が、同項に定める割合を超えないときは、当該変更対象契約者全員が当該契約条件の変更を承認したものとみなす。

(5) When the number of Policyholders Subject to the Modification who have raised their objections within the period of time set forth in paragraph (2) or the amount specified by a Cabinet Office Ordinance belonging to those Policyholders as set forth in the preceding paragraph does not exceed the percentage specified in that paragraph, all of said Policyholders Subject to the Modification shall be deemed to have approved said Modification of Contract Conditions.

（契約条件の変更の公告等）

(Public Notice, etc. of the Modification of Contract Conditions)

第二百四十条の十三　保険会社は、契約条件の変更後、遅滞なく、契約条件の変更をしたことその他の内閣府令で定める事項を公告しなければならない。契約条件の変更をしないこととなったときも、同様とする。

Article 240-13 (1) An Insurance Company shall, without delay after the Modification of Contract Conditions, make a public notice of the fact a Modification of Contract Conditions has been made and any other particulars specified by Cabinet Office Ordinance. The same shall apply even when a Modification of Contract Conditions is not made.

２　保険会社は、契約条件の変更後三月以内に、当該契約条件の変更に係る保険契約者に対し、当該契約条件の変更後の保険契約者の権利及び義務の内容を通知しなければならない。

(2) An Insurance Company shall, within three months after the Modification of Contract Conditions, notify the Insurance Policyholders pertaining to said Modification of Contract Conditions of the content of the rights and duties of Insurance Policyholders after said Modification of Contract Conditions.

第二節　業務及び財産の管理等に関する内閣総理大臣の処分等

Section 2 Dispositions, etc., by the Prime Minister on Business and Property Management, etc.

第一款　業務の停止、合併等の協議の命令並びに業務及び財産の管理

Subsection 1 Suspension of Business, Orders for Merger Consultations, etc., and Business and Property Management

（業務の停止、合併等の協議の命令並びに業務及び財産の管理）

(Suspension of Business, Orders for Merger Consultations, etc., and Business and Property Management)

第二百四十一条　内閣総理大臣は、保険会社等若しくは外国保険会社等の業務若しくは財産の状況に照らしてその保険業の継続が困難であると認めるとき、又はその業務（外国保険会社等にあっては、日本における業務。以下この条から第二百五十五条の二までにおいて同じ。）の運営が著しく不適切でありその保険業の継続が保険契約者等の保護に欠ける事態を招くおそれがあると認めるときは、当該保険会社等又は外国保険会社等に対し、業務の全部若しくは一部の停止、合併、保険契約の移転（外国保険会社等にあっては、日本における保険契約の移転）若しくは当該保険会社等若しくは外国保険会社等の株式の他の保険会社等、外国保険会社等若しくは保険持株会社等による取得（第二百四十七条第一項、第二百五十六条から第二百五十八条まで、第二百七十条の三の二第四項及び第五項並びに第二百七十条の四第四項及び第五項において「合併等」という。）の協議その他必要な措置を命じ、又は保険管理人による業務及び財産（外国保険会社等にあっては、日本に所在する財産。次条及び第二百四十六条の二から第二百四十七条の二までにおいて同じ。）の管理を命ずる処分をすることができる。

Article 241 (1) If the Prime Minister finds that the continuation of Insurance Business will be difficult in light of the status of the business or property of an Insurance Company, etc., or Foreign Insurance Company, etc., or if he/she finds that the management of that business (in the case of Foreign Insurance Companies, etc., their business in Japan; hereinafter the same shall apply in this Article to Article 255-2 inclusive) is extremely inappropriate and that there is a risk that the continuation of Insurance Business could bring about a situation lacking in protection for Insurance Policyholders, etc., the Prime Minister may order the whole or partial suspension of business, a merger, a transfer of insurance contracts (in the case of Foreign Insurance Companies, etc., the transfer of insurance contracts in Japan) or an agreement for the acquisition of the shares of that Insurance Company, etc., or Foreign Insurance Company, etc., by another Insurance Company, etc., Foreign Insurance Company, etc., or Insurance Holding Company, etc. (referred to as "Merger, etc." in Article 247, paragraph (1); Article 256 to Article 258 inclusive; Article 270-3-2, paragraph (4) and Article 270-3-2, paragraph (5); and Article 270-4, Article 270-4, paragraph (4) and Article 270-4, paragraph (5)) or any other necessary measure against that Insurance Company, etc., or Foreign Insurance Company, etc., or make a disposition ordering business and property management (in the case of Foreign Insurance Companies, etc., property located in Japan; the same shall apply in the following Article and Article 246-2 to Article 247-2 inclusive) by an Insurance Administrator.

２　この章において「保険持株会社等」とは、次に掲げる者をいう。

(2) The term "Insurance Holding Company, etc." as used in this Chapter means the following:

一　保険持株会社

(i) An Insurance Holding Company;

二　第二百七十二条の三十七第二項に規定する少額短期保険持株会社

(ii) A Low-Cost, Short-Term Insurance Holding Company prescribed in Article 272-37, paragraph (2);

三　株式を取得することにより保険会社を子会社とする持株会社となることについて第二百七十一条の十八第一項の認可を受けた会社

(iii) A company that has received the approval under Article 271-18, paragraph (1) to become a Holding Company whose Subsidiaries include an Insurance Company, due to an acquisition of shares;

四　株式を取得することにより少額短期保険業者を子会社とする持株会社となることについて第二百七十二条の三十五第一項の承認を受けた会社

(iv) A company that has received approval, as set forth in Article 272-35, paragraph (1), to become a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer, due to an acquisition of shares;

五　前各号に掲げる会社以外の会社（保険会社等及び外国保険会社等を除く。）で保険会社等又は外国保険会社等を子会社とするもの又は子会社としようとするもの

(v) A company, other than the companies listed in the preceding items (excluding an Insurance Company, etc., and Foreign Insurance Company, etc.), whose Subsidiaries include an Insurance Company, etc., or Foreign Insurance Company, etc., or which is attempting to make such company its Subsidiary.

３　保険会社等又は外国保険会社等は、その業務又は財産の状況に照らしてその保険業の継続が困難であるときは、その旨及びその理由を、文書をもって、内閣総理大臣に申し出なければならない。

(3) An Insurance Company, etc., or Foreign Insurance Company, etc., shall, when the continuation of its Insurance Business will be difficult in light of the state of its business or property, notify the Prime Minister to that effect and of the reason in writing.

第二款　業務及び財産の管理

Subsection 2 Business and Property Management

（保険管理人の選任等）

(Appointment, etc., of an Insurance Administrator)

第二百四十二条　前条第一項の規定による保険管理人による業務及び財産の管理を命ずる処分（以下この款及び第二百五十八条第二項において「管理を命ずる処分」という。）があったときは、当該処分を受けた保険会社等又は外国保険会社等（以下「被管理会社」という。）を代表し、業務の執行並びに財産の管理及び処分を行う権利（外国保険会社等を代表する権利にあっては、日本における保険業に係る範囲に限る。）は、保険管理人に専属する。会社法第八百二十八条第一項及び第二項（会社の組織に関する行為の無効の訴え）（第三十条の十五、第五十七条第六項、第六十条の二第五項及び第百七十一条において準用する場合を含む。）並びに第八百三十一条第一項（株主総会等の決議の取消しの訴え）（第四十一条第二項及び第四十九条第二項において準用する場合を含む。）の規定並びに第八十四条の二第二項及び第九十六条の十六第二項の規定による取締役及び執行役の権利についても、同様とする。

Article 242 (1) When a disposition ordering business and property management by an Insurance Administrator has been issued under the provisions of paragraph (1) of the preceding Article (hereinafter referred to as "Disposition Ordering Management" in this Subsection and Article 258, paragraph (2)), the right to represent an Insurance Company, etc., or Foreign Insurance Company, etc., that has been rendered that disposition (hereinafter referred to as a "Managed Company"), execute its business, and manage and dispose of its property (in the case of the right to represent a Foreign Insurance Company, etc., limited to the scope of Insurance Business in Japan) shall be vested exclusively in an Insurance Administrator. The same shall apply to the rights of the directors and executive officers under the provisions of Article 828, paragraph (1) and Article 828, paragraph (2) (Actions to Invalidate Acts Concerning the Organization of a Company) (including the cases where it is applied mutatis mutandis pursuant to Article 30-15; Article 57, paragraph (6); Article 60-2, paragraph (5); and Article 171) and Article 831, paragraph (1) (Action to Revoke a Resolution of a Shareholders' Meeting, etc.) (including the cases where it is applied mutatis mutandis pursuant to Article 41, paragraph (2) and Article 49, paragraph (2)) and the provisions of Article 84-2, paragraph (2) and Article 96-16, paragraph (2) of the Companies Act.

２　内閣総理大臣は、管理を命ずる処分と同時に、一人又は数人の保険管理人を選任しなければならない。

(2) The Prime Minister shall, together with the Disposition Ordering Management, appoint one or several Insurance Administrators.

３　内閣総理大臣は、保険管理人に対して、被管理会社の業務及び財産の管理に関し必要な措置を命ずることができる。

(3) The Prime Minister may order the Insurance Administrators to take necessary measures regarding the business and property management of the Managed Company.

４　内閣総理大臣は、必要があると認めるときは、第二項の規定により保険管理人を選任した後においても、更に保険管理人を選任し、又は保険管理人が被管理会社の業務及び財産の管理を適切に行っていないと認めるときは、保険管理人を解任することができる。

(4) If the Prime Minister finds it necessary, he/she may appoint further Insurance Administrators after appointing Insurance Administrators pursuant to the provisions of paragraph (2), or when he/she finds that the Insurance Administrators are not appropriately managing the business and property of the Managed Company, dismiss the Insurance Administrators.

５　内閣総理大臣は、第二項若しくは前項の規定により保険管理人を選任したとき又は同項の規定により保険管理人を解任したときは、被管理会社にその旨を通知するとともに、官報により、これを公告しなければならない。

(5) If the Prime Minister has appointed Insurance Administrators pursuant to the provisions of paragraph (2) or the preceding paragraph or if he/she has dismissed Insurance Administrators pursuant to that paragraph, he/she shall notify the Managed Company of this, as well as giving public notice of that fact in the Official Gazette.

６　会社更生法第六十九条、第七十条、第八十条並びに第八十一条第一項及び第五項（数人の管財人の職務執行、管財人代理の選任、注意義務並びに費用の前払及び報酬）の規定は保険管理人について、一般社団法人及び一般財団法人に関する法律第七十八条（代表者の行為についての損害賠償責任）の規定は被管理会社について、それぞれ準用する。この場合において、会社更生法第六十九条第一項中「裁判所の許可」とあるのは「内閣総理大臣の承認」と、同法第七十条中「管財人代理」とあるのは「保険管理人代理」と、同条第二項中「裁判所の許可」とあるのは「内閣総理大臣の承認」と、同法第八十一条第一項中「裁判所」とあるのは「内閣総理大臣」と、同条第五項中「管財人代理」とあるのは「保険管理人代理」と、一般社団法人及び一般財団法人に関する法律第七十八条中「代表理事その他の代表者」とあるのは「保険管理人」と読み替えるものとする。

(6) The provisions of Article 69, Article 70, Article 80, and Article 81, paragraph (1) and Article 81, paragraph (5) (Execution of Duty by Several Trustees, Appointment of Trustee Representatives, Duty of Care, and Advance Payment of Costs and Compensation of a Trustee) of the Corporate Rehabilitation Act and the provisions of Article 78 (Liability for Damages with regard to Acts of Representative Persons) of the Act on General Incorporated Associations and General Incorporated Foundations shall apply mutatis mutandis to Insurance Administrators and the Managed Company, respectively. In this case, the term "permission of a court" in Article 69, paragraph (1) of the Corporate Rehabilitation Act shall be deemed to be replaced with "approval of the Prime Minister," the term "trustee representatives" in Article 70 of that Act shall be deemed to be replaced with "Insurance Administrator Representatives," the term "permission of a court" in paragraph (2) in that Article shall be deemed to be replaced with "Approval of the Prime Minister," the term "court" in Article 81, paragraph (1) of that Act shall be deemed to be replaced with "the Prime Minister," the term "trustee representatives" in paragraph (5) in that Article shall be deemed to be replaced with "Insurance Administrator Representatives," and the term "representative directors and other representative persons" in Article 78 of the Act on General Incorporated Associations and General Incorporated Foundations shall be deemed to be replaced with "Insurance Administrators."

第二百四十三条　保険会社等は、保険管理人又は保険管理人代理となることができる。

Article 243 (1) An Insurance Company, etc., may become an Insurance Administrator or an Insurance Administrator Representative.

２　保険会社等は、内閣総理大臣から保険管理人となることを求められた場合には、正当な理由がないのに、これを拒んではならない。

(2) An Insurance Company, etc., if requested by the Prime Minister to become an Insurance Administrator, shall not refuse in the absence of justifiable grounds.

３　保険契約者保護機構は、保険管理人又は保険管理人代理となり、その業務を行うことができる。

(3) A Policyholders Protection Corporation may become an Insurance Administrator or an Insurance Administrator Representative and undertake the business of such.

（通知及び登記）

(Notices and Registration)

第二百四十四条　内閣総理大臣は、管理を命ずる処分をしたときは、直ちに、被管理会社の本店又は主たる事務所の所在地を管轄する地方裁判所にその旨を通知し、かつ、嘱託書に当該命令書の謄本を添付して、被管理会社の本店又は主たる事務所（外国保険会社等の場合にあっては、第百八十五条第一項に規定する支店等の所在地）の登記所に、その登記を嘱託しなければならない。

Article 244 (1) If the Prime Minister shall issues a Disposition Ordering Management, he/she shall immediately notify the district court with jurisdiction over the location of the head office or principal office of the Managed Company of this, and attach a certified copy of the written order to a written commission and commission its registration in the registry of the head office or principal office of the Managed Company (in the case of a Foreign Insurance Company, etc., the location of a branch office, etc. as prescribed in Article 185, paragraph (1)).

２　前項の登記には、保険管理人の氏名又は名称及び住所をも登記しなければならない。

(2) The name and address of the Insurance Administrator shall also be registered in the registration of the preceding paragraph.

３　第一項の規定は、前項に掲げる事項に変更が生じた場合について準用する。

(3) The provisions of paragraph (1) shall apply mutatis mutandis when modifications occur to particulars listed in the preceding paragraph.

（業務の停止）

(Suspension of Business)

第二百四十五条　管理を命ずる処分があったときは、被管理会社は、次に掲げる業務を除き、その業務を停止しなければならない。ただし、保険管理人の申出により、その業務の一部を停止しないことについて内閣総理大臣が必要があると認めた場合の当該業務の一部については、この限りでない。

Article 245 When a Disposition Ordering Management has been issued, the Managed Company shall suspend its business, except for those listed as follows; provided, however, that this shall not apply to a portion business when the Prime Minister finds it necessary that said portion not be suspended pursuant to a report by the Insurance Administrator.

一　第二百六十六条第一項に規定する加入機構と第二百七十条の六の七第三項の規定による契約を締結した場合において、第二百七十条の三第二項第一号に規定する補償対象契約（以下この条において「補償対象契約」という。）に係る保険金請求権その他の政令で定める権利に係る債権者の請求に基づき、当該補償対象契約の保険金その他の給付金（当該補償対象契約の保険金その他の給付金の額に、当該補償対象契約の種類、予定利率その他の内容、当該請求に係る保険事故が発生した時期等を勘案して内閣府令・財務省令で定める率を乗じて得た額に限る。以下「補償対象保険金」という。）の支払を行う業務（以下「補償対象保険金支払業務」という。）

(i) Where a contract has been concluded under the provisions of Article 270-6-7, paragraph (3) with an Affiliated Corporation as prescribed in Article 266, paragraph (1), business for paying insurance proceeds or any other benefit under a Covered Insurance Contract as prescribed in Article 270-3, paragraph (2), item (i) (hereinafter referred to as a "Covered Insurance Contract" in this Article) (limited to the amount calculated by multiplying the amount of the insurance proceeds or any other benefit under the Covered Insurance Contract by the rate specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance, in consideration of the type of Covered Insurance Contract, the assumed interest rate, any other content, and the timing that the insured event pertaining to said claim occurred, etc.; hereinafter referred to as "Covered Insurance Proceeds"), based on a creditor's right to claim Insurance Proceeds or any other right claimed by the creditor, as specified Cabinet Order, under said Covered Insurance Contract (hereinafter referred to as "Services for Paying Covered Insurance Proceeds").

二　内閣府令・財務省令で定める期間内における特定補償対象契約（補償対象契約のうち保険契約者等の保護のためその存続を図る必要性が低いものとして内閣府令・財務省令で定めるものをいう。以下同じ。）の解約に係る業務（解約返戻金その他これに類する給付金の支払に係るものを除く。以下「特定補償対象契約解約関連業務」という。）

(ii) Business involving the cancellation of specified Covered Insurance Contracts (meaning those Covered Insurance Contracts specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance as contracts having little necessity to maintain in order to protect Insurance Policyholders, etc.; the same shall apply hereinafter) within the period of time specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance (excluding business involving the payment of cancellation refunds or any other similar benefits; hereinafter referred to as "Business for Canceling Specified Covered Insurance Contracts").

（株主の名義書換の禁止）

(Prohibition on Entry of Name Changes for Shareholders)

第二百四十六条　被管理会社（外国保険会社等を除く。）が株式会社である場合において、内閣総理大臣は、必要があると認めるときは、株主の名義書換を禁止することができる。

Article 246 If a Managed Company (excluding a Foreign Insurance Company, etc.) is a Stock Company and the Prime Minister finds it necessary, the Prime Minister may prohibit the entry of a name change for the shareholders.

（保険管理人の報告義務）

(Insurance Administrator's Duty to Report)

第二百四十六条の二　保険管理人は、就職の後遅滞なく、次に掲げる事項を調査し、内閣総理大臣に報告しなければならない。

Article 246-2 An Insurance Administrator shall, without delay after taking office, investigate and report the following particulars to the Prime Minister:

一　被管理会社が管理を命ずる処分を受ける状況に至った経緯

(i) The course of events that lead to the circumstances under which the Managed Company received a Disposition Ordering Management;

二　被管理会社の業務及び財産の状況

(ii) The situation of the business and property of the Managed Company;

三　その他必要な事項

(iii) Any other necessary particular.

（計画の承認）

(Approval of Plans)

第二百四十七条　内閣総理大臣は、保険契約者等の保護のため被管理会社に係る保険契約（外国保険会社等にあっては、日本における保険契約。第二百五十四条及び第二百七十条の七第一項を除き、以下この章において同じ。）の存続を図ること又は特定補償対象契約の解約に係る業務その他の業務が円滑に行われることが必要であると認めるときは、保険管理人に対し、次に掲げる事項を含む業務及び財産の管理に関する計画の作成を命ずることができる。

Article 247 (1) If the Prime Minister finds it necessary for the protection of Insurance Policyholders, etc., that the maintenance of insurance contracts pertaining to the Managed Company (in the case of Foreign Insurance Companies, etc., insurance contracts in Japan; hereinafter the same shall apply in this Chapter, excluding Article 254 and Article 270-7, paragraph (1)) or business involving the cancellation of specified Covered Insurance Contracts or any other business be conducted smoothly, he/she may order the Insurance Administrator to prepare a plan, including the following particulars, related to business and property management:

一　被管理会社の業務の整理及び合理化に関する方針

(i) A policy related to the liquidation and rationalization of the business of the Managed Company; and

二　被管理会社に係る合併等を円滑に行うための方策

(ii) Measures to carry out smoothly a Merger, etc., pertaining to the Managed Company.

２　保険管理人は、前項の計画を作成したときは、内閣総理大臣の承認を得なければならない。

(2) An Insurance Administrator shall obtain the approval of the Prime Minister when he/she has prepared the plan set forth in the preceding paragraph.

３　保険管理人は、前項の承認があったときは、遅滞なく、当該承認に係る第一項の計画を実行に移さなければならない。

(3) An Insurance Administrator shall, without delay, when he/she has the approval set forth in the preceding paragraph, move on to the implementation of the plan set forth in paragraph (1) pertaining to said approval.

４　保険管理人は、やむを得ない事情が生じた場合には、内閣総理大臣の承認を受けて、第一項の計画を変更し、又は廃止することができる。

(4) An Insurance Administrator may, when unavoidable circumstances arise, receive approval from the Prime Minister and change or abolish the plan set forth in paragraph (1).

５　内閣総理大臣は、保険契約者等の保護のため必要があると認めるときは、保険管理人に対し、第一項の計画の変更又は廃止を命ずることができる。

(5) If the Prime Minister finds it necessary for the protection of Insurance Policyholders, etc., he/she may order the Insurance Administrator to change or abolish the plan set forth in paragraph (1).

（保険管理人の調査等）

(Investigations, etc., by Insurance Administrators)

第二百四十七条の二　保険管理人は、被管理会社の取締役、執行役、会計参与、監査役、会計監査人及び支配人その他の使用人並びにこれらの者であった者に対し、被管理会社の業務及び財産の状況（これらの者であった者については、その者が当該被管理会社の業務に従事していた期間内に知ることのできた事項に係るものに限る。）につき報告を求め、又は被管理会社の帳簿、書類その他の物件を検査することができる。

Article 247-2 (1) The Insurance Administrator may request directors, executive officers, accounting advisors, company auditors, accounting auditors, and managers or any other employee of the Managed Company, and any person who has resigned from these positions, to make a report on the status of the business and property of the Managed Company (with regard to any person who has resigned from these positions, limited to the status of particulars that could have been known by said person during the period when he/she was engaged to work for that Managed Company), or inspect the books, documents, or any other items of the Managed Company.

２　保険管理人は、その職務を行うため必要があるときは、官庁、公共団体その他の者に照会し、又は協力を求めることができる。

(2) The Insurance Administrator may, when it is necessary to carry out his/her duty, inquire with, or request the cooperation of, government agencies, public entities, or any other person.

（保険管理人等の秘密保持義務）

(Confidentiality Obligation of Insurance Administrators, etc.)

第二百四十七条の三　保険管理人及び保険管理人代理（以下この条において「保険管理人等」という。）は、その職務上知ることのできた秘密を漏らしてはならない。保険管理人等がその職を退いた後も、同様とする。

Article 247-3 (1) The Insurance Administrator and Insurance Administrator Representative (hereinafter referred to as "Insurance Administrator, etc." in this Article) shall not divulge any secret learned in the course of his/her duties. The same shall apply after the Insurance Administrator, etc., resigns from office.

２　保険管理人等が法人であるときは、保険管理人等の職務に従事するその役員及び職員は、その職務上知ることのできた秘密を漏らしてはならない。その役員又は職員が保険管理人等の職務に従事しなくなった後においても、同様とする。

(2) When the Insurance Administrator, etc., is a juridical person, its officers and employees who are engaged in the duties of the Insurance Administrator, etc., shall not divulge any secret learned in the course of duty. The same shall apply after said officers or employees are no longer engaged in the duties of the Insurance Administrator, etc.

（被管理会社の経営者の破綻の責任を明確にするための措置）

(Measures to Clarify Managers' Responsibility for the Bankruptcy of a Managed Company)

第二百四十七条の四　保険管理人は、被管理会社の取締役、執行役、会計参与、監査役若しくは会計監査人又はこれらの者であった者の職務上の義務違反に基づく民事上の責任を履行させるため、訴えの提起その他の必要な措置をとらなければならない。

Article 247-4 (1) An Insurance Administrator shall, in order to cause directors, executive officers, accounting advisers, company auditors or accounting auditors of a Managed Company, or any person who has resigned from these positions, to perform his/her civil responsibility based on the breach of professional obligations, file an action with the court or take other necessary measures.

２　保険管理人は、その職務を行うことにより犯罪があると思料するときは、告発に向けて所要の措置をとらなければならない。

(2) An Insurance Administrator shall, if, in the course of his/her duties, he/she comes to consider that a crime has been committed, take the necessary measures toward prosecution.

（保険管理人と被管理会社との取引）

(Transactions between an Insurance Administrator and a Managed Company)

第二百四十七条の五　保険管理人は、自己又は第三者のために被管理会社と取引するときは、内閣総理大臣の承認を得なければならない。この場合においては、民法第百八条（自己契約及び双方代理）の規定は、適用しない。

Article 247-5 (1) An Insurance Administrator shall obtain the approval of the Prime Minister before carrying out, for himself/herself or for a third party, any transaction with the Managed Company. In this case, the provisions of Article 108 (Self-Contract and Representation of Both Parties) of the Civil Code shall not apply.

２　前項の承認を得ないでした行為は、無効とする。ただし、善意の第三者に対抗することができない。

(2) An action shall be null and void if the approval set forth in the preceding paragraph has not been obtained; provided, however, that this may not be duly asserted against a third party without knowledge.

（保険管理人による管理を命ずる処分の取消し）

(Rescission of Dispositions Ordering Management by Insurance Administrator)

第二百四十八条　内閣総理大臣は、管理を命ずる処分について、その必要がなくなったと認めるときは、当該管理を命ずる処分を取り消さなければならない。

Article 248 (1) If the Prime Minister finds that there is no longer any need for a Disposition Ordering Management, he/she shall rescind that Disposition Ordering Management.

２　第二百四十四条第一項の規定は、前項の場合について準用する。

(2) The provisions of Article 244, paragraph (1) shall apply mutatis mutandis to the case set forth in the preceding paragraph.

（株主総会等の特別決議等に関する特例）

(Special Provisions on Extraordinary Resolutions, etc., at Shareholders' Meetings, etc.)

第二百四十九条　株式会社である被管理会社（外国保険会社等を除く。以下この条及び次条において同じ。）における会社法第三百九条第二項第四号、第五号、第九号、第十一号若しくは第十二号（株主総会の決議）若しくは第三百二十四条第二項第一号若しくは第四号（種類株主総会の決議）に掲げる株主総会若しくは種類株主総会の決議又は第六十九条第二項、第百三十六条第二項、第百四十四条第三項、第百六十五条の三第二項若しくは第百六十五条の十第二項の規定による決議は、これらの規定にかかわらず、出席した株主の議決権の三分の二以上に当たる多数をもって、仮にすることができる。

Article 249 (1) In a Managed Company that is a Stock Company (excluding a Foreign Insurance Company, etc.; hereinafter the same shall apply in this Article and the following Article), resolutions at a Shareholders' Meeting or class meeting listed in Article 309, paragraph (2), item (iv), (v), (ix), (xi), or (xii) (Resolutions at Shareholders' Meetings) or Article 324, paragraph (2), item (i) or (iv) (Resolutions at Class Meetings) of the Companies Act, or resolutions pursuant to the provisions of Article 69, paragraph (2), Article 136, paragraph (2), Article 144, paragraph (3), Article 165-3, paragraph (2), or Article 165-10, paragraph (2), may be made provisionally with the two-thirds majority vote of the attending shareholders, notwithstanding these provisions.

２　株式会社である被管理会社における会社法第三百九条第三項各号若しくは第三百二十四条第三項各号に掲げる株主総会若しくは種類株主総会の決議又は同法第三百二十三条（種類株主総会の決議を必要とする旨の定めがある場合）の規定若しくは第百六十五条の三第四項若しくは第六項若しくは第百六十五条の十第六項の規定による決議は、これらの規定にかかわらず、出席した株主の過半数であって出席した株主の議決権の三分の二以上に当たる多数をもって、仮にすることができる。

(2) In a Managed Company that is a Stock Company, resolutions at a Shareholders' Meeting or class meeting listed in the items of Article 309, paragraph (3) or in Article 324, paragraph (3), items (i) and (ii) of the Companies Act or resolutions pursuant to the provisions of Article 323 (Cases of Provisions Requiring Resolution at a Class Meeting) of that Act or Article 165-3, paragraph (4) or Article 165-3, paragraph (6), or Article 165-10, paragraph (6) may be made provisionally with the two-thirds majority vote of the attending shareholders at a session where the majority of the shareholders are present, notwithstanding these provisions.

３　相互会社である被管理会社における第五十七条第二項、第六十条第二項、第六十二条第二項、第六十二条の二第二項、第八十六条第二項、第百三十六条第二項、第百四十四条第三項、第百五十六条又は第百六十五条の十六第二項（第百六十五条の二十において準用する場合を含む。）の規定による決議は、これらの規定にかかわらず、出席した社員（総代会を設けているときは、総代）の議決権の四分の三以上に当たる多数をもって、仮にすることができる。

(3) In a Managed Company that is a Mutual Company, resolutions pursuant to the provisions of Article 57, paragraph (2), Article 60, paragraph (2), Article 62, paragraph (2), Article 62-2, paragraph (2), Article 86, paragraph (2), Article 136, paragraph (2), Article 144, paragraph (3), Article 156 or Article 165-16, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20) may be made provisionally with a three-quarters majority vote of the members attending the meeting (or attending the General Representative Members' Council meeting, where the company has such a council), notwithstanding these provisions.

４　第一項の規定により仮にした決議（以下「仮決議」という。）があった場合においては、各株主に対し、当該仮決議の趣旨を通知し、当該仮決議の日から一月以内に再度の株主総会を招集しなければならない。

(4) In the case where a resolution is made provisionally pursuant to the provisions of paragraph (1) (hereinafter referred to as a "Provisional Resolution" in this Article), the Managed Company shall notify its shareholders of the purpose of said Provisional Resolution and shall call a subsequent Shareholders' Meeting within one month of the date of adoption of said Provisional Resolution.

５　前項の株主総会において第一項に規定する多数をもって仮決議を承認した場合には、当該承認のあった時に、当該仮決議をした事項に係る決議があったものとみなす。

(5) In the case where a Provisional Resolution is approved by a majority as prescribed in paragraph (1) at the Shareholders' Meeting set forth in the preceding paragraph, a resolution on the particulars of said Provisional Resolution shall be deemed to have existed when said approval was given.

６　前二項の規定は、第二項の規定により仮にした決議があった場合について準用する。この場合において、前項中「第一項」とあるのは、「第二項」と読み替えるものとする。

(6) The provisions of the preceding two paragraphs shall apply mutatis mutandis to cases where a resolution is made provisionally pursuant to the provisions of paragraph (2). In this case, the term "paragraph (1)" in the preceding paragraph shall be deemed to be replaced with the term "paragraph (2)."

７　第四項及び第五項の規定は、第三項の規定により仮にした決議があった場合について準用する。この場合において、第四項中「各株主」とあるのは「各社員（総代会を設けているときは、各総代）」と、同項及び第五項中「株主総会」とあるのは「社員総会（総代会を設けているときは、総代会）」と、同項中「第一項」とあるのは「第三項」と読み替えるものとする。

(7) The provisions of paragraph (4) and paragraph (5) shall apply mutatis mutandis to cases where a resolution is made provisionally pursuant to the provisions of paragraph (3). In this case, the term "shareholders" in paragraph (4) shall be deemed to be replaced with the term "members present at the relevant meeting (or, where the company has a General Representative Members' Council, the representative members present)," the term "Shareholders' Meeting" in that paragraph and in paragraph (5) shall be deemed to be replaced with the term "general members' council meeting" (or "General Representative Members' Council Meeting," where the company has such a council), and the term "paragraph (1)" in that paragraph shall be deemed to be replaced with the term "paragraph (3)."

（株主総会等の特別決議に代わる許可）

(Permission in lieu of Extraordinary Resolution of Shareholders' Meeting, etc.)

第二百四十九条の二　株式会社である被管理会社がその財産をもって債務を完済することができない場合には、当該被管理会社は、会社法第四百四十七条第一項（資本金の額の減少）、第四百六十七条第一項第一号及び第二号（事業譲渡等の承認等）並びに第四百七十一条第三号（解散の事由）の規定並びに第百三十六条（第二百七十二条の二十九において準用する場合を含む。次項において同じ。）の規定にかかわらず、裁判所の許可を得て、次に掲げる事項を行うことができる。

Article 249-2 (1) In the case where a Managed Company that is a Stock Company is unable to satisfy its obligations with its property, that Managed Company may obtain permission of a court and act with regard to the following particulars, notwithstanding the provisions of Article 447, paragraph (1) (Reductions in Amount of capital), Article 467, paragraph (1), items (i) and (ii) (Approvals of Assignment of Business), and Article 471, item (iii) (Grounds for Dissolution) of the Companies Act and the provisions of Article 136 (including the cases where it is applied mutatis mutandis pursuant to Article 272-29; the same shall apply in the following paragraph):

一　事業の全部又は重要な一部の譲渡

(i) Assignment of all or a material portion of business;

二　資本金の額の減少

(ii) Reduction in the amount of capital;

三　解散

(iii) Dissolution;

四　保険契約の移転

(iv) Transfer of insurance contracts.

２　相互会社である被管理会社がその財産をもって債務を完済することができない場合には、当該被管理会社は、第六十二条の二第一項第一号及び第二号、第百三十六条並びに第百五十六条の規定にかかわらず、裁判所の許可を得て、次に掲げる事項を行うことができる。

(2) In the case where a Managed Company that is a Mutual Company is unable to satisfy its obligations with its property, that Managed Company may obtain permission of a court and act with regard to the following particulars, notwithstanding the provisions of Article 62-2, paragraph (1), items (i) and (ii), Article 136, and Article 156:

一　事業の全部又は重要な一部の譲渡

(i) Assignment of all or a material portion of business;

二　保険契約の移転

(ii) Transfer of insurance contracts;

三　解散

(iii) Dissolution.

３　保険管理人は、会社法第三百三十九条第一項（解任）、第三百四十七条第一項（種類株主総会における取締役又は監査役の選任等）若しくは第四百三条第一項（執行役の解任等）の規定又は第五十三条の八第一項若しくは第五十三条の二十七第一項の規定にかかわらず、裁判所の許可を得て、被管理会社の取締役、執行役、会計参与、監査役又は会計監査人を解任することができる。

(3) The Insurance Administrator may obtain permission of a court and dismiss directors, executive officers, accounting advisers, company auditors, or accounting auditors of the Managed Company, notwithstanding the provisions of Article 339, paragraph (1) (Dismissal), Article 347, paragraph (1) (Election of Directors or Company Auditors at Class Meetings), or Article 403, paragraph (1) (Dismissal of Executive Officers) of the Companies Act or the provisions of Article 53-8, paragraph (1) or Article 53-27, paragraph (1).

４　前項の規定により被管理会社の取締役、執行役、会計参与、監査役又は会計監査人を解任しようとする場合において、解任により法律又は定款に定めた取締役、執行役、会計参与、監査役又は会計監査人の員数を欠くこととなるときは、保険管理人は、会社法第三百二十九条第一項（選任）、第三百四十七条第一項若しくは第四百二条第二項（執行役の選任等）の規定又は第五十二条第一項若しくは第五十三条の二十六第二項の規定にかかわらず、裁判所の許可を得て、被管理会社の取締役、執行役、会計参与、監査役又は会計監査人を選任することができる。

(4) In the case where the Insurance Administrator seeks to dismiss directors, executive officers, accounting advisers, company auditors, or accounting auditors of the Managed Company pursuant to the provisions of the preceding paragraph, when the number of directors, executive officers, accounting advisers, company auditors, or accounting auditors will fail to meet the number prescribed by an Act or by the articles of incorporation by carrying out the dismissals, the Insurance Administrator may obtain permission of a court and appoint directors, executive officers, accounting advisers, company auditors, or accounting auditors of the Managed Company, notwithstanding the provisions of Article 329, paragraph (1) (Election), Article 347, paragraph (1) or Article 402, paragraph (2) (Election of Executive Officers) of the Companies Act or the provisions of Article 52, paragraph (1) or Article 53-26, paragraph (2).

５　前項の規定により選任された被管理会社の取締役、会計参与、監査役又は会計監査人は選任時の属する事業年度の終了後最初に招集される定時総会又は定時社員総会（総代会を設けているときは、定時総代会）の終結の時に、執行役は選任時の属する事業年度の終了後最初に招集される定時総会が終結した後最初に開催される取締役会の終結の時に退任する。

(5) The directors, accounting advisers, company auditors, or accounting auditors of the Managed Company who have been elected pursuant to the provisions of the preceding paragraph shall retire from their posts at the conclusion of the first annual Shareholders' Meeting or annual general members' council meeting (in cases where there is a General Representative Members' Council, the Annual General Representative Members' Council Meeting) convened after the end of the business year during which they were appointed, and executive officers shall retire from their posts at the conclusion of the first meeting of the board of directors held after the conclusion of the first Annual Shareholders' Meeting convened after the end of the business year during which they were appointed.

６　第一項から第四項までに規定する許可（以下この条及び次条において「代替許可」という。）があったときは、当該代替許可に係る事項について株主総会等、種類株主総会又は取締役会の決議があったものとみなす。この場合における第十六条第一項、第百三十六条の二第一項（第二百七十二条の二十九において準用する場合を含む。以下この項において同じ。）並びに第二百五十条第三項及び第五項の規定の適用については、第十六条第一項中「資本金又は準備金（以下この節において「資本金等」という。）の額の減少（減少する準備金の額の全部を資本金とする場合を除く。）の決議に係る株主総会（会社法第四百四十七条第三項（資本金の額の減少）又は第四百四十八条第三項（準備金の額の減少）に規定する場合にあっては、取締役会）の会日の二週間前」とあるのは「資本金又は準備金の額の減少（減少する準備金の額の全部を資本金とする場合を除く。）に係る第二百四十九条の二第一項の許可のあった日以後二週間以内の日」と、第百三十六条の二第一項中「前条第一項の株主総会等の会日の二週間前」とあるのは「保険契約の移転に係る第二百四十九条の二第一項又は第二項の許可のあった日以後二週間以内の日」と、第二百五十条第三項中「次項の公告」とあり、及び同条第五項中「前項の公告」とあるのは「第二百四十九条の二第八項の公告」とし、第百五十六条の二及び第二百五十条第四項の規定は、適用しない。

(6) When the permissions prescribed in paragraph (1) to paragraph (4) inclusive (hereinafter referred to as "Replacement Permissions" in this Article and the following Article) have been obtained, it shall be deemed that a resolution of the Shareholders' Meeting, etc., class meeting, or board of directors has been made concerning the particulars of said Replacement Permissions. With regard to the application of the provisions in Article 16, paragraph (1), Article 136-2, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-29), and Article 250, paragraphs (3) and (5) in this case, the term "two weeks before the date of the Shareholders' Meeting pertaining to the resolution on the reduction (excluding the cases where the whole of the amount by which the reserves are reduced is appropriated to the capital) of the capital or reserves (hereinafter referred to as "capital, etc." in this Section) (or, the date of the board of directors meeting where Article 447, paragraph (3) (Reductions in Amount of Capital) or Article 448, paragraph (3) (Reductions in Amount of Reserves) of the Companies Act applies)" in Article 60, paragraph (1) shall be deemed to be replaced with "a date within two weeks from the date of receipt of the permission set forth in Article 249-2, paragraph (1) pertaining to the reduction (excluding the cases where the whole of the amount by which the reserves are reduced is appropriated to the capital) of the capital or reserves," the term "two weeks before the date of the Shareholders' Meeting, etc. set forth in Article 136, paragraph (1) in the preceding Article" in Article 136-2 shall be deemed to be replaced with "a date within two weeks from the date of receipt of the permission set forth in Article 249-2, paragraph (1) or (2) pertaining to the transfer of insurance contracts," and the terms "the public notice set forth in the following paragraph" in Article 250, paragraph (3) and "the public notice set forth in the preceding paragraph" in paragraph (5) in that Article shall be deemed to be replaced with "the public notice set forth in Article 249-2, paragraph (8)"; and the provisions of Article 156-2 and Article 250, paragraph (4) shall not apply.

７　代替許可に係る事件は、当該被管理会社の本店又は主たる事務所の所在地を管轄する地方裁判所が管轄する。

(7) The district court with jurisdiction over the location of the head office or principle office of that Managed Company shall have jurisdiction over the particulars of Replacement Permissions.

８　裁判所は、代替許可の決定をしたときは、その決定書を被管理会社に送達するとともに、その決定の要旨を公告しなければならない。

(8) The court shall, when it has made a decision on Replacement Permissions, serve that written decision on the Managed Company and make a public notice as to the gist of that decision.

９　前項の規定によってする公告は、官報に掲載してする。

(9) The public notice made pursuant to the provisions of the preceding paragraph shall be published in the Official Gazette.

１０　代替許可の決定は、第八項の規定による被管理会社に対する送達がされた時から、効力を生ずる。

(10) The decision on Replacement Permissions shall take effect as of the time it has been served on the Managed Company under the provisions of paragraph (8).

１１　代替許可の決定に対しては、株主又は社員は、第八項の公告のあった日から一週間の不変期間内に、即時抗告をすることができる。この場合において、当該即時抗告が解散に係る代替許可の決定に対するものであるときは、執行停止の効力を有する。

(11) Shareholders or members may make an immediate appeal against the decision on Replacement Permissions within an unextendable period of one week from the date of the public notice set forth in paragraph (8). In this case, when the immediate appeal is against a decision on Replacement Permissions pertaining to dissolution, it shall have the effect of a stay of execution.

１２　非訟事件手続法（明治三十一年法律第十四号）第二条から第四条まで（管轄裁判所、優先管轄及び移送、管轄裁判所の指定）、第十五条（検察官の陳述及び立会い）、第十六条（検察官への通知義務）、第十八条第一項及び第二項（裁判の発効）並びに第二十条（抗告）の規定は、代替許可に係る事件については、適用しない。

(12) The provisions of Article 2 to Article 4 inclusive (Court with Jurisdiction, Priority Jurisdiction and Transfer, Designations of Courts with Jurisdiction), Article 15 (Statements and Attendance of a Public Prosecutor), Article 16 (Obligation to Notify a Public Prosecutor), Article 18, paragraphs (1) and (2) (Effect of Decisions), and Article 20 (Appeals) of the Act on Procedures in Non-Contentious Cases (Act No. 14 of 1898) shall not apply concerning the particulars of Replacement Permissions.

（代替許可に係る登記の特例）

(Special Provisions on Registration Pertaining to Replacement Permissions)

第二百四十九条の三　前条第一項第二号若しくは第三号若しくは第二項第三号に掲げる事項又は同条第三項若しくは第四項に定める事項に係る代替許可があった場合においては、当該事項に係る登記の申請書には、当該代替許可の決定書の謄本又は抄本を添付しなければならない。

Article 249-3 In cases where Replacement Permissions for the particulars listed in item (ii) or (iii) of paragraph (1) of the preceding Article, item (iii) of paragraph (2) of that Article, or in paragraph (3) or (4) of that Article have been granted, a certified copy or extract of the written decision for said Replacement Permissions shall be attached to the written application for registration for said particulars.

第三款　合併等における契約条件の変更

Subsection 3 Modification of Contract Conditions in Merger, etc.

（保険契約の移転における契約条件の変更）

(Modification of Contract Conditions in Transfer of Insurance Contracts)

第二百五十条　保険会社等又は外国保険会社等は、次に掲げる場合に該当する場合には、第百三十五条第一項（第二百十条第一項及び第二百七十二条の二十九において準用する場合を含む。）の契約において、第百三十五条第四項（第二百十条第一項及び第二百七十二条の二十九において準用する場合を含む。）に規定する軽微な変更のほか、当該契約により移転するものとされる保険契約（特定契約を除く。）について保険金額の削減その他の契約条項の変更（当該軽微な変更、特定補償対象契約以外の補償対象契約（第二百七十条の三第二項第一号に規定する補償対象契約をいう。）について第三項第一号に規定する公告等の時以後に収受した保険料により積み立てるべき責任準備金を減額する変更及び特定補償対象契約について同号に規定する公告等の時以後に発生する解約返戻金その他これに類するものとして内閣府令・財務省令で定める給付金に関しこれら以外の当該特定補償対象契約に係る保険金その他の給付金に比して不利な内容を定める変更を除く。以下この款において「契約条件の変更」という。）を定めることができる。

Article 250 (1) In addition to the minor modifications prescribed in Article 135, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1) and Article 272-29) made to the contract set forth in Article 135, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1) and Article 272-29), an Insurance Company, etc., or Foreign Insurance Company, etc., may, in the cases that fall under the following listed cases, prescribe a reduction in the insurance proceeds and any other modifications to contract clauses with regard to insurance contracts (excluding specified contracts) that will be transferred pursuant to that contract (excluding said minor modifications, that reduce the policy reserves that must be reserved from Insurance Premiums received after the time of the public notice, etc., prescribed in paragraph (3), item (i) with regard to Covered Insurance Contracts other than specified Covered Insurance Contracts (referred to as Covered Insurance Contracts prescribed in Article 270, paragraph (3), item (i)), and modifications that will establish disadvantageous content related to cancellation refunds or any other similar benefits specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance that accrue after the time of the public notice, etc., prescribed in that item with regard to specified Covered Insurance Contracts compared to other insurance proceeds or any other benefits pertaining to said specified Covered Insurance Contracts; hereinafter referred to in this Subsection as "Modifications to Contract Conditions"):

一　第二百四十一条第一項の規定により保険契約の全部に係る保険契約の移転の協議を命ぜられた場合において、当該保険契約の移転をするとき。

(i) In the case where agreement to a transfer of insurance contracts pertaining to all insurance contracts has been ordered pursuant to the provisions of Article 241, paragraph (1), when said insurance contracts are to be transferred;

二　被管理会社である場合において、第二百四十七条第二項の承認（同条第四項の変更の承認を含む。）を受けた同条第一項の計画に従って保険契約の全部又は一部に係る保険契約の移転をするとき。

(ii) In the case where the company is a Managed Company, when a transfer of insurance contracts pertaining to all or some insurance contracts is to be made in accordance with a plan as set forth in Article 247, paragraph (1) that has received approval as set forth in paragraph (2) in that Article (including the approval of modification as set forth in paragraph (4) in that Article);

三　第二百六十八条第一項又は第二百七十条第一項の内閣総理大臣の認定を受けた第二百六十条第二項に規定する破綻保険会社である場合において、同条第三項に規定する救済保険会社に対しその保険契約の全部に係る保険契約の移転をするとき（前二号に掲げる場合を除く。）。

(iii) In the case where the company is a Bankrupt Insurance Company as prescribed in Article 260, paragraph (2) that has received the recognition of the Prime Minister as set forth in Article 268, paragraph (1) or Article 270, paragraph (1), when insurance contracts pertaining to all its insurance contracts are to be transferred to a Relief Insurance Company as prescribed in Article 260, paragraph (3) (excluding the case given in the preceding two items).

２　前項第一号又は第三号の保険契約の移転をする場合には、当該保険会社等又は外国保険会社等に係る保険契約（特定補償対象契約解約関連業務に係る保険契約を含む。）のうち、特定契約以外の全部を包括して移転しなければならない。

(2) In the case where insurance contracts are to be transferred as set forth in the item (i) or (iii) in the preceding paragraph, all the insurance contracts pertaining to that Insurance Company, etc., or Foreign Insurance Company, etc., (including insurance contracts relevant to Business for Canceling Specified Covered Insurance Contracts), other than specified contracts, shall be transferred collectively.

３　前二項に規定する「特定契約」とは、次に掲げるものをいう。

(3) The term "Specified Contracts" prescribed in the preceding two paragraphs refers to the following:

一　次項の公告の時（当該公告の時において既に、第二百四十一条第一項の規定により業務の全部若しくは一部の停止を命ぜられ、保険契約に係る支払を停止している場合又は第二百四十五条（第二百五十八条第二項において準用する場合を含む。）、この条第五項、第二百五十四条第四項若しくは第二百五十五条の二第三項の規定によりその業務を停止し、保険契約に係る支払を停止している場合にあっては、その保険契約に係る支払を停止した時。次号において「公告等の時」という。）において既に保険事故が発生している保険契約（当該保険事故に係る保険金の支払により消滅することとなるものに限る。）

(i) Insurance contracts for which an insured event (limited to insurance contracts which would be terminated with the payment of the insurance proceeds pertaining to the insured event) has already occurred at the Time of the Public Notice set forth in the following paragraph (when payment pertaining to said insurance contracts has already been suspended at the time of said public notice in the case where a whole or partial suspension of business has been ordered pursuant to the provisions of Article 241, paragraph (1) and payment pertaining to insurance contracts has been suspended or in the case where business has been suspended pursuant to the provisions of Article 245 (including the cases where it is applied mutatis mutandis pursuant to Article 258, paragraph (2)), paragraph (5) in this Article, Article 254, paragraph (4), or Article 255-2, paragraph (3), and payment pertaining to insurance contracts has been suspended; referred to as "Time of Public Notice, etc." in the following item);

二　公告等の時において既に保険期間が終了している保険契約（公告等の時において保険期間の中途で解約その他の保険契約の終了の事由が発生しているもの（第二百四十条の三の規定による命令により保険契約に係る支払が停止されているものを除く。）を含み、前号に掲げるものを除く。）

(ii) Insurance contracts for which the insured period has already terminated at the Time of Public Notice, etc. (including those that, at the Time of Public Notice, etc., were cancelled during the insured period and any others for which a cause of termination of insurance contracts has occurred (excluding those for which payment pertaining to insurance contracts has been suspended pursuant to an order under the provisions of Article 240-3), and excluding those given in the preceding item).

４　第一項の場合において、保険会社等にあっては第百三十六条第一項（第二百七十二条の二十九において準用する場合を含む。）の株主総会等の招集の通知の発送日において、当該株主総会等が開かれる旨及び当該契約条件の変更を含む保険契約の移転の決議が会議の目的となっている旨を、外国保険会社等にあっては第百三十五条第一項の契約に係る契約書の作成日において、当該契約条件の変更を含む契約書が作成された旨を、それぞれ公告しなければならない。

(4) In the case set forth in paragraph (1), an Insurance Company, etc., shall, on the date of mailing convocation notices for the Shareholders' Meeting, etc., set forth in Article 136, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-29), make public notice to the effect that said Shareholders' Meeting, etc., will be held and that a resolution to transfer insurance contracts that include said Modifications of Contract Conditions is the purpose of the meeting; a Foreign Insurance Company, etc., shall, on the date the contracts set forth in Article 135, paragraph (1) are created, make public notice to the effect that contracts that contain said Modifications of Contract Conditions have been issued.

５　第一項の保険会社等又は外国保険会社等は、前項の公告の時において既に、第二百四十一条第一項の規定により業務の全部の停止を命ぜられ、又は第二百四十五条本文（第二百五十八条第二項において準用する場合を含む。）、この項本文、第二百五十四条第四項本文若しくは第二百五十五条の二第三項本文の規定によりその業務の全部を停止している場合を除き、当該公告の時から、その業務の全部（補償対象保険金支払業務及び特定補償対象契約解約関連業務を除く。）を停止しなければならない。ただし、当該保険会社等又は外国保険会社等の申出により、その業務の一部を停止しないことについて、内閣総理大臣が必要があると認めた場合には、当該業務の一部については、この限りでない。

(5) The Insurance Company, etc., or Foreign Insurance Company, etc., set forth in paragraph (1) shall suspend all of its business (excluding Business for Paying Covered Insurance Proceeds and Business for Canceling Specified Covered Insurance Contracts) from the Time of Public Notice as set forth in the preceding paragraph, excluding the case where, already at the Time of Public Notice, the suspension of all of its business has been ordered pursuant to the provisions of Article 241, paragraph (1) or all of its business has been suspended pursuant to the provisions of the main clause of Article 245 (including the cases where it is applied mutatis mutandis pursuant to Article 258, paragraph (2)), the main clause of this paragraph, the main clause of Article 254, paragraph (4), or the main clause of Article 255-2, paragraph (3); provided, however, that this shall not apply to a portion of its business in the case that the Prime Minister has found it necessary that the portion of business not be suspended pursuant to a report from that Insurance Company, etc., or Foreign Insurance Company, etc.

（保険契約の移転の公告及び異議申立てに関する特例）

(Special Provisions on Public Notice of Transfer of Insurance Contracts and Raising of Objections)

第二百五十一条　前条第一項の保険契約の移転をする場合には、第百三十七条第一項（第二百十条第一項及び第二百七十二条の二十九において準用する場合を含む。）の公告に、契約条件の変更により生ずる保険契約者の権利義務の変更の主要な内容その他の内閣府令・財務省令で定める事項を付記しなければならない。

Article 251 (1) In the case where insurance contracts are to be transferred as set forth in the paragraph (1) in the preceding Article, the public notice set forth in Article 137, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1)and Article 272-29) shall include a supplementary note on the main content of modifications in the rights and duties of Insurance Policyholders caused by a Modification of Contract Conditions and any other particulars specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

２　前条第一項の保険契約の移転をする場合における第百三十五条第二項及び第百三十七条第四項（第二百十条第一項及び第二百七十二条の二十九において準用する場合を含む。以下この項において同じ。）の規定の適用については、第百三十五条第二項中「第百三十七条第一項の公告の時において既に保険事故が発生している保険契約（当該保険事故に係る保険金の支払により消滅することとなるものに限る。）その他の政令で定める保険契約」とあるのは「第二百五十条第三項に規定する特定契約」と、第百三十七条第四項中「五分の一」とあるのは「十分の一」と、「当該保険契約について、第一項の規定による公告の時において」とあるのは「当該保険契約が第二百五十条第三項に規定する特定契約である場合において、当該保険契約につき」とする。

(2) With regard to the application of the provisions of Article 135, paragraph (2) and Article 137, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1) and Article 272-29; hereinafter the same shall apply in this paragraph) in the case where insurance contracts are to be transferred as set forth in the paragraph (1) in the preceding Article, "insurance contracts for which an insured event has already occurred at the Time of Public Notice set forth in Article 137, paragraph (1) (limited to insurance contracts which would be terminated with the payment of the insurance proceeds pertaining to the insured event) and any other insurance contracts specified by a Cabinet Order" in Article 135, paragraph (2) shall be deemed to be replaced with "Specified Contracts prescribed in Article 250, paragraph (3)," and the terms "one fifth" and "at the Time of Public Notice under the provisions of paragraph (1) with regard to said insurance contracts" in Article 137, paragraph (4) shall be deemed to be replaced with "one tenth" and "for said insurance contracts, in the case that said insurance contracts are Specified Contracts as prescribed in Article 250, paragraph (3)," respectively.

（契約条件の変更を伴う保険契約の移転の効果）

(Effect of Transfer of Insurance Contracts Accompanied by Modification in Contract Conditions)

第二百五十二条　第二百五十条第一項の保険契約の移転をしたときは、当該保険契約の移転に係る保険契約に係る債権及び債務については、当該保険契約について第百三十五条第一項（第二百十条第一項及び第二百七十二条の二十九において準用する場合を含む。以下この条において同じ。）の契約において定められた契約条件の変更がされた後の条件で、第百三十五条第一項に規定する移転先会社が承継する。

Article 252 When a transfer of insurance contracts has taken place as set forth in Article 250, paragraph (1), the Transferee Company prescribed in Article 135, paragraph (1) shall assume the claims and obligations pertaining to insurance contracts pertaining to the transfer of insurance contracts under the conditions set forth after the Modifications to Contract Conditions specified in the contract set forth in Article 135, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1) and Article 272-29; hereinafter the same shall apply in this Article) have been made with regard to said insurance contracts.

（契約条件の変更の通知）

(Notice of Modification of Contract Conditions)

第二百五十三条　第二百五十条第一項の保険契約の移転をした場合における第百四十条第二項（第二百十条第一項及び第二百七十二条の二十九において準用する場合を含む。以下この条において同じ。）の規定の適用については、第百四十条第二項中「同条第四項に規定する軽微な変更を定めたときは、保険契約の移転を受けたこと及び当該軽微な変更の内容」とあるのは、「第二百五十条第一項に規定する契約条件の変更（第百三十五条第四項に規定する軽微な変更を含む。以下この項において同じ。）を定めたときは、保険契約の移転を受けたこと及び当該契約条件の変更後の保険契約者の権利及び義務の内容」とする。

Article 253 With regard to the application of the provisions of Article 140, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1) and Article 272-29; hereinafter the same shall apply in this Article) in the case where a transfer of insurance contracts has taken place as set forth in Article 250, paragraph (1), the term "the fact that a transfer of insurance contracts has been received and the content of said minor modifications when the minor modifications prescribed in the paragraph (4) in that Article have been established" in Article 140, paragraph (2) shall be deemed to be replaced with "the fact that a transfer of insurance contracts has been received and the content of the rights and duties of Insurance Policyholders after said Modification of Contract Conditions when the Modification of Contract Conditions prescribed in Article 250, paragraph (1) (including the minor modifications prescribed in Article 135, paragraph (4), hereinafter the same shall apply in this paragraph) has been established."

（合併契約における契約条件の変更）

(Modification of Contract Conditions in a Merger Agreement)

第二百五十四条　保険会社等は、次に掲げる場合に該当する場合には、合併契約において、当該保険会社等に係る保険契約（特定契約を除く。）について契約条件の変更を定めることができる。

Article 254 (1) An Insurance Company, etc., may, in the cases that fall under the following listed cases, specify Modifications of Contract Conditions with regard to insurance contracts (excluding Specified Contracts) pertaining to that Insurance Company, etc., in merger agreements:

一　第二百四十一条第一項の規定により合併の協議を命ぜられた場合において、合併をしようとするとき。

(i) In the case where agreement to a merger has been ordered pursuant to the provisions of Article 241, paragraph (1), when a merger is sought;

二　被管理会社である場合において、第二百四十七条第二項の承認（同条第四項の変更の承認を含む。）を受けた同条第一項の計画に従って合併するとき。

(ii) In the case where the company is a Managed Company, when a merger is to be made in accordance with a plan as set forth in Article 247, paragraph (1) that has received approval as set forth in paragraph (2) in that Article (including the approval of modifications as set forth in paragraph (4) in that Article);

三　第二百六十八条第一項又は第二百七十条第一項の内閣総理大臣の認定を受けた第二百六十条第二項に規定する破綻保険会社である場合において、同条第三項に規定する救済保険会社が存続することとなる合併をするとき（前二号に掲げる場合を除く。）。

(iii) In the case where the company is a Bankrupt Insurance Company as prescribed in Article 260, paragraph (2) that has received the recognition of the Prime Minister as set forth in Article 268, paragraph (1) or Article 270, paragraph (1), when a merger is to be made that will result in the survival of a Relief Insurance Company as prescribed in Article 260, paragraph (3) (excluding the case given in the preceding two items).

２　第二百五十条第三項の規定は、前項に規定する特定契約について準用する。この場合において、同条第三項第一号中「次項」とあるのは、「第二百五十四条第三項」と読み替えるものとする。

(2) The provisions of Article 250, paragraph (3) shall apply mutatis mutandis to the Specified Contracts prescribed in the preceding paragraph. In this case, the term "the following paragraph" shall be deemed to be replaced with "Article 254, paragraph (3)."

３　第一項の保険会社等は、会社法第七百八十三条第一項（吸収合併契約等の承認等）、第七百九十五条第一項（吸収合併契約等の承認等）若しくは第八百四条第一項（新設合併契約等の承認）又は第百六十五条の三第一項、第百六十五条の十第一項若しくは第百六十五条の十六第一項（第百六十五条の二十において準用する場合を含む。）の承認の決議を行う株主総会等の招集の通知の発送日において、当該株主総会等が開かれる旨及び当該契約条件の変更を含む合併契約の承認の決議が会議の目的となっている旨を公告しなければならない。

(3) The Insurance Company, etc., set forth in paragraph (1) shall, on the date of mailing convocation notices for the Shareholders' Meeting, etc., at which a resolution will be made on the approval set forth in Article 783, paragraph (1) (Approval, etc., of the Absorption-type Merger Agreements, etc.), Article 795, paragraph (1) (Approval, etc., of the Absorption-type Merger Agreements, etc.), or Article 804, paragraph (1) (Approval, etc. of the Consolidation-type Merger Agreements, etc.) of the Companies Act, or Article 165-3, paragraph (1), Article 165-10, paragraph (1), or Article 165-16, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20), make public notice to the effect that said Shareholders' Meeting, etc., will be held and that a resolution on the approval of a merger agreement is the purpose of the meeting.

４　第一項の保険会社等は、前項の公告の時において既に、第二百四十一条第一項の規定により業務の全部の停止を命ぜられ、又は第二百四十五条本文（第二百五十八条第二項において準用する場合を含む。）、第二百五十条第五項本文、この項本文若しくは第二百五十五条の二第三項本文の規定によりその業務の全部を停止している場合を除き、当該公告の時から、その業務の全部（補償対象保険金支払業務及び特定補償対象契約解約関連業務を除く。）を停止しなければならない。ただし、当該保険会社等の申出により、その業務の一部を停止しないことについて、内閣総理大臣が必要があると認めた場合には、当該業務の一部については、この限りでない。

(4) The Insurance Company, etc., set forth in paragraph (1) shall suspend all of its business (excluding Business for Paying Covered Insurance Proceeds and Business for Canceling Specified Covered Insurance Contracts) from the Time of Public Notice as set forth in the preceding paragraph, excluding the case where, already at the Time of Public Notice, the suspension of all of its business has been ordered pursuant to the provisions of Article 241, paragraph (1) or all of its business has been suspended pursuant to the provisions of the main clause of Article 245 (including the cases where it is applied mutatis mutandis pursuant to Article 258, paragraph (2)), the main clause of Article 250, paragraph (5), the main clause of this paragraph, or the main clause of Article 255-2, paragraph (3); provided, however, that this shall not apply to a portion of its business in the case that the Prime Minister has found it necessary that the portion of business not be suspended pursuant to a report from that Insurance Company, etc.

（合併の公告及び異議申立てに関する特例）

(Special Provisions on Public Notice of Merger and Raising of Objections)

第二百五十五条　前条第一項の保険会社等は、第百六十五条の七第二項（第百六十五条の十二において準用する場合を含む。）、第百六十五条の十七第二項（第百六十五条の二十において準用する場合を含む。）又は第百六十五条の二十四第二項の規定による公告に、契約条件の変更により生ずる保険契約者の権利義務の変更の主要な内容その他の内閣府令・財務省令で定める事項を付記しなければならない。

Article 255 (1) The Insurance Company, etc., set forth in paragraph (1) in the preceding Article, shall attach a supplementary note to the public notice under the provisions of Article 165-7, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 165-12), Article 165-17, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20), or Article 165-24, paragraph (2) on the main content of modifications in the rights and duties of Insurance Policyholders caused by a Modification of Contract Conditions and any other particulars specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

２　前条第一項の合併をする場合における第百六十五条の七第四項（第百六十五条の十二において準用する場合を含む。）において準用する第七十条第六項、第百六十五条の十七第四項（第百六十五条の二十において準用する場合を含む。）において準用する第八十八条第六項又は第百六十五条の二十四第六項の規定の適用については、これらの規定中「同項の規定による公告の時において既に保険金請求権等が生じている保険契約（当該保険金請求権等に係る支払により消滅することとなるものに限る。）」とあるのは「第二百五十四条第二項において準用する第二百五十条第三項に規定する特定契約」と、「五分の一」とあるのは「十分の一」と、「保険金請求権等」とあるのは「第二百五十四条第二項において準用する第二百五十条第三項に規定する特定契約に係る保険金請求権その他の政令で定める権利」とする。

(2) With regard to the application of the provisions of Article 70, paragraph (6), as applied mutatis mutandis pursuant to Article 165-7, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 165-12), Article 88, paragraph (6), as applied mutatis mutandis pursuant to Article 165-17, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20), or Article 165-24, paragraph (6) in the case where a merger is to be made as set forth in paragraph (1) in the preceding Article, in these provisions, the term "insurance contracts under which the Insurance Claims, etc., had already arisen at the Time of Public Notice under the provisions of that paragraph (limited to those contracts that would be terminated with payment pertaining to said Insurance Claims, etc.)" shall be deemed to be replaced with "insurance contracts prescribed in Article 250, paragraph (3), as applied mutatis mutandis pursuant to Article 254, paragraph (2)," the term "one fifth" shall be deemed to be replaced with "one tenth," the term "Insurance Claims, etc." shall be deemed to be replaced with "insurance claims pertaining to the Specified Contracts prescribed in Article 250, paragraph (3), as applied mutatis mutandis pursuant to Article 254, paragraph (2), and any other rights specified by a Cabinet Order."

３　前条第一項の合併の場合においては、合併後存続する保険会社等又は合併により設立される保険会社等は、合併後三月以内に、同項の保険会社等の保険契約者に対し、その旨及び契約条件の変更後の保険契約者の権利及び義務の内容を通知しなければならない。

(3) In the case of a merger as set forth in paragraph (1) in the preceding Article, the Insurance Company, etc., that survives after the merger or the Insurance Company, etc., that is incorporated by the merger shall, within three months after the merger, notify the Insurance Policyholders of the Insurance Company, etc., of that paragraph to that effect and of the content of the rights and duties of Insurance Policyholders after the Modification of Contract Conditions.

（株式の取得における契約条件の変更）

(Modification of Contract Conditions in an Acquisition of Shares)

第二百五十五条の二　保険会社等又は外国保険会社等は、次に掲げる場合に該当する場合（当該保険会社等又は外国保険会社等の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るために必要な事項として内閣総理大臣及び財務大臣が定めるものを実施するために、株式の取得がされる場合に限る。）には、契約条件変更計画を作成して、当該保険会社等又は外国保険会社等に係る保険契約（特定契約を除く。）について契約条件の変更を行うことができる。この場合においては、契約条件変更計画において、契約条件の変更により生ずる保険契約者の権利義務の変更の主要な内容その他内閣府令・財務省令で定める事項を定めなければならない。

Article 255-2 (1) An Insurance Company, etc., or Foreign Insurance Company, etc., may, in the following cases (limited to cases in which shares are acquired in order to set in place the particulars specified by the Prime Minister and the Minister of Finance as necessary for ensuring the sound and appropriate business operation of said Insurance Company, etc., or Foreign Insurance Company, etc., and for protecting Insurance Policyholders, etc.), prepare a plan to modify contract conditions and modify the contract conditions of insurance contracts (excluding Specified Contracts) with that Insurance Company, etc., or Foreign Insurance Company, etc. In this case, the main content of changes in the rights and duties of Insurance Policyholders caused by the Modification of Contract Conditions and any other particulars specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance shall be specified in the plan to modify contract conditions:

一　第二百四十一条第一項の規定により他の保険会社等、外国保険会社等又は保険持株会社等に株式を取得されることによりその子会社となることの協議を命ぜられた場合において、他の保険会社等、外国保険会社等又は保険持株会社等に当該株式を取得されることによりその子会社となるとき。

(i) If an agreement has been ordered, pursuant to the provisions of Article 241, paragraph (1) for it to become the Subsidiary of another Insurance Company, etc. or Foreign Insurance Company, etc. or of an Insurance Holding Company, etc. through an acquisition of its shares, and it becomes the Subsidiary of another Insurance Company, etc. or Foreign Insurance Company, etc. or of an Insurance Holding Company, etc. through the acquisition of its shares;

二　被管理会社である場合において、第二百四十七条第二項の承認（同条第四項の変更の承認を含む。）を受けた同条第一項の計画に従って他の保険会社等、外国保険会社等又は保険持株会社等に株式を取得されることによりその子会社となるとき。

(ii) If it is a Managed Company and has become the Subsidiary of another Insurance Company, etc. or Foreign Insurance Company, etc. or of an Insurance Holding Company, etc. through an acquisition of its shares in accordance with a plan as set forth in Article 247, paragraph (1) for which the approval set forth in the paragraph (2) in that Article has been received (including the approval of the modifications set forth in the paragraph (4) in that Article);

三　第二百六十八条第一項の内閣総理大臣の認定を受けた第二百六十条第二項に規定する破綻保険会社である場合において、同条第三項に規定する救済保険会社又は救済保険持株会社等に株式を取得されることによりその子会社となるとき（前二号に掲げる場合を除く。）。

(iii) If it is a Bankrupt Insurance Company as prescribed in Article 260, paragraph (2) that has received the recognition of the Prime Minister as set forth in Article 268, paragraph (1), and become the Subsidiary of a Relief Insurance Company or Relief Insurance Holding Company, etc., as prescribed in Article 260, paragraph (3) through an acquisition of its shares (excluding the case given in the preceding two items).

２　第二百五十条第三項の規定は、前項に規定する特定契約について準用する。この場合において、同条第三項第一号中「次項」とあるのは、「第二百五十五条の四第一項」と読み替えるものとする。

(2) The provisions of Article 250, paragraph (3) shall apply mutatis mutandis to the Specified Contracts prescribed in the preceding paragraph. In this case, the term "the following paragraph" in paragraph (3), item (i) in that Article shall be deemed to be replaced with "Article 255-4, paragraph (1)."

３　第一項の契約条件の変更をしようとする保険会社等又は外国保険会社等（以下この款において「変更会社」という。）は、第二百五十五条の四第一項の公告の時において既に、第二百四十一条第一項の規定により業務の全部の停止を命ぜられ、又は第二百四十五条本文（第二百五十八条第二項において準用する場合を含む。）、第二百五十条第五項本文、第二百五十四条第四項本文若しくはこの項本文の規定によりその業務の全部を停止している場合を除き、当該公告の時から、その業務の全部（補償対象保険金支払業務及び特定補償対象契約解約関連業務を除く。）を停止しなければならない。ただし、当該保険会社等又は外国保険会社等の申出により、その業務の一部を停止しないことについて、内閣総理大臣が必要があると認めた場合には、当該業務の一部については、この限りでない。

(3) An Insurance Company, etc., or Foreign Insurance Company, etc., that seeks to make the Modification of Contract Conditions set forth in paragraph (1) (hereinafter referred to as "Modified Company" in this Subsection) shall suspend all of its business (excluding Business for Paying Covered Insurance Proceeds and Business for Canceling Specified Covered Insurance Contracts ) from the Time of Public Notice as set forth in Article 255-4, paragraph (1), excluding the case where, already at the time of public notice, the suspension of all of its business has been ordered pursuant to the provisions of Article 241, paragraph (1) or all of its business has been suspended pursuant to the provisions of the main clause of Article 245 (including the cases where it is applied mutatis mutandis pursuant to Article 258, paragraph (2)), the main clause of Article 250, paragraph (5), the main clause of Article 254, paragraph (4), or the main clause of this paragraph; provided, however, that this shall not apply to a portion of its business in the case that the Prime Minister has found it necessary that the portion of business not be suspended pursuant to a report from that Insurance Company, etc., or Foreign Insurance Company, etc.

（契約条件の変更に係る書類の備置き等）

(Retention, etc. of Documents Related to the Modification of Contract Conditions,)

第二百五十五条の三　変更会社は、次条第一項の規定による公告の日から同条第二項の規定により同条第一項の公告に付記した期間の最終日まで、契約条件変更計画の内容その他の内閣府令・財務省令で定める事項を記載し、又は記録した書面又は電磁的記録を各営業所又は各事務所に備え置かなければならない。

Article 255-3 (1) A Modified Company shall, from the date of public notice under the provisions of the paragraph (1) in the following Article until the last day of the period of the supplementary note attached to the public notice of the paragraph (1) in that Article pursuant to the provisions of the paragraph (2) in that Article, keep the documents or electromagnetic records in which the details of the plan to modify contract conditions and any other particulars specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance are detailed or recorded, at the company's business offices or other offices.

２　契約条件変更計画により変更するものとされる保険契約に係る保険契約者（次条において「変更対象契約者」という。）は、変更会社に対して、その営業時間又は事業時間内は、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該変更会社の定めた費用を支払わなければならない。

(2) Insurance Policyholders under an insurance contract that is to be modified pursuant to a plan to modify contract conditions (referred to as "Policyholders Subject to the Modification" in the following Article) may make the following requests to the Modified Company during its operating hours or business hours; provided, however, that they pay the expenses determined by that Modified Company in making a request falling under item (ii) or (iv):

一　前項の書面の閲覧の請求

(i) A request to inspect the documents set forth in the preceding paragraph;

二　前項の書面の謄本又は抄本の交付の請求

(ii) A request to be issued a certified copy or extract of the documents set forth in the preceding paragraph;

三　前項の電磁的記録に記録された事項を内閣府令・財務省令で定める方法により表示したものの閲覧の請求

(iii) A request to inspect anything that shows the particulars recorded in the electromagnetic records set forth in the preceding paragraph by a manner specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance;

四　前項の電磁的記録に記録された事項を電磁的方法であって当該変更会社の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request to be provided with the particulars recorded in the electromagnetic records set forth in the preceding paragraph by electromagnetic means determined by that Modified Company, or to be issued a document detailing such particulars.

（契約条件の変更の公告及び異議申立て）

(Public Notice of Modification of Contract Conditions and Raising of Objections)

第二百五十五条の四　変更会社は、契約条件変更計画の作成日において、契約条件変更計画の要旨及び貸借対照表その他内閣府令・財務省令で定める事項を公告しなければならない。

Article 255-4 (1) A Modified Company shall, on the day of preparation of a plan to modify contract conditions, make a public notice on the gist of the plan to modify contract conditions and the balance sheet and any other particulars specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

２　前項の公告には、変更対象契約者で異議がある者は、一定の期間内に異議を述べるべき旨を付記しなければならない。

(2) The public notice set forth in the preceding paragraph shall include a supplementary note to the effect that any Policyholder Subject to the Modification who has an objection must raise that objections within a set period of time.

３　前項の期間は、一月を下ってはならない。

(3) The period under the preceding paragraph cannot be less than one month.

４　第二項の期間内に異議を述べた変更対象契約者の数が変更対象契約者の総数の十分の一を超え、かつ、当該異議を述べた変更対象契約者の保険契約に係る債権の額に相当する金額として内閣府令・財務省令で定める金額が変更対象契約者の当該金額の総額の十分の一を超えるときは、契約条件の変更をしてはならない。

(4) Contract conditions shall not be modified when the number of Policyholders Subject to the Modification who have raised objections within the period of time set forth in paragraph (2) exceeds one tenth of the total number of Policyholders Subject to the Modification and the amount specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance as an amount equivalent to the sum of the claims pertaining to the insurance contracts of Policyholders Subject to the Modification who have raise d such objections exceeds one tenth of the total amount of that amount of Policyholders Subject to the Modification.

５　第二項の期間内に異議を述べた変更対象契約者の数又はその者の前項の内閣府令・財務省令で定める金額が、同項に定める割合を超えないときは、当該変更対象契約者全員が当該契約条件の変更を承認したものとみなす。

(5) When the number of Policyholders Subject to the Modification who have raised their objections within the period of time set forth in paragraph (2) or the amount specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance belonging to those Policyholders as set forth in the preceding paragraph does not exceed the percentage specified in that paragraph, all of said Policyholders Subject to the Modification shall be deemed to have approved said Modification of Contract Conditions.

（契約条件の変更の公告等）

(Public Notice, etc., of the Modification of Contract Conditions)

第二百五十五条の五　変更会社は、契約条件の変更後、遅滞なく、契約条件の変更をしたこと及び内閣府令・財務省令で定める事項を公告しなければならない。契約条件の変更をしないこととなったときも、同様とする。

Article 255-5 (1) A Modified Company shall, without delay after the Modification of Contract Conditions, make a public notice of the fact a Modification of Contract Conditions has been made and of particulars specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance. The same shall apply even when a Modification of Contract Conditions is not made.

２　変更会社は、契約条件の変更後三月以内に、当該契約条件の変更に係る保険契約者に対し、当該契約条件の変更後の保険契約者の権利及び義務の内容を通知しなければならない。

(2) A Modified Company shall, within three months after the Modification of Contract Conditions, notify the Insurance Policyholders pertaining to said Modification of Contract Conditions of the content of the rights and duties of Insurance Policyholders after said Modification of Contract Conditions.

第三節　合併等の手続の実施の命令等

Section 3 Order, etc. for Implementation of Procedures for a Merger, etc.

（合併等の協議の相手方の指定）

(Designation of the Other Party to Consultations for a Merger, etc.)

第二百五十六条　内閣総理大臣は、保険会社（外国保険会社等を含む。第二百六十条第一項第二号、第六項及び第八項第二号並びに第二百七十条の六を除き、以下この章において同じ。）が破綻保険会社（第二百六十条第二項に規定する破綻保険会社をいう。以下この節において同じ。）に該当し、かつ、必要があると認めるときは、当該破綻保険会社が合併等に係る協議をすべき相手方として他の保険会社又は保険持株会社等を指定し、当該他の保険会社又は保険持株会社等にその協議に応ずるよう勧告することができる。

Article 256 (1) The Prime Minister may, when an Insurance Company (including a Foreign Insurance Company, etc.; hereinafter the same shall apply in this Chapter, except in Article 260, paragraph (1), item (ii), Article 260, paragraph (6), and Article 260, paragraph (8), item (ii), and Article 270-6) falls under the category of a Bankrupt Insurance Company (meaning a Bankrupt Insurance Company as prescribed in Article 260, paragraph (2); hereinafter the same shall apply in this Section) and he/she finds it necessary, designate another Insurance Company or Insurance Holding Company, etc., as the other party with which that Bankrupt Insurance Company shall hold a consultation pertaining to a Merger, etc., and recommend that other Insurance Company or Insurance Holding Company, etc. to agree to participate in the consultation.

２　内閣総理大臣は、前項の勧告を行う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、破綻保険会社又は破綻保険会社となる蓋然性が高いと認められる保険会社につきその業務又は財産の状況に関する資料を他の保険会社又は保険持株会社等に対して交付し、その他当該勧告に必要な準備行為を行うことができる。

(2) If and to the extent that the Prime Minister finds it necessary for making the recommendation set forth in the preceding paragraph, he/she may deliver material related to the status of the business or property of a Bankrupt Insurance Company or an Insurance Company recognized as having a high probability of becoming a Bankrupt Insurance Company to another Insurance Company or Insurance Holding Company, etc., and make any other necessary preparations for said recommendation.

３　内閣総理大臣は、破綻保険会社又は破綻保険会社となる蓋然性が高いと認められる保険会社が会員として加入している保険契約者保護機構に対し、第一項の勧告又は前項の準備行為の実施に関し、必要な協力を求めることができる。

(3) The Prime Minister may, request necessary cooperation, concerning the recommendation set forth in the paragraph (1) or the preparations set forth in the preceding paragraph, from the Policyholders Protection Corporation to which the Bankrupt Insurance Company or the Insurance Company recognized as having a high probability of becoming a Bankrupt Insurance Company has entered as a member.

（合併等の条件のあっせん）

(Mediation of the Merger Conditions, etc.)

第二百五十七条　内閣総理大臣は、前条第一項の場合において、その協議が調わないときは、あらかじめ同項の勧告に係る破綻保険会社及び同項の勧告を受けた他の保険会社又は保険持株会社等の意見を聴取し、条件を示して、必要なあっせんをすることができる。

Article 257 (1) The Prime Minister may, when no agreement is reached in the case set forth in paragraph (1) of the preceding Article, hear in advance the opinions of the Bankrupt Insurance Company pertaining to the recommendation set forth in that paragraph and the opinions of the other Insurance Company or Insurance Holding Company, etc., that received the recommendation set forth in that paragraph, indicate the conditions and conduct necessary mediation.

２　前条第二項及び第三項の規定は、前項のあっせんについて準用する。この場合において、同条第二項中「破綻保険会社又は破綻保険会社となる蓋然性が高いと認められる保険会社」とあるのは、「破綻保険会社」と読み替えるものとする。

(2) The provisions of paragraph (2) and paragraph (3) of the preceding Article, shall apply mutatis mutandis to the mediation set forth in the preceding paragraph. In this case, the term "Bankrupt Insurance Company or an Insurance Company recognized as having a high probability of becoming a Bankrupt Insurance Company" in paragraph (2) in that Article shall be deemed to be replaced with "Bankrupt Insurance Company."

（合併等の手続の実施の命令）

(Order to Implement Merger Proceedings etc.)

第二百五十八条　内閣総理大臣は、前条第一項の場合において同項の他の保険会社又は保険持株会社等があっせんに係る条件に同意したときは、同項のあっせんに係る破綻保険会社に対し、当該条件に従い合併等を実行するために必要な手続をとることを命ずることができる。

Article 258 (1) The Prime Minister may, in the case set forth in paragraph (1) of the preceding Article, when the other Insurance Company or Insurance Holding Company, etc., of that paragraph has consented to the conditions pertaining to the mediation, order the Bankrupt Insurance Company pertaining to the mediation set forth in that paragraph to conduct the proceedings necessary to execute the Merger, etc., in accordance with said conditions.

２　第二百四十五条の規定は、前項の場合（管理を命ずる処分を受けている場合を除く。）について準用する。この場合において、同条ただし書中「保険管理人」とあるのは、「当該破綻保険会社」と読み替えるものとする。

(2) The provisions of Article 245 shall apply mutatis mutandis in the case set forth in the preceding paragraph (excluding the case where a Disposition Ordering Management has been received). In this case, the term "Insurance Administrator" in the proviso of that Article shall be deemed to be replaced with "said Bankrupt Insurance Company."

第四節　保険契約者保護機構の行う資金援助等

Section 4 Financial Assistance, etc., Provided by Policyholders Protection Corporations

第一款　保険契約者保護機構

Subsection 1 Policyholders Protection Corporations

第一目　通則

Division 1 General Rules

（目的）

(Purpose)

第二百五十九条　保険契約者保護機構（以下この節、次節、第五編及び第六編において「機構」という。）は、破綻保険会社に係る保険契約の移転等における資金援助、承継保険会社の経営管理、保険契約の引受け、補償対象保険金の支払に係る資金援助及び保険金請求権等の買取りを行う等により、保険契約者等の保護を図り、もって保険業に対する信頼性を維持することを目的とする。

Article 259 The purpose of a policyholders protection corporation (hereinafter referred to as a "Corporation" in this Section, the following Section, Part V, and Part VI) is to protect Insurance Policyholders, etc., by providing financial assistance in the transfer, etc., of insurance contracts pertaining to a Bankrupt Insurance Company, providing executive management for the succeeding Insurance Company, underwriting insurance contracts, providing financial assistance pertaining to the payment of Covered Insurance Proceeds, and purchasing the Insurance Claims, etc., thereby maintaining credibility in Insurance Business.

（定義）

(Definitions)

第二百六十条　この節において「保険契約の移転等」とは、次に掲げるものをいう。

Article 260 (1) The term "Transfer, etc., of Insurance Contracts" as used in this Section refers to the following:

一　破綻保険会社と他の保険会社との間で、破綻保険会社に係る保険契約の全部又は一部に係る保険契約の移転をすること。

(i) The transfer, between a Bankrupt Insurance Company and another Insurance Company, of insurance contracts pertaining to all or some of the insurance contracts pertaining to a Bankrupt Insurance Company;

二　破綻保険会社（外国保険会社等を除く。）と他の保険会社との合併で、当該他の保険会社が存続することとなるもの

(ii) The survival, by a merger of a Bankrupt Insurance Company (excluding a Foreign Insurance Company, etc.) and another Insurance Company, of that other Insurance Company;

三　破綻保険会社の株式の他の保険会社又は保険持株会社等による取得で、当該破綻保険会社の業務（外国保険会社等にあっては、日本における業務。次項及び次款において同じ。）の健全かつ適切な運営を確保し、保険契約者等の保護を図るために必要な事項として内閣総理大臣及び財務大臣が定めるものを実施するために行うもの

(iii) That which is performed in order to set in place the particulars specified by the Prime Minister and the Minister of Finance as necessary for ensuring sound and appropriate operations in the business of a Bankrupt Insurance Company (in the case of Foreign Insurance Companies, etc., business in Japan; hereinafter the same shall apply in the following paragraph and the following Subsection) and for protecting Insurance Policyholders, etc., by the acquisition of the shares of that Bankrupt Insurance Company under another Insurance Company or Insurance Holding Company, etc.

２　この節において「破綻保険会社」とは、次に掲げる者をいう。

(2) The term "Bankrupt Insurance Company" as used in this Section means the following:

一　業務若しくは財産（外国保険会社等にあっては、日本に所在する財産。次号において同じ。）の状況に照らして保険金の支払を停止するおそれのある者又は保険金の支払を停止した者

(i) A company that will likely suspend the payment of insurance proceeds or that has suspended the payment of insurance proceeds in the light of the status of its business or property (in the case of Foreign Insurance Companies, etc., property located in Japan; hereinafter the same shall apply in the following item);

二　その財産をもって債務を完済することができない者又はその財産をもって債務を完済することができない事態が生ずるおそれのある者

(ii) A company that is unable to satisfy its obligations with its property or a company at which a situation will likely arise in which it is unable to satisfy its obligations with its property.

３　この節において「救済保険会社」とは、保険契約の移転等を行う保険会社のうち破綻保険会社でない者をいい、「救済保険持株会社等」とは、第一項第三号に掲げる株式の取得をする保険持株会社等をいう。

(3) The term "Relief Insurance Company" as used in this Section means a company that is not a Bankrupt Insurance Company among Insurance Companies that conduct a Transfer, etc., of Insurance Contracts; the term "Relief Insurance Holding Company, etc." means an Insurance Holding Company, etc. that acquires the shares specified in paragraph (1), item (iii).

４　この節において「資金援助」とは、金銭の贈与、資産の買取り又は損害担保をいう。

(4) The term "Financial Assistance" as used in this Section means the donation of money, the purchase of assets, or the Securing of Damage.

５　この節において「損害担保」とは、次の各号に掲げる資産につきその帳簿価額を下回る金額で回収が行われたことその他の事由により損失が生じた場合において、あらかじめ締結する契約に基づき、当該各号に定める者に対して当該損失の額の全部又は一部を補てんすることをいう。

(5) The term "Securing of Damage" as used in this Section means, in the case where a loss is caused by the collection of the assets specified in the following items at amounts that fall below their book value or by any other reason, the making up of all or part of the amount of said loss to the company specified in each of the items based on a contract that was concluded in advance:

一　第一項第一号、第八項第一号若しくは第十一項に規定する保険契約の移転又は第一項第二号若しくは第八項第二号に規定する合併により救済保険会社、再承継保険会社（保険契約の再承継を行う保険会社で承継保険会社でない者をいう。以下同じ。）又は再移転先保険会社（保険契約の再移転を行う保険会社をいう。以下同じ。）が承継した資産　当該救済保険会社、再承継保険会社又は再移転先保険会社

(i) Assets assumed by a Relief Insurance Company, a Secondary Successor Insurance Company (meaning an Insurance Company which is other than a Successor Insurance Company, that succeeds in the Succession to Inherited Insurance Contracts; the same shall apply hereinafter), or a Secondary Transferee Insurance Company (meaning an Insurance Company that receives a Secondary Transfer of Insurance Contracts ; the same shall apply hereinafter) by the transfer of insurance contracts as prescribed in paragraph (1), item (i), paragraph (8), item (i), or paragraph (11) or by a merger as prescribed in paragraph (1), item (ii) or paragraph (8), item (ii): That Relief Insurance Company, Secondary Successor Insurance Company, or Secondary Transferee Insurance Company.

二　第一項第三号又は第八項第三号に規定する株式の取得をされた保険会社の資産　当該保険会社

(ii) The assets of an Insurance Company whose shares were acquired as prescribed in paragraph (1), item (iii) or paragraph (8), item (iii): That Insurance Company.

６　この節において「承継保険会社」とは、保険契約の移転又は合併により破綻保険会社の保険契約を引き継ぎ、かつ、当該引き継いだ保険契約の管理及び処分を行うことを主たる目的とする保険会社であって、機構の子会社（機構がその総株主の議決権の百分の五十を超える議決権を保有する会社をいう。以下同じ。）として設立されたものをいう。

(6) The term "Successor Insurance Company" as used in this Section refers to an Insurance Company, the main purpose of that is to take over the insurance contracts of a Bankrupt Insurance Company by a transfer of insurance contracts or merger and to manage and dispose of said taken over insurance contracts, that is formed as the Subsidiary of a Corporation (meaning a company in which the Corporation holds voting rights exceeding 50 percent of all shareholders' voting rights; the same shall apply hereinafter).

７　この節において「保険契約の承継」とは、承継保険会社が保険契約の移転又は合併により破綻保険会社の保険契約を引き継ぎ、かつ、当該引き継いだ保険契約の管理及び処分を行うことをいう。

(7) The term "Succession of Insurance Contracts" as used in this Section means the taking over, by a Successor Insurance Company, of the insurance contracts of a Bankrupt Insurance Company by a transfer of insurance contracts or merger and the management and disposition of said taken over insurance contracts.

８　この節において「保険契約の再承継」とは、次に掲げるものをいう。

(8) The term "Succession to Inherited Insurance Contracts" as used in this Section refers to the following:

一　承継保険会社と他の保険会社との間で、承継保険会社に係る保険契約の全部又は一部に係る保険契約の移転をすること。

(i) The transfer, between a Successor Insurance Company and another Insurance Company, of insurance contracts that represent all or part of those pertaining to the Successor Insurance Company;

二　承継保険会社と他の保険会社との合併で、当該他の保険会社が存続することとなるもの

(ii) The survival, by a merger between a Successor Insurance Company and another Insurance Company, of the other Insurance Company;

三　承継保険会社の株式の他の保険会社又は保険持株会社等による取得で、当該承継保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るために必要な事項として内閣総理大臣及び財務大臣が定めるものを実施するために行うもの

(iii) That that is performed in order to set in place the particulars specified by the Prime Minister and the Minister of Finance as necessary for ensuring the sound and appropriate business operation of a Successor Insurance Company and for protecting Insurance Policyholders, etc., by the acquisition of the shares of that Successor Insurance Company under another Insurance Company or Insurance Holding Company, etc.

９　この節において「保険契約の引受け」とは、機構が破綻保険会社との契約により当該破綻保険会社からその保険契約の全部又は一部に係る保険契約の移転を受けることをいう。

(9) The term "Underwriting Insurance Contracts" as used in this Section refers to the receiving of a transfer of insurance contracts pertaining to all or a part of the insurance contracts of a Bankrupt Insurance Company pursuant to a contract between a Corporation and that Bankrupt Insurance Company.

１０　この節において「保険契約の管理及び処分」とは、保険契約に基づく保険料の収受及び保険金、返戻金その他の給付金の支払、保険契約に基づき保険料として収受した金銭その他の資産の運用、保険契約に係る再保険契約の締結、保険契約の保険会社への移転その他保険契約に関する行為として内閣府令・財務省令で定めるものをいう。

(10) The term "Management and Disposition of Insurance Contracts" as used in this Section refers to the acceptance of Insurance Premiums and the payment of insurance proceeds, refunds, or any other benefit based on insurance contracts, the utilization of money accepted as Insurance Premiums under insurance contracts and any other assets, the conclusion of reinsured insurance contracts pertaining to insurance contracts, the transfer of insurance contracts to Insurance Companies, and any other particulars specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance as pertaining to insurance contracts.

１１　この節において「保険契約の再移転」とは、保険契約の引受けをした機構と保険会社との間で、当該保険契約の引受けにより引き継がれた保険契約の全部又は一部に係る保険契約の移転をすることをいう。

(11) The term "Secondary Transfer of Insurance Contracts" as used in this Section refers to the transfer, between an Organization that has underwritten insurance contracts and an Insurance Company, of insurance contracts that represent all or part of those that had been taken over by the underwriting thereof.

（法人格）

(Juridical Personality)

第二百六十一条　機構は、法人とする。

Article 261 A protection Corporation shall be a juridical person.

（機構の種類）

(Kinds of Corporations)

第二百六十二条　機構は、保険業に係る免許の種類ごとに、その免許の種類に属する免許を受けた保険会社をその会員とする。

Article 262 (1) A Corporation shall, for each class of license for Insurance Business, accept as its members insurance companies that have received a license that falls under that Class of License.

２　前項の免許の種類は、次に掲げる二種類とする。

(2) The Classes of License set forth in the preceding paragraph shall be the following two classes:

一　生命保険業免許、外国生命保険業免許及び特定生命保険業免許

(i) Life insurance business licenses, foreign life insurance business licenses, and specified life insurance business licenses;

二　損害保険業免許、外国損害保険業免許及び特定損害保険業免許

(ii) Non-life insurance business licenses, foreign non-life insurance business licenses, and specified non-life insurance business licenses.

（名称）

(Name)

第二百六十三条　機構は、その名称中に保険契約者保護機構という文字を用いなければならない。

Article 263 (1) A Corporation shall use the term "Hoken Keiyakusha Hogo Kiko" (which means "Policyholders Protection Corporation") in its name.

２　機構でない者は、その名称中に保険契約者保護機構という文字を用いてはならない。

(2) No person other than a Corporation shall use any term "Policyholders Protection Corporation" in its name.

（登記）

(Registration)

第二百六十四条　機構は、政令で定めるところにより、登記しなければならない。

Article 264 (1) A Corporation must complete its registration pursuant to the provisions of a Cabinet Order.

２　前項の規定により登記すべき事項は、登記の後でなければ、これをもって第三者に対抗することができない。

(2) No particulars that must be registered pursuant to the provisions of the preceding paragraph may be duly asserted against a third party prior to the registration.

（一般社団法人及び一般財団法人に関する法律の準用）

(Mutatis Mutandis Application of the Act on General Incorporated Associations and General Incorporated Foundations)

第二百六十五条　一般社団法人及び一般財団法人に関する法律第四条（住所）及び第七十八条（代表者の行為についての損害賠償責任）の規定は、機構について準用する。

Article 265 The provisions of Article 4 (Address) and Article 78 (Liability for Damages Due to the Actions of the Representative) of the Act on General Incorporated Associations and General Incorporated Foundations shall apply mutatis mutandis to a Corporation.

第二目　会員

Division 2 Members

（会員の資格等）

(Member Qualifications, etc.)

第二百六十五条の二　機構の会員の資格を有する者は、保険会社（政令で定める保険会社を除く。次条において同じ。）に限る。

Article 265-2 (1) Those holding qualifications to be members of a Corporation shall be limited to Insurance Companies (excluding Insurance Companies specified by a Cabinet Order; hereinafter the same shall apply in the following Article).

２　機構は、会員の資格を有する者の加入を拒み、又はその加入について不当な条件を付してはならない。

(2) A Corporation shall not refuse entry to those who hold the qualifications to be members nor set unreasonable conditions with respect to that entry.

（加入義務等）

(Obligation to Join, etc.)

第二百六十五条の三　保険会社は、その免許と同じ第二百六十二条第二項に規定する免許の種類（次項において「免許の種類」という。）に属する免許を受ける保険会社を会員とする機構の一にその会員として加入しなければならない。

Article 265-3 (1) An Insurance Company shall join, as a member, one Corporation that accepts as its members insurance companies that have received a license that belongs to the class of license prescribed in Article 262, paragraph (2) (hereinafter referred to as "Class of License" in the following paragraph) that is the same as its license.

２　第三条第一項、第百八十五条第一項又は第二百十九条第一項の免許を受けようとする者（政令で定める者を除く。）は、その免許の申請と同時に、内閣府令・財務省令で定めるところにより、その免許と同じ免許の種類に属する免許を受ける保険会社を会員とする機構の一に加入する手続をとらなければならない。

(2) A person who seeks to receive a license set forth in Article 3, paragraph (1), Article 185, paragraph (1), or Article 219, paragraph (1) (excluding persons specified by a Cabinet Order) shall, at the time of application for that license, undertake the procedures for joining one Corporation that accepts as its members insurance companies that are to receive the license falling under the Class of License that is the same as that license, pursuant to the provisions of a Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

３　前項の規定により機構に加入する手続をとった者は、同項の免許を受けたときに、当該機構の会員となる。

(3) A person who has undertaken the procedures to join a Corporation pursuant to the provisions of the preceding paragraph will become a member of said Corporation upon receiving the license set forth in that paragraph.

４　機構は、前項の規定により保険会社が当該機構の会員となったときは、速やかに、その旨を内閣総理大臣及び財務大臣に報告しなければならない。

(4) Whenever an Insurance Company becomes a member of a Corporation pursuant to the provisions of the preceding paragraph, the Corporation shall promptly report this to the Prime Minister and the Minister of Finance.

（脱退等）

(Withdrawal, etc.)

第二百六十五条の四　会員は、次に掲げる事由によって脱退する。

Article 265-4 (1) A member shall withdraw for the following reasons:

一　免許の取消し

(i) Rescission of license;

二　免許の失効

(ii) Expiration of license.

２　会員は、前項各号に掲げる事由による場合又は内閣総理大臣及び財務大臣の承認を受けて他の機構の会員となる場合を除き、機構を脱退することができない。

(2) A member may not withdraw from a Corporation, except in the cases occurring under the reasons listed in the items of the preceding paragraph or in the case where the member receives approval from the Prime Minister and Minister of Finance and becomes a member of another Corporation.

３　会員は、機構を脱退した場合においても、次に掲げる資金の借入れに係る債務の履行のために当該機構が負担することとなる費用があるときは、当該会員の負担すべき費用の額として内閣府令・財務省令で定めるところにより当該機構が算定した額を負担金として納付する義務を負う。

(3) In the case where a member withdraws from a Corporation, when there are expenses incurred by said Corporation to perform obligations pertaining to the following listed borrowing of funds, the member shall assume the obligation to pay as its obligatory contribution an amount calculated by said Corporation pursuant to the provisions of a Cabinet Office Ordinance or Ordinance of the Ministry of Finance as the expenses that must be borne by the members:

一　その脱退の日までに当該機構が行うことを決定した第二百六十五条の二十八第一項第三号から第七号まで並びに同条第二項第一号から第三号までに掲げる業務を実施するために第二百六十五条の四十二の規定によりした資金の借入れ

(i) The borrowing of funds performed pursuant to the provisions of Article 265-42 in order to implement the business listed in Article 265-28, paragraph (1), items (iii) to (vii) inclusive and Article 265-28, paragraph (2), items (i) to (iii) inclusive that said Corporation has decided to carry out by the day of that withdrawal;

二　その脱退の日までに当該機構が行うことを決定した第二百六十五条の二十八第一項第三号から第七号まで並びに同条第二項第一号から第三号までに掲げる業務を実施するために第二百六十五条の四十二の規定によりすることとなる資金の借入れ

(ii) The borrowing of funds that will be performed pursuant to the provisions of Article 265-42 in order to implement the business listed in Article 265-28, paragraph (1), items (iii) to (vii) inclusive and Article 265-28, paragraph (2), items (i) to (iii) inclusive that said Corporation has decided to carry out by the day of that withdrawal.

４　内閣総理大臣及び財務大臣は、第二項の承認の申請があったときは、当該申請に係る会員が次に掲げる要件を満たしている場合でなければ、その承認をしてはならない。

(4) Whenever an application has been filed for the approval set forth in paragraph (2), the Prime Minister and Minister of Finance may only give their approval if the member to which the application pertains conforms to the following standards:

一　当該会員が、その脱退しようとする機構に対し会員として負担する債務を完済していること。

(i) Said member has satisfied the obligations it bears as a member of the Corporation it seeks to withdraw from;

二　当該会員が、前項の規定により同項に規定する算定した額を負担金として納付する義務を履行することが確実と見込まれること。

(ii) Said member appears certain to perform the obligation to pay as its obligatory contribution the amount calculated as prescribed in the preceding paragraph pursuant to the provisions of that paragraph;

三　当該会員が、他の機構に会員として加入する手続をとっていること。

(iii) Said member has undertaken procedures to enter another Corporation as a member.

（会員に対する過怠金）

(Monetary Penalties for Members)

第二百六十五条の五　機構は、定款で定めるところにより、この節の規定又は機構の定款その他の規則に違反した会員に対し、過怠金を課することができる。

Article 265-5 A Corporation may, pursuant to the provisions specified by the articles of incorporation, impose a monetary penalty on a member that has violated any provision of this Section or the Corporation's articles of incorporation or any other rules.

第三目　設立

Division 3 Establishment

（発起人）

(Founders)

第二百六十五条の六　機構を設立するには、その会員になろうとする十以上の保険会社が発起人となることを必要とする。

Article 265-6 In order to form a Corporation, ten or more insurance companies that seek to become its members must become the founders.

（創立総会）

(Organizational Meetings)

第二百六十五条の七　発起人は、定款及び事業計画書を作成した後、会員になろうとする者を募り、会議開催日の二週間前までにこれらを会議の日時及び場所とともに公告して、創立総会を開かなければならない。

Article 265-7 (1) The founders shall, after preparing articles of incorporation and a business plan, invite those who seek to become members, make a public notice of these together with the time and location at least two weeks before the date the meeting shall be held, and hold an Organizational Meeting.

２　定款及び事業計画書の承認その他機構の設立に必要な事項の決定は、創立総会の議決によらなければならない。

(2) Approval of the articles of incorporation and business plan and the decision on any other particulars necessary for the incorporation of a Corporation shall depend on resolutions at the Organizational Meetings.

３　前項の創立総会の議事は、会員の資格を有する者であってその創立総会の開催日までに発起人に対して会員となる旨を書面により申し出たもの及び発起人の二分の一以上が出席して、その出席者の議決権の三分の二以上の多数で決する。

(3) The agenda of the Organizational Meeting set forth in the preceding paragraph is decided by a two-thirds majority vote of those in attendance at a meeting where at least one half of the founders and the persons with the qualifications to become members who have notified the founders in writing by the date of the Organizational Meeting that they will become members are present.

４　次に掲げる事項その他機構の成立の日を含む事業年度の業務の運営に必要な事項は、第二百六十五条の二十五及び第二百六十五条の三十四第三項の規定にかかわらず、創立総会の議決によることができる。

(4) The following particulars and any other particulars that are necessary to the operation of business in the business year including the date of incorporation of a Corporation may be decided by the resolution of the Organizational Meeting, notwithstanding the provisions of Article 265-25 and Article 265-34, paragraph (3):

一　業務規程の作成

(i) The preparation of business rules;

二　機構の成立の日を含む事業年度の予算及び資金計画の決定

(ii) The decision of the budget and financial plan for the business year including the date of incorporation of the Corporation;

三　第二百六十五条の三十四第一項各号に規定する負担金率の決定

(iii) The decision of the obligatory contribution rate prescribed in Article 265-34, paragraph (1), items (i) and (ii).

５　第二百六十五条の二十六第二項の規定は、前項の規定により同項に規定する事項を創立総会の議事とする場合について準用する。この場合において、同条第二項中「前条第一号、第三号及び第五号」とあるのは、「第二百六十五条の七第四項第一号」と読み替えるものとする。

(5) The provisions of Article 265-26, paragraph (2) shall apply mutatis mutandis in the case where the particulars prescribed in the preceding paragraph are made the business of the Organizational Meeting pursuant to the provisions of that paragraph. In this case, the term "items (i), (iii), and (v) of the preceding Article," shall be deemed to be replaced with "Article 265-7, paragraph (4), item (i)."

６　第二百六十五条の二十七の四及び第二百六十五条の二十七の五の規定は、創立総会の議決について準用する。

(6) The provisions of Article 265-27-4 and Article 265-27-5 shall apply mutatis mutandis to the resolutions of the Organizational Meeting.

（設立の認可申請）

(Application for Authorization for Establishment)

第二百六十五条の八　発起人は、創立総会の終了後遅滞なく、次に掲げる事項を記載した認可申請書を内閣総理大臣及び財務大臣に提出して、設立の認可を申請しなければならない。

Article 265-8 (1) The founders shall, without delay after the end of the Organizational Meeting, apply for approval for incorporation by submitting to the Prime Minister and Minister of Finance an application for approval detailing the following particulars:

一　名称

(i) Name;

二　事務所の所在地

(ii) Office address;

三　役員及び会員の氏名又は名称

(iii) Names of the officers and members.

２　前項の認可申請書には、定款、事業計画書その他内閣府令・財務省令で定める事項を記載した書類を添付しなければならない。

(2) Documents detailing the articles of incorporation, business plan, and any other particulars specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance shall be attached to the application for approval set forth in the preceding paragraph.

（設立の認可）

(Approval for Establishment)

第二百六十五条の九　内閣総理大臣及び財務大臣は、前条第一項の規定による認可の申請があった場合においては、その申請が次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 265-9 (1) Whenever an application has been filed for the approval under the provisions in paragraph (1) of the preceding Article, the Prime Minister and Minister of Finance shall examine whether the application conforms to the following standards:

一　設立の手続並びに定款及び事業計画書の内容が法令の規定に適合するものであること。

(i) The procedure of incorporation and the content of the articles of incorporation and business plan conform to the provisions of laws and regulations;

二　定款及び事業計画書に虚偽の記載がないこと。

(ii) There are no false details in the articles of incorporation and business plan.

三　役員のうちに第二百六十五条の十六各号のいずれかに該当する者がないこと。

(iii) There are no persons among the officers who fall under any of the items listed in Article 265-16;

四　業務の運営が適正に行われることが確実であると認められること。

(iv) It is found to be certain that business operation will be undertaken appropriately;

五　当該申請に係る機構の組織がこの法律の規定に適合するものであること。

(v) The organization of the Corporation pertaining to the application conforms to the provisions of this Act.

２　内閣総理大臣及び財務大臣は、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、設立の認可をしなければならない。

(2) The Prime Minister and Minister of Finance shall, if they find as a result of the examination pursuant to the provisions of the preceding paragraph that the application conforms to the standards given in that paragraph, authorize the incorporation.

（事務の引継ぎ）

(Succession of Business)

第二百六十五条の十　設立の認可があったときは、発起人は、遅滞なく、その事務を機構の理事長に引き継がなければならない。

Article 265-10 When an approval for incorporation has been granted, the founders shall, without delay, hand over business to the president of a Corporation.

（設立の時期等）

(Period of Establishment, etc.)

第二百六十五条の十一　機構は、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って成立する。

Article 265-11 (1) A Corporation shall be established upon completing the registration of its incorporation at the location of its principal office.

２　機構は、前項の設立の登記をしたときは、遅滞なく、その旨を内閣総理大臣及び財務大臣に届け出なければならない。

(2) When a Corporation has completed the registration of its incorporation as set forth in the preceding paragraph, it shall notify the Prime Minister and Minister of Finance of this without delay.

第四目　管理

Division 4 Management

（定款）

(Articles of Incorporation)

第二百六十五条の十二　機構の定款には、次に掲げる事項を記載しなければならない。

Article 265-12 (1) A Corporation's articles of incorporation must detail the following particulars:

一　目的

(i) Purpose;

二　名称

(ii) Name;

三　事務所の所在地

(iii) Office address;

四　会員に関する事項

(iv) The particulars of the members;

五　役員に関する事項

(v) The particulars of the officers;

六　運営委員会及び評価審査会に関する事項

(vi) The particulars of the management committee and the evaluation examination board;

七　総会に関する事項

(vii) The particulars of the General Representative Members' Council;

八　業務及びその執行に関する事項

(viii) The particulars of its business and the execution thereof;

九　負担金に関する事項

(ix) The particulars of obligatory contributions;

十　財務及び会計に関する事項

(x) Particulars related to finances and accounting;

十一　解散に関する事項

(xi) Particulars related to dissolution;

十二　定款の変更に関する事項

(xii) Particulars related to the amendment of the articles of incorporation;

十三　公告の方法

(xiii) Method of Public Notices.

２　機構の定款の変更は、内閣総理大臣及び財務大臣の認可を受けなければ、その効力を生じない。

(2) Modifications to a Corporation's articles of incorporation shall be null and void without the approval of the Prime Minister and Minister of Finance.

（役員及び業務の決定）

(Decisions on Officers and Business)

第二百六十五条の十三　機構に、役員として、理事長一人、理事二人以上及び監事一人以上を置く。

Article 265-13 (1) A Corporation shall have one president, two or more directors, and one or more auditors as officers.

２　機構の業務は、定款に別段の定めがあるものを除き、理事長及び理事の過半数をもって決する。

(2) The business of a Corporation shall be decided by the majority of the president and directors, unless otherwise provided for in the articles of incorporation.

（役員の職務及び権限）

(Duties and Authority of Officers)

第二百六十五条の十四　理事長は、機構を代表し、その業務を総理する。

Article 265-14 (1) The president shall represent a Corporation and preside over its business.

２　理事は、理事長の定めるところにより、機構を代表し、理事長を補佐して機構の業務を掌理し、理事長に事故があるときはその職務を代理し、理事長が欠員のときはその職務を行う。

(2) The directors shall, as determined by the president, represent a Corporation, assist the president in administering the business of the Corporation, act on behalf of the president when he/she has had an accident, and perform the duties of the president when his/her position is vacant.

３　監事は、機構の業務及び経理の状況を監査し、その監査の結果を総会に報告する。

(3) The auditors shall audit the state of a Corporation's business and accounting, and report the results of those audits to the General Representative Members' Council.

４　監事は、監査の結果に基づき、必要があると認めるときは、理事長又は内閣総理大臣及び財務大臣に意見を提出することができる。

(4) The auditors may, when it is found necessary based on the results of audits, submit opinions to the president or to the Prime Minister and Minister of Finance.

（役員の任免及び任期）

(Appointment, Dismissal, and Term of Office of Officers)

第二百六十五条の十五　役員は、定款で定めるところにより、総会において選任し、又は解任する。ただし、設立当時の役員は、創立総会において選任する。

Article 265-15 (1) Officers shall be appointed or dismissed at General Representative Members' Council Meetings pursuant to the provisions of the articles of incorporation; provided, however, that the officers at the time of incorporation shall be appointed at an Organizational Meeting.

２　前項の規定による役員の選任及び解任は、内閣総理大臣及び財務大臣の認可を受けなければ、その効力を生じない。

(2) The appointment and dismissal of officers under the provisions of the preceding paragraph shall be null and void without the approval of the Prime Minister and Minister of Finance,

３　役員の任期は、二年以内において定款で定める期間とする。ただし、設立当時の役員の任期は、二年以内において創立総会で定める期間とする。

(3) The term of office of officers shall be a period of time within two years as specified by the articles of incorporation; provided, however, that the term of office of officers at the time of incorporation shall be a period of time within two years as specified at the Organizational Meeting.

４　役員は、再任されることができる。

(4) Officers may be reappointed.

（役員の欠格事由）

(Grounds for Disqualification of Officers)

第二百六十五条の十六　次の各号のいずれかに該当する者は、役員となることができない。

Article 265-16 Persons who fall under any of the following items may not become officers:

一　機構が第二百六十五条の四十七の規定により設立の認可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役員であった者で、その取消しの日から起算して五年を経過していないもの

(i) In the case where a Corporation had its approval for incorporation rescinded pursuant to the provisions of Article 265-47, a person who was an officer within the 30 days prior to the date of that rescission, where five years have not elapsed from the date of that rescission;

二　成年被後見人若しくは被保佐人又は破産者で復権を得ないもの

(ii) An adult ward or a person under curatorship or a bankrupt who has not obtained a restoration of rights;

三　禁錮以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から起算して五年を経過していない者

(iii) A person who has been sentenced to imprisonment without work or severer punishment, where five years have not elapsed from the date that execution finished or the date he/she became no longer subject to that execution;

四　この法律の規定により罰金の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から起算して五年を経過していない者

(iv) A person who has been sentenced to punishment by fine pursuant to the provisions of this Act, where five years have not elapsed from the date that execution finished or the date he/she became no longer subject to that execution.

（監事の兼職禁止）

(Prohibition of Concurrent Holding of Posts by Auditors)

第二百六十五条の十七　監事は、理事長、理事、運営委員会の委員、評価審査会の委員又は機構の職員を兼ねてはならない。

Article 265-17 No auditor shall concurrently hold the post of president, director, management committee member, evaluation examination board member, or employee of a Corporation.

（代表権の制限）

(Restrictions on Authority of Representation)

第二百六十五条の十八　機構と理事長又は理事との利益が相反する事項については、これらの者は、代表権を有しない。この場合においては、定款で定めるところにより、監事が機構を代表する。

Article 265-18 With regard to particulars with regard to which there exists conflict of interests between a Corporation and the president or directors, these persons shall not have authority of representation. In this case, the auditor shall represent the Corporation, pursuant to the provisions specified by the articles of incorporation.

第二百六十五条の十八の二　理事長は、機構の職員のうちから、機構の業務の一部に関する一切の裁判上又は裁判外の行為を行う権限を有する代理人を選任することができる。

Article 265-18-2 The president may appoint, from among the employees of a Corporation, an agent who has the authority to undertake all action in and out of court related to a portion of the business of the Corporation.

（運営委員会）

(Management Committees)

第二百六十五条の十九　機構に、運営委員会（以下この章において「委員会」という。）を置く。

Article 265-19 (1) A Corporation shall have a management committee (hereinafter referred to as the "Committee" in this Chapter).

２　委員会は、この法律によりその権限に属させられた事項を処理するほか、理事長の諮問に応じ、機構の業務の運営に関する重要事項（次条第二項に規定する破綻保険会社の財産の評価に関する事項を除く。）を審議する。

(2) The Committee shall respond to consultation by the president and deliberate on matters that are important to the management of the Corporation's business (excluding the particulars of the evaluation of the property of a Bankrupt Insurance Company as prescribed in paragraph (2) of the following Article) in addition to dealing with the matters under its authority pursuant to this Act.

３　委員会は、機構の業務の運営につき、理事長に対して意見を述べることができる。

(3) The Committee may state its opinion to the president as to the management of the Corporation's business.

４　委員会の委員は、機構の業務の適切な運営に必要な学識経験を有する者のうちから、内閣総理大臣及び財務大臣の認可を受けて、理事長が任命する。

(4) Members of the Committee shall be appointed by the president, having received the approval of the Prime Minister and Minister of Finance, from among persons with relevant knowledge and experience needed for appropriate management of the Corporation's business.

５　前各項に定めるもののほか、委員会の組織及び運営に関し必要な事項は、内閣府令・財務省令で定める。

(5) In addition to what is provided for in the preceding paragraphs, necessary particulars of the organization and management of the Committee shall be specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

（評価審査会）

(Evaluation Examination Boards)

第二百六十五条の二十　機構に、評価審査会（以下「審査会」という。）を置く。

Article 265-20 (1) A Corporation shall have an evaluation examination board (hereinafter referred to as "Examination Board").

２　審査会は、次款の規定によりその権限に属させられた事項を処理するほか、理事長の諮問に応じ、機構の会員である破綻保険会社の財産（外国保険会社等にあっては、日本に所在する財産）の評価に関し必要な事項を審議する。

(2) The Examination Board shall respond to consultation by the president and deliberate on matters that are important in the evaluation of the property of a Bankrupt Insurance Company (in the case of Foreign Insurance Companies, etc., property located in Japan) that is a member of the Corporation in addition to dealing with the particulars under its authority pursuant to the provisions of the following Subsection.

３　審査会の委員は、保険又は財産の評価に関して学識経験又は専門的知識を有する者のうちから、内閣総理大臣及び財務大臣の認可を受けて、理事長が任命する。

(3) Members of the Examination Board shall be appointed by the president, having received the approval of the Prime Minister and Minister of Finance, from among persons with relevant knowledge and experience or expert knowledge regarding insurance or evaluation of property.

４　前三項に定めるもののほか、審査会の組織及び運営に関し必要な事項は、内閣府令・財務省令で定める。

(4) In addition to what is provided for in the preceding three paragraphs, necessary particulars of the organization and management of the Examination Board shall be specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

（役員等の秘密保持義務等）

(Confidentiality Obligation, etc., of Officers, etc.)

第二百六十五条の二十一　機構の役員（第二百六十五条の十三第一項の役員をいう。以下同じ。）若しくは職員、委員会の委員、審査会の委員又はこれらの職にあった者は、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 265-21 The Corporation's officers (meaning officers as set forth in Article 265-13, paragraph (1); hereinafter the same shall apply) or employees, members of the Committee, members of the Examination Board, or those who held these positions, shall not divulge or misappropriate any secret learned regarding their duties.

（役員等の公務員たる性質）

(Status of Officers, etc., as Government Employees)

第二百六十五条の二十一の二　機構の役員及び職員、委員会の委員並びに審査会の委員は、刑法（明治四十年法律第四十五号）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。

Article 265-21-2 With regard to the application of the Penal Code (Act No. 45 of 1907) and any other penal provisions, a Corporation's officers and employees, members of the Committee, and members of the Examination Board shall be deemed to be employees engaged in public service pursuant to laws and regulations.

（会員名簿の縦覧等）

(Public Inspection, etc., of the List of Members)

第二百六十五条の二十二　機構は、内閣府令・財務省令で定めるところにより、会員の名簿を作成し、これを内閣総理大臣及び財務大臣に提出するとともに、公衆の縦覧に供しなければならない。

Article 265-22 A Corporation shall, pursuant to the provisions of a Cabinet Office Ordinance or Ordinance of the Ministry of Finance, prepare a list of members, submit this to the Prime Minister and Minister of Finance, and make it available for public inspection.

第五目　総会

Division 5 General Councils

（総会の招集）

(Convocation of the General Council)

第二百六十五条の二十三　理事長は、定款で定めるところにより、毎事業年度一回通常総会を招集しなければならない。

Article 265-23 (1) The president shall, pursuant to the provisions of the articles of incorporation, call an ordinary General Council Meeting once every business year.

２　理事長は、必要があると認めるときは、臨時総会を招集することができる。

(2) If the president finds it necessary, he/she may call an extraordinary General Council Meeting.

（指名職員の会議への出席）

(Attendance of Designated Employees at Meetings)

第二百六十五条の二十四　内閣総理大臣及び財務大臣がそれぞれ指名するその職員は、総会に出席し、意見を述べることができる。

Article 265-24 Employees designated by the Prime Minister and Minister of Finance, respectively, may attend a General Council Meeting and state their opinions.

（総会の議決事項）

(Matters to Be Decided at General Council Meetings)

第二百六十五条の二十五　この法律で別に定めるもののほか、次に掲げる事項は、総会の議決を経なければならない。

Article 265-25 In addition to what is specified elsewhere in this Act, decisions on the following matters must be effected by resolution of the General Council:

一　定款の変更

(i) The amendment of the articles of incorporation;

二　予算及び資金計画の決定又は変更

(ii) Decisions on or modifications to the budget and financial plan;

三　業務規程の作成又は変更

(iii) Preparation of or modifications to business rules;

四　決算

(iv) Settlement of accounts;

五　解散

(v) Dissolution;

六　その他定款で定める事項

(vi) Any other matters specified by the articles of incorporation.

（総会の議事）

(Agenda of a General Council Meeting)

第二百六十五条の二十六　総会は、総会員の二分の一以上の出席がなければ、議事を開き、議決をすることができない。

Article 265-26 (1) A General Council may not open a meeting or vote on a resolution without the attendance of at least one half of its total members.

２　総会の議事は、出席者の議決権の過半数で決し、可否同数のときは、議長が決する。ただし、前条第一号、第三号及び第五号に掲げる事項に係る議事は、出席者の議決権の三分の二以上の多数で決する。

(2) Decisions on the agenda of a General Council meeting are effected by the majority vote of those in attendance at the meeting, and the chairperson makes the decisions in the event of a tie; provided, however, that decisions on the matters listed in items (i), (iii), and (v) of the preceding Article, are effected by a two-thirds majority vote of those present.

３　議長は、定款で定めるところによる。

(3) The chairperson shall be governed by the provisions specified in the articles of incorporation.

（臨時総会）

(Extraordinary General Council Meetings)

第二百六十五条の二十七　総会員の五分の一以上から会議の目的である事項を示して請求があったときは、理事長は、臨時総会を招集しなければならない。ただし、総会員の五分の一の割合については、定款でこれと異なる割合を定めることができる。

Article 265-27 The president shall call an extraordinary General Council meeting when a one-fifth or more of all of the members indicate a matter that is a subject for a meeting and so request; provided, however, that a percentage that differs with the percentage of one-fifth of all of the members can be specified by the articles of incorporation.

（総会の招集）

(Convocation of General Council Meetings)

第二百六十五条の二十七の二　総会の招集の通知は、総会の日より少なくとも五日前に、その会議の目的である事項を示し、定款で定めた方法に従ってしなければならない。

Article 265-27-2 A notice of convocation for a General Council Meeting shall be made in accordance with the method specified by the articles of incorporation at least five days prior to the day of the General Council Meeting, and shall indicate the matter that is the subject of that General Council Meeting.

（総会の決議事項）

(Matters to Be Resolved at a General Council Meeting)

第二百六十五条の二十七の三　総会においては、前条の規定によりあらかじめ通知をした事項についてのみ、決議をすることができる。ただし、定款に別段の定めがあるときは、この限りでない。

Article 265-27-3 Only the matters for which notice was given in advance pursuant to the provisions of the preceding Article may be resolved at a General Council Meeting; provided, however, that this shall not apply when otherwise provided for in the articles of incorporation.

（会員の議決権）

(Voting Rights of the Members)

第二百六十五条の二十七の四　各会員の議決権は、平等とする。

Article 265-27-4 (1) The voting rights of members shall be equal.

２　総会に出席しない会員は、書面で、又は代理人によって議決をすることができる。

(2) Members who do not attend a General Council Meeting may vote in writing or through a proxy.

３　前二項の規定は、定款に別段の定めがある場合には、適用しない。

(3) The provisions of the preceding two paragraphs shall not apply in the case where they are otherwise provided for in the articles of incorporation.

（議決権のない場合）

(Case of No Voting Rights)

第二百六十五条の二十七の五　機構と特定の会員との関係について議決をする場合には、その会員は、議決権を有しない。

Article 265-27-5 When a decision is to be made regarding the relationship between a Corporation and a certain member, that member shall have no voting rights.

第六目　業務

Division 6 Business

（業務）

(Business)

第二百六十五条の二十八　機構は、第二百五十九条に規定する目的を達成するため、次に掲げる業務を行うものとする。

Article 265-28 (1) A Corporation shall undertake the following business in order to accomplish the purpose specified in Article 259:

一　第二百四十三条第三項の規定による保険管理人又は保険管理人代理の業務

(i) Business as an Insurance Administrator or Insurance Administrator Representative under the provisions of Article 243, paragraph (3);

二　次目の規定による負担金の収納及び管理

(ii) The receipt and management of obligatory contributions under the provisions of the following Division;

三　次款の規定による保険契約の移転等、保険契約の承継、保険契約の再承継及び保険契約の再移転における資金援助

(iii) Financial Assistance in the Transfer, etc., of Insurance Contracts, Succession to Insurance Contracts, Succession to Inherited Insurance Contracts, and Secondary Transfer of Insurance Contracts under the provisions of the following Subsection;

四　次款の規定による承継保険会社の経営管理その他保険契約の承継に係る業務

(iv) Business for providing executive management for the Successor Insurance Company and any other Succession of Insurance Contracts under the provisions of the following Subsection;

五　次款の規定による破綻保険会社に係る保険契約の引受け並びに当該保険契約の引受けに係る保険契約の管理及び処分

(v) The Underwriting of Insurance Contracts pertaining to a Bankrupt Insurance Company and the Management and Disposition of Insurance Contracts pertaining to the Underwriting of Insurance Contracts under the provisions of the following Subsection;

六　次款の規定による補償対象保険金の支払に係る資金援助

(vi) Financial Assistance pertaining to the payment of Covered Insurance Proceeds under the provisions of the following Subsection;

七　第三款の規定による保険金請求権等の買取り

(vii) Purchasing the Insurance Claims, etc. under the provisions of Subsection 3;.

八　金融機関等の更生手続の特例等に関する法律第四章第六節（保険契約者保護機構の権限等）及び第六章第四節（保険契約者保護機構の権限）の規定による保険契約者表の提出その他これらの規定による業務

(viii) The submission of a list of Insurance Policyholders under the provisions of Chapter IV, Section 6 (Authority, etc., of Policyholders Protection Corporations) and Chapter VI, Section 4 (Authority of Policyholders Protection Corporations) of the Act on Special Treatment of Corporate Reorganization Proceedings, etc. and Other Insolvency Proceedings by Financial Institutions, etc., and any other business under these provisions;

九　前各号に掲げる業務に附帯する業務

(ix) Business incidental to what is listed in the preceding items.

２　機構は、前項各号に掲げる業務のほか、同項第三号から第七号までに掲げる業務の遂行を妨げない限度において、次に掲げる業務を行うことができる。

(2) In addition to the business listed in the items of the preceding paragraph, a Corporation may conduct the following business within the limit that this does not interfere with the performance of business listed in item (iii) to (vii) inclusive of that paragraph:

一　その会員に対する資金の貸付け

(i) Loans of funds to its members;

二　破綻保険会社の保険契約者等に対する資金の貸付け

(ii) Loans of funds to Insurance Policyholders, etc., of a Bankrupt Insurance Company;

三　第四款の規定による清算保険会社（清算に係る保険会社をいう。第二百七十条の八の二及び第二百七十条の八の三において同じ。）の資産の買取り

(iii) Purchase of the property of Insurance Companies in Liquidation (meaning Insurance Companies connected with the liquidation; hereinafter the same shall apply in Article 270-8-2 and Article 270-8-3) under the provisions of Subsection 4;

四　前三号に掲げる業務に附帯する業務

(iv) Business incidental to that listed in the preceding three items.

（業務の委託）

(Entrustment of Business)

第二百六十五条の二十九　機構は、次に掲げる場合を除き、その業務を他の者に委託してはならない。

Article 265-29 (1) A Corporation may not entrust its business to another party, except in the following cases:

一　保険契約の管理及び処分に係る業務のうち保険料の収受その他の内閣府令・財務省令で定める業務（以下この条において「保険料収受等業務」という。）を保険会社その他の者に委託する場合

(i) The case where the Corporation entrusts the acceptance of Insurance Premiums and any other business specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance among business involving the Management and Disposition of Insurance Contracts (hereinafter referred to as the "Insurance Premiums Acceptance Services, etc." in this Article) to an Insurance Company or any other party;

二　保険料収受等業務以外の業務を、あらかじめ内閣総理大臣及び財務大臣の認可を受けて、保険会社その他の者に委託する場合

(ii) The case where the Corporation receives the approval of the Prime Minister and Minister of Finance in advance and entrusts business other than Insurance Premiums Acceptance Services, etc., to an Insurance Company or any other party.

２　保険会社は、第百条（第百九十九条において準用する場合を含む。）の規定にかかわらず、機構から保険料収受等業務又は前項第二号の認可を受けた業務の委託を受け、これらの業務を行うことができる。

(2) An Insurance Company that a Corporation has entrusted with its Insurance Premiums Acceptance Services, etc., or business for which it has received the approval set forth in item (ii) of the preceding paragraph, may conduct that business, notwithstanding the provisions of Article 100 (including the cases where it is applied mutatis mutandis pursuant to Article 199).

（業務規程）

(Business Rules)

第二百六十五条の三十　機構は、第二百六十五条の二十八第一項各号及び第二項各号に掲げる業務（以下「資金援助等業務」という。）について、当該資金援助等業務の開始前に、資金援助等業務の実施に関する業務規程を作成し、内閣総理大臣及び財務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 265-30 (1) With regard to the business listed in each of the items of Article 265-28, paragraph (1) and paragraph (2) (hereinafter referred to as "Financial Assistance Services, etc."), a Corporation shall prepare business rules related to the implementation of Financial Assistance Services, etc., and receive the approval of the Prime Minister and Minister of Finance before beginning Financial Assistance Services, etc. The same shall apply when the organization seeks to modify these rules.

２　前項の業務規程には、資金援助に関する事項、保険契約の承継に関する事項、保険契約の引受けに関する事項、負担金の収納に関する事項、保険金請求権等の買取りに関する事項その他内閣府令・財務省令で定める事項を定めなければならない。

(2) The business rules set forth in the preceding paragraph shall specify the particulars of Financial Assistance, the particulars of the Succession of Insurance Contracts, the particulars of the Underwriting of Insurance Contracts, the particulars of the receipt of obligatory contributions, the particulars of the purchase of Insurance Claims, etc. and any other particulars specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

３　内閣総理大臣及び財務大臣は、第一項の認可をした業務規程が資金援助等業務の適正かつ確実な運営をする上で不適当なものとなったと認めるときは、その変更を命ずることができる。

(3) The Prime Minister and Minister of Finance may, when they find that the business rules approved as set forth in paragraph (1) are inappropriate for the proper and reliable operation of Financial Assistance Services, etc., order their modification.

（資料の提出の請求等）

(Requests for the Submission of Materials, etc.)

第二百六十五条の三十一　機構は、この節の他の規定により資料の提出を求める場合を除くほか、その業務を行うため必要があるときは、その会員に対し、資料の提出を求めることができる。

Article 265-31 (1) A Corporation may request its members to submit materials when it is necessary for it to conduct its business, except in the cases where the submission of materials is requested pursuant to other provisions of this Section.

２　前項の規定により資料の提出を求められた会員は、遅滞なく、これを提出しなければならない。

(2) Members who have been requested to submit materials pursuant to the provisions of the preceding paragraph shall submit such materials without delay.

３　内閣総理大臣は、機構から要請があった場合において、機構の業務の実施のため特に必要があると認めるときは、機構に対し、資料を交付し、又はこれを閲覧させることができる。

(3) If the Prime Minister finds it to be particularly necessary for the implementation of a Corporation's business, in the case where there has been a request from the Corporation, he/she may deliver materials to the Corporation or allow the Corporation inspect such materials.

第七目　負担金

Division 7 Obligatory Contributions

（保険契約者保護資金）

(Insurance Policyholders Protection Funds)

第二百六十五条の三十二　機構は、資金援助等業務の実施に要する費用に充てるためのものとして、保険契約者保護資金を設けるものとする。

Article 265-32 (1) A Corporation shall establish Insurance Policyholders Protection Funds as funds to be allocated for covering expenses incurred in implementing Financial Assistance Services, etc.

２　保険契約者保護資金は、機構の資金援助等業務の実施に要する費用に充てる場合でなければ、これを使用してはならない。

(2) Insurance Policyholders Protection Funds may not be used except in the case where they are allocated for covering expenses incurred in implementing Financial Assistance Services, etc.

（負担金の納付）

(Payment of Obligatory Contributions)

第二百六十五条の三十三　会員は、機構の事業年度ごとに、保険契約者保護資金に充てるため、定款で定めるところにより、機構に対し、負担金を納付しなければならない。ただし、機構の当該事業年度末における保険契約者保護資金の残高が、機構の資金援助等業務に要する費用の予想額に照らし十分な額として定款で定めるところにより算定した額に達している事業年度の翌事業年度については、この限りでない。

Article 265-33 (1) A member shall pay its obligatory contribution to a Corporation, pursuant to the provisions of the articles of incorporation, during each of the Corporation's business years, to be allocated for covering expenses incurred in implementing Financial Assistance Services, etc.; provided, however, that this shall not apply with regard to the business year after a business year in which the balance of Insurance Policyholders Protection Funds at the end of that business year of the Corporation reaches an amount calculated pursuant to the provisions of the articles of incorporation as a sufficient amount in light of the estimated amount of expenses the Corporation will incur in implementing Financial Assistance Services, etc.

２　機構は、次の各号に掲げる場合には、前項本文の規定にかかわらず、定款で定めるところにより、当該各号に定める保険会社に該当する会員の負担金を免除することができる。

(2) A Corporation may, in the cases listed in the following items, exempt members corresponding to the Insurance Companies specified in each of the items from obligatory contribution pursuant to the provisions of the articles of incorporation, notwithstanding the provisions of the main clause of the preceding paragraph:

一　第二百六十八条第一項の内閣総理大臣による認定が行われたとき。　当該認定に係る破綻保険会社

(i) When authorization has been granted by the Prime Minister as set forth in Article 268, paragraph (1): the Bankrupt Insurance Company pertaining to said authorization;

二　第二百六十九条第一項の内閣総理大臣による付記が行われたとき。　当該付記に係る破綻保険会社

(ii) When a supplementary note has been included by the Prime Minister as set forth in Article 269, paragraph (1): the Bankrupt Insurance Company pertaining to said supplementary note;

三　第二百七十条第一項の内閣総理大臣による認定が行われたとき。　当該認定に係る破綻保険会社

(iii) When authorization has been granted by the Prime Minister as set forth in Article 270, paragraph (1): the Bankrupt Insurance Company pertaining to said authorization;

四　承継保険会社が設立されたとき。　当該承継保険会社

(iv) When a Successor Insurance Company has been formed: that Successor Insurance Company.

（負担金の額）

(Amount of Obligatory Contributions)

第二百六十五条の三十四　機構の各事業年度に会員が納付すべき負担金の額は、各会員につき、次に掲げる額の合計額（定款に負担金の最低額が定められた場合において当該合計額が当該最低額を下回るときは、当該最低額に相当する額。以下この項において「年間負担額」という。）とする。ただし、機構の成立の日を含む事業年度に会員が納付すべき負担金の額は、年間負担額を十二で除し、これに機構の成立の日を含む事業年度の月数を乗じて得た額とする。

Article 265-34 (1) The amount of obligatory contributions that members must pay during each of a Corporation's business years shall be the total of the following amounts (in the case where a minimum amount of obligatory contribution has been set by the articles of incorporation, an amount equivalent to that minimum amount when that total amount is less than that minimum amount; hereinafter referred to as "Annual Amount of Obligatory Contribution" in this paragraph) for each member; provided, however, that the amount of the obligatory contribution that must be paid by members in the business year including the day of incorporation of the Corporation shall be an amount calculated by dividing the Annual Amount of Obligatory Contribution by 12 and multiplying this by the number of months in the business year including the day of incorporation of the Corporation:

一　各会員が年間に収受した保険料の額として内閣府令・財務省令で定めるところにより算定した額に、負担金率を乗じて得た額

(i) An amount calculated by multiplying the obligatory contribution rate by an amount calculated pursuant to the provisions of a Cabinet Office Ordinance or Ordinance of the Ministry of Finance as the amount of Insurance Premiums received over the year by each member;

二　各会員の事業年度末における責任準備金その他の保険金等の支払に充てるために留保されるべき負債の額として内閣府令・財務省令で定めるところにより算定した額に、負担金率を乗じて得た額

(ii) An amount calculated by multiplying the obligatory contribution rate by an amount calculated pursuant to the provisions of a Cabinet Office Ordinance or Ordinance of the Ministry of Finance as the amount of liabilities that must be reserved to be allocated to the payment of policy reserves and any other Insurance Proceeds, etc., by each member at the end of the business year.

２　前項ただし書の月数は、暦に従って計算し、一月未満の端数を生じたときは、これを一月とする。

(2) The number of months set forth in the provisions of the proviso to the preceding paragraph shall be one month when a fraction of less than one month results when calculated according to the calendar.

３　第一項各号の負担金率は、総会の議決を経て、機構が定める。

(3) The obligatory contribution rate set forth in the items of paragraph (1) shall be established by a Corporation after resolution by a General Representative Members' Council.

４　機構は、第一項各号の負担金率を定め、又はこれを変更しようとするときは、内閣総理大臣及び財務大臣の認可を受けなければならない。

(4) A Corporation shall obtain the approval of the Prime Minister and Minister of Finance when it establishes the obligatory contribution rate set forth in the items of paragraph (1) or when it seeks to modify these rates.

５　第一項各号の負担金率は、次に掲げる基準に適合するように定めなければならない。

(5) The obligatory contribution rate set forth in the items of paragraph (1) shall be established such that they conform to the following standards:

一　資金援助等業務に要する費用の予想額に照らし、長期的に機構の財政が均衡するものであること。

(i) The percentage is such that a Corporation's long-term finances will be balanced in light of the estimated amount of expenses the Corporation will incur in implementing Financial Assistance Services, etc.;

二　特定の会員に対し差別的取扱い（会員の経営の健全性に応じてするものを除く。）をしないものであること。

(ii) The rate is such that certain members are not subject to discriminatory treatment (excluding what is done according to the soundness of the members' operation).

６　前項の規定は、同項第一号に掲げる基準に適合するように負担金率を定めることとした場合には、これによる負担金の納付によって会員の経営の健全性が維持されなくなるときにおいて、当該基準に適合しない負担金率を一時的に定めることを妨げるものと解してはならない。

(6) If the obligatory contribution rate is established in conformity with the standards listed in item (i) of the preceding paragraph and the soundness of a member's operation can no longer be maintained due to the payment of obligatory contribution, the provisions of that paragraph must not be interpreted as preventing the temporary establishment of an obligatory contribution rate that does not conform with said standards.

（延滞金）

(Late Payment Charges)

第二百六十五条の三十五　会員は、負担金を定款で定められた納期限までに納付しない場合には、機構に対し、延滞金を納付しなければならない。

Article 265-35 (1) Members shall pay a late payment charge to the Corporation in the case where they do not pay obligatory contribution by the deadline established in the articles of incorporation.

２　延滞金の額は、未納の負担金の額に納期限の翌日からその納付の日までの日数に応じ年十四・五パーセントの割合を乗じて計算した金額とする。

(2) The amount of the late payment charge shall be an amount calculated by multiplying the unpaid obligatory contribution by 14.5% a year in accordance with the number of days from the day after the deadline to the day of payment inclusive.

第八目　財務及び会計

Division 8 Finances and Accounting

（事業年度）

(Business Year)

第二百六十五条の三十六　機構の事業年度は、四月一日から翌年三月三十一日までとする。ただし、機構の成立の日を含む事業年度は、その成立の日からその後最初の三月三十一日までとする。

Article 265-36 A Corporation's business year shall be from 1 April to 31 March of the following year inclusive; provided, however, that the business year including the day of incorporation of the Corporation shall be from the day of that incorporation to the first March 31 thereafter inclusive.

（予算等）

(Budget, etc.)

第二百六十五条の三十七　第二百六十二条第二項第一号に掲げる免許の種類に属する免許を受けた保険会社をその会員とする機構（以下この項及び第二百六十五条の四十二の二において「生命保険契約者保護機構」という。）は、毎事業年度、予算及び資金計画を作成し、当該事業年度の開始前に（生命保険契約者保護機構の成立の日を含む事業年度にあっては、成立後遅滞なく）、内閣総理大臣及び財務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 265-37 (1) A Corporation that accepts as its members Insurance Companies that have received a license that falls under the Class of License described in Article 262, paragraph (2), item (i) (hereinafter referred to as "Life Insurance Policyholders Protection Corporation" in this paragraph and in Article 265-42-2) shall, every business year, prepare a budget and financial plan and receive the approval of the Prime Minister and Minister of Finance before the start of that business year (in the business year that includes the day of incorporation of the Life Insurance Policyholders Protection Corporation, without delay after incorporation). The same shall apply when the Corporation seeks to modify these.

２　第二百六十二条第二項第二号に掲げる免許の種類に属する免許を受けた保険会社をその会員とする機構（以下この項において「損害保険契約者保護機構」という。）は、毎事業年度、予算及び資金計画を作成し、当該事業年度の開始前に（損害保険契約者保護機構の成立の日を含む事業年度にあっては、成立後遅滞なく）、内閣総理大臣及び財務大臣に提出しなければならない。これを変更したときも、同様とする。

(2) A Corporation that accepts as its members Insurance Companies that have received a license that falls under the Class of License described in Article 262, paragraph (2), item (ii) (hereinafter referred to as "Non-Life Insurance Policyholders Protection Corporation" in this paragraph) shall, every business year, prepare a budget and financial plan and submit these to the Prime Minister and Minister of Finance before the start of that business year (in the business year that includes the day of incorporation of the Non-Life Insurance Policyholders Protection Corporation, without delay after incorporation). The same shall apply when the Corporation has modified these.

（財務諸表等の承認等）

(Approval, etc., of Financial Statements, etc.)

第二百六十五条の三十八　理事長は、毎事業年度、財産目録、貸借対照表及び損益計算書並びに当該事業年度の事業報告書及び予算の区分に従う決算報告書（次項及び次条において「財務諸表等」という。）を作成し、当該事業年度の終了後最初に招集する通常総会の開催日の四週間前までに、監事に提出しなければならない。

Article 265-38 (1) Every business year, the president shall prepare an inventory of property, balance sheet, and profit and loss statement, and a business report and statement of accounts according to the budget classifications for that business year (referred to as "Financial Statements, etc." in the following paragraph and following Article) and submit these to the auditor at least four weeks prior to the first ordinary General Council Meeting to be called after the end of that business year.

２　理事長は、監事の意見書を添えて前項の財務諸表等を同項の通常総会に提出し、その承認を求めなければならない。

(2) The president shall attach the written opinion of the auditor to the Financial Statements, etc., set forth in the preceding paragraph, submit these to the ordinary General Council Meeting set forth in that paragraph, and request its approval.

第二百六十五条の三十九　機構は、毎事業年度、前条第二項の通常総会の承認を受けた財務諸表等を、当該事業年度の終了後三月以内に内閣総理大臣及び財務大臣に提出し、その承認を受けなければならない。

Article 265-39 (1) Every business year, a Corporation shall, within three months of the end of that business year, submit the Financial Statements, etc., that received the approval of the ordinary General Council Meeting set forth in paragraph (2) of the preceding Article, to the Prime Minister and Minister of Finance and receive their approval.

２　機構は、前項の規定により財務諸表等を内閣総理大臣及び財務大臣に提出するときは、これに、財務諸表等に関する監事の意見書を添付しなければならない。

(2) A Corporation shall, when it submits Financial Statements, etc., to the Prime Minister and Minister of Finance pursuant to the provisions of the preceding paragraph, attach to these the written opinion of the auditor on the Financial Statements, etc.

３　機構は、第一項の規定による内閣総理大臣及び財務大臣の承認を受けたときは、遅滞なく、財産目録、貸借対照表及び損益計算書を官報に公告し、かつ、財務諸表等、附属明細書及び前項の監事の意見書を、各事務所に備え置き、内閣府令・財務省令で定める期間、一般の閲覧に供しなければならない。

(3) A Corporation shall without delay, when it has received the approval of the Prime Minister and Minister of Finance under the provisions of paragraph (1), give public notice of the inventory of property, balance sheet, and profit and loss statement in the Official Gazette, and shall keep the Financial Statements, etc., annexed detailed statement, and the written opinion of the auditor set forth in the preceding paragraph at each office, and provide these for public inspection for a period of time specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

（区分経理）

(Separate Accounting)

第二百六十五条の四十　機構は、保険契約の引受けに係る保険契約の管理及び処分に係る業務（これに附帯する業務を含む。）に関する経理については、他の経理と区分し、保険契約の引受けに係る破綻保険会社ごとに、特別の勘定（以下「保険特別勘定」という。）を設けて整理しなければならない。

Article 265-40 With regard to accounting related to business pertaining to the Management and Disposition of Insurance Contracts pertaining to the Underwriting of Insurance Contracts (including business incidental to this), a Corporation shall arrange Special Accounts, separate from other accounting (hereinafter referred to as "Special Insurance Accounts") for each Bankrupt Insurance Company pertaining to the Underwriting of Insurance Contracts.

（保険特別勘定の廃止）

(Abolition of Special Insurance Accounts)

第二百六十五条の四十一　機構は、その会員である破綻保険会社に係る保険契約の引受けをした場合において、当該保険契約の引受けに係るすべての保険契約につき、その終了、移転その他の事由により管理する必要がなくなったときは、当該破綻保険会社について設けた保険特別勘定を廃止するものとする。

Article 265-41 (1) A Corporation shall, in the case where it has underwritten insurance contracts pertaining to a Bankrupt Insurance Company that is its member, abolish the Special Insurance Account established for said Bankrupt Insurance Company when there is no longer a need to manage any of the insurance contracts pertaining to the Underwriting of Insurance Contracts due to termination, transfer, or any other reason.

２　機構は、前項の規定により保険特別勘定を廃止したときは、当該保険特別勘定に属する資産及び負債を一般勘定（機構の保険特別勘定（第二百七十条の六第二項の規定により機構を保険会社とみなして適用する第百十八条第一項に規定する特別勘定を含む。）以外の勘定をいう。第二百七十条の五において同じ。）に帰属させるものとする。

(2) The Corporation shall, when it has abolished a Special Insurance Account under the provisions of the preceding paragraph, vest the property and debt belonging to said Special Insurance Account to a general account (meaning accounts other than the Corporation's Special Insurance Accounts (including Special Accounts prescribed in Article 118, paragraph (1) as applied by deeming the Corporation as an Insurance Company pursuant to the provisions of Article 270-6, paragraph (2)); the same shall apply in Article 270-5)).

（借入金）

(Borrowings)

第二百六十五条の四十二　機構は、資金援助等業務を行うため必要があると認めるときは、政令で定める金額の範囲内において、内閣総理大臣及び財務大臣の認可を受けて、保険会社又は内閣府令・財務省令で定める金融機関から資金の借入れ（借換えを含む。）をすることができる。

Article 265-42 A Corporation may, when it finds it necessary for conducting Financial Assistance Services, etc., receive the approval of the Prime Minister and Minister of Finance and borrow funds (including refinancing), within the amount specified by a Cabinet Order, from an Insurance Company or financial institution specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

（政府保証）

(Government Guarantee)

第二百六十五条の四十二の二　政府は、法人に対する政府の財政援助の制限に関する法律（昭和二十一年法律第二十四号）第三条の規定にかかわらず、国会の議決を経た金額の範囲内において、生命保険契約者保護機構の前条の借入れに係る債務の保証をすることができる。

Article 265-42-2 The government may guarantee an obligation pertaining to the borrowing set forth in the preceding Article of a Life Insurance Policyholders Protection Corporation within the amount approved by a Diet resolution, notwithstanding the provisions of Article 3 of the Act on Limitations of Government Financial Assistance to Juridical Persons (Act No. 24 of 1946).

（余裕金の運用）

(Investment of Surplus Funds)

第二百六十五条の四十三　機構の業務上の余裕金は、保険特別勘定に属するものを除き、次の方法により運用しなければならない。

Article 265-43 Surplus funds occurring in the course of business of a Corporation, excluding those belonging to Special Insurance Accounts, shall be invested by the following methods:

一　国債その他内閣総理大臣及び財務大臣の指定する有価証券の保有

(i) Retention in national government bonds or any other securities designated by the Prime Minister and Minister of Finance;

二　内閣総理大臣及び財務大臣の指定する金融機関への預金

(ii) Deposit in financial institutions designated by the Prime Minister and Minister of Finance;

三　その他内閣府令・財務省令で定める方法

(iii) Any other method specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

（内閣府令・財務省令への委任）

(Delegation to Cabinet Office Ordinance or Ordinance of the Ministry of Finance)

第二百六十五条の四十四　第二百六十五条の三十六から前条までに規定するもののほか、機構の財務及び会計に関し必要な事項は、内閣府令・財務省令で定める。

Article 265-44 The particulars that are necessary to a Corporation's finances and accounting, in addition to what is provided for in Article 265-36 to the preceding Article inclusive, shall be specified by a Cabinet Office Ordinance or Ordinance of the Ministry of Finance.

第九目　監督

Division 9 Supervision

（監督）

(Supervision)

第二百六十五条の四十五　機構は、内閣総理大臣及び財務大臣が監督する。

Article 265-45 (1) The Corporation shall be supervised by the Prime Minister and Minister of Finance.

２　内閣総理大臣及び財務大臣は、この節の規定を施行するため必要があると認めるときは、機構に対し、監督上必要な命令をすることができる。

(2) The Prime Minister and Minister of Finance may, when they find it necessary for the enforcement of the provisions of this Section, issue orders necessary for supervision to a Corporation.

３　内閣総理大臣及び財務大臣は、機構の役員が、この法律、この法律に基づく命令若しくはこれらに基づく処分又は定款若しくは業務規程に違反する行為をしたときは、当該機構に対し、その役員を解任すべきことを命ずることができる。この場合において、機構が総会の議決を経て当該役員を解任したときは、その解任は、第二百六十五条の十五第二項の規定にかかわらず、総会の議決があったときにその効力を生ずるものとする。

(3) The Prime Minister and Minister of Finance may, when an officer of a Corporation engages in conduct that violates this Act, orders based on this Act or dispositions based on these, or the articles of incorporation or business rules, order said Corporation to dismiss that officer. In this case, when the Corporation has dismissed said officer after obtaining a resolution of the General Council, that dismissal shall take effect when the General Representative Members' Council has reached a resolution, notwithstanding the provisions of Article 265-15, paragraph (2).

（報告及び立入検査）

(Report and On-Site Inspections)

第二百六十五条の四十六　内閣総理大臣及び財務大臣は、この節の規定の施行に必要な限度において、機構に対し、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、機構の事務所に立ち入らせ、その業務若しくは財産の状況若しくは帳簿書類その他の物件を検査させ、若しくは関係者に質問させることができる。

Article 265-46 The Prime Minister and Minister of Finance may, within the limit necessary for the enforcement of the provisions of this Section, order a Corporation to submit a report or material related to its business or property, or have their officials enter the Corporation's office and inspect the state of its business or property or its books and documents or any other objects, or have such officials question the relevant persons.

（設立の認可の取消し）

(Rescission of Establishment Approval)

第二百六十五条の四十七　内閣総理大臣及び財務大臣は、機構が次の各号のいずれかに該当するときは、第二百六十五条の九第二項の設立の認可を取り消すことができる。

Article 265-47 The Prime Minister and Minister of Finance may, when a Corporation falls under any of the following items, rescind the approval of incorporation set forth in Article 265-9, paragraph (2):

一　この法律、この法律に基づく命令又は当該機構の定款若しくは業務規程に違反したとき。

(i) When it has violated this Act, orders based on this Act or the articles of incorporation or business rules of said Corporation;

二　第二百六十五条の三十第三項又は第二百六十五条の四十五第二項若しくは第三項前段の規定による処分に違反したとき。

(ii) When it has violated dispositions under the provisions of Article 265-30, paragraph (3) or Article 265-45, paragraph (2) or the first sentence of paragraph (3);

三　その業務又は財産の状況によりその業務の継続が困難であると認めるとき。

(iii) When it is found that the continuation of its business would be difficult due to the state of its business or property;

四　公益を害する行為をしたとき。

(iv) When it has engaged in conduct that harms the public interest.

第十目　雑則

Division 10 Miscellaneous Provisions

（解散）

(Dissolution)

第二百六十五条の四十八　機構は、次に掲げる事由によって解散する。

Article 265-48 (1) A Corporation shall dissolve due to the following reasons:

一　総会の決議

(i) The resolution of the General Representative Members' Council;

二　前条の規定による設立の認可の取消し

(ii) Rescission of approval of incorporation under the provisions of the preceding Article.

２　前項第一号に掲げる事由による解散は、内閣総理大臣及び財務大臣の認可を受けなければ、その効力を生じない。

(2) Dissolution under the reason given in item (i) of the preceding paragraph shall be null and void without the approval of the Prime Minister and Minister of Finance.

３　機構は、解散した場合において、その債務を弁済してなお残余財産があるときは、内閣府令・財務省令で定めるところにより、当該残余財産をその会員がそれぞれ加入することとなる他の機構に帰属させなければならない。

(3) A Corporation shall, when there are residual assets after it has performed its obligations in the case of dissolution, vest said residual assets, pursuant to the provisions of a Cabinet Office Ordinance or Ordinance of the Ministry of Finance, in the other Corporations that its members join.

４　前項に定めるもののほか、機構の解散に関する所要の措置は、合理的に必要と判断される範囲内において、政令で定めることができる。

(4) Requisite measures related to the dissolution of a Corporation, in addition to what is provided for in the preceding paragraph, may be specified by a Cabinet Order, within the scope deemed reasonably necessary.

第二款　資金援助等

Subsection 2 Financial Assistance, etc.

第一目　資金援助の申込み等

Division 1 Petitions for Financial Assistance, etc.

（保険契約の移転等における資金援助の申込み）

(Petitions for Financial Assistance for the Transfer, etc. of Insurance Contracts)

第二百六十六条　救済保険会社又は救済保険持株会社等は、破綻保険会社が会員として加入している機構（以下この款及び次款において「加入機構」という。）が、保険契約の移転等について資金援助を行うことを、当該破綻保険会社と連名で当該加入機構に申し込むことができる。

Article 266 (1) The Relief Insurance Company or the Relief Insurance Holding Company, etc. may, in conjunction with a Bankrupt Insurance Company, petition the Corporation with which that Bankrupt Insurance Company is affiliated as a member (hereinafter referred to as the "Affiliated Corporation" in this and the following Subsections) to extend Financial Assistance with regard to the transfer, etc. of insurance contracts.

２　加入機構は、前項の場合において必要があると認めるときは、同項の申込みをした救済保険会社又は救済保険持株会社等及び破綻保険会社その他の関係者に対し、資料の提出を求めることができる。

(2) An Affiliated Corporation may, when it finds it necessary in the case referred to in the preceding paragraph, request the Relief Insurance Company or the Relief Insurance Holding Company, etc. that made the petition under that paragraph, and the Bankrupt Insurance Company or other relevant persons, for the submission of materials.

３　第一項に規定する資金援助のうち資産の買取りは、保険契約の移転等に係る破綻保険会社の資産について行うものとする。

(3) Within the Financial Assistance prescribed in paragraph (1), the purchase of the property shall be conducted pertaining to the property of the Bankrupt Insurance Company pertaining to the transfer, etc. of insurance contracts.

（保険契約の承継等の申込み）

(Petition Related to the Succession, etc. to Insurance Contracts)

第二百六十七条　破綻保険会社は、救済保険会社又は救済保険持株会社等が現れる見込みがないことその他の理由により保険契約の移転等を行うことが困難な場合として内閣府令・財務省令で定める場合には、加入機構に対して、保険契約の承継又は保険契約の引受け（以下「保険契約の承継等」という。）を申し込むことができる。

Article 267 (1) If the transfer, etc. of insurance contracts is one that has been specified as being difficult by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance on the grounds such as that there is no prospect of finding a Relief Insurance Company or Relief Insurance Holding Company, etc., a Bankrupt Insurance Company may petition its Affiliated Corporation to succeed in a Succession to Insurance Contracts or Underwriting of Insurance Contracts (hereinafter referred to as "Succession, etc. to Insurance Contracts"), to .

２　破綻保険会社は、前項の申込みを行う場合においては、保険契約の移転等に関する他の保険会社又は保険持株会社等との交渉の内容を示す資料その他の内閣府令・財務省令で定める資料を加入機構に提出しなければならない。

(2) A Bankrupt Insurance Company shall, in the case of making the petition under the preceding paragraph, submit, to its Affiliated Corporation, materials which illustrate the content of the negotiation with other Insurance Companies or Insurance Holding Companies, etc. on the transfer, etc. of insurance contracts, and other materials specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance.

３　破綻保険会社は、第一項の規定による保険契約の承継の申込みを行うときは、加入機構が当該保険契約の承継について資金援助（金銭の贈与又は資産の買取りに限る。）を行うことを、併せて当該加入機構に申し込むことができる。

(3) A Bankrupt Insurance Company may, when petitioning for the Succession of Insurance Contracts under the provisions of paragraph (1), also petition the Affiliated Corporation to extend it Financial Assistance with regard to the Succession of Insurance Contracts (limited to donations of money or purchase of property).

４　前条第二項及び第三項の規定は、前項の資金援助について準用する。この場合において、同条第二項中「救済保険会社又は救済保険持株会社等及び破綻保険会社」とあるのは、「破綻保険会社」と読み替えるものとする。

(4) The provisions of paragraphs (2) and (3) of the preceding Article shall apply mutatis mutandis to the Financial Assistance of the preceding paragraph. In this case, the term "the Relief Insurance Company or the Relief Insurance Holding Company, etc. that filed the application in that paragraph, and the Bankrupt Insurance Company" in paragraph (2) of that Article shall be deemed to be replaced with "the Bankrupt Insurance Company."

（保険契約の移転等における適格性の認定）

(Authorization of Eligibility for the Transfer, etc. of Insurance Contracts)

第二百六十八条　第二百六十六条第一項の場合においては、保険契約の移転等を行う破綻保険会社及び救済保険会社又は破綻保険会社及び救済保険持株会社等は、同項の申込みが行われる時までに、当該保険契約の移転等について、内閣総理大臣の認定を受けなければならない。

Article 268 (1) In the case referred to in Article 266, paragraph (1), the Bankrupt Insurance Company and Relief Insurance Company, or the Bankrupt Insurance Company and Relief Insurance Holding Company, etc. which carry out the transfer, etc. of insurance contracts shall obtain the authorization of the Prime Minister for the transfer, etc. of insurance contracts by the time that the petition under that paragraph is made.

２　前項の認定の申請は、同項の破綻保険会社及び救済保険会社又は破綻保険会社及び救済保険持株会社等の連名で行わなければならない。

(2) The application for authorization of the preceding paragraph shall be filed jointly by the Bankrupt Insurance Company and Relief Insurance Company or Bankrupt Insurance Company and Relief Insurance Holding Company, etc. set forth in that paragraph.

３　内閣総理大臣は、次に掲げる要件のすべてに該当する場合に限り、第一項の認定を行うことができる。

(3) The Prime Minister may grant the authorization under paragraph (1), only in cases that fall under all of the following requirements:

一　当該保険契約の移転等が行われることが、保険契約者等の保護に資すること。

(i) The transfer, etc. of insurance contracts contributes to the protection of Policyholders, etc.;

二　加入機構による資金援助が行われることが、当該保険契約の移転等が円滑に行われるために不可欠であること。

(ii) The extension of Financial Assistance by the Affiliated Corporation is indispensable to the smooth implementation of the transfer, etc. of insurance contracts; and

三　当該保険契約の移転等に係る破綻保険会社について、保険契約の移転等が行われることなく、その業務の全部の廃止又は解散が行われる場合には、保険業に対する信頼性が損なわれるおそれがあること。

(iii) There is a risk of loss of credibility in the Insurance Business in the case that all of the business of the Bankrupt Insurance Company pertaining to the transfer, etc. of insurance contracts are abolished or the Bankrupt Insurance Company is dissolved, without a transfer of insurance contracts, etc.

４　内閣総理大臣は、第一項の認定を行ったときは、その旨を加入機構に通知しなければならない。

(4) If the Prime Minister has given the authorization under paragraph (1), he/she shall notify the Affiliated Corporation of this.

５　加入機構は、前項の規定による通知を受けたときは、速やかに、その旨を財務大臣に報告しなければならない。

(5) If an Affiliated Corporation receives a notice under the provisions of the preceding paragraph, it shall promptly report this to the Minister of Finance.

６　破綻保険会社の株式を取得しようとする会社が、当該株式の取得により保険会社を子会社とする持株会社になることについて、第二百七十一条の十八第一項の認可（以下この項において「持株会社認可」という。）の申請をしている場合には、内閣総理大臣は、当該会社について持株会社認可をした後でなければ、第一項の規定による認定を行うことができない。

(6) If a company attempting to acquire shares of a Bankrupt Insurance Company has filed an application for approval under Article 271-18, paragraph (1) to acquire shares and become a Holding Company whose Subsidiaries include an Insurance Company (hereinafter referred to as "Holding Company Approval" in this paragraph), the Prime Minister may not give the authorization under the provisions of paragraph (1) until after Holding Company Approval has been given for that company.

（保険契約の移転等における適格性の認定の特例）

(Special Provisions on Authorization of Eligibility for the Transfer, etc. of Insurance Contracts)

第二百六十九条　内閣総理大臣は、次に掲げる要件のすべてに該当する場合に限り、第二百五十六条第一項の勧告に、前条第一項の規定にかかわらず、第二百六十六条第一項の申込みを行うことができる旨を付記することができる。

Article 269 (1) The Prime Minister may, only in cases that fall under all of the following requirements, make a supplementary note in the recommendation of Article 256, paragraph (1), notwithstanding the provisions of paragraph (1) of the preceding Article, that the petition under Article 266, paragraph (1) may be made:

一　第二百五十六条第一項の勧告に係る破綻保険会社の業務の全部の廃止又は解散が前条第三項第三号に掲げる要件に該当すること。

(i) The abolition of all business of a Bankrupt Insurance Company or the dissolution of the Bankrupt Insurance Company pertaining to the recommendation of Article 256, paragraph (1) falls under the requirements listed in paragraph (3), item (iii) of the preceding Article; and

二　加入機構による資金援助が行われることが当該勧告に係る保険契約の移転等を行うために不可欠なものであること。

(ii) The extension of Financial Assistance by the Affiliated Corporation is indispensable to the transfer, etc. of insurance contracts pertaining to said recommendation.

２　前条第四項及び第五項の規定は、前項の付記をした場合について準用する。

(2) The provisions of paragraphs (4) and (5) of the preceding Article shall apply mutatis mutandis to cases in which the supplementary note of the preceding paragraph was made.

（保険契約の承継等における適格性の認定）

(Authorization of Eligibility for Succession, etc. to Insurance Contracts)

第二百七十条　第二百六十七条第一項の場合においては、破綻保険会社は、同項の申込みが行われる時までに、同項の保険契約の承継等について、内閣総理大臣の認定を受けなければならない。

Article 270 (1) In the case referred to in Article 267, paragraph (1), the Bankrupt Insurance Company shall obtain the authorization of the Prime Minister in regard to the Succession, etc. to Insurance Contracts of that paragraph by the time that the petition under that paragraph is made.

２　内閣総理大臣は、次に掲げる要件のすべてに該当する場合に限り、前項の認定を行うことができる。

(2) The Prime Minister may give the authorization of the preceding paragraph, only in cases that fall under all of the following requirements:

一　保険契約の承継等が行われることが、保険契約者等の保護に資すること。

(i) The Succession, etc. to Insurance Contracts contributes to the protection of Policyholders, etc.;

二　加入機構に対して保険契約の承継等の申込みを行う破綻保険会社について、当該保険契約の承継等が行われることなく、その業務の全部の廃止又は解散が行われる場合には、保険業に対する信頼性が損なわれるおそれがあること。

(ii) There is a risk that without the Succession, etc. to Insurance Contracts, the Insurance Business would lose credibility in the event that all of the business of the Bankrupt Insurance Company that is petitioning the Affiliated Corporation for the Succession, etc. to Insurance Contracts were abolished or if the Bankrupt Insurance Company were dissolved,; and

三　第二百六十七条第三項の規定による資金援助の申込みが行われる場合においては、当該資金援助が行われることが当該保険契約の承継が円滑に行われるために不可欠であること。

(iii) In the case that petition is made for Financial Assistance under the provisions of Article 267, paragraph (3), the extension of said Financial Assistance is indispensable to the smooth implementation of the Succession of Insurance Contracts.

３　内閣総理大臣は、第一項の認定を行ったときは、その旨を加入機構に通知しなければならない。

(3) If the Prime Minister has given the authorization under paragraph (1), he/she shall notify the Affiliated Corporation of this.

４　加入機構は、前項の規定による通知を受けたときは、速やかに、その旨を財務大臣に報告しなければならない。

(4) If an Affiliated Corporation receives a notice under the provisions of the preceding paragraph, it shall promptly report this to the Minister of Finance.

（破綻保険会社の財産の評価）

(Evaluation of the Property of a Bankrupt Insurance Company)

第二百七十条の二　第二百六十六条第一項又は第二百六十七条第一項の申込みを行う破綻保険会社は、その申込みと同時に、又はその申込み後遅滞なく、自ら行ったその財産（外国保険会社等にあっては、日本に所在する財産。以下この款において同じ。）の評価（次項及び第四項において「財産自己評価」という。）が適切であることについて加入機構の確認を求めなければならない。

Article 270-2 (1) A Bankrupt Insurance Company making the petition under Article 266, paragraph (1) or Article 267, paragraph (1) shall seek the confirmation of the Affiliated Corporation regarding the appropriateness of the evaluation the company made of its property (for a Foreign Insurance Company, etc., property in Japan; hereinafter the same shall apply in this Subsection) without delay at the same time that the petition was made or after the petition was made (referred to as "Property Self-Evaluation" in the next paragraph and paragraph (4)).

２　加入機構は、審査会の議を経て、前項の確認を求められた財産自己評価が適切であると判定したときは、当該財産自己評価が適切であることを確認した旨を当該申請をした破綻保険会社に通知するものとする。

(2) If an Affiliated Corporation determines, after discussion by the Examination Board, that the Property Self-Evaluation for which confirmation under the preceding paragraph is being sought is appropriate, it shall notify the Bankrupt Insurance Company which requested this that the Property Self-Evaluation has been confirmed as appropriate.

３　加入機構は、前項の判定をするため必要があると認めるときは、当該申請をした破綻保険会社の財産を評価するための調査をすることができる。

(3) If an Affiliated Corporation finds it necessary for making a determination under the preceding paragraph, it may conduct an examination to evaluate the property of the Bankrupt Insurance Company that made said request.

４　加入機構は、審査会の議を経て、第一項の確認を求められた財産自己評価が適切でないと判定したときは、その旨を当該申請をした破綻保険会社に通知するとともに、当該破綻保険会社の財産を評価するための調査をするものとする。

(4) If an Affiliated Corporation determines, after discussion by the Examination Board, that the Property Self-Evaluation for which confirmation under paragraph (1) is being sought is not appropriate, it shall notify the Bankrupt Insurance Company which made the relevant request of this, and shall conduct an examination to evaluate the property of that Bankrupt Insurance Company.

５　加入機構は、審査会の議を経て、前項の規定による調査に基づく評価が適切であることを確認した後、その評価の内容を当該申請をした破綻保険会社に通知するものとする。

(5) After confirming that the evaluation based on the examination under the provisions of the preceding paragraph is appropriate and after discussion by the Examination Board, the Affiliated Corporation shall notify the Bankrupt Insurance Company that made the relevant request of the content of the evaluation.

６　加入機構は、第二項又は前項の通知をしたときは、直ちに、その通知に係る事項を内閣総理大臣及び財務大臣に報告しなければならない。

(6) If an Affiliated Corporation has made a notification under paragraph (2) or the preceding paragraph, it shall immediately report the particulars of the notification to the Prime Minister and Minister of Finance.

（保険契約の移転等における資金援助）

(Financial Assistance for the Transfer, etc. of Insurance Contracts)

第二百七十条の三　加入機構は、第二百六十六条第一項の申込みをした破綻保険会社に対して前条第二項又は第五項の通知をした後、遅滞なく、委員会の議を経て、当該申込みに係る資金援助を行うかどうかを決定しなければならない。

Article 270-3 (1) After making a notification under paragraph (2) or paragraph (5) of the preceding Article to the Bankrupt Insurance Company which filed the petition under Article 266, paragraph (1), Affiliated Corporation shall make a decision without delay, after discussion by the Committee, on whether to extend the Financial Assistance pertaining to said petition.

２　前項の規定による資金援助（金銭の贈与に限る。）の額は、当該資金援助に係る破綻保険会社につき、第一号に掲げる額から第二号に掲げる額を控除した残額に第三号に掲げる額を加算して得られた額に相当する金額とする。

(2) The amount of the Financial Assistance under the provisions of the preceding paragraph (limited to donation of money) shall be an amount equivalent to that calculated by adding the amount listed in item (iii) to the amount remaining after the deduction of the amount listed in item (ii) from the amount listed in item (i) with regard to the Bankrupt Insurance Company to which said Financial Assistance pertains:

一　当該破綻保険会社に係る保険契約のうち内閣府令・財務省令で定める保険契約に該当するもの（以下「補償対象契約」という。）に係る責任準備金その他の保険金等の支払に充てるために留保されるべき負債として内閣府令・財務省令で定めるもの（次号及び第二百七十条の五第二項において「特定責任準備金等」という。）の額に、補償対象契約の種類、予定利率その他の内容等を勘案して内閣府令・財務省令で定める率を乗じて得た額

(i) With regard to a Bankrupt Insurance Company's insurance contracts that fall under the category of insurance contract specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance (hereinafter referred to as a "Covered Insurance Contract"), the amount specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance as the liability that must be saved for allocation to the payment of Insurance Proceeds, etc. and for policy reserves (referred to as "Specified Policy Reserves, etc." in the following item and Article 270-5, paragraph (2)) multiplied by the rate specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance by taking into consideration the kind of Covered Insurance Contract, expected interest rate, other content, etc.;

二　当該破綻保険会社の前条第二項又は第五項の規定による確認がされた財産の評価（第二百七十条の五第二項において「確認財産評価」という。）に基づく資産の価額のうち、補償対象契約に係る特定責任準備金等に見合うものとして内閣府令・財務省令で定めるところにより計算した額

(ii) The amount of the asset value of that Bankrupt Insurance Company -- based on the evaluation of property confirmed under the provisions of paragraph (2) or paragraph (5) of the preceding Article (referred to as "Confirmed Evaluation of Property" in Article 270-5, paragraph (2)) -- which has been calculated as per Cabinet Office Ordinance and Ordinance of the Ministry of Finance as being the amount which corresponds to the Specified Policy Reserve, etc. pertaining to the Covered Insurance Contract; and

三　当該破綻保険会社に係る保険契約の移転等に要すると見込まれる費用として内閣府令・財務省令で定めるものに該当する費用の額のうち、当該資金援助に係る保険契約の移転等の円滑な実施のために必要であると加入機構が認めた額

(iii) The amount of expense, which has been approved by the Affiliated Corporation as being necessary for the smooth transfer, etc. of the insurance contracts pertaining to said Financial Assistance, among the expenses that fall under those specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance as expenses which are deemed necessary for the transfer, etc. of insurance contracts pertaining to that Bankrupt Insurance Company.

３　加入機構は、第一項の決定をしたときは、直ちに、その決定に係る事項として内閣府令・財務省令で定めるものを内閣総理大臣及び財務大臣に報告しなければならない。

(3) The Affiliated Corporation shall, when it has made the decision under paragraph (1), immediately report the particulars specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance, as those related to the decision, to the Prime Minister and Minister of Finance.

４　加入機構は、第一項の規定により資金援助を行うことを決定したときは、当該資金援助の申込みを行った保険会社又は保険持株会社等のうち当該資金援助の当事者となるものと、当該資金援助に関する契約を締結するものとする。

(4) The Affiliated Corporation shall, when it makes a decision to extend Financial Assistance under the provisions of paragraph (1), conclude a contract concerning said Financial Assistance with the Insurance Company or Insurance Holding Company, etc. that petitioned for said Financial Assistance, and that is to be the party to said Financial Assistance.

５　前項の契約に係る資金援助のうちに損害担保が含まれているときは、当該契約に係る救済保険会社又は救済保険持株会社等は、当該契約において、当該損害担保に係る資産について利益が生じたときは当該利益の額の全部又は一部を当該契約に係る加入機構に納付し、又は当該保険契約の移転等により当該資産を有することとなる者をして当該契約に係る加入機構に納付させるための措置を講ずる旨を約するものとする。

(5) When damage security is included in the Financial Assistance pertaining to the contract of the preceding paragraph, the Relief Insurance Company or the Relief Insurance Holding Company, etc. pertaining to that contract, under that contract, shall, if profits are accrued from the assets pertaining to said damage security, commit in that contract that it shall pay all or part of said profits to the Affiliated Corporation pertaining to that contract, or, as one that will have said assets from the transfer, etc. of insurance contracts, to take measures for making payment to the Affiliated Corporation pertaining to that contract.

第二目　保険契約の承継

Division 2 Succession of Insurance Contracts

（保険契約の承継）

(Succession of Insurance Contracts)

第二百七十条の三の二　加入機構は、第二百六十七条第一項の規定による保険契約の承継の申込みを受けた場合において、必要があると認めるときは、当該申込みに係る第六項各号に掲げる決定を行う前に、内閣総理大臣に対して第二百五十六条第一項の規定による措置をとることを求めることができる。

Article 270-3-2 (1) The Affiliated Corporation may, when it finds it necessary in the case of receiving a petition on the Succession of Insurance Contracts under the provisions of Article 267, paragraph (1), make a request that the Prime Minister take the measures under the provisions of Article 256, paragraph (1) be taken before making the decisions listed in items (i) and (ii) of paragraph (6) pertaining to said petition.

２　内閣総理大臣は、前項の規定により第二百五十六条第一項の規定による措置をとることを求められたときは、遅滞なく、当該措置をとることができるかどうか、及び当該措置をとることとする場合には、そのとるべき措置の内容を加入機構に通知するものとする。

(2) The Prime Minister shall, without delay, notify the Affiliated Corporation, when the measures under the provisions of Article 256, paragraph (1) pursuant to the provisions of the preceding paragraph are requested, of whether said measures may be taken, and, in the case that said measures are to be taken, of the content of those measures.

３　加入機構は、前項の規定による内閣総理大臣の通知の内容が第二百五十六条第一項の規定による措置をとるものであったときは、第六項各号に掲げる決定に係る手続の実施を停止するものとする。ただし、第二百七十条の二の規定による確認の手続については、この限りでない。

(3) The Affiliated Corporation shall, when the content of the notification of the Prime Minister under the provisions of the preceding paragraph is to the effect that the measures under the provisions of Article 256, paragraph (1) are to be taken, stay the implementation of the procedure pertaining to the decision listed in paragraph (6), items (i) and (ii); provided, however, that this shall not apply to the confirmation procedures under the provisions of Article 270-2.

４　内閣総理大臣が第一項の規定により第二百五十六条第一項の規定による措置をとった場合において、第二百六十七条第一項の規定による保険契約の承継の申込みを行った破綻保険会社が、合併等に係る協議を調えたときは、当該破綻保険会社は、遅滞なく、当該申込みを取り下げなければならない。

(4) In the case that the Prime Minister takes the measures under the provisions of Article 256, paragraph (1) the Bankrupt Insurance Company which petitioned for the Succession of Insurance Contracts under the provisions of Article 267, paragraph (1) shall, when that Bankrupt Insurance Company has reached an agreement pertaining to Merger, etc., without delay, withdraw said petition.

５　前項に規定する場合において、合併等に係る協議が調わないこととなったときは、同項の破綻保険会社は、遅滞なく、その旨を加入機構に通知しなければならない。

(5) In the case prescribed in the preceding paragraph, when no agreement pertaining to Merger, etc. is reached, the Bankrupt Insurance Company of that paragraph shall, without delay, notify the Affiliated Corporation of this.

６　加入機構は、内閣総理大臣に対して第一項の規定による求めをする必要がないと認めたとき、第二項の規定による内閣総理大臣の通知の内容が第二百五十六条第一項の規定による措置をとることができないとするものであったとき、又は前項の規定による通知があったときは、速やかに、委員会の議を経て、第一項の申込みに係る第一号及び第二号に掲げる決定又は第二号に掲げる決定をしなければならない。

(6) The Affiliated Corporation shall, when it finds it unnecessary to make the request under the provisions of paragraph (1) of the Prime Minister, when the content of the notification of the Prime Minister under the provisions of paragraph (2) is to the effect that the measures under the provisions of Article 256, paragraph (1) cannot be taken, or when the notification under the provisions of the preceding paragraph is made, promptly, after discussion by the Committee, make the decision listed in items (i) and (ii) pertaining to the petition under paragraph (1) or the decision listed in item (ii):

一　加入機構が破綻保険会社から保険契約を引き継ぐため保険契約の移転又は合併を行う承継保険会社を機構の子会社として設立する旨の決定

(i) Ruling to the effect that the Affiliated Corporation will incorporate, as its Subsidiary, the Successor Insurance Company, which will carry out a transfer of insurance contracts from the Bankrupt Insurance Company or merge with that company to take over the insurance contracts from that company; and

二　承継保険会社が破綻保険会社から保険契約を引き継ぐため保険契約の移転又は合併を行うべき旨の決定

(ii) Ruling to the effect that the Successor Insurance Company shall carry out a transfer of insurance contracts from the Bankrupt Insurance Company or merge with that company to take over the insurance contracts from that company.

７　加入機構は、第二百六十七条第三項の申込みを受けた場合において、当該申込みに係る保険契約の承継について前項の決定をするときは、委員会の議を経て、併せて当該申込みに係る資金援助を行うかどうかを決定しなければならない。

(7) The Affiliated Corporation shall, when making a decision under the preceding paragraph on the Succession of Insurance Contracts pertaining to a petition it has received under Article 267, paragraph (3), also make a decision, after discussion by the Committee, on whether to extend the Financial Assistance pertaining to said petition.

８　前条第二項の規定は前項の規定による資金援助（金銭の贈与に限る。）の額について、同条第三項の規定は加入機構が前二項の決定をした場合について、同条第四項の規定は加入機構が前項の規定により資金援助を行うことを決定した場合について、それぞれ準用する。この場合において、同条第二項中「保険契約の移転等」とあるのは「保険契約の承継」と、同条第四項中「保険会社又は保険持株会社等のうち当該資金援助の当事者となるもの」とあるのは「破綻保険会社」と読み替えるものとする。

(8) The provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis to the amount of Financial Assistance under the provisions of the preceding paragraph (limited to donation of money), the provisions of paragraph (3) of that Article shall apply mutatis mutandis in the case that the Affiliated Corporation makes a decision under the preceding two paragraphs, and the provisions of paragraph (4) of that Article shall apply mutatis mutandis in the case that the Affiliated Corporation makes a decision to extend Financial Assistance pursuant to the provisions of the preceding paragraph. In this case, the term "transfer, etc. of insurance contracts" in paragraph (2) of that Article shall be deemed to be replaced with "Succession of Insurance Contracts," and the term "Insurance Company or Insurance Holding Company, etc. which filed the application for said Financial Assistance that becomes the party of said Financial Assistance" in paragraph (4) of that Article shall be deemed to be replaced with "Bankrupt Insurance Company which filed the application for said Financial Assistance."

９　第一項の申込みに係る破綻保険会社は、加入機構が第六項各号に掲げる決定をしたときは、当該決定に係る承継保険会社と保険契約の全部若しくは一部に係る保険契約の移転又は合併をすることができる。

(9) The Bankrupt Insurance Company that has made a petition under paragraph (1) may, when the Affiliated Corporation makes a decision listed in paragraph (6), items (i) or (ii), transfer all or part of the insurance contracts to the Successor Insurance Company pertaining to the decision, or may merge with that company.

（承継保険会社の設立等）

(Incorporation of Successor Insurance Company, etc.)

第二百七十条の三の三　加入機構は、前条第六項第一号に掲げる決定をしたときは、当該決定に係る出資の内容について委員会の議を経て、承継保険会社となる株式会社の設立の発起人となり、及び当該設立の発起人となった株式会社を機構の子会社として設立するための出資をしなければならない。

Article 270-3-3 (1) The Affiliated Corporation shall, when it makes a decision listed in paragraph (6), item (i) of the preceding Article, after discussion by the Committee on the content of the contribution pertaining to the decision, become the incorporator for the incorporation of the Stock Company which will be the Successor Insurance Company, and make a contribution for the incorporation of the Stock Company, of which it became the incorporator for said incorporation, as its Subsidiary.

２　加入機構は、前項に規定する場合のほか、承継保険会社に対する出資を行おうとするときは、委員会の議を経なければならない。

(2) In addition to the case prescribed in the preceding paragraph, the Affiliated Corporation shall, when it seeks to make a contribution to the Successor Insurance Company, go through Committee discussions thereon.

３　加入機構は、前二項に規定する出資をしたときは、速やかに、その内容を内閣総理大臣及び財務大臣に報告しなければならない。

(3) The Affiliated Corporation shall, when it makes the contribution prescribed in the preceding two paragraphs, promptly report the content of the contribution to the Prime Minister and Minister of Finance about the content.

（承継保険会社の経営管理）

(Managing the Successor Insurance Company)

第二百七十条の三の四　機構は、承継保険会社（当該機構が設立したものに限る。以下この条、第二百七十条の三の六及び第二百七十条の三の十において同じ。）が次に掲げる事項を適確に実施できるようその経営管理を行わなければならない。

Article 270-3-4 (1) A Corporation shall manage a Successor Insurance Company (limited to those incorporated by said Corporation; hereinafter the same shall apply in this Article, Article 270-3-6, and Article 270-3-10) to enable its optimal implementation of the following particulars:

一　第二百七十条の三の二第六項第二号に掲げる決定があったときは、当該決定の対象とされた破綻保険会社から保険契約を引き継ぐため保険契約の移転又は合併を行うこと。

(i) When the decision listed in Article 270-3-2, paragraph (6), item (ii) is made, the transfer of insurance contracts or merger shall be carried out to take over the insurance contracts from the Bankrupt Insurance Company that was the subject of the decision; and

二　保険契約の管理及び処分その他の業務の実施に際しては、次項の指針に従うこと。

(ii) In managing and disposing the insurance contracts or in implementing other business, these shall be carried out in accordance with the guidelines specified in the following paragraph.

２　機構は、承継保険会社の保険契約の管理及び処分その他の業務についての指針を作成し、内閣総理大臣の承認を受けた後、公表しなければならない。

(2) A Corporation shall create guidelines on the management and disposition of the insurance contracts of a Successor Insurance Company and other business, and, upon obtaining the approval of the Prime Minister, make the guidelines public.

３　機構は、承継保険会社に対し、その経営に必要な指導及び助言を行うことができる。

(3) A Corporation may offer any guidance and advice necessary for the management of a Successor Insurance Company.

４　機構は、承継保険会社の株式の譲渡その他の処分を行ったときは、速やかに、その旨を内閣総理大臣及び財務大臣に報告しなければならない。

(4) If a Corporation assigns the shares of a Successor Insurance Company or makes other dispositions, it shall promptly report this to the Prime Minister and Minister of Finance.

（会社法第四百六十七条の不適用）

(Non-Application of Article 467 of the Companies Act)

第二百七十条の三の五　会社法第四百六十七条第一項第五号（事業譲渡等の承認等）の規定は、機構が承継保険会社の発行済株式の全部を所有する場合における第二百七十条の二第二項又は第五項の規定による確認がされた財産については、適用しない。

Article 270-3-5 The provisions of Article 467, paragraph (1), item (v) of the Companies Act (Approvals of Assignment of Business) shall not apply to the property confirmed under the provisions of Article 270-2, paragraph (2) or Article 270-2, paragraph (5), in the case that the Corporation owns all of the issued shares of the Successor Insurance Company.

（承継協定）

(Succession Agreements)

第二百七十条の三の六　機構は、承継保険会社と次に掲げる事項を含む協定（以下「承継協定」という。）を締結するものとする。

Article 270-3-6 (1) A Corporation shall conclude an agreement with a Successor Insurance Company that includes the following particulars (hereinafter referred to as "Succession Agreement"):

一　承継協定を締結した承継保険会社（以下「協定承継保険会社」という。）は、第二百七十条の三の四第一項各号に掲げる事項を実施すること。

(i) That the Successor Insurance Company with which the Succession Agreement has been concluded (hereinafter referred to as "Successor Insurance Company Under the Agreement") is to set in place the particulars listed in Article 270-3-4, paragraph (1), items (i) and (ii);

二　協定承継保険会社は、機構が当該協定承継保険会社の資産の買取りを行うことを機構に申し込むことができること。

(ii) The Successor Insurance Company Under the Agreement may petition the Corporation to purchase the assets of that Successor Insurance Company Under the Agreement; and

三　協定承継保険会社は、第二百七十条の三の八第一項に規定する債務の保証の対象となる資金の借入れに関する契約の締結をしようとするときは、当該締結をしようとする契約の内容についての機構の承認を受けること。

(iii) The Successor Insurance Company Under the Agreement shall, when it seeks to conclude a contract concerning the borrowing of the funds that fall under the guaranteed obligation prescribed in Article 270-3-8, paragraph (1), obtain the approval of the Corporation on the content of that contract to be concluded.

２　機構は、承継協定を締結したときは、直ちに、その承継協定の内容を内閣総理大臣及び財務大臣に報告しなければならない。

(2) A Corporation shall, when it concludes a Succession Agreement, immediately report the content of the agreement to the Prime Minister and Minister of Finance.

（資産の買取り）

(Purchase of Property)

第二百七十条の三の七　機構は、前条第一項第二号の申込みを受けたときは、遅滞なく、審査会及び委員会の議を経て、当該申込みに係る資産の買取りを行うかどうかを決定しなければならない。

Article 270-3-7 (1) A Corporation shall, when it receives a petition under paragraph (1), item (ii) of the preceding Article, make a decision, after discussion by the Examination Board and the Committee, on whether to purchase the property pertaining to said petition, without delay.

２　機構は、前項の規定による決定をしたときは、直ちに、その決定に係る事項を内閣総理大臣及び財務大臣に報告しなければならない。

(2) A Corporation shall, when it makes a decision under the provisions of the preceding paragraph, immediately report to the Prime Minister and Minister of Finance the particulars of the decision.

３　機構は、第一項の規定により資産の買取りを行うことを決定したときは、当該資産の買取りの申込みを行った協定承継保険会社と当該資産の買取りに関する契約を締結するものとする。

(3) A Corporation shall, when it makes a decision to purchase the property under the provisions of paragraph (1), conclude a contract concerning the purchase of the property with the Successor Insurance Company Under the Agreement that petitioned for the purchase of the property.

（資金の貸付け及び債務の保証）

(Loans of Funds and Obligation Guarantee)

第二百七十条の三の八　機構は、協定承継保険会社から、協定承継保険会社の業務の円滑な実施のために必要とする資金について、その資金の貸付け又は協定承継保険会社によるその資金の借入れに係る債務の保証の申込みを受けた場合において、必要があると認めるときは、委員会の議を経て、当該貸付け又は債務の保証を行うことができる。

Article 270-3-8 (1) For loans of funds that the Successor Insurance Company Under the Agreement finds to be necessary for the smooth implementation of business, the Corporation may, upon petition by the Successor Insurance Company Under the Agreement for a loan of such funds or upon petition to guarantee an obligation pertaining to the borrowing of the funds by the Successor Insurance Company Under the Agreement, after discussions by the Committee, extend said loan or guarantee said obligation when it recognizes these as being necessary.

２　機構は、前項の規定により協定承継保険会社との間で同項の貸付け又は債務の保証に係る契約を締結したときは、直ちに、その契約内容を内閣総理大臣及び財務大臣に報告しなければならない。

(2) A Corporation shall, when it concludes a contract pertaining to the loan or guarantee of obligation under the preceding paragraph with the Successor Insurance Company Under the Agreement pursuant to the provisions of that paragraph, immediately report to the Prime Minister and Minister of Finance the content of the contract.

（損失の補てん）

(Compensation for Losses)

第二百七十条の三の九　機構は、承継協定の定めによる業務の実施により協定承継保険会社に生じた損失の額として政令で定めるところにより計算した金額があるときは、委員会の議を経て、当該金額の範囲内において、当該損失の補てんを行うことができる。

Article 270-3-9 A Corporation may, when an amount has been accounted for pursuant to what is specified by a Cabinet Order for the amount of loss accrued by the Successor Insurance Company Under the Agreement by the implementation of business under the specifications of the Succession Agreement, give compensation for said losses, after discussions by the Committee, within the scope of that amount.

（報告の徴求）

(Request for Reporting)

第二百七十条の三の十　機構は、この目の規定による業務を行うため必要があるときは、承継保険会社に対し、承継協定の実施又は財務の状況に関し報告を求めることができる。

Article 270-3-10 A Corporation may, when it is necessary in order for it to conduct the business under the provisions of this Division, request a Successor Insurance Company to report on the status of the implementation of the Succession Agreement or on finances.

（保険契約の再承継における資金援助の申込み）

(Petitions for Financial Assistance for Succession to Inherited Insurance Contracts)

第二百七十条の三の十一　再承継保険会社又は再承継保険持株会社等（保険契約の再承継を行う保険持株会社等をいう。以下同じ。）は、その行おうとする保険契約の再承継に係る承継保険会社を設立した機構（以下「設立機構」という。）が当該保険契約の再承継について資金援助（損害担保に限る。）を行うことを、当該承継保険会社と連名で当該設立機構に申し込むことができる。

Article 270-3-11 (1) The Secondary Successor Insurance Company or Secondary Successor Insurance Holding Company, etc. (meaning Insurance Holding Companies, etc. that succeed in the Succession to Inherited Insurance Contracts; the same shall apply hereinafter) may petition the Corporation that incorporated the Successor Insurance Company pertaining to the inherited insurance contracts to be succeeded to (hereinafter referred to as "Incorporating Corporation") to jointly extend Financial Assistance for Succession to Inherited Insurance Contracts (limited to damage security) with the Successor Insurance Company.

２　設立機構は、前項の場合において必要があると認めるときは、同項の申込みをした再承継保険会社又は再承継保険持株会社等及び承継保険会社その他の関係者に対し、資料の提出を求めることができる。

(2) The Incorporating Corporation may, when it finds it necessary in the case referred to in the preceding paragraph, request the Secondary Successor Insurance Company or Secondary Successor Insurance Holding Company, etc., which made the petition under that paragraph, and the Successor Insurance Company and other relevant persons to submit materials.

（保険契約の再承継における適格性の認定等）

(Authorization, etc. of Eligibility for Succession to Inherited Insurance Contracts)

第二百七十条の三の十二　前条第一項の場合においては、当該保険契約の再承継を行う承継保険会社及び再承継保険会社又は承継保険会社及び再承継保険持株会社等は、同項の申込みが行われる時までに、当該保険契約の再承継について、内閣総理大臣の認定を受けなければならない。

Article 270-3-12 (1) In the case referred to in paragraph (1) of the preceding Article, the Successor Insurance Company and Secondary Successor Insurance Company, which implement the Succession to Inherited Insurance Contracts, or the Successor Insurance Company and Secondary Successor Insurance Holding Company, etc., shall obtain the authorization of the Prime Minister for the Succession to Inherited Insurance Contracts by the time that the petition under that paragraph is made.

２　第二百六十八条第二項から第六項まで（第三項第三号を除く。）の規定は、前項の認定について準用する。この場合において、同条第二項中「破綻保険会社及び救済保険会社又は破綻保険会社及び救済保険持株会社等」とあるのは「承継保険会社及び再承継保険会社又は承継保険会社及び再承継保険持株会社等」と、同条第三項中「保険契約の移転等」とあるのは「保険契約の再承継」と、「加入機構」とあるのは「設立機構」と、同条第四項及び第五項中「加入機構」とあるのは「設立機構」と、同条第六項中「破綻保険会社」とあるのは「承継保険会社」と読み替えるものとする。

(2) The provisions of Article 268, paragraph (2) to Article 268, paragraph (6) inclusive (except for paragraph (3), item (iii)) shall apply mutatis mutandis to the authorization of the preceding paragraph. In this case, the term "Bankrupt Insurance Company and Relief Insurance Company or Bankrupt Insurance Company and Relief Insurance Holding Company, etc." in paragraph (2) of that Article shall be deemed to be replaced with "Successor Insurance Company and Secondary Successor Insurance Company or Successor Insurance Company and Secondary Successor Insurance Holding Company, etc.," the term "transfer, etc. of insurance contract" in paragraph (3) of that Article shall be deemed to be replaced with "Succession to Inherited Insurance Contracts," the term "Affiliated Corporation" shall be deemed to be replaced with "Incorporating Corporation," the term "Affiliated Corporation" in paragraphs (4) and (5) of that Article shall be deemed to be replaced with "Incorporating Corporation," and the term "Bankrupt Insurance Company" in paragraph (6) of that Article shall be deemed to be replaced with "Successor Insurance Company."

３　第二百七十条の二の規定は、前条第一項の申込みが行われる場合について準用する。この場合において、第二百七十条の二中「破綻保険会社」とあるのは「承継保険会社」と、「加入機構」とあるのは「設立機構」と、同条第一項中「その財産（外国保険会社等にあっては、日本に所在する財産。以下この款において同じ。）」とあるのは「その財産」と読み替えるものとする。

(3) The provisions of Article 270-2 shall apply mutatis mutandis to cases in which a petition under paragraph (1) of the preceding Article is made. In this case, the term "Bankrupt Insurance Company" in Article 270-2 shall be deemed to be replaced with "Successor Insurance Company" the term "Affiliated Corporation" shall be deemed to be replaced with "Incorporating Corporation," and the term "its property (for a Foreign Insurance Company, etc., property in Japan; hereinafter the same shall apply in this Subsection)" in paragraph (1) of that Article shall be deemed to be replaced with "its property."

（保険契約の再承継の協議の相手方の指定等）

(Designation of the Other Party to Consultations on Succession to Inherited Insurance Contracts, etc.)

第二百七十条の三の十三　内閣総理大臣は、承継保険会社が保険契約の再承継に係る協議をすべき相手方として他の保険会社又は保険持株会社等を指定し、当該他の保険会社又は保険持株会社等にその協議に応ずるよう勧告することができる。

Article 270-3-13 (1) The Prime Minister may designate another Insurance Company or Insurance Holding Company, etc. as the other party with which the Successor Insurance Company shall hold a consultation pertaining to Succession to Inherited Insurance Contracts and recommend that other Insurance Company or Insurance Holding Company, etc. to participate in the consultation.

２　第二百五十六条第二項及び第三項並びに第二百五十七条の規定は、前項の勧告について準用する。この場合において、第二百五十六条第二項中「破綻保険会社又は破綻保険会社となる蓋然性が高いと認められる保険会社」とあるのは「同項の承継保険会社」と、同条第三項中「破綻保険会社又は破綻保険会社となる蓋然性が高いと認められる保険会社が会員として加入している保険契約者保護機構」とあるのは「第二百七十条の三の十三第一項の承継保険会社を設立した保険契約者保護機構」と、第二百五十七条第一項中「破綻保険会社」とあるのは「承継保険会社」と読み替えるものとする。

(2) The provisions of Article 256, paragraphs (2) and (3) and Article 257 shall apply mutatis mutandis to the recommendation of the preceding paragraph. In this case, the term "Bankrupt Insurance Company or an Insurance Company recognized as having a high probability of becoming a Bankrupt Insurance Company" in Article 256, paragraph (2) shall be deemed to be replaced with "Successor Insurance Company of that paragraph," the term "Policyholders Protection Corporation to which a Bankrupt Insurance Company or the Insurance Company that is recognized as having a high probability of becoming a Bankrupt Insurance Company has joined as a member" in Article 256, paragraph (3) shall be deemed to be replaced with "Policyholders Protection Corporation which incorporated the Successor Insurance Company of Article 270-3-13, paragraph (1)," and the term "Bankrupt Insurance Company" in Article 257, paragraph (1) shall be deemed to be replaced with "Successor Insurance Company."

３　内閣総理大臣は、設立機構による資金援助が行われることが第一項の勧告に係る保険契約の再承継を行うために不可欠であると認めるときに限り、当該勧告に、前条第一項の規定にかかわらず、第二百七十条の三の十一第一項の申込みを行うことができる旨を付記することができる。

(3) The Prime Minister may, only when he/she finds that the extension of Financial Assistance by the Incorporating Corporation is indispensable for Succession to Inherited Insurance Contracts pertaining to the recommendation of paragraph (1), make a supplementary note in said recommendation, notwithstanding the provisions of paragraph (1) of the preceding Article, that a petition under Article 270-3-11, paragraph (1) may be made.

４　第二百六十八条第四項及び第五項の規定は、前項の付記をした場合について準用する。

(4) The provisions of Article 268, paragraph (4) and Article 268, paragraph (5) shall apply mutatis mutandis to the case that the supplementary note of the preceding paragraph is made.

（保険契約の再承継における資金援助）

(Financial Assistance in the Succession to Inherited Insurance Contracts)

第二百七十条の三の十四　設立機構は、第二百七十条の三の十一第一項の申込みをした承継保険会社に対して第二百七十条の三の十二第三項において準用する第二百七十条の二第二項又は第五項の通知をした後、遅滞なく、委員会の議を経て、当該申込みに係る資金援助を行うかどうかを決定しなければならない。

Article 270-3-14 (1) The Incorporating Corporation shall, without delay after making the notification under Article 270-2, paragraph (2) or (5), as applied mutatis mutandis pursuant to Article 270-3-12, paragraph (3) to the Successor Insurance Company which made the petition under Article 270-3-11, paragraph (1), make a decision, after discussion by the Committee, on whether to extend the Financial Assistance pertaining to said petition.

２　第二百七十条の三第三項の規定は設立機構が前項の決定をした場合について、同条第四項の規定は設立機構が前項の規定により資金援助を行うことを決定した場合について、同条第五項の規定はこの項において準用する同条第四項の契約を締結する再承継保険会社又は再承継保険持株会社等について、それぞれ準用する。この場合において、同条第五項中「保険契約の移転等」とあるのは「保険契約の再承継」と、「加入機構」とあるのは「設立機構」と読み替えるものとする。

(2) The provisions of Article 270-3, paragraph (3) shall apply mutatis mutandis in the case that the Incorporating Corporation makes the decision under the preceding paragraph, the provisions of paragraph (4) of that Article shall apply mutatis mutandis in the case that the Incorporating Corporation makes a decision to extend Financial Assistance pursuant to the provisions of the preceding paragraph, and the provisions of paragraph (5) of that Article shall apply mutatis mutandis to the Secondary Successor Insurance Company or Secondary Successor Insurance Holding Company, etc. which concludes the contract of paragraph (4) of that Article, as applied mutatis mutandis pursuant to this paragraph. In this case, the term "transfer, etc. of insurance contracts" in paragraph (5) of that Article shall be deemed to be replaced with "Succession to Inherited Insurance Contracts," and the term "Affiliated Corporation" shall be deemed to be replaced with "Incorporating Corporation."

第三目　保険契約の引受け

Division 3 Underwriting of Insurance Contract

（保険契約の引受け）

(Underwriting of Insurance Contracts)

第二百七十条の四　加入機構は、第二百六十七条第一項の規定による保険契約の引受けの申込みを受けた場合において、必要があると認めるときは、当該申込みに係る保険契約の引受けを行う前に、内閣総理大臣に対して第二百五十六条第一項の規定による措置をとることを求めることができる。

Article 270-4 (1) The Affiliated Corporation may, when it finds it necessary in the case of receiving a petition for underwriting for the insurance contracts under the provisions of Article 267, paragraph (1), make request the Prime Minister that the measures under the provisions of Article 256, paragraph (1) be taken before underwriting the insurance contracts pertaining to said petition.

２　内閣総理大臣は、前項の規定により第二百五十六条第一項の規定による措置をとることを求められたときは、遅滞なく、当該措置をとることができるかどうか、及び当該措置をとることとする場合には、そのとるべき措置の内容を加入機構に通知するものとする。

(2) The Prime Minister shall, without delay, notify the Affiliated Corporation, when the measures under the provisions of Article 256, paragraph (1) pursuant to the provisions of the preceding paragraph are requested, of whether said measures may be taken, and, in the case that said measures are to be taken, of the content of those measures.

３　加入機構は、前項の規定による内閣総理大臣の通知の内容が第二百五十六条第一項の規定による措置をとるものであったときは、保険契約の引受けに係る手続の実施を停止するものとする。ただし、第二百七十条の二の規定による確認の手続については、この限りでない。

(3) The Affiliated Corporation shall, when the content of the notification of the Prime Minister under the provisions of the preceding paragraph is to the effect that the measures under the provisions of Article 256, paragraph (1) shall be taken, stay the implementation of the procedure pertaining to the Underwriting of Insurance Contracts; provided, however, that this shall not apply to the confirmation procedure under the provisions of Article 270-2.

４　内閣総理大臣が第一項の規定により第二百五十六条第一項の規定による措置をとった場合において、第二百六十七条第一項の規定による保険契約の引受けの申込みを行った破綻保険会社が、合併等に係る協議を調えたときは、当該破綻保険会社は、遅滞なく、当該申込みを取り下げなければならない。

(4) In the case that the Prime Minister takes the measures under the provisions of Article 256, paragraph (1) under the provisions of paragraph (1), the Bankrupt Insurance Company which applied for the Underwriting of Insurance Contracts under the provisions of Article 267, paragraph (1) shall, when that Bankrupt Insurance Company has reached an agreement pertaining to a Merger, etc., withdraw said petition without delay.

５　前項に規定する場合において、合併等に係る協議が調わないこととなったときは、同項の破綻保険会社は、遅滞なく、その旨を加入機構に通知しなければならない。

(5) In the case prescribed in the preceding paragraph, when no agreement pertaining to Merger, etc. is reached, the Bankrupt Insurance Company under that paragraph shall, without delay, notify the Affiliated Corporation of this.

６　加入機構は、内閣総理大臣に対して第一項の規定による求めをする必要がないと認めたとき、第二項の規定による内閣総理大臣の通知の内容が第二百五十六条第一項の規定による措置をとることができないとするものであったとき、又は前項の規定による通知があったときは、速やかに、委員会の議を経て、第一項の申込みに係る第一号及び第二号に掲げる決定又は第二号に掲げる決定をしなければならない。

(6) The Affiliated Corporation shall, when it finds it unnecessary to make the request under the provisions of paragraph (1) to the Prime Minister, when the content of the notification of the Prime Minister under the provisions of paragraph (2) is to the effect that the measures under the provisions of Article 256, paragraph (1) cannot be taken, or when the notification under the provisions of the preceding paragraph is made, promptly, after discussion by the Committee, make a decision listed in items (i) and (ii) pertaining to the petition under paragraph (1) or the decision listed in item (ii).

７　第二百七十条の三第三項の規定は、加入機構が前項の決定をした場合について準用する。

(7) The provisions of Article 270-3, paragraph (3) shall apply mutatis mutandis to the case that the Affiliated Corporation makes the decision under the preceding paragraph.

８　第一項の申込みに係る破綻保険会社は、加入機構が第六項の規定による決定をしたときは、加入機構との保険契約の引受けに関する契約により、当該加入機構に対し、保険契約の全部又は一部に係る保険契約の移転をすることができる。

(8) The Bankrupt Insurance Company pertaining to the petition under paragraph (1) may, when the Affiliated Corporation makes a decision under the provisions of paragraph (6), transfer all or part of the relevant insurance contracts to said Affiliated Corporation pursuant to the contract with the Affiliated Corporation concerning the Underwriting of Insurance Contracts.

９　第百三十五条第二項から第四項まで、第百三十六条から第百四十条まで、第百五十五条、第二百十条及び第二百五十条から第二百五十三条までの規定は、保険契約の引受けに係る破綻保険会社からの加入機構への保険契約の移転について準用する。この場合において、第百三十五条第三項及び第四項中「第一項」とあるのは「第二百七十条の四第八項」と、第百三十六条第一項中「前条第一項」とあるのは「第二百七十条の四第八項」と、「移転会社及び移転先会社（外国保険会社等を除く。）」とあるのは「移転会社」と、「以下この章、次章及び第十章」とあるのは「第二百五十条第四項」と、同条第三項中「移転会社及び移転先会社」とあるのは「移転会社」と、「前条第一項」とあるのは「第二百七十条の四第八項」と、第百三十七条第一項中「第百三十五条第一項」とあるのは「第二百七十条の四第八項」と、「移転先会社」とあるのは「当該保険会社が会員として加入している保険契約者保護機構（第百四十条、第百五十五条及び第二百五十二条において「加入機構」という。）」と、第百三十九条第二項中「次に掲げる基準」とあるのは「第一号及び第三号に掲げる基準」と、第百四十条第二項中「移転先会社」とあるのは「加入機構」と、「第百三十五条第一項」とあるのは「第二百七十条の四第八項」と、「同条第四項」とあるのは「同条第九項において準用する第百三十五条第四項」と、同条第三項中「第百三十五条第一項」とあるのは「第二百七十条の四第八項」と、「移転先会社」とあるのは「加入機構」と、第百五十五条第一号中「第百三十五条第一項（第二百七十二条の二十九において準用する場合を含む。）に規定する移転先会社（外国保険会社等を除く。）の株主総会等の議事録」とあるのは「加入機構の総会の議事録」と、第二百十条第一項中「第百三十五条第一項の契約に係る契約書（以下この節において「移転契約書」という。）」とあるのは「第二百七十条の四第八項の契約に係る契約書（以下この節において「移転契約書」という。）」と、第二百五十条第一項中「第百三十五条第一項（第二百十条第一項及び第二百七十二条の二十九において準用する場合を含む。）」とあるのは「第二百七十条の四第八項」と、「第二百六十八条第一項又は第二百七十条第一項」とあるのは「第二百七十条第一項」と、「同条第三項に規定する救済保険会社」とあるのは「当該破綻保険会社が会員として加入している保険契約者保護機構」と、同条第四項中「第百三十五条第一項」とあるのは「第二百七十条の四第八項」と、第二百五十二条中「第百三十五条第一項（第二百十条第一項及び第二百七十二条の二十九において準用する場合を含む。以下この条において同じ。）」とあるのは「第二百七十条の四第八項」と、「第百三十五条第一項に規定する移転先会社」とあるのは「加入機構」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。

(9) The provisions of Article 135, paragraphs (2) to (4) inclusive, Article 136 to 140 inclusive, Article 155, Article 210, and Article 250 to 253 inclusive shall apply mutatis mutandis to the transfer of insurance contracts from the Bankrupt Insurance Company pertaining to the Underwriting of Insurance Contracts to the Affiliated Corporation. In this case, the term "paragraph (1)" in Article 135, paragraphs (3) and (4) shall be deemed to be replaced with "Article 270-4, paragraph (8)," the term "paragraph (1) of the preceding Article" "Transferor Company and the Transferee Company (other than a Foreign Insurance Company, etc.)," and "hereinafter in this Chapter, as well as in Chapter VIII and X" in Article 136, paragraph (1) shall be deemed to be replaced with "Article 270-4, paragraph (8)," "Transferor Company," and "Article 250, paragraph (4)," respectively. The term "Transferor Company and the Transferee Company" and "paragraph (1) of the preceding Article," in Article 136, paragraph (3) shall be deemed to be replaced with "Transferor Company" and "Article 270-4, paragraph (8)," respectively. The term "Article 135, paragraph (1)" and "Transferee Company" in Article 137, paragraph (1) shall be deemed to be replaced with "Article 270-4, paragraph (8)" and "Policyholders Protection Corporation of which that Insurance Company is a member (referred to as "Affiliated Corporation" in Articles 140, 155 and 252)," respectively. The term "the following standards" in Article 139, paragraph (2) shall be deemed to be replaced with "standards listed in items (i) and (iii)." The terms "Transferee Company," "Article 135, paragraph (1)," and "Article 135, paragraph (4)" in Article 140, paragraph (2) shall be deemed to be replaced with "Affiliated Corporation," "Article 270-4, paragraph (8)," and "Article 135, paragraph (4) as applied mutatis mutandis pursuant to paragraph (9) of that Article," respectively. The terms "Article 135, paragraph (1)" and "Transferee Company" in Article 140, paragraph (3) shall be deemed to be replaced with "Article 270-4, paragraph (8)" and "Affiliated Corporation," respectively. The term "minutes of the Shareholders' Meeting, etc. of the Transferee Company (other than a Foreign Insurance Company, etc.) set forth in Article 135, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-29)" in Article 155, item (i) shall be deemed to be replaced with "minutes of the General Council of Affiliated Corporation." The term "written agreement concluded under Article 135, paragraph (1) (hereinafter referred to as "Transfer Agreement" in this Section)" in Article 210, paragraph (1) shall be deemed to be replaced with "contract concluded under Article 270-4, paragraph (8) (hereinafter referred to as "Transfer Contract" in this Section)." The term "Article 135, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1) and Article 272-29)," "Article 268, paragraph (1) or Article 270, paragraph (1)," and "Relief Insurance Company as prescribed in Article 260, paragraph (3)" in Article 250, paragraph (1) shall be deemed to be replaced with "Article 270-4, paragraph (8)," "Article 270, paragraph (1)," and "Policyholders Protection Corporation of which that Bankrupt Insurance Company is a member," respectively. The term "Article 135, paragraph (1)" in Article 250, paragraph (4) shall be deemed to be replaced with "Article 270-4, paragraph (8)." The terms "Article 135, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1) and Article 272-29; hereinafter the same shall apply in this Article)" and "Transferee Company prescribed in Article 135, paragraph (1)" in Article 252 shall be deemed to be replaced with "Article 270-4, paragraph (8)" and "Affiliated Corporation," respectively. Any other technical change in interpretation required shall be specified by a Cabinet Order.

（保険契約の引受けに係る保険特別勘定への繰入れ等）

(Transfer to Special Insurance Account pertaining to Underwriting of Insurance Contracts, etc.)

第二百七十条の五　加入機構は、前条の規定により保険契約の引受けをしたときは、当該保険契約の引受けに係る保険契約の移転とともに譲り受けた当該保険契約の引受けに係る破綻保険会社の財産を、当該破綻保険会社について設けた保険特別勘定において受け入れるものとする。

Article 270-5 (1) The Affiliated Corporation shall, when it underwrites the insurance contracts pursuant to the provisions of the preceding Article, incorporate the property of the Bankrupt Insurance Company pertaining to the Underwriting of Insurance Contracts, which it inherited with the transfer of insurance contracts pertaining to the Underwriting of Insurance Contracts, into the Special Insurance Account created for the purpose of that Bankrupt Insurance Company.

２　加入機構は、前条の規定により保険契約の引受けをしたときは、当該保険契約の引受けに係る破綻保険会社につき、第一号に掲げる額から第二号に掲げる額を控除した残額に相当する金額を、一般勘定から当該破綻保険会社について設けた保険特別勘定に繰り入れるものとする。

(2) The Affiliated Corporation shall, when it underwrites the insurance contracts pursuant to the provisions of the preceding Article, transfer, from the general account to the Special Insurance Account created for the purpose of that Bankrupt Insurance Company, the amount equivalent to the amount remaining after the deduction of the amount listed in item (ii) from the amount listed in item (i) with regard to the Bankrupt Insurance Company pertaining to said assumption of insurance contracts:

一　当該破綻保険会社に係る補償対象契約に係る特定責任準備金等の額に、当該補償対象契約の種類、予定利率その他の内容等を勘案して内閣府令・財務省令で定める率を乗じて得た額

(i) The amount of Specified Policy Reserve, etc. pertaining to the Covered Insurance Contract pertaining to that Bankrupt Insurance Company, multiplied by the rate specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance by taking into consideration the kind of that Covered Insurance Contract, expected interest rate, other content, etc.; and

二　当該破綻保険会社の確認財産評価に基づく資産の価額のうち、補償対象契約に係る特定責任準備金等に見合うものとして内閣府令・財務省令で定めるところにより計算した額

(ii) The amount of the asset value of that Bankrupt Insurance Company, based on the Confirmed Evaluation of Property, which has been calculated as per Cabinet Office Ordinance and Ordinance of the Ministry of Finance as being the amount which corresponds to the Specified Policy Reserve, etc. pertaining to the Covered Insurance Contract.

３　加入機構は、前条の規定により保険契約の引受けをしたときは、当該保険契約の引受けに係る破綻保険会社の第四条第二項第二号から第四号までに掲げる書類を引き継ぐものとする。

(3) The Affiliated Corporation shall, when it underwrites the insurance contracts pursuant to the provisions of the preceding Article, take over the documents of the Bankrupt Insurance Company pertaining to said assumption of insurance contracts listed in Article 4, paragraph (2), items (ii) to (iv) inclusive.

４　加入機構は、前条の規定による保険契約の引受けに係る保険契約の管理及び処分に係る業務（これに附帯する業務を含む。）の実施によりその保険特別勘定に生じた損失の額として政令で定めるところにより計算した金額があるときは、委員会の議を経て、当該金額の範囲内において、一般勘定から当該保険特別勘定への繰入れをすることができる。

(4) The Affiliated Corporation may, when an amount has been accounted pursuant to what is specified by Cabinet Order for the amount of loss accrued by the Special Insurance Account by the implementation of business involving the Management and Disposition of Insurance Contracts pertaining to the assumption of insurance contracts under the provisions of the preceding Article (including incidental business), transfer the amount from the general account to that Special Insurance Account, after discussion by the Committee, within the scope of that amount.

（機構が保険業を行う場合のこの法律の適用関係）

(Application of this Act to Corporations Conducting Insurance Business)

第二百七十条の六　機構は、第三条第一項の規定にかかわらず、第二百七十条の四第八項の規定に基づき締結した保険契約の引受けに関する契約により移転を受けた保険契約の管理及び処分に必要な範囲内において、保険業を行うことができる。

Article 270-6 (1) A Corporation may, notwithstanding the provisions of Article 3, paragraph (1), conduct Insurance Business to the extent necessary for the Management and Disposition of Insurance Contracts which were transferred pursuant to the contract concerning the Underwriting of Insurance Contracts concluded under the provisions of Article 270-4, paragraph (8).

２　機構が前項の規定により保険業を行う場合におけるこの法律の適用については、次に定めるところによる。

(2) The application of this Act in the case that a Corporation conducts Insurance Business pursuant to the provisions of the preceding paragraph shall be prescribed as follows:

一　第九条第一項（第一号に係る部分に限る。）、第九十七条、第九十七条の二第一項及び第二項、第九十八条、第二編第五章（第百九条、第百十三条及び第百十四条を除く。）、第百二十三条から第百二十五条まで、第百三十一条、同編第七章第一節及び第三節並びに第三百九条の規定（これらの規定に係る罰則を含む。）の適用については、機構を保険会社とみなす。この場合において、第九十七条第一項中「第三条第二項」とあるのは「第二百六十条第九項に規定する保険契約の引受けに係る同条第二項に規定する破綻保険会社」と、第九十八条第一項中「次に掲げる業務その他の業務」とあるのは「第一号及び第二号に掲げる業務」と、第百二十条第一項並びに第百二十一条第一項及び第二項中「取締役会」とあるのは「保険契約者保護機構の理事長」と、第百三十六条第一項中「又は社員総会（総代会を設けているときは、総代会）（以下この章、次章及び第十章において「株主総会等」という。）」とあるのは「、社員総会（総代会を設けているときは、総代会）又は保険契約者保護機構の総会（第百四十四条第二項及び第百四十九条第一項において「株主総会等」という。）」と、第百三十六条の二第一項中「移転会社の取締役（委員会設置会社にあっては、執行役）」とあるのは「保険契約者保護機構の理事」と、「前条第一項の株主総会等の会日の二週間前から」とあるのは「第二百七十条の六第二項第一号の規定により読み替えて適用される前条第一項の保険契約者保護機構の総会の会日から」とする。

(i) For the purpose of applying the provisions of Article 9, paragraph (1) (limited to the sections pertaining to item (i)), Article 97, Article 97-2, paragraphs (1) and (2), Article 98, Chapter V of Part II (except for Articles 109, 113, and 114), Article 123 to 125 inclusive, Article 131, Sections 1 and 3 of Chapter VII of that Part, and Article 309 (including the penal provisions pertaining to the provisions), a Corporation shall be deemed to be an Insurance Company. In this case, the term "Article 3, paragraph (2)" in Article 97, paragraph (1) shall be deemed to be replaced with "Bankrupt Insurance Company prescribed in Article 260, paragraph (2) pertaining to the assumption of insurance contracts prescribed in paragraph (9) of that Article," the term "the following business and other business" in Article 98, paragraph (1) shall be deemed to be replaced with "business listed in items (i) and (ii)," the term "board of directors" in Article 120, paragraph (1) and Article 121, paragraphs (1) and (2) shall be deemed to be replaced with "president of the Policyholders Protection Corporation," the term "or general members' council meeting (or General Representative Members' Council Meeting, where the company has such a council) (referred to as 'Shareholders' Meeting, etc.' hereinafter in this Chapter, as well as in Chapter VIII and X)" in Article 136, paragraph (1) shall be deemed to be replaced with ", general members' council meeting (or General Representative Members' Council Meeting, where the company has such a council) or General Representative Members' Council Meeting of the Policyholders Protection Corporation (referred to as 'Shareholders' Meeting, etc.' in Article 144, paragraph (2) and Article 149, paragraph (1)," the terms "director (or, in a company with Committees, executive officers) of the Transferor Company" and "from two weeks before the date of the Shareholders' Meeting, etc. set forth in paragraph (1) of the preceding Article" in Article 136-2, paragraph (1) shall be deemed to be replaced with "director of the Policyholders Protection Corporation," and "from the date of the General Council of the Policyholders Protection Corporation of paragraph (1) of the preceding Article as applied with relevant changes in interpretation pursuant to the provisions of Article 270-6, paragraph (2), item (i)," respectively.

二　第百一条から第百五条までの規定（これらの規定に係る罰則を含む。）の適用については、その会員であった保険契約の引受けに係る破綻保険会社が受けていた免許が第二百六十二条第二項第二号に掲げる免許の種類に属するものである場合における機構を損害保険会社とみなす。

(ii) For the purpose of applying the provisions of Article 101 to 105 inclusive (including the penal provisions pertaining to the provisions), the Corporation shall be deemed to be a Non-Life Insurance Company in the case that the license which had been received by the Bankrupt Insurance Company pertaining to the Underwriting of Insurance Contracts, which was a member of said Corporation, falls under the Classes of License listed in Article 262, paragraph (2), item (ii); and

三　第百十四条の規定の適用については、機構を保険会社である株式会社とみなす。

(iii) For the purpose of applying the provisions of Article 114, the Corporation shall be deemed to be a Stock Company that is an Insurance Company.

３　機構が、第一項の規定により保険業を行う場合には、自動車損害賠償保障法そのの政令で定める法令の適用については、政令で定めるところにより、当該機構を保険会社又は会員の免許の種類に応じ生命保険会社若しくは損害保険会社とみなす。

(3) In the case that a Corporation conducts Insurance Business pursuant to the provisions of paragraph (1), said Corporation shall, with regard to the application of the Automobile Liability Insurance Act and other laws and regulations specified by a Cabinet Order, be deemed to be an Insurance Company, or, according to the kind of membership license, a Life Insurance Company or Non-Life Insurance Company pursuant to the provisions of a Cabinet Order.

（保険契約の再移転における資金援助の申込み）

(Request for Financial Assistance in the Secondary Transfer of Insurance Contracts)

第二百七十条の六の二　再移転先保険会社は、その行おうとする保険契約の再移転に係る保険契約の引受けをした機構（以下「引受機構」という。）が当該保険契約の再移転について資金援助（損害担保に限る。）を行うことを、当該引受機構に申し込むことができる。

Article 270-6-2 (1) The Secondary Transferee Insurance Company may request the Corporation that underwrote the insurance contracts it seeks to have transferred pursuant to the Secondary Transfer of Insurance Contracts (hereinafter referred to as "Underwriting Corporation") to extend Financial Assistance in the Secondary Transfer of Insurance Contracts (limited to security against damages).

２　引受機構は、前項の場合において必要があると認めるときは、同項の申込みをした再移転先保険会社その他の関係者に対し、資料の提出を求めることができる。

(2) The Underwriting Corporation may, when it finds it necessary in the case referred to in the preceding paragraph, ask the Secondary Transferee Insurance Company that made the request under that paragraph and other relevant persons to submit materials.

（保険契約の再移転における適格性の認定）

(Authorization of Eligibility for the Secondary Transfer of Insurance Contracts)

第二百七十条の六の三　前条第一項の場合においては、当該保険契約の再移転を行う引受機構及び再移転先保険会社は、同項の申込みが行われる時までに、当該保険契約の再移転について、内閣総理大臣の認定を受けなければならない。

Article 270-6-3 (1) In the case referred to in paragraph (1) of the preceding Article, the Underwriting Corporation and the Secondary Transferee Insurance Company, which implement the Secondary Transfer of Insurance Contracts, shall obtain the authorization of the Prime Minister for the Secondary Transfer of Insurance Contracts by the time that the request under that paragraph is made.

２　第二百六十八条第二項から第五項まで（第三項第三号を除く。）の規定は、前項の認定について準用する。この場合において、同条第二項中「破綻保険会社及び救済保険会社又は破綻保険会社及び救済保険持株会社等」とあるのは「引受機構及び再移転先保険会社」と、同条第三項中「保険契約の移転等」とあるのは「保険契約の再移転」と、「加入機構」とあるのは「引受機構」と、同条第四項及び第五項中「加入機構」とあるのは「引受機構」と読み替えるものとする。

(2) The provisions of Article 268, paragraphs (2) to (5) inclusive (except for paragraph (3), item (iii)) shall apply mutatis mutandis to the authorization of the preceding paragraph. In this case, the term "Bankrupt Insurance Company and Relief Insurance Company or Bankrupt Insurance Company and Relief Insurance Holding Company, etc." in paragraph (2) of that Article shall be deemed to be replaced with "Underwriting Corporation and Secondary Transferee Insurance Company," the term "transfer, etc. of insurance contracts" in paragraph (3) of that Article shall be deemed to be replaced with "Secondary Transfer of Insurance Contracts," the term "Affiliated Corporation" shall be deemed to be replaced with "Underwriting Corporation," and the term "Affiliated Corporation" in paragraphs (4) and (5) of that Article shall be deemed to be replaced with "Underwriting Corporation."

（保険契約の再移転の協議の相手方の指定等）

(Designation of Another Party to Consultations on the Secondary Transfer of Insurance Contracts, etc.)

第二百七十条の六の四　内閣総理大臣は、引受機構が保険契約の再移転に係る協議をすべき相手方として保険会社を指定し、当該保険会社にその協議に応ずるよう勧告することができる。

Article 270-6-4 (1) The Prime Minister may designate an Insurance Company as the other party with which the Underwriting Corporation shall hold consultations pertaining to the Secondary Transfer of Insurance Contracts and recommend that that Insurance Company participate in the consultation.

２　第二百五十六条第二項及び第三項並びに第二百五十七条の規定は、前項の勧告について準用する。この場合において、第二百五十六条第二項中「破綻保険会社又は破綻保険会社となる蓋然性が高いと認められる保険会社」とあるのは「同項の引受機構」と、「他の保険会社又は保険持株会社等」とあるのは「保険会社」と、同条第三項中「破綻保険会社又は破綻保険会社となる蓋然性が高いと認められる保険会社が会員として加入している保険契約者保護機構」とあるのは「第二百七十条の六の四第一項の引受機構」と、第二百五十七条第一項中「破綻保険会社」とあるのは「引受機構」と、「他の保険会社又は保険持株会社等」とあるのは「保険会社」と読み替えるものとする。

(2) The provisions of Article 256, paragraphs (2) and (3) and Article 257 shall apply mutatis mutandis to the recommendation of the preceding paragraph. In this case, the term "Bankrupt Insurance Company or Insurance Company recognized as having a high probability of becoming a Bankrupt Insurance Company" in Article 256, paragraph (2) shall be deemed to be replaced with "Underwriting Corporation of that paragraph," the term "another Insurance Company or Insurance Holding Company, etc." shall be deemed to be replaced with "Insurance Company," the term "Bankrupt Insurance Company or Policyholders Protection Corporation which an Insurance Company that is recognized as having a high probability of becoming a Bankrupt Insurance Company has joined as a member" in Article 256, paragraph (3) shall be deemed to be replaced with "Underwriting Corporation of Article 270-6-4, paragraph (1)," the term "Bankrupt Insurance Company" in Article 257, paragraph (1) shall be deemed to be replaced with "Underwriting Corporation," and the term "other Insurance Company or Insurance Holding Company, etc." shall be deemed to be replaced with "Insurance Company."

３　内閣総理大臣は、引受機構による資金援助が行われることが第一項の勧告に係る保険契約の再移転を行うために不可欠であると認めるときに限り、当該勧告に、前条第一項の規定にかかわらず、第二百七十条の六の二第一項の申込みを行うことができる旨を付記することができる。

(3) The Prime Minister may, only when he/she finds that the extension of Financial Assistance by the Underwriting Corporation is indispensable for the Secondary Transfer of Insurance Contracts pertaining to the recommendation of paragraph (1), make a supplementary note in said recommendation, notwithstanding the provisions of paragraph (1) of the preceding Article, that the petition under Article 270-6-2, paragraph (1) may be made.

４　第二百六十八条第四項及び第五項の規定は、前項の付記をした場合について準用する。

(4) The provisions of Article 268, paragraph (4) and Article 268, paragraph (5) shall apply mutatis mutandis to the case that the supplementary note of the preceding paragraph is made.

（保険契約の再移転における資金援助）

(Financial Assistance for the Secondary Transfer of Insurance Contracts)

第二百七十条の六の五　引受機構は、第二百七十条の六の二第一項の規定による申込みを受けたときは、遅滞なく、審査会及び委員会の議を経て、当該申込みに係る資金援助を行うかどうかを決定しなければならない。

Article 270-6-5 (1) The Underwriting Corporation shall, when it receives the petition under the provisions of Article 270-6-2, paragraph (1), without delay make a decision, after discussion by the Examination Board and the Committee, on whether to extend the Financial Assistance pertaining to said petition.

２　第二百七十条の三第三項の規定は引受機構が前項の決定をした場合について、同条第四項の規定は引受機構が前項の規定により資金援助を行うことを決定した場合について、それぞれ準用する。この場合において、同条第四項中「保険会社又は保険持株会社等のうち当該資金援助の当事者となるもの」とあるのは、「再移転先保険会社」と読み替えるものとする。

(2) The provisions of Article 270-3, paragraph (3) shall apply mutatis mutandis to the case that the Underwriting Corporation makes a decision under the preceding paragraph, and the provisions of paragraph (4) of that Article shall apply mutatis mutandis in the case that the Underwriting Corporation makes a decision to extend Financial Assistance pursuant to the provisions of the preceding paragraph. In this case, the term "Insurance Company or Insurance Holding Company, etc. which made the request for said Financial Assistance that becomes a party to said Financial Assistance" in paragraph (4) of that Article shall be deemed to be replaced with "Secondary Transferee Insurance Company."

３　前項において準用する第二百七十条の三第四項の契約を締結する再移転先保険会社は、当該契約において、当該契約に係る損害担保に係る資産について利益が生じたときは当該利益の額の全部又は一部を当該契約に係る引受機構に納付する旨を約するものとする。

(3) The Secondary Transferee Insurance Company which concludes a contract under Article 270-3, paragraph (4), as applied mutatis mutandis pursuant to the preceding paragraph, shall, if profits are accrued from the assets pertaining to said damage security pertaining to that contract, commit in that contract that it shall pay all or part of said profits to the Underwriting Corporation pertaining to that contract.

第四目　補償対象保険金の支払に係る資金援助

Division 4 Financial Assistance for the Payment of Covered Insurance Proceeds

（補償対象保険金の支払に係る資金援助の申込み）

(Petitions for Financial Assistance for the Payment of Covered Insurance Proceeds)

第二百七十条の六の六　次に掲げる保険会社（第四款までにおいて「特定保険会社」という。）は、加入機構が補償対象保険金の支払に係る資金援助（金銭の贈与に限る。）を行うことを、当該加入機構に申し込むことができる。

Article 270-6-6 (1) The following Insurance Companies (referred to as "Specified Insurance Company" under Subsection 4) may petition the Affiliated Corporation to extend Financial Assistance in connection with the payment of Covered Insurance Proceeds (limited to donations of monies):

一　第二百四十一条第一項の規定によりその業務の全部若しくは一部の停止を命ぜられ、又は第二百四十五条（第二百五十八条第二項において準用する場合を含む。）、第二百五十条第五項（第二百七十条の四第九項において準用する場合を含む。）、第二百五十四条第四項若しくは第二百五十五条の二第三項の規定によりその業務を停止し、保険契約に係る支払を停止している保険会社

(i) An Insurance Company which has been ordered to suspend all or part of its business pursuant to the provisions of Article 241, paragraph (1), or which has suspended its business and is suspending its payments pertaining to the insurance contract pursuant to the provisions of Article 245 (including the cases where it is applied mutatis mutandis pursuant to Article 258, paragraph (2)), Article 250, paragraph (5) (including the cases where it is applied mutatis mutandis pursuant to Article 270-4, paragraph (9)), Article 254, paragraph (4) or Article 255-2, paragraph (3); and

二　裁判所に破産手続又は更生手続が係属し、保険契約に係る支払を停止している保険会社

(ii) An Insurance Company whose bankruptcy proceedings or reorganization proceedings are pending before the court and that is suspending its payments pertaining to the insurance contract.

２　加入機構は、前項の場合において必要があると認めるときは、同項の申込みをした特定保険会社その他の関係者に対し、資料の提出を求めることができる。

(2) The Affiliated Corporation may, when it finds it necessary in the case referred to in the preceding paragraph, request the Specified Insurance Company that made the petition under that paragraph and other relevant persons to submit materials.

（補償対象保険金の支払に係る資金援助）

(Financial Assistance for the Payment of Covered Insurance Proceeds)

第二百七十条の六の七　加入機構は、前条第一項の申込みを受けたときは、遅滞なく、委員会の議を経て、当該申込みに係る補償対象保険金の支払に係る資金援助を行うかどうかを決定しなければならない。

Article 270-6-7 (1) An Affiliated Corporation shall, when it receives a petition under paragraph (1) of the preceding Article, make a decision without delay, after discussion by the Committee, on whether to extend the Financial Assistance for the payment of the Covered Insurance Proceeds under said petition.

２　加入機構は、前項の決定をしたときは、直ちに、その決定に係る事項を内閣総理大臣及び財務大臣に報告しなければならない。

(2) An Affiliated Corporation shall, when it has made a decision under the preceding paragraph, immediately report on the particulars of the decision to the Prime Minister and the Minister of Finance.

３　加入機構は、第一項の規定により補償対象保険金の支払に係る資金援助を行うことを決定したときは、当該申込みを行った特定保険会社と当該補償対象保険金の支払に係る資金援助に関する契約を締結するものとする。

(3) An Affiliated Corporation shall, when it has made the decision to extend Financial Assistance for the payment of Covered Insurance Proceeds pursuant to the provisions of paragraph (1), conclude a contract concerning the Financial Assistance for the payment of the Covered Insurance Proceeds with the Specified Insurance Company which filed the relevant petition.

第三款　保険金請求権等の買取り

Subsection 3 Purchase of Insurance Claims, etc.

（保険金請求権等の買取り）

(Purchase of Insurance Claims, etc.)

第二百七十条の六の八　加入機構は、特定保険会社がその保険契約に係る支払のすべてを停止している場合には、委員会の議を経て、補償対象契約に係る保険金請求権その他の政令で定める権利（担保権の目的となっていないものに限る。以下この款において「保険金請求権等」という。）の買取りをすることを決定することができる。

Article 270-6-8 (1) An Affiliated Corporation may, in the case that the Specified Insurance Company has suspended all of its payments pertaining to the insurance contract, make a decision, after discussion by the Committee, to purchase Insurance Claims pertaining to the Covered Insurance Contract and other rights specified by a Cabinet Order (limited to those whose purpose is not security interest; hereinafter referred to as "Insurance Claim, etc." in this Subsection).

２　前項の買取りは、保険契約に係る支払のすべてを停止している期間内に、前項の保険金請求権等を、その保険金請求権等に係る債権者の請求に基づいて、補償対象契約の保険金その他の給付金の額に当該補償対象契約の種類、予定利率その他の内容、当該請求に係る保険事故が発生した時期等を勘案して内閣府令・財務省令で定める率を乗じて得た額（以下「買取額」という。）で買い取ることにより行うものとする。ただし、加入機構は、その買取りに係る保険金請求権等の回収をした場合において、当該回収によって得た金額から当該買取りに要した費用として内閣府令・財務省令で定めるものの額を控除した金額が、当該買取りに係る買取額を超えるときは、その超える部分の金額を当該保険金請求権等に係る債権者に対して支払うものとする。

(2) The purchase under the preceding paragraph shall be made in such a way that the Insurance Claim, etc. under the preceding paragraph is purchased based on the request of the creditor pertaining to the Insurance Claim, etc., within the period during which all payments pertaining to the insurance contract are suspended, at the amount of the insurance proceeds under the Covered Insurance Contract and of other benefits, multiplied by the rate specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance by taking into consideration what is the kind of that Covered Insurance Contract, the expected interest rate, other content, the time when the insured event pertaining to that request took place, etc. (hereinafter referred to as "Purchase Amount"); provided, however, that the Affiliated Corporation shall, in the case that it called for the Insurance Claim, etc. pertaining to the purchase and when the amount which was collected from the calling deducted by the amount specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance as the cost of said purchase exceeds the Purchase Amount pertaining to said purchase, pay this excess amount to the creditor pertaining to said Insurance Claim, etc.

３　加入機構は、第一項の決定をしたときは、直ちに、その決定に係る事項を内閣総理大臣及び財務大臣に報告しなければならない。

(3) The Affiliated Corporation shall, when it has made the decision under paragraph (1), immediately report on the particulars of the decision to the Prime Minister and Minister of Finance.

（買取りの公告等）

(Public Notice, etc. of Purchase)

第二百七十条の六の九　加入機構は、前条第一項の決定をしたときは、速やかに、同項の保険金請求権等の買取りに係る買取場所、買取額の支払方法その他内閣府令・財務省令で定める事項を定め、これを公告しなければならない。

Article 270-6-9 (1) The Affiliated Corporation shall, when it has made the decision under paragraph (1) of the preceding Article, promptly provide for the purchase location pertaining to the purchase of the Insurance Claim, etc. of that paragraph, the payment method for the Purchase Amount, and other particulars specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance, and give public notice thereof.

２　加入機構は、前条第二項ただし書の規定による支払をするときは、あらかじめ、委員会の議を経て、支払額、支払期間その他内閣府令・財務省令で定める事項を定め、これを公告しなければならない。

(2) The Affiliated Corporation shall, when it makes the payment under the provisions of the proviso of paragraph (2) of the preceding Article, in advance, after discussion by the Committee, provide for the payment amount, payment period, and other particulars specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance, and give public notice thereof.

３　前条第三項の規定は、前項に規定する事項を定めた場合について準用する。

(3) The provisions of paragraph (3) of the preceding Article shall apply mutatis mutandis to cases in which the particulars prescribed in the preceding paragraph are provided.

（課税関係）

(Concerning Taxation)

第二百七十条の六の十　保険金請求権等を有する者が当該保険金請求権等について第二百七十条の六の八第二項の規定による買取りに係る買取額の支払を受けた場合には、当該支払を受けた買取額（当該買取額の支払を受けた者が当該買取額に係る保険金請求権等につき同項ただし書の規定による支払を受けた場合には、当該支払を受けた金額を含む。）は、当該保険金請求権等に係る補償対象契約に基づく保険金その他の給付金の金額とみなして、所得税法（昭和四十年法律第三十三号）その他の所得税に関する法令の規定を適用する。

Article 270-6-10 (1) In the case that a person entitled to the Insurance Claim, etc. receives payment of the Purchase Amount pertaining to the purchase under the provisions of Article 270-6-8, paragraph (2) with regard to said Insurance Claim, etc., said payment of Purchase Amount received (in the case that the person who received the payment of that Purchase Amount receives payment for the Insurance Claim, etc. pertaining to that Purchase Amount under the provisions of the proviso of that paragraph, that amount of payment received is included) shall be deemed to be the amount of the insurance proceeds and of other benefits based on the Covered Insurance Contract pertaining to said Insurance Claim, etc., and the provisions of the Income Tax Act (Act No. 33 of 1965) and other laws and regulations concerning income tax shall apply.

２　前項の規定の適用がある場合における租税特別措置法（昭和三十二年法律第二十六号）第四条の二及び第四条の三の規定の特例その他同項の規定の適用に関し必要な事項は、政令で定める。

(2) In the case that the provisions of the preceding paragraph shall apply, necessary particulars involving the application of the special provisions of the proviso of Article 4-2 and Article 4-3 of the Act on Special Measures concerning Taxation (Act No. 26 of 1957) and other provisions of that paragraph shall be specified by a Cabinet Order.

３　保険金請求権等につき第二百七十条の六の八第二項の規定による買取りに係る買取額（当該買取額に係る保険金請求権等につき同項ただし書の規定により当該保険金請求権等に係る保険事故が発生した後三年以内に支払を受けた場合には、当該支払を受けた金額を含む。以下この項において同じ。）の支払を受けた場合における当該支払を受けた買取額に係る相続税法（昭和二十五年法律第七十三号）その他相続税又は贈与税に関する法令の規定の適用については、同法第三条第一項第一号中「保険金（共済金」とあるのは「保険金（保険業法（平成七年法律第百五号）第二百七十条の六の十第三項に規定する買取額（第五条第二項において「買取額」という。）及び共済金」と、「当該保険金受取人（」とあるのは「当該保険金受取人（当該買取額の支払を受けた者及び」と、同法第五条第二項中「準ずるもの」とあるのは「準ずるもの（買取額を含む。以下同じ。）」とする。

(3) For the purpose of applying the provisions of the Inheritance Tax Act (Act No. 73 of 1950) and other laws and regulations concerning inheritance tax or gift tax pertaining to the payment of the Purchase Amount received in the case that payment of the Purchase Amount pertaining to the purchase of the Insurance Claim, etc. under the provisions of Article 270-6-8, paragraph (2) (in the case that the payment of said Insurance Claim, etc. pertaining to the Purchase Amount is received within three years of the occurrence of the insured event pertaining to said Insurance Claim, etc. under the provisions of the proviso of that paragraph, that amount of payment received is included; hereinafter the same shall apply in this paragraph) is received, the term "insurance proceeds (mutual aid money)" in Article 3, paragraph (1), item (i) of that Act shall be deemed to be "insurance proceeds (the Purchase Amount prescribed in Article 270-6-10, paragraph (2) of the Insurance Business Act (Act No. 105 of 1995); referred to as "Purchase Amount" in Article 5, paragraph (2)) and mutual aid money," the term "said recipient of insurance proceeds" shall be deemed to be "said recipient of insurance proceeds (any person who received payment of said Purchase Amount and," and the term "its equivalent" in Article 5, paragraph (2) of that Act shall be deemed to be "its equivalent (including the Purchase Amount; hereinafter the same shall apply)."

第四款　雑則

Subsection 4 Miscellaneous Provisions

（会員に対する貸付け）

(Loans to Members)

第二百七十条の七　第二百六十五条の二十八第二項第一号の資金の貸付けは、次に掲げる場合において、機構の会員による保険金その他の給付金（外国保険会社等にあっては、日本における保険契約に係る保険金その他の給付金。以下この項において同じ。）の円滑な支払のために必要かつ適当であると認められるときに限り、その申請に基づいて、その必要と認められる金額の範囲内において行うことができる。

Article 270-7 (1) The lending of funds under Article 265-28, paragraph (2), item (i), within the extent of the amount that is found necessary, may be made in the following cases, based on an application therefor, limited to those in which it is found that the loan is necessary and appropriate for the smooth payment of insurance proceeds and other benefits by the members of the Corporation (for a Foreign Insurance Company, etc., insurance proceeds and other benefits pertaining to the insurance contract in Japan; hereinafter the same shall apply in this paragraph):

一　機構の会員が、一時的な資金事情により、保険金その他の給付金の支払を遅延し、又は遅延するおそれがある場合

(i) In the case that a member of the Corporation is late in the payment of insurance proceeds or other benefits, or there is a risk of a member being late in a payment, due to temporary financial circumstances; and

二　特定保険会社である機構の会員が、当該機構と第二百七十条の六の七第三項の規定による契約を締結した場合

(ii) In the case that a member of the Corporation that is the Specified Insurance Company concluded a contract under the provisions of Article 270-6-7, paragraph (3) with said Corporation.

２　前項第一号の資金の貸付けは、当該資金の貸付けに係る貸付金債権の回収が確実であると認められることその他の内閣府令・財務省令で定める要件を満たすものでなければならない。

(2) The loan of funds of item (i) of the preceding paragraph shall comply with the requirement that the calling of loan claims pertaining to the loan of funds is found to be certain and with other requirements specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance.

３　機構は、第一項の規定による資金の貸付けの申請があったときは、委員会の議を経て、当該資金の貸付けをするかどうかを決定しなければならない。

(3) Whenever an application has been filed for the lending of funds under the provisions of paragraph (1), a Corporation shall make a decision, after discussion by the Committee, on whether to lend the funds.

４　機構は、前項の規定により第一項の資金の貸付けをすることを決定したときは、直ちに、その決定に係る事項を内閣総理大臣及び財務大臣に報告しなければならない。

(4) A Corporation shall, if it has made the decision to lend the funds referred to in paragraph (1) pursuant to the provisions of the preceding paragraph, immediately report on the particulars of the decision to the Prime Minister and Minister of Finance.

（保険契約者等に対する貸付け）

(Loans to Policyholders, etc.)

第二百七十条の八　第二百六十五条の二十八第二項第二号の資金の貸付けは、機構の会員が特定保険会社であるときに限り、当該会員の内閣府令・財務省令で定める保険契約に係る保険契約者等であって保険金請求権その他の内閣府令・財務省令で定める権利を有する者（以下この条において「有資格者」という。）に対して、当該有資格者の申請に基づいて、当該有資格者が当該権利に基づき支払を受け得ると見込まれる金額として内閣府令・財務省令で定める金額の範囲内において行うことができる。

Article 270-8 (1) If the members of a Corporation are Specified Insurance Companies, the lending of funds under Article 265-28, paragraph (2), item (ii) may be made to any person who is a Policyholder, etc. in an insurance contract with said member as specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance, and who is a entitled to the Insurance Claims and other rights specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance (hereinafter referred to as "Qualified Person" in this Article), within the extent of the amount specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance as the amount which they find that said Qualified Person is to receive based on said rights, when said lending is based on the application of said Qualified Person.

２　前項の資金の貸付けは、有資格者が同項の権利に基づき支払を受ける保険金その他の給付金により当該資金の貸付けに係る債務が確実に弁済されると認められることその他の内閣府令・財務省令で定める要件を満たすものでなければならない。

(2) The lending of funds under the preceding paragraph must be backed by the finding that the Qualified Person will certainly pay the debt pertaining to the loan of funds through payments of insurance proceeds and other benefits it will receive based on the rights of that paragraph, and in compliance with other requirements specified by a Cabinet Office Ordinance and Ordinance of the Ministry of Finance.

３　機構は、その会員が特定保険会社となったときは、委員会の議を経て、当該会員について、当該会員の有資格者に対する資金の貸付けをするかどうかを決定しなければならない。

(3) A Corporation shall, if its member has become a Specified Insurance Company, make a decision, after discussion by the committee, on whether to lend funds to the Qualified Person of the member.

４　機構は、前項の規定により第一項の資金の貸付けをすることを決定したときは、直ちに、その決定に係る事項を内閣総理大臣及び財務大臣に報告するとともに、速やかに、委員会の議を経て、当該資金の貸付けに係る受付場所、貸付方法その他の内閣府令・財務省令で定める事項を定め、これを公告しなければならない。

(4) A Corporation shall, when it has made the decision to loan the funds of paragraph (1) pursuant to the provisions of the preceding paragraph, immediately report on the particulars of the decision to the Prime Minister and Minister of Finance, and promptly, after discussion by the Committee, provide for the enquiry location pertaining to the loan of said funds, loan method, and other particulars specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance, and give public notice thereof.

（清算保険会社の資産の買取りの申込み）

(Petitions to Purchase the Assets of Insurance Companies in Liquidation)

第二百七十条の八の二　清算保険会社は、機構（当該清算保険会社がその会員であったものに限る。）が当該清算保険会社の資産の買取りを行うことを、当該機構に申し込むことができる。

Article 270-8-2 (1) An Insurance Company in Liquidation may petition a Corporation (limited to on of which that Insurance Company in Liquidation was a member) to purchase the assets of that Insurance Company in Liquidation.

２　機構は、前項の場合において必要があると認めるときは、同項の申込みをした清算保険会社その他の関係者に対し、資料の提出を求めることができる。

(2) A Corporation may, when it finds it necessary in the case referred to in the preceding paragraph, request the Insurance Company in Liquidation that made the petition under that paragraph and other relevant persons to submit materials.

（清算保険会社の資産の買取り）

(Purchase of Assets of an Insurance Company in Liquidation)

第二百七十条の八の三　機構は、前条第一項の申込みを受けたときは、遅滞なく、審査会及び委員会の議を経て、当該申込みに係る資産の買取りを行うかどうかを決定しなければならない。

Article 270-8-3 (1) A Corporation shall, when it receives a petition under paragraph (1) of the preceding Article, make a decision without delay, after discussion by the Examination Board and the committee, on whether to purchase the assets pertaining to said petition.

２　機構は、前項の規定による決定をしたときは、直ちに、その決定に係る事項を内閣総理大臣及び財務大臣に報告しなければならない。

(2) A Corporation shall, when it has made the decision under the provisions of the preceding paragraph, immediately report on the particulars of the decision to the Prime Minister and Minister of Finance.

３　機構は、第一項の規定により資産の買取りを行うことを決定したときは、当該資産の買取りの申込みを行った清算保険会社と当該資産の買取りに関する契約を締結するものとする。

(3) A Corporation shall, when it has made the decision to purchase the assets pursuant to the provisions of paragraph (1), conclude a contract concerning the purchase of said assets with the Insurance Company in Liquidation which made to the petition for the purchase of said assets.

（課税の特例）

(Special Provisions on Taxation)

第二百七十条の九　第二百四十四条（第二百四十八条第二項において準用する場合を含む。）の規定による登記については、登録免許税を課さない。

Article 270-9 (1) The registration and license tax shall not be imposed for the registration under the provisions of Article 244 (including the cases where it is applied mutatis mutandis pursuant to Article 248, paragraph (2)).

２　機構が、第二百七十条の四の規定により会員である破綻保険会社に係る保険契約の引受けをした場合において、同条第八項の規定により締結した保険契約の引受けに関する契約に定められた当該保険契約の引受けに伴う当該破綻保険会社の財産の移転により不動産又は動産に関する権利の取得をしたときは、当該不動産又は動産に関する権利の移転の登記については、財務省令で定めるところにより当該取得後一年以内に登記を受けるものに限り、登録免許税を課さない。

(2) Where a Corporation has accepted insurance contracts pertaining to a member Bankrupt Insurance Company pursuant to the provisions of Article 270-4, when it has acquired the right to real estate or movables from the transfer of property of that Bankrupt Insurance Company that accompanies the acceptance of that insurance contract prescribed in the contract concerning the acceptance of insurance contracts concluded pursuant to the provisions of Article 270-4, paragraph (8), the registration and license tax shall not be imposed for the registration of the transfer of said right to real estate or movables, limited to those which will be registered within one year after the acquisition pursuant to the provisions of the Ordinance of the Ministry of Finance.

３　承継保険会社が第二百七十条の三の二第六項の規定による同項第二号に掲げる決定を受けて行う第二百七十条第一項の規定による適格性の認定を受けた破綻保険会社の保険契約の移転又は当該破綻保険会社との合併（次項において「決定に基づく保険契約の移転等」という。）により不動産に関する権利の取得をした場合には、当該不動産に関する権利の移転の登記については、財務省令で定めるところにより当該取得後一年以内に登記を受けるものに限り、登録免許税を課さない。

(3) Where a Successor Insurance Company has acquired the right to real estate pursuant to the transfer of insurance contracts of the Bankrupt Insurance Company or a merger with that Bankrupt Insurance Company (referred to as "Transfer, etc. of Insurance Contracts Based on a Decision" in the following paragraph) that had been recognized as being qualified under the provisions of Article 270, paragraph (1) based on the decision listed in Article 270-3-2, paragraph (6), item (ii) under the provisions of Article 270-3-2, paragraph (6), the registration and license tax shall not be imposed for the registration of the transfer of said right to real estate, limited to that which will be registered within one year after the acquisition pursuant to the provisions of the Ordinance of the Ministry of Finance.

４　承継保険会社が決定に基づく保険契約の移転等により取得した土地又は土地の上に存する権利の譲渡（租税特別措置法第六十二条の三第二項第一号イに規定する譲渡をいう。）は、承継保険会社に係る同条並びに同法第六十三条、第六十八条の六十八及び第六十八条の六十九の規定の適用については、同法第六十二条の三第二項第一号に規定する土地の譲渡等には該当しないものとする。

(4) The assignment of land or rights attached to the land, which the Successor Insurance Company acquired by the transfer of insurance contracts based on a decision, etc. (the assignment prescribed in Article 62-3, paragraph (2), item (i), sub-item (a) of the Act on Special Measures concerning Taxation), shall not fall under the assignment of land, etc. prescribed in Article 62-3, paragraph (2), item (i) of that Act, with regard to the application of the provisions of that Article and Articles 63, 68-68, and 68-69 of that Act pertaining to the Successor Insurance Company.

第五節　雑則

Section 5 Miscellaneous Provisions

（清算手続等における内閣総理大臣の意見等）

(Opinion of the Prime Minister, etc. on Liquidation Proceedings, etc.)

第二百七十一条　裁判所は、保険会社等又は外国保険会社等の清算手続、破産手続、再生手続、更生手続又は承認援助手続において、内閣総理大臣に対し、意見を求め、又は検査若しくは調査を依頼することができる。

Article 271 (1) The court may seek the Prime Minister's opinion or make him/her a request for an inspection or investigation regarding the liquidation procedures, bankruptcy procedures, rehabilitation procedures, reorganization procedures or approval assistance procedures of an Insurance Company, etc. or Foreign Insurance Company, etc.

２　内閣総理大臣は、前項に規定する手続において、必要があると認めるときは、裁判所に対し、意見を述べることができる。

(2) If the Prime Minister finds it necessary, he/she may state his/her opinion to the court on the procedures prescribed in the preceding paragraph.

３　第百二十九条第一項、第二百一条第一項、第二百二十七条第一項及び第二百七十二条の二十三第一項の規定は、第一項の規定により内閣総理大臣が裁判所から検査又は調査の依頼を受けた場合について準用する。

(3) The provisions of Article 129, paragraph (1), Article 201, paragraph (1), Article 227, paragraph (1) and Article 272-23, paragraph (1) shall apply mutatis mutandis to cases where the Prime Minister has received a request for inspection or investigation from court pursuant to the provisions of paragraph (1).

（根抵当権の譲渡に係る特例）

(Special Provisions pertaining to Assignment of Revolving Mortgages)

第二百七十一条の二　被管理会社が承継保険会社（第二百六十条第六項に規定する承継保険会社をいう。第五項及び第二百七十一条の二の三第一項第三号において同じ。）その他の保険会社又は当該被管理会社の保険契約の引受け（第二百六十条第九項に規定する保険契約の引受けをいう。第五項において同じ。）をする機構（以下この条において「承継保険会社等」という。）に対する保険契約の移転とともにする財産の移転により元本の確定前に根抵当権をその担保すべき債権の全部とともに譲渡しようとするときは、当該被管理会社及び当該承継保険会社等は、次に掲げる事項について異議のある根抵当権設定者は当該被管理会社に対し一定の期間内に異議を述べるべき旨を公告し、又はこれを催告することができる。

Article 271-2 (1) When the Managed Company seeks to assign a revolving mortgage together with all of the claims it shall guarantee before the principal is established, through the assigning of property which will be carried out in conjunction with the assignment of insurance contracts to the Successor Insurance Company (meaning the Successor Insurance Company prescribed in Article 260, paragraph (6); the same shall apply in paragraph (5) and Article 271-2-3, paragraph (1), item (iii)), other insurance companies, or the Corporation that will underwrite (meaning the Underwriting of Insurance Contract prescribed in Article 260, paragraph (9); the same shall apply in paragraph (5)) the insurance contracts of that Managed Company (hereinafter referred to as "Successor Insurance Company, etc." in this Article), that Managed Company and that Successor Insurance Company, etc. may give public notice to the effect that the revolving mortgagor with an objection shall raise its objections to that Managed Company with regard to the following particulars within a certain period, or make the demand thereof:

一　当該被管理会社から当該承継保険会社等に当該根抵当権が譲渡されること及びその期日

(i) The fact that the revolving mortgage shall be assigned from that Managed Company to that Successor Insurance Company, etc. and the date thereof; and

二　当該根抵当権の譲渡の後においても当該根抵当権が当該債権を担保すべきものとすること。

(ii) The fact that the revolving mortgage shall guarantee said claim even after the revolving mortgage is assigned.

２　前項の期間は、二週間を下ってはならない。

(2) The period referred to in the preceding paragraph shall not be less than two weeks.

３　第一項の公告又は催告に係る根抵当権設定者が同項各号に掲げる事項について同項の期間内に異議を述べなかったときは、同項第一号に掲げる事項について当該根抵当権設定者の承諾が、同項第二号に掲げる事項について当該根抵当権設定者と同項の公告又は催告に係る承継保険会社等の合意が、それぞれあったものとみなす。

(3) When the revolving mortgagor pertaining to the public notice or demand of paragraph (1) does not raise its objections to the particulars listed in the items of that paragraph within the period referred to in that paragraph, it shall be deemed that the revolving mortgagor consents to the particular listed in item (i) of that paragraph and that the revolving mortgagor and the Successor Insurance Company, etc. pertaining to the public notice or demand of that paragraph agree on the particular listed in item (ii) of that paragraph, respectively.

４　根抵当権設定者が第一項各号に掲げる事項の一部について異議を述べたときは、同項各号に掲げる事項の全部について異議を述べたものとみなす。

(4) When the revolving mortgagor raises its objections to part of the particulars listed in the items of paragraph (1), it shall be deemed that it has raised objections to all of the particulars listed in the items of that paragraph.

５　前各項の規定は、承継保険会社又は保険契約の引受けをした機構が他の保険会社に対する保険契約の移転とともにする財産の移転により元本の確定前に根抵当権をその担保すべき債権の全部とともに譲渡しようとする場合について準用する。

(5) The provisions of all preceding paragraphs shall apply mutatis mutandis to the case that the Successor Insurance Company or Corporation that underwrote the insurance contracts seeks to assign the revolving mortgage together with all of the claims it shall guarantee before the principal is established, through the assigning of property which will be carried out in conjunction with the assignment of insurance contracts to another Insurance Company.

（根抵当権移転登記等の申請手続の特例）

(Special Provisions on Application Procedures for Registration, etc. of a Revolving Mortgage Transfer)

第二百七十一条の二の二　前条第三項（同条第五項において準用する場合を含む。）の場合における根抵当権の移転の登記の申請には、その申請情報と併せて公告又は催告をしたこと及び根抵当権設定者が同条第一項（同条第五項において準用する場合を含む。）の期間内に異議を述べなかったことを証する情報を提供しなければならない。

Article 271-2-2 (1) To apply for the registration of the revolving mortgage transfer in the case referred to in paragraph (3) of the preceding Article (including the cases where it is applied mutatis mutandis pursuant to paragraph (5) of that Article), information proving that public notice or demand was given and that the revolving mortgagor did not raise its objections within the period referred to in paragraph (1) of that Article (including the cases where it is applied mutatis mutandis pursuant to paragraph (5) of that Article) shall be provided with the application information.

２　前条第三項（同条第五項において準用する場合を含む。）の場合における根抵当権の担保すべき債権の範囲に譲渡に係る債権を追加することを内容とする根抵当権の変更の登記は、その申請情報と併せて前項に規定する情報を提供したときは、根抵当権者のみで申請することができる。

(2) The registration of a change in the revolving mortgage to the effect of adding claims pertaining to the assignment to the scope of claims which are to be guaranteed by the revolving mortgage in the case set forth in paragraph (3) of the preceding Article (including the cases where it is applied mutatis mutandis pursuant to paragraph (5) of that Article) may be applied for only by the revolving mortgagor when the information prescribed in the preceding paragraph is provided along with the application information.

（業務の継続の特例）

(Special Provisions on the Continuation of Business)

第二百七十一条の二の三　次の各号に掲げる者は、その営業に関する法令により行うことができない業務に属する契約又は制限されている契約に係る権利義務を当該各号に定める保険契約の移転又は合併により承継した場合には、これらの契約のうち、期限の定めのあるものについては期限満了まで、期限の定めのないものについては承継の日から二年以内の期間に限り、これらの契約に関する業務を継続することができる。

Article 271-2-3 (1) Each of the persons listed in the following items may, in the case that he/she has succeeded, through the transfer of an insurance contract or through a merger prescribed in those items, to rights and duties under a contract for business that he/she cannot conduct or a contract restricting his/her engagement in such business pursuant to laws and regulations on said persons' operations, continue to conduct the business under said contracts until the expiration date, if a duration is prescribed in said contract, or for a limited period of within two years from the date of succession, if no such duration is prescribed:

一　第二百五十六条第一項、第二百七十条の三の十三第一項又は第二百七十条の六の四第一項の勧告を受けた保険会社　当該勧告に係る保険契約の移転又は合併

(i) An Insurance Company which has received the recommendation set forth in Article 256, paragraph (1), Article 270-3-13, paragraph (1), or Article 270-6-4, paragraph (1): transfer of insurance contract pertaining to said recommendation or merger;

二　第二百六十八条第一項、第二百七十条の三の十二第一項又は第二百七十条の六の三第一項の認定を受けた救済保険会社（第二百六十条第三項に規定する救済保険会社をいう。）、再承継保険会社又は再移転先保険会社　当該認定に係る保険契約の移転又は合併

(ii) A Relief Insurance Company, Secondary Successor Insurance Company, or Secondary Transferee Insurance Company, which has received the authorization set forth in Article 268, paragraph (1), Article 270-3-12, paragraph (1), or Article 270-6-3, paragraph (1) : transfer of insurance contracts pertaining to said authorization or merger; and

三　第二百七十条第一項の認定を受けた破綻保険会社（第二百六十条第二項に規定する破綻保険会社をいう。）との間で当該認定に係る保険契約の移転又は合併をする承継保険会社又は機構　当該保険契約の移転又は合併

(iii) A Successor Insurance Company or Corporation, which carries out the transfer of insurance contracts pertaining to the authorization set forth in Article 270, paragraph (1) from, or the merge with, the Bankrupt Insurance Company which has received said authorization (meaning the Bankrupt Insurance Company prescribed in Article 260, paragraph (2)): transfer of that insurance contract or merger.

２　前項に規定する者は、同項に規定する契約に関する業務の利用者の利便等に照らし特別の事情がある場合において、期間を定めて当該業務を整理することを内容とする計画を作成し、当該計画につき内閣総理大臣の承認を受けたときは、保険契約の移転又は合併の日における当該契約の総額を超えない範囲内において、かつ、当該計画に従い、同項の期限が満了した契約を更新して、又は同項の期間を超えて、当該業務を継続することができる。

(2) Persons prescribed in the preceding paragraph may, in the case that there is a special circumstance in light of the convenience, etc. of the user of the business under the contracts prescribed in that paragraph, create a plan for managing said business for a specified period, and when said plan is approved by the Prime Minister, continue said business within the extent that the total amount of that contract of the day of the transfer of the insurance contract or merger is not exceeded, and, in accordance with said plan, renew the contract whose period set forth in that paragraph has expired or by exceeding the period set forth in that paragraph.

第十一章　株主

Chapter XI Shareholders

第一節　通則

Section 1 General Rules

（保険会社等の議決権保有に係る届出書の提出）

(Submission of Written Notices Pertaining to the Holding of Voting Rights in an Insurance Company, etc.)

第二百七十一条の三　一の保険会社の総株主の議決権の百分の五を超える議決権又は一の保険持株会社の総株主の議決権の百分の五を超える議決権の保有者（国、地方公共団体その他これらに準ずるものとして政令で定める法人（第二百七十一条の十において「国等」という。）を除く。以下この章及び第三百三十三条において「保険議決権大量保有者」という。）は、内閣府令で定めるところにより、保険議決権大量保有者となった日から五日（日曜日その他政令で定める休日の日数は、算入しない。次条第一項において同じ。）以内（保有する議決権の数に増加がない場合その他の内閣府令で定める場合にあっては、内閣府令で定める日以内）に、次に掲げる事項を記載した届出書（以下この章において「保険議決権保有届出書」という。）を内閣総理大臣に提出しなければならない。

Article 271-3 (1) A person who holds voting rights exceeding 5 percent of all shareholders' voting rights in a single Insurance Company or voting rights exceeding 5 percent of all shareholders' voting rights in a single Insurance Holding Company (excluding the State, a local public entity, or any juridical person specified by Cabinet Order as one equivalent thereto (referred to as the "State, etc." in Article 271-10); such person is hereinafter referred to as a "Large-Volume Holder of Insurance Company Voting Rights" in this Chapter and in Article 333) shall, pursuant to the provisions of Cabinet Office Ordinance, submit a written notice detailing the following particulars (hereinafter referred to in this Chapter as a "Statement of Insurance Company Voting Right Holdings") to the Prime Minister within five days (Sundays and other holidays specified by Cabinet Order are not included in the number of days; the same shall apply in paragraph (1) of the next Article) from the day on which he/she became a Large-Volume Holder of Insurance Company Voting Rights (within the number of days specified by Cabinet Office Ordinance in the where the number of voting rights held has not increased or in any other case specified by Cabinet Office Ordinance):

一　議決権保有割合（保険議決権大量保有者の保有する当該保険議決権大量保有者がその総株主の議決権の百分の五を超える議決権の保有者である保険会社又は保険持株会社の議決権の数を、当該保険会社又は当該保険持株会社の総株主の議決権で除して得た割合をいう。以下この章において同じ。）に関する事項、取得資金に関する事項、保有の目的その他の保険会社又は保険持株会社の議決権の保有に関する重要な事項として内閣府令で定める事項

(i) The particulars of the Proportion of Voting Rights Held (meaning the proportion calculated by dividing the number of voting rights that a Large-Volume Holder of Insurance Company Voting Rights holds in an Insurance Company or Insurance Holding Company in which that Large-Volume Holder of Insurance Company Voting Rights is the holder of voting rights exceeding 5 percent of all shareholders' voting rights, by the number of all shareholders' voting rights in that Insurance Company or Insurance Holding Company; hereinafter the same shall apply in this Chapter), the particulars of acquisition funding, the purpose of holding the voting rights, and any other particulars specified by Cabinet Office Ordinance as important particulars of the holding of voting rights in an Insurance Company or Insurance Holding Company:

二　商号、名称又は氏名及び住所

(ii) The trade name or name and address;

三　法人である場合においては、その資本金額（出資総額を含む。）及びその代表者の氏名

(iii) In the case of a juridical person, the amount of its capital (including the total amount of contribution) and the name of its representative person; and

四　事業を行っているときは、営業所の名称及び所在地並びにその事業の種類

(iv) In the case where the person conducts business, the name and location of the business office and the type of the business.

２　第二条第十五項の規定は、前項の場合において保険議決権大量保有者が保有する議決権について準用する。

(2) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the voting rights held by a Large-Volume Holder of Insurance Company Voting Rights in the case referred to in the preceding paragraph.

（保険議決権保有届出書に関する変更報告書の提出）

(Submission of a Statement of Changes to a Statement of Insurance Company Voting Right Holdings)

第二百七十一条の四　保険議決権大量保有者は、一の保険会社の総株主の議決権の百分の五を超える議決権又は一の保険持株会社の総株主の議決権の百分の五を超える議決権の保有者となった日の後に、前条第一項各号に掲げる事項の変更があった場合（議決権保有割合の変更の場合にあっては、百分の一以上増加し又は減少した場合に限る。）には、内閣府令で定めるところにより、その日から五日以内（保有する議決権の数に増加がない場合その他の内閣府令で定める場合にあっては、内閣府令で定める日以内）に、当該変更に係る報告書（以下この条及び次条において「変更報告書」という。）を内閣総理大臣に提出しなければならない。ただし、議決権保有割合が百分の一以上減少したことによる変更報告書で当該変更報告書に記載された議決権保有割合が百分の五以下であるものを既に提出している場合その他の内閣府令で定める場合については、この限りでない。

Article 271-4 (1) A Large-Volume Holder of Insurance Company Voting Rights shall, in the case where any particulars listed in the items of paragraph (1) of the preceding Article have been changed (in the case of a change in the Proportion of Voting Rights Held, it shall be limited to a case where the rate has increased or decreased by 1 percent or more) after the day on which he/she became a holder of voting rights exceeding 5 percent of all shareholders' voting rights in a single Insurance Company or voting rights exceeding 5 percent of all shareholders' voting rights in a single Insurance Holding Company, he/she shall, pursuant to the provisions of Cabinet Office Ordinance, submit a report pertaining to that change (hereinafter referred to as a "Statement of Changes" in this Article and the next Article) to the Prime Minister within five days from that day (within the number of days specified by Cabinet Office Ordinance in the case where the number of voting rights held has not increased or in any other case specified by Cabinet Office Ordinance); provided, however, that this shall not apply to the case where a Statement of Changes has already been submitted based on a 1 percent or greater decrease in the Proportion of Voting Rights Held and the Proportion of Voting Rights Held detailed in that Statement of Changes is 5 percent or less, or to any other case specified by Cabinet Office Ordinance.

２　議決権保有割合が減少したことにより変更報告書を提出する者は、短期間に大量の議決権を譲渡したものとして政令で定める基準に該当する場合においては、内閣府令で定めるところにより、譲渡の相手方及び対価に関する事項についても当該変更報告書に記載しなければならない。

(2) A person submitting a Statement of Changes based on a decrease in the Proportion of Voting Rights Held shall, in a case that conforms to the standards specified by Cabinet Order for a case where a large number of voting rights have been transferred within a short period, also detail the particulars of the party to whom the voting rights were transferred and the Consideration received in that Statement of Changes, pursuant to the provisions of Cabinet Office Ordinance.

３　保険議決権保有届出書又は変更報告書（以下この節において「提出書類」という。）を提出する日の前日までに、新たに変更報告書を提出しなければならない事由が生じた場合には、当該変更報告書は、第一項本文の規定にかかわらず、提出されていない当該提出書類の提出と同時に内閣総理大臣に提出しなければならない。

(3) When circumstances that compel a person to submit another Statement of Changes have arisen by the day preceding the day of submission of a Statement of Insurance Company Voting Right Holdings or a Statement of Changes (hereinafter referred to as "Required Documents" in this Section), that Statement of Changes shall be submitted to the Prime Minister at the same time as the submission of the Required Documents that have yet to be submitted, notwithstanding the provisions of the main clause of paragraph (1).

４　提出書類を提出した者は、当該提出書類に記載された内容が事実と相違し、又は記載すべき事項若しくは誤解を生じさせないために必要な事実の記載が不十分であり、若しくは欠けていると認めるときは、訂正報告書を内閣総理大臣に提出しなければならない。

(4) A person who has submitted Required Documents shall, if he/she finds that the contents detailed in said documents differ from fact or that said documents insufficiently detail or lack a particular that is required to be included or a fact that is necessary for preventing a misinterpretation, submit a correction report to the Prime Minister.

５　第二条第十五項の規定は、第一項及び第二項の場合において保険議決権大量保有者が保有する議決権について準用する。

(5) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the voting rights held by a Large-Volume Holder of Insurance Company Voting Rights in the case referred to in paragraphs (1) and (2).

（保険議決権保有届出書等に関する特例）

(Special Provisions on Statements of Holdings in Insurance Company Voting Rights, etc.)

第二百七十一条の五　銀行、金融商品取引業者（有価証券関連業を行う者に限る。）、信託会社その他の内閣府令で定める者のうち基準日を内閣総理大臣に届け出た者が保有する議決権で当該議決権に係る株式の発行者である保険会社又は保険持株会社の事業活動を支配することを保有の目的としないもの（議決権保有割合が内閣府令で定める数を超えた場合及び保有の態様その他の事情を勘案して内閣府令で定める場合を除く。以下この条において「特例対象議決権」という。）に係る保険議決権保有届出書は、第二百七十一条の三第一項の規定にかかわらず、議決権保有割合が初めて百分の五を超える数となった基準日における当該議決権の保有状況に関する事項であって、内閣府令で定めるものを記載したものを、内閣府令で定めるところにより、当該基準日の属する月の翌月十五日までに、内閣総理大臣に提出しなければならない。

Article 271-5 (1) Notwithstanding the provisions of Article 271-3, paragraph (1), a Statement of Insurance Company Voting Right Holdings pertaining to voting rights held by a Bank, Financial Instruments Transaction Business Operator (limited to one that conducts Securities Services), trust company, or any other person specified by Cabinet Office Ordinance who has notified the Prime Minister of a Reference date, where the purpose of holding such voting rights is not for controlling the business activities of the Insurance Company or Insurance Holding Company that has issued the shares related to those voting rights (excluding the case where the Proportion of Voting Rights Held has exceeded the number specified by Cabinet Office Ordinance and any case specified by Cabinet Office Ordinance by taking into consideration the manner in which they are held and other circumstances; hereinafter referred to as "Voting Rights Subject to Special Provisions" in this Act) shall be submitted to the Prime Minister by detailing the particulars of the status of holding for those voting rights as of the Reference Date on which the Proportion of Voting Rights Held exceeded 5 percent for the first time and that are specified by Cabinet Office Ordinance, by the fifteenth day of the month following the month containing said Reference Date, pursuant to the provisions of Cabinet Office Ordinance.

２　特例対象議決権に係る変更報告書（当該議決権が特例対象議決権以外の議決権になる場合の変更に係るものを除く。）は、次の各号に掲げる場合の区分に応じ当該各号に定める日までに、内閣府令で定めるところにより、内閣総理大臣に提出しなければならない。

(2) A Statement of Changes pertaining to Voting Rights Subject to Special Provisions (excluding one pertaining to a change where the voting rights become those that are not Voting Rights Subject to Special Provisions) shall be submitted to the Prime Minister by the days respectively prescribed in the following items for the categories of cases listed in those items, pursuant to the provisions of Cabinet Office Ordinance:

一　前項の保険議決権保有届出書に係る基準日の後の基準日における議決権保有割合が当該保険議決権保有届出書に記載された議決権保有割合より百分の一以上増加し又は減少した場合その他の同項に規定する内閣府令で定めるものの重要な変更があった場合　当該後の基準日の属する月の翌月十五日

(i) A case where the Proportion of Voting Rights Held on a Reference Date that comes after the Reference Date pertaining to the Statement of Insurance Company Voting Right Holdings set forth in the preceding paragraph increased or decreased by 1 percent or more from the Proportion of Voting Rights Held that was detailed in that Statement of Insurance Company Voting Right Holdings or any other case where there was an important change to particulars specified by Cabinet Office Order prescribed in that paragraph: The fifteenth day of the month following the month containing said later Reference Date;

二　当該保険議決権保有届出書に係る基準日の属する月の後の月の末日において議決権保有割合が大幅に増加し又は減少した場合として内閣府令で定める基準に該当することとなった場合　当該末日の属する月の翌月十五日

(ii) A case where the circumstances came to conform to the standards specified by Cabinet Office Ordinance for a case in which the Proportion of Voting Rights Held considerably increased or decreased by the last day of any month after the month containing the Reference Date pertaining to the Statement of Insurance Company Voting Right Holdings: The fifteenth day of the month following the month containing said last day;

三　変更報告書に係る基準日の後の基準日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の一以上増加し又は減少した場合その他の前項に規定する内閣府令で定めるものの重要な変更があった場合　当該後の基準日の属する月の翌月十五日

(iii) A case where the Proportion of Voting Rights Held on a Reference Date that comes after the Reference Date pertaining to the Statement of Changes increased or decreased by 1 percent or more from the Proportion of Voting Rights Held that was detailed in that Statement of Changes or any other case where there was an important change to particulars specified by Cabinet Office Order prescribed in the preceding paragraph: The fifteenth day of the month following the month containing that later reference date; and

四　前三号に準ずる場合として内閣府令で定める場合　内閣府令で定める日

(iv) A case specified by Cabinet Office Ordinance as a case equivalent to any of the preceding three items: The day specified by Cabinet Office Ordinance.

３　前二項の基準日とは、第一項に規定する内閣府令で定める者が内閣府令で定めるところにより内閣総理大臣に届出をした三月ごとの月の末日をいう。

(3) The Reference Date set forth in the preceding two paragraphs means the last day of the month in which a person specified by Cabinet Office Ordinance prescribed in paragraph (1) notified the Prime Minister pursuant to the provisions of Cabinet Office Ordinance and that of every three months thereafter.

４　第二条第十五項の規定は、第一項及び第二項の場合において保険議決権大量保有者が保有する特例対象議決権について準用する。

(4) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the Voting Rights Subject to Special Provisions held by a Large-Volume Holder of Insurance Company Voting Rights in the case referred to in paragraphs (1) and (2).

（訂正報告書の提出命令）

(Order to Submit Correction Report)

第二百七十一条の六　内閣総理大臣は、第二百七十一条の三第一項、第二百七十一条の四第一項若しくは第三項又は前条第一項若しくは第二項の規定により提出書類の提出を受けた場合において、当該提出書類に形式上の不備があり、又は当該提出書類に記載すべき事項のうち重要なものの記載が不十分であると認めるときは、当該提出書類の提出をした者に対し、訂正報告書の提出を命ずることができる。この場合においては、行政手続法（平成五年法律第八十八号）第十三条第一項（不利益処分をしようとする場合の手続）の規定による意見陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

Article 271-6 In the case where Required Documents have been submitted pursuant to the provisions of Article 271-3, paragraph (1), Article 271-4, paragraph (1) or (3), or paragraph (1) or (2) of the preceding Article, the Prime Minister may, if he/she finds that there is a formal deficiency in the Required Documents or that the Required Documents insufficiently detail an important particular that is required to be included, order the person who has submitted the Required Documents to submit a correction report. In this case, a hearing shall be carried out irrespective of the categories of procedures for hearing statements under Article 13, paragraph (1) (Procedures Prerequisite for Adverse Dispositions) of the Administrative Procedure Act (Act No. 88 of 1993).

第二百七十一条の七　内閣総理大臣は、提出書類のうちに重要な事項について虚偽の記載があり、又は記載すべき事項のうち重要なもの若しくは誤解を生じさせないために必要な重要な事実の記載が欠けていることを発見したときは、いつでも、当該提出書類の提出をした者に対し、訂正報告書の提出を命ずることができる。この場合においては、行政手続法第十三条第一項（不利益処分をしようとする場合の手続）の規定による意見陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

Article 271-7 The Prime Minister may, if he/she has discovered that Required Documents include a false detail with regard to an important particular, fail to detail an important particular that is required to be included, or fail to detail any fact that is necessary for preventing a misinterpretation, order the person who has submitted the Required Documents, at any time, to submit a correction report. In this case, a hearing shall be carried out irrespective of the categories of procedures for hearing statements under Article 13, paragraph (1) (Procedures Prerequisite for Adverse Dispositions) of the Administrative Procedure Act.

（保険議決権大量保有者による報告又は資料の提出）

(Submission of Reports or Materials by a Large-Volume Holder of Insurance Company Voting Rights)

第二百七十一条の八　内閣総理大臣は、提出書類のうちに重要な事項について虚偽の記載があり、又は記載すべき事項のうち重要なもの若しくは誤解を生じさせないために必要な重要な事実の記載が欠けている疑いがあると認めるときは、当該提出書類を提出した保険議決権大量保有者に対し、当該提出書類に記載すべき事項又は誤解を生じさせないために必要な事実に関し参考となるべき報告又は資料の提出を求めることができる。

Article 271-8 The Prime Minister may, if he/she suspects that Required Documents include a false detail with regard to an important particular, fail to detail an important particular that is required to be included, or fail to detail a fact that is necessary for preventing a misinterpretation, order the Large-Volume Holder of Insurance Company Voting Rights that has submitted the Required Documents to submit reports or materials that should serve as reference in connection with the particulars that are required to be included in the Required Documents or facts that are necessary for preventing a misinterpretation.

（保険議決権大量保有者に対する立入検査）

(On-site Inspection of a Large-Volume Holder of Insurance Company Voting Rights)

第二百七十一条の九　内閣総理大臣は、提出書類のうちに重要な事項について虚偽の記載があり、又は記載すべき事項のうち重要なもの若しくは誤解を生じさせないために必要な重要な事実の記載が欠けている疑いがあると認めるときは、当該職員に当該提出書類を提出した保険議決権大量保有者の事務所その他の施設に立ち入らせ、当該提出書類に記載すべき事項若しくは誤解を生じさせないために必要な事実に関し質問させ、又は当該保険議決権大量保有者の帳簿書類その他の物件を検査させることができる。

Article 271-9 (1) The Prime Minister may, if he/she suspects that Required Documents include a false detail with regard to an important particular, fail to detail an important particular that is required to be included, or fail to detail any fact that is necessary for preventing a misinterpretation, have his/her officials enter an office or any other facility of the Large-Volume Holder of Insurance Company Voting Rights who has submitted the Required Documents, ask questions concerning the particulars that are required to be included in the Required Documents or facts necessary for avoiding misunderstanding, or inspect books and documents or other objects of that Large-Volume Holder of Insurance Company Voting Rights.

２　前項の規定による立入り、質問又は検査をする職員は、その立入り、質問又は検査の相手方にその理由を示さなければならない。

(2) The official that carries out the entry, questioning, or inspection under the provisions of the preceding paragraph shall indicate the reason for the entry, questioning, or inspection to the other party.

第二節　保険主要株主に係る特例

Section 2 Special Provisions Pertaining to an Insurance Company's Major Shareholders

第一款　通則

Subsection 1 General Rules

（保険主要株主に係る認可等）

(Authorization, etc. to Be Obtained by an Insurance Company's Major Shareholders)

第二百七十一条の十　次に掲げる取引若しくは行為により一の保険会社の主要株主基準値以上の数の議決権の保有者になろうとする者又は保険会社の主要株主基準値以上の数の議決権の保有者である会社その他の法人の設立をしようとする者（国等並びに第二百七十一条の十八第一項に規定する持株会社になろうとする会社、同項に規定する者及び保険会社を子会社としようとする保険持株会社を除く。）は、あらかじめ、内閣総理大臣の認可を受けなければならない。

Article 271-10 (1) A person who seeks to become the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold or a person who seeks to establish a company or any other juridical person that is the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold (excluding the State, etc., a company that seeks to become a Holding company as prescribed in Article 271-18, paragraph (1), the person prescribed in that paragraph, and an Insurance Holding Company that seeks to make the Insurance Company its Subsidiary) through any of the following transactions or actions shall obtain authorization from the Prime Minister in advance:

一　当該議決権の保有者になろうとする者による保険会社の議決権の取得（担保権の実行による株式の取得その他の内閣府令で定める事由によるものを除く。）

(i) Acquisition of voting rights in the Insurance Company by the person who seeks to become the holder of such voting rights (excluding acquisition of shares through exercise of security rights or acquisition of voting rights by any other cause specified by Cabinet Office Ordinance);

二　当該議決権の保有者になろうとする者がその主要株主基準値以上の数の議決権を保有している会社による第三条第一項の免許の取得

(ii) Acquisition of a license set forth in Article 3, paragraph (1), through a company that holds a number of voting rights equal to or exceeding the Major Shareholder Threshold, by the person who seeks to become the holder of said voting rights; or

三　その他政令で定める取引又は行為

(iii) Any other transactions or actions specified by Cabinet Order.

２　前項各号に掲げる取引又は行為以外の事由により一の保険会社の主要株主基準値以上の数の議決権の保有者になった者（国等並びに保険持株会社及び第二百七十一条の十八第二項に規定する特定持株会社を除く。以下この条及び第三百三十三条において「特定主要株主」という。）は、当該事由の生じた日の属する当該保険会社の事業年度の終了の日から一年を経過する日（以下この項及び第四項において「猶予期限日」という。）までに保険会社の主要株主基準値以上の数の議決権の保有者でなくなるよう、所要の措置を講じなければならない。ただし、当該特定主要株主が、猶予期限日後も引き続き保険会社の主要株主基準値以上の数の議決権の保有者であることについて内閣総理大臣の認可を受けた場合は、この限りでない。

(2) A person who became the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold due to a cause other than the transactions or actions listed in the items of the preceding paragraph (excluding the State, etc., an Insurance Holding Company, and a Specified Holding Company prescribed in Article 271-18, paragraph (2); hereinafter referred to "Specified Major Shareholder" in this Article and Article 333) shall take necessary measures for becoming a person who is no longer the holder of a number of voting rights in the Insurance Company equal to or exceeding the Major Shareholder Threshold by the day on which one year has elapsed from the end of the Business Year of that Insurance Company including the date on which said cause arose (hereinafter referred to as the "Last Day of the Grace Period" in this paragraph and paragraph (4)); provided, however, that this shall not apply to the cases where that Specified Major Shareholder has obtained authorization from the Prime Minister to remain the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold even after the Last Day of the Grace Period.

３　特定主要株主は、前項の規定による措置により保険会社の主要株主基準値以上の数の議決権の保有者でなくなったときは、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。当該措置によることなく保険会社の主要株主基準値以上の数の議決権の保有者でなくなったときも、同様とする。

(3) If a Specified Major Shareholder becomes a person who is no longer the holder of a number of voting rights equal in an Insurance Company equal to or exceeding the Major Shareholder Threshold due to a measure required under the preceding paragraph, he/she shall notify the Prime Minster of this without delay. The same applies if a Specified Major Shareholder becomes a person who is no longer the holder of a number of voting rights in the Insurance Company equal to or exceeding the Major Shareholder Threshold without such measures.

４　内閣総理大臣は、第一項の認可を受けずに同項各号に掲げる取引若しくは行為により保険会社の主要株主基準値以上の数の議決権の保有者になった者若しくは保険会社の主要株主基準値以上の数の議決権の保有者として設立された会社その他の法人又は第二項ただし書の認可を受けることなく猶予期限日後も保険会社の主要株主基準値以上の数の議決権の保有者である者に対し、当該保険会社の主要株主基準値以上の数の議決権の保有者でなくなるよう、所要の措置を講ずることを命ずることができる。

(4) The Prime Minister may order a person who became the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold or a company or any other juridical person established as the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold through any of the transactions or actions listed in the items of paragraph (1) without obtaining the authorization set forth in that paragraph or a person who remains the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold even after the Last Day of the Grace Period without obtaining the authorization set forth in the proviso to paragraph (2), to take necessary measures to cease being the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold.

第二百七十一条の十一　内閣総理大臣は、前条第一項又は第二項ただし書の認可の申請があったときは、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 271-11 Whenever an application has been filed for the authorization set forth in paragraph (1) of the preceding Article or the proviso to paragraph (2) of the preceding Article, the Prime Minister shall examine whether it conforms to the following standards:

一　当該認可の申請をした者（以下この条において「申請者」という。）が会社その他の法人である場合又は当該認可を受けて会社その他の法人が設立される場合にあっては、次に掲げる基準に適合すること。

(i) If the person who applied for the authorization (hereinafter referred to in this Article as "Applicant") is a company or any other juridical person, or if a company or any other juridical person is to be established under the authorization, that the following standards are met:

イ　取得資金に関する事項、保有の目的その他の当該申請者又は当該認可を受けて設立される会社その他の法人（以下この号において「法人申請者等」という。）による保険会社の主要株主基準値以上の数の議決権の保有に関する事項に照らして、当該法人申請者等がその主要株主基準値以上の数の議決権の保有者であり、又はその主要株主基準値以上の数の議決権の保有者となる保険会社の業務の健全かつ適切な運営を損なうおそれがないこと。

(a) In light of the particulars of the acquisition funding, the purpose of holding the voting rights, or any other particulars involved in the holding of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold by that Applicant or the company or any other juridical person to be established under the authorization (hereinafter referred to as the "Juridical Person Applicant, etc." in this item), there shall be no risk of impairing the sound and appropriate business operation of the Insurance Company in which that Juridical Person Applicant, etc. is or will become the holder of a number of voting rights equal to or exceeding the Major Shareholder Threshold;

ロ　法人申請者等及びその子会社（子会社となる会社を含む。）の財産及び収支の状況に照らして、当該法人申請者等がその主要株主基準値以上の数の議決権の保有者であり、又はその主要株主基準値以上の数の議決権の保有者となる保険会社の業務の健全かつ適切な運営を損なうおそれがないこと。

(b) In light of the status of property and income and expenditure of the Juridical Person Applicant, etc. and its Subsidiaries (including any company that will become a Subsidiary), there shall be no risk of impairing the sound and appropriate business operation of the Insurance Company in which that Juridical Person Applicant, etc. is or will become the holder of a number of voting rights equal to or exceeding the Major Shareholder Threshold;

ハ　法人申請者等が、その人的構成等に照らして、保険業の公共性に関し十分な理解を有し、かつ、十分な社会的信用を有する者であること。

(c) In light of such particulars as its personnel structure, etc., the Juridical Person Applicant, etc. must have sufficient understanding concerning the public nature of the Insurance Business and must have sufficient social credibility; and

二　前号に掲げる場合以外の場合にあっては、次に掲げる基準に適合すること。

(ii) In cases other than the cases listed in the preceding items, that the following standards are met:

イ　取得資金に関する事項、保有の目的その他の当該申請者による保険会社の主要株主基準値以上の数の議決権の保有に関する事項に照らして、当該申請者がその主要株主基準値以上の数の議決権の保有者であり、又はその主要株主基準値以上の数の議決権の保有者となる保険会社の業務の健全かつ適切な運営を損なうおそれがないこと。

(a) In light of the particulars of the acquisition funding, the purpose of holding the voting rights, or any other particulars of the holding of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold by that Applicant, there shall be no risk of impairing the sound and appropriate business operation of the Insurance Company in which that Applicant is or will become the holder of a number of voting rights equal to or exceeding the Major Shareholder Threshold;

ロ　当該申請者の財産の状況（当該申請者が事業を行う者である場合においては、収支の状況を含む。）に照らして、当該申請者がその主要株主基準値以上の数の議決権の保有者であり、又はその主要株主基準値以上の数の議決権の保有者となる保険会社の業務の健全かつ適切な運営を損なうおそれがないこと。

(b) In light of the status of the property of the Applicant (including the status of income and expenditure in the case where that Applicant is a person who conducts business), there shall be no risk of impairing the sound and appropriate business operation of the Insurance Company in which that Applicant is or will become the holder of a number of voting rights equal to or exceeding the Major Shareholder Threshold; and

ハ　当該申請者が、保険業の公共性に関し十分な理解を有し、かつ、十分な社会的信用を有する者であること。

(c) That Applicant has sufficient understanding of the public nature of the Insurance Business and holds sufficient social credibility.

第二款　監督

Subsection 2 Supervision

（保険主要株主による報告又は資料の提出）

(Submission of Reports or Materials by an Insurance Company's Major Shareholder)

第二百七十一条の十二　内閣総理大臣は、保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため、第百二十八条第一項の規定により保険会社に対し報告又は資料の提出を求める場合において、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、当該保険会社の主要株主基準値以上の数の議決権の保有者である保険主要株主に対し、その理由を示した上で、当該保険会社の業務又は財産の状況に関し参考となるべき報告又は資料の提出を求めることができる。

Article 271-12 If and to the extent that the Prime Minister finds it particularly necessary for protecting Policyholders, etc. and for ensuring the sound and appropriate business operation of an Insurance Company in requesting the Insurance Company to submit reports or materials pursuant to the provisions of Article 128, paragraph (1), he/she may request an Insurance Company's Major Shareholders who are the holders of a number of voting rights in the relevant Insurance Company equal to or exceeding the Major Shareholder Threshold, to submit reports or materials that could be helpful concerning the status of the business or property of that Insurance Company, indicating the reasons therefor.

（保険主要株主に対する立入検査）

(On-site Inspection of an Insurance Company's Major Shareholders)

第二百七十一条の十三　内閣総理大臣は、保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため、第百二十九条第一項の規定による保険会社に対する立入り、質問又は検査を行う場合において、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、当該職員に当該保険会社の主要株主基準値以上の数の議決権の保有者である保険主要株主の事務所その他の施設に立ち入らせ、当該保険会社若しくは当該保険主要株主の業務若しくは財産の状況に関し質問させ、又は当該保険主要株主の帳簿書類その他の物件を検査させることができる。

Article 271-13 (1) If and to the extent that the Prime Minister finds it particularly necessary for protecting Policyholders, etc. and for ensuring the sound and appropriate business operation of an Insurance Company in carrying out the entry, questioning, or inspection of the Insurance Company under the provisions of Article 129, paragraph (1), he/she may have an official to enter an office or any other facility of an Insurance Company's Major Shareholder that holds a number of voting rights in the relevant Insurance Company equal to or exceeding the Major Shareholder Threshold, ask questions concerning the status of the business or property of the Insurance Company or the Insurance Company's Major Shareholder, or inspect books and documents and other items of the Insurance Company's Major Shareholder.

２　前項の規定による立入り、質問又は検査をする職員は、その立入り、質問又は検査の相手方にその理由を示さなければならない。

(2) The official that carries out the entry, questioning, or inspection pursuant to the provisions of the preceding paragraph shall indicate the reason for the entry, questioning, or inspection to the other party.

（保険主要株主に対する措置命令）

(Order for an Insurance Company's Major Shareholder to Take Measures)

第二百七十一条の十四　内閣総理大臣は、保険主要株主が第二百七十一条の十一各号に掲げる基準（当該保険主要株主に係る第二百七十一条の十第一項又は第二項ただし書の認可に第三百十条第一項の規定に基づく条件が付されている場合にあっては、当該条件を含む。）に適合しなくなったときは、当該保険主要株主に対し、措置を講ずべき期限を示して、当該基準に適合させるために必要な措置をとるべき旨の命令をすることができる。

Article 271-14 The Prime Minister may, when an Insurance Company's Major Shareholder no longer conforms to the standards listed in the items of Article 271-11 (in the case where conditions are imposed on the authorization set forth in Article 271, paragraph (1) or the proviso to Article 271, paragraph (2) pertaining to that Insurance Company's Major Shareholder, based on the provisions of Article 310, paragraph (1), such standards shall include those conditions), order that Insurance Company's Major Shareholder to take necessary measures for conforming to the standards by designating the time limit for taking the measures.

（保険主要株主に対する改善計画の提出の要求等）

(Request, etc. for an Insurance Company's Major Shareholder to Submit an Improvement Plan)

第二百七十一条の十五　内閣総理大臣は、保険主要株主（保険会社の総株主の議決権の百分の五十を超える議決権の保有者に限る。以下この条において同じ。）の業務又は財産の状況（保険主要株主が会社その他の法人である場合にあっては、当該保険主要株主の子会社その他の当該保険主要株主と内閣府令で定める特殊の関係のある会社の財産の状況を含む。）に照らして、当該保険会社の業務の健全かつ適切な運営を確保し、保険契約者等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、当該保険主要株主に対し、措置を講ずべき事項及び期限を示して、当該保険会社の経営の健全性を確保するための改善計画の提出を求め、若しくは提出された改善計画の変更を命じ、又はその必要の限度において監督上必要な措置を命ずることができる。

Article 271-15 (1) If and to the extent that the Prime Minister finds it particularly necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of an Insurance Company in light of the status of business or property (in the case that the Insurance Company's Major Shareholder is a company or any other juridical person, this includes the status of property of Subsidiaries of the Insurance Company's Major Shareholder or any other companies to which it is specially related as specified by Cabinet Office Ordinance to the Insurance Company's Major Shareholder) of the Insurance Company's Major Shareholder (limited to a person who holds voting rights exceeding 50 percent of all shareholders' voting rights in the Insurance Company; hereinafter the same shall apply in this Article), the Prime Minister may request the Insurance Company's Major Shareholder to submit an improvement plan for ensuring soundness in the business operation of the Insurance Company or order amendment of the submitted improvement plan by designating the particulars with regard to which measures must be taken and the time limit therefor, or may, to the extent necessary for achieving this, order measures necessary for supervision.

２　内閣総理大臣は、保険主要株主に対し前項の規定による命令をした場合において、当該命令に係る措置の実施の状況に照らして必要があると認めるときは、当該保険主要株主がその総株主の議決権の百分の五十を超える議決権の保有者である保険会社に対し、その業務の健全かつ適切な運営を確保するために必要な措置を命ずることができる。

(2) Where the Prime Minister has issued an Insurance Company's Major Shareholder an order under the preceding paragraph, if he/she finds it necessary in light of the state of implementation of the measures under that order, he/she may order the Insurance Company in which the Insurance Company's Major Shareholder holds voting rights exceeding 50 percent of all shareholders' voting rights to take measures necessary for ensuring the sound and appropriate business operation of the Insurance Company.

（保険主要株主に係る認可の取消し等）

(Rescission, etc. of the Authorization Granted to an Insurance Company's Major Shareholder)

第二百七十一条の十六　内閣総理大臣は、保険主要株主が法令若しくは法令に基づく内閣総理大臣の処分に違反したとき又は公益を害する行為をしたときは、当該保険主要株主に対し監督上必要な措置を命じ、又は当該保険主要株主の第二百七十一条の十第一項若しくは第二項ただし書の認可を取り消すことができる。この場合において、同条第一項の認可のうち設立に係るものは、当該認可を受けて設立された会社その他の法人である保険主要株主に対して与えられているものとみなす。

Article 271-16 (1) The Prime Minister may, when an Insurance Company's Major Shareholder has violated any laws and regulations or a disposition given by the Prime Minister based on any laws and regulations or has engaged in conduct that harms the public interest, order the Insurance Company's Major Shareholder to take necessary measures for the purpose of supervision, or rescind the authorization set forth in Article 271-10, paragraph (1) or the proviso to Article 271-10, paragraph (2) for the Insurance Company's Major Shareholder. In this case, the authorization set forth in paragraph (1) of that Article that pertains to establishment shall be deemed to be granted to the company or other juridical person that has been established under the authorization which constitutes the relevant Insurance Company's Major Shareholder.

２　保険主要株主は、前項の規定により第二百七十一条の十第一項又は第二項ただし書の認可を取り消されたときは、内閣総理大臣が指定する期間内に保険会社の主要株主基準値以上の数の議決権の保有者でなくなるよう、所要の措置を講じなければならない。

(2) An Insurance Company's Major Shareholder shall, when authorization set forth in Article 271-10, paragraph (1) or the proviso to Article 271-10, paragraph (2) has been rescinded pursuant to the provisions of the preceding paragraph, take necessary measures for ceasing to be the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold within a period designated by the Prime Minister.

第三款　雑則

Subsection 3 Miscellaneous Provision

（外国保険主要株主に対する法律の適用関係）

(Application of this Act to an Insurance Company's Major Foreign Shareholders)

第二百七十一条の十七　保険会社の主要株主基準値以上の数の議決権の保有者であって外国人又は外国法人であるもの（以下この条において「外国保険主要株主」という。）に対しこの法律を適用する場合における特例及び技術的読替えその他外国保険主要株主に対するこの法律の規定の適用に関し必要な事項は、政令で定める。

Article 271-17 Any special provisions and technical replacement of terms for applying this Act to a foreign national or a foreign juridical person that is the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold (hereinafter referred to as an "Insurance Company's Major Foreign Shareholder" in this Article) and any other necessary particulars for the application of the provisions of this Act to an Insurance Company's Major Foreign Shareholders shall be specified by Cabinet Order.

第三節　保険持株会社に係る特例

Section 3 Special Provisions Pertaining to Insurance Holding Company

第一款　通則

Subsection 1 General Rules

（保険持株会社に係る認可等）

(Authorization to be Obtained by Insurance Holding Company, etc.)

第二百七十一条の十八　次に掲げる取引若しくは行為により保険会社を子会社とする持株会社になろうとする会社又は保険会社を子会社とする持株会社の設立をしようとする者は、あらかじめ、内閣総理大臣の認可を受けなければならない。

Article 271-18 (1) A company which seeks to become a Holding Company whose Subsidiaries include an Insurance Company, or a person who seeks to establish such a Holding Company through any of the following transactions or actions must obtain authorization from the Prime Minister in advance:

一　当該会社又はその子会社による保険会社の議決権の取得（担保権の実行による株式の取得その他の内閣府令で定める事由によるものを除く。）

(i) Acquisition of Voting Rights in the Insurance Company by the company or its Subsidiary (excluding acquisition of shares through exercise of security rights or acquisition of voting rights by any other cause specified by Cabinet Office Ordinance);

二　当該会社の子会社による第三条第一項の免許の取得

(ii) Acquisition of the license set forth in Article 3, paragraph (1) by its Subsidiary; or

三　その他政令で定める取引又は行為

(iii) Any other transaction or action specified by Cabinet Order.

２　前項各号に掲げる取引又は行為以外の事由により保険会社を子会社とする持株会社になった会社（以下「特定持株会社」という。）は、当該事由の生じた日の属する事業年度終了後三月以内に、当該会社が保険会社を子会社とする持株会社になった旨その他の内閣府令でめる事項を内閣総理大臣に届け出なければならない。

(2) When a company becomes a Holding Company whose Subsidiaries include an Insurance Company through a cause other than the transactions or actions listed in the items of the preceding paragraph (hereinafter referred to as "Specified Holding Company") it shall notify the Prime Minister of the fact that it has become a Holding Company whose Subsidiaries include an Insurance Company and of other particulars specified by Cabinet Office Ordinance, within three months after the end of the relevant Business Year including the day on which said cause arose.

３　特定持株会社は、前項の事由の生じた日の属する事業年度の終了の日から一年を経過する日（以下この項及び第五項において「猶予期限日」という。）までに保険会社を子会社とする持株会社でなくなるよう、所要の措置を講じなければならない。ただし、当該特定持株会社が、猶予期限日後も引き続き保険会社を子会社とする持株会社であることについて内閣総理大臣の認可を受けた場合は、この限りでない。

(3) A Specified Holding Company shall take necessary measures to stop being a Holding Company whose Subsidiaries include an Insurance Company by the day on which one year has elapsed from the end of the Business Year that contains the day on which the cause referred to in the preceding paragraph arose (hereinafter referred to as the "Last Day of the Grace Period" in this paragraph and paragraph (5)); provided, however, that this shall not apply to the cases where said Specified Holding Company has obtained authorization from the Prime Minister to continue being a Holding Company whose Subsidiaries include an Insurance Company even after the Last Day of the Grace Period.

４　特定持株会社は、前項の規定による措置により保険会社を子会社とする持株会社でなくなったときは、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。当該措置によることなく保険会社を子会社とする持株会社でなくなったときも、同様とする。

(4) If a Specified Holding Company has ceased to be a Holding Company whose Subsidiaries include an Insurance Company due to the measures required under the preceding paragraph, it shall notify the Prime Minister of this without delay. The same applies if a Specified Holding Company has ceased to be a Holding Company whose Subsidiaries include an Insurance Company without such measures.

５　内閣総理大臣は、第一項の認可を受けずに同項各号に掲げる取引若しくは行為により保険会社を子会社とする持株会社になった会社若しくは保険会社を子会社とする持株会社として設立された会社又は第三項ただし書の認可を受けることなく猶予期限日後も保険会社を子会社とする持株会社である会社に対し、保険会社を子会社とする持株会社でなくなるよう、所要の措置を講ずることを命ずることができる。

(5) The Prime Minister may order a company that has become a Holding Company whose Subsidiaries include an Insurance Company or a person who established such a Holding Company due to any of the transactions or actions listed in the items of paragraph (1) without obtaining the authorization set forth in that paragraph, or a company that continues to be a Holding Company whose Subsidiaries include an Insurance Company even after the Last Day of the Grace Period without obtaining the authorization set forth in the proviso to paragraph (3), to take necessary measures to stop being a Holding Company whose Subsidiaries include an Insurance Company.

第二百七十一条の十九　内閣総理大臣は、前条第一項又は第三項ただし書の認可の申請があったときは、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 271-19 (1) Whenever an application has been filed for the authorization set forth in paragraph (1) or the proviso to paragraph (3) of the preceding Article, the Prime Minister shall examine whether it conforms to the following standards:

一　当該認可の申請をした会社又は当該認可を受けて設立される会社（以下この条において「申請者等」という。）及びその子会社（子会社となる会社を含む。第三号において同じ。）の収支の見込みが良好であること。

(i) The company that has filed the application for authorization or which is to be established under the authorization (hereinafter referred to as the "Applicant, etc." in this Article) and its Subsidiaries (including companies scheduled to become its Subsidiaries; hereinafter the same shall apply in the following item) have good prospects for income and expenditure of the business;

二　申請者等が、その人的構成等に照らして、その子会社であり、又はその子会社となる保険会社の経営管理を的確かつ公正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者であること。

(ii) In light of such particulars as its personnel structure, etc., the Applicant, etc. has the knowledge and experience that will enable the Applicant, etc. to perform the business management of an Insurance Company that is or is scheduled to become its Subsidiary appropriately and fairly and must have sufficient social credibility.

三　申請者等の子会社の業務の内容が第二百七十一条の二十二第三項各号のいずれにも該当しないものであること。

(iii) The business content of the Subsidiary of the Applicant, etc. does not fall under Article 271-22, paragraph (3), item (i) or (ii).

２　保険持株会社（外国の法令に準拠して設立されたものを除く。）は、株式会社であって次に掲げる機関を置くものでなければならない。

(2) An Insurance Holding Company (excluding one established in accordance with the laws and regulations of the foreign state) shall be a stock company shall have the following organs:

一　取締役会

(i) Board of directors;

二　監査役会又は委員会

(ii) Board of company auditors or committees; and

三　会計監査人

(iii) Accounting auditors.

（保険持株会社の取締役等の適格性等）

(Qualification, etc. for Directors, etc. of Insurance Holding Company)

第二百七十一条の十九の二　破産手続開始の決定を受けて復権を得ない者又は外国の法令上これと同様に取り扱われている者は、保険持株会社の取締役、執行役又は監査役となることができない。

Article 271-19-2 (1) A person who has become subject to the decision under the commencement of bankruptcy proceedings and has not had restored his/her rights, or a person who is treated the same as such a person under the laws and regulations of a foreign state, may not be appointed as a director, executive officer or auditor of an Insurance Holding Company.

２　会社法第三百三十一条第二項ただし書（取締役の資格等）（同法第三百三十五条第一項（監査役の資格等）において準用する場合を含む。）、第三百三十二条第二項（取締役の任期）（同法第三百三十四条第一項（会計参与の任期）において準用する場合を含む。）、第三百三十六条第二項（監査役の任期）及び第四百二条第五項ただし書（執行役の選任等）の規定は、保険持株会社については、適用しない。

(2) The following provisions of the Companies Act shall not apply to an Insurance Holding Company: the proviso to Article 331, paragraph (2) (Qualifications of Directors) (including the cases where it is applied mutatis mutandis pursuant to Article 335, paragraph (1) (Qualifications of Company Auditors) of that Act), Article 332, paragraph (2) (Directors' Terms of Office) (including the cases where it is applied mutatis mutandis pursuant to Article 334, paragraph (1) (Accounting Advisors' Terms of Office) of that Act), Article 336, paragraph (2) (Company Auditors' Terms of Office) and the proviso to Article 402, paragraph (5) (Election of Executive Officers).

３　保険持株会社は、持分会社の無限責任社員又は業務を執行する社員となることができない。

(3) An Insurance Holding Company may not become an unlimited partner or a partner who executes the business of a membership company.

（保険主要株主に係る規定の準用）

(Mutatis Mutandis Application of Provisions on an Insurance Company's Major Shareholders)

第二百七十一条の二十　第二百七十一条の十七の規定は、保険会社を子会社とする持株会社であって外国の法令に準拠して設立されたものについて準用する。

Article 271-20 The provisions of Article 271-17 shall apply mutatis mutandis to a Holding Company whose Subsidiaries include an Insurance Company which was established in accordance with the laws and regulations of a foreign state.

第二款　業務及び子会社

Subsection 2 Business and Subsidiary Companies

（保険持株会社の業務範囲等）

(Scope of Business of an Insurance Holding Company, etc.)

第二百七十一条の二十一　保険持株会社は、その子会社である保険会社及び第二百七十一条の二十二第一項第二号の二から第十四号までに掲げる会社並びにこれらの会社以外の会社で同項又は同条第四項ただし書の規定による内閣総理大臣の承認を受けて子会社とした会社の経営管理を行うこと並びにこれに附帯する業務のほか、他の業務を営むことができない。

Article 271-21 (1) An Insurance Holding Company may not conduct business other than managing the operations of its Insurance Company Subsidiaries the operations of the companies listed in Article 271-22, paragraph (1), items (ii)-2 to (xiv) inclusive, and the operations of any other company that has become its Subsidiary with the approval of the Prime Minister under Article 271-22, paragraph (1) or the proviso to Article 271-22, paragraph (4), or any other business incidental thereto.

２　保険持株会社は、その業務を営むに当たっては、その子会社である保険会社の業務の健全かつ適切な運営の確保に努めなければならない。

(2) An Insurance Holding Company shall endeavor to ensure the sound and appropriate business operation of its Insurance Company Subsidiaries.

（顧客の利益の保護のための体制整備）

(Establishment of a System for the Protection of Customers' Interests)

第二百七十一条の二十一の二　保険持株会社は、その子会社である保険会社又は当該保険持株会社の親金融機関等若しくは子金融機関等が行う取引に伴い、当該保険持株会社の子会社である保険会社又は当該保険持株会社の子金融機関等が行う業務（保険業その他の内閣府令で定める業務に限る。）に係る顧客の利益が不当に害されることのないよう、内閣府令で定めるところにより、当該業務に関する情報を適正に管理し、かつ、当該業務の実施状況を適切に監視するための体制の整備その他必要な措置を講じなければならない。

Article 271-21-2 (1) When an Insurance Company that is the Subsidiary of a Insurance Holding Company, or the Parent Financial Institution, etc. or Subsidiary Financial Institution, etc. of a Insurance Holding Company conducts a transaction, such Insurance Holding Company shall, pursuant to the provisions of Cabinet Office Ordinance, properly manage the information on business conducted by its Insurance Company Subsidiaries or by its Subsidiary Financial Institutions, etc. (limited to the Insurance Business and any other business specified by Cabinet Office Ordinance) and establish a system for properly supervising the status of implementation of said business or taking any other measures necessary so that the interests of the customer of said business will not be unjustly impaired.

２　前項の「親金融機関等」とは、保険持株会社の総株主の議決権の過半数を保有している者その他の当該保険持株会社と密接な関係を有する者として政令で定める者のうち、保険会社、銀行、金融商品取引業者その他政令で定める金融業を行う者をいう。

(2) The term "Parent Financial Institution, etc." as used in the preceding paragraph means the person who holds the majority of all shareholders' voting rights in an Insurance Holding Company, and any other person that is specified by Cabinet Order as being closely related to said Insurance Holding Company and which is an Insurance Company, Bank, Financial Instruments Transaction Business Operator, or any other person conducting financial business that is specified by Cabinet Order.

３　第一項の「子金融機関等」とは、保険持株会社が総株主等の議決権の過半数を保有している者その他の当該保険持株会社と密接な関係を有する者として政令で定める者のうち、保険会社（当該保険持株会社の子会社である保険会社を除く。）、銀行、金融商品取引業者その他政令で定める金融業を行う者をいう。

(3) The term "Subsidiary Financial Institution, etc." as used in paragraph (1) means a person in which an Insurance Holding Company holds the majority of All Shareholders' Voting Rights, etc., and any other person specified by Cabinet Order as being closely related to said Insurance Holding Company and which is an Insurance Company (excluding said Insurance Holding Company's Insurance Company Subsidiaries), Bank, Financial Instruments Transaction Business Operator, or any other person conducting financial business that is specified by Cabinet Order.

（保険持株会社の子会社の範囲等）

(Scope of Subsidiaries of an Insurance Holding Company, etc.)

第二百七十一条の二十二　保険持株会社は、次に掲げる会社以外の会社を子会社としようとするときは、あらかじめ、内閣総理大臣の承認を受けなければならない。

Article 271-22 (1) An Insurance Holding Company must receive the advance approval of the Prime Minister if it seeks to make any company other than the following its Subsidiary:

一　生命保険会社

(i) a Life Insurance Company;

二　損害保険会社

(ii) a Non-Life Insurance Company;

二の二　少額短期保険業者

(ii)-2 Low-Cost, Short-Term Insurer;

三　銀行

(iii) a bank;

四　長期信用銀行

(iv) a Long Term Credit Bank;

四の二　資金移動専門会社

(iv)-2 a Company Specialized in Fund Transfers;

五　証券専門会社

(v) a Company Specializing in Securities;

六　証券仲介専門会社

(vi) a Company Specializing in Securities Intermediation;

七　信託専門会社

(vii) a Company Specializing in Trusts;

八　保険業を行う外国の会社

(viii) a foreign company that conducts Insurance Business;

九　銀行業を営む外国の会社（前号に掲げる会社に該当するものを除く。）

(ix) Foreign companies which operate in the Banking business (other than a company falling under the preceding item);

十　有価証券関連業を行う外国の会社（前二号に掲げる会社に該当するものを除く。）

(x) a foreign company that conducts any Securities Services (other than a company falling under either of the preceding two items);

十一　信託業を営む外国の会社（前三号に掲げる会社に該当するものを除く。）

(xi) Foreign companies which operate in the Trust Business (other than a company falling under any of the preceding three items);

十二　次に掲げる業務を専ら営む会社（イに掲げる業務を営む会社にあっては、主として当該保険持株会社、その子会社（第一号、第二号及び第八号に掲げる者に限る。第五項において同じ。）その他これらに類する者として内閣府令で定めるものの行う業務のためにその業務を営んでいる会社に限る。）

(xii) Companies which exclusively conduct the following business (limited, in case of those conducting business specified in (a) below, to companies that conduct such business mainly for business being conducted by the relevant Insurance Holding Company, its Subsidiaries (limited to persons that fall under any of the categories in items (i), (ii) and (viii); the same shall apply in paragraph (5)) or other entities specified by Cabinet Office Ordinance as being similar thereto):

イ　保険会社又は第二号の二から前号までに掲げる会社の行う業務に従属する業務として内閣府令で定めるもの（第五項において「従属業務」という。）

(a) Business specified by Cabinet Office Ordinance as being dependent on the business of an Insurance Company or any of the companies listed in item (ii)-2 to the preceding item inclusive (referred to as "Dependent Services" in paragraph (5)); or

ロ　第百六条第二項第二号に掲げる金融関連業務

(b) Finance-Related Services listed in Article 106, paragraph (2), item (ii);

十三　新たな事業分野を開拓する会社又は経営の向上に相当程度寄与すると認められる新たな事業活動を行う会社として内閣府令で定める会社（当該会社の総株主等の議決権に内閣府令で定める割合を乗じて得た数を超える議決権を、前号に掲げる会社で内閣府令で定めるものが保有しているものに限る。）

(xiii) Companies specified by Cabinet Office Ordinance as those exploring new business fields or conducting new business activities found to contribute considerably to the improvement of management (limited to a company in which a person specified by Cabinet Office Ordinance provided for in the preceding item holds voting rights exceeding the number calculated by multiplying All Shareholders' Voting Rights, etc. in the company by the rate specified by Cabinet Office Ordinance); or

十四　前各号に掲げる会社のみを子会社とする持株会社で内閣府令で定めるもの（当該持株会社になることを予定している会社を含む。）

(xiv) a Holding Company whose only Subsidiaries are companies listed in the preceding items and to be specified by Cabinet Office Ordinance (including a company that is scheduled to become such Holding Company).

２　前項の承認を受けようとする保険持株会社は、当該承認の申請に係る会社の業務の内容、資本金の額、人的構成その他の内閣府令で定める事項を記載した申請書を内閣総理大臣に提出しなければならない。

(2) An Insurance Holding Company that seeks to receive the approval set forth in the preceding paragraph shall submit to the Prime Minister a written application detailing the business content, amount of capital and human resource structure of the company covered by the application for approval, as well as other particulars specified by Cabinet Office Ordinance.

３　内閣総理大臣は、第一項の承認の申請があったときは、当該申請に係る会社が行い、又は行おうとする業務の内容が、次の各号のいずれかに該当する場合を除き、その承認をしなければならない。

(3) Whenever an application has been filed for the approval set forth in paragraph (1), unless the content of the business that the company to which the application pertains conducts or seeks to conduct falls under any of the following cases, the Prime Minister shall give such approval:

一　当該業務の内容が、次のイ又はロに該当することから、当該申請をした保険持株会社の子会社である保険会社の社会的信用を失墜させるおそれがあること。

(i) it poses the risk of undermining the social credibility of the Insurance Company Subsidiaries of the Insurance Holding Company that filled the application because it falls under either (a) or (b), below:

イ　当該業務の内容が、公の秩序又は善良の風俗を害するおそれがあること。

(a) it may harm the public policy and good morals; or

ロ　当該業務の内容が、国民生活の安定又は国民経済の健全な発展を妨げるおそれがあること。

(b) it may preclude the stable lives of the citizenry or sound development of the national economy; or

二　当該業務の内容が、当該申請に係る会社の資本金の額、人的構成等に照らして、当該申請に係る会社の経営の健全性を損なう危険性が大きく、かつ、その経営の健全性が損なわれた場合には、当該申請をした保険持株会社の子会社である保険会社の経営の健全性が損なわれることとなるおそれがあること。

(ii) it is likely to damage the soundness of management of the company covered by the application in light of the amount of capital, human resource structure, etc. of the company, and any such damage to its managerial soundness in turn poses the risk of damaging the soundness of management of the Insurance Company Subsidiaries of the Insurance Holding Company that filled the application .

４　第一項の規定は、同項各号に掲げる会社以外の会社が、保険持株会社又はその子会社の担保権の実行による株式又は持分の取得その他の内閣府令で定める事由により当該保険持株会社の子会社となる場合には、適用しない。ただし、当該保険持株会社は、その子会社となった当該会社を引き続き子会社とすることについて内閣総理大臣の承認を受けた場合を除き、当該会社が当該事由の生じた日から一年を経過する日までに子会社でなくなるよう、所要の措置を講じなければならない。

(4) The provisions of paragraph (1) shall not apply where a company other than those listed in the items of the same paragraph becomes a Subsidiary Company of the Insurance Holding Company as a result of the acquisition of shares or equity interests through the exercise of a security rights by the Insurance Holding Company or any of its Subsidiary Companies, or any other justifiable event to be specified by Cabinet Office Ordinance; provided, however, that the Insurance Holding Company shall, unless the Prime Minister approves that such company continue to be its Subsidiary Company, take necessary measures for ensuring that the company will cease to be its Subsidiary Company within one year from the date of such event.

５　第一項第十二号の場合において、会社が主として保険持株会社、その子会社その他これらに類する者として内閣府令で定めるものの行う業務のために従属業務を営んでいるかどうかの基準は、内閣総理大臣が定める。

(5) In the case referred to in paragraph (1), item (xii), the Prime Minister shall set the standards for to determining whether a company primarily performs Dependent Services for business conducted by the Insurance Holding Company, its Subsidiaries or any other similar company specified by Cabinet Office Ordinance.

６　保険持株会社が、銀行若しくは長期信用銀行を子会社とすることにより銀行持株会社（銀行法第二条第十三項（定義等）に規定する銀行持株会社をいう。以下この項及び第二百七十二条の三十九第六項において同じ。）若しくは長期信用銀行持株会社（長期信用銀行法第十六条の四第一項（子会社の範囲等）に規定する長期信用銀行持株会社をいう。以下この項及び第二百七十二条の三十九第六項において同じ。）になろうとする場合又は銀行持株会社若しくは長期信用銀行持株会社である場合には、前各項の規定を適用せず、銀行法又は長期信用銀行法の相当規定の定めるところによる。

(6) The relevant provisions of the Banking Act or the Long Term Credit Bank Act shall apply in lieu of the provisions of the preceding paragraphs to any Insurance Holding Company that seeks to become a Bank Holding Company (meaning a Bank Holding Company as defined in Article 2, paragraph (13) (Definitions, etc.) of the Banking Act; the same shall apply hereafter in this paragraph as well as in Article 272-39, paragraph (6)) or a Long Term Credit Bank Holding Company (meaning a Long Term Credit Bank Holding Company as defined in Article 16-4, paragraph (1) (Scope of Subsidiary Companies, etc.) of the Long Term Credit Bank Act; the same shall apply hereafter in this paragraph as well as in Article 272-39, paragraph (6)) by making a bank or Long Term Credit Bank its Subsidiary, or that already is a Bank Holding Company or Long Term Credit Bank Holding Company.

第三款　経理

Subsection 3 Accounting

（保険持株会社の事業年度）

(Business Year of Insurance Holding Companies)

第二百七十一条の二十三　保険持株会社の事業年度は、四月一日から翌年三月三十一日までとする。

Article 271-23 The business year of an Insurance Holding Company shall run from 1 April to 31 March of the next year.

（保険持株会社に係る業務報告書等）

(Insurance Holding Companies' Business Reports, etc.)

第二百七十一条の二十四　保険持株会社は、事業年度ごとに、当該保険持株会社及びその子会社その他の当該保険持株会社と内閣府令で定める特殊の関係のある会社（以下この款及び次款において「子会社等」という。）の業務及び財産の状況を連結して記載した中間業務報告書及び業務報告書を作成し、内閣総理大臣に提出しなければならない。

Article 271-24 (1) An Insurance Holding Company shall, for each business year, prepare for submission to the Prime Minister an interim business report and business report describing in a consolidated manner the status of business or property of the Insurance Holding Company, and its Subsidiaries and any other company to which it is specially related as specified by Cabinet Office Ordinance (referred to as "Subsidiary Companies, etc." hereafter in this Subsection as well as in the following Subsection)

２　中間業務報告書及び業務報告書の記載事項、提出期日その他中間業務報告書及び業務報告書に関し必要な事項は、内閣府令で定める。

(2) The particulars for inclusion in the interim business report and business report, submission dates, and other necessary particulars of those reports shall be specified by Cabinet Office Ordinance.

（保険持株会社に係る業務及び財産の状況に関する説明書類の縦覧等）

(Public Inspection, etc. of Explanatory Documents on the Status of Business and Property Pertaining to Insurance Holding Company)

第二百七十一条の二十五　保険持株会社は、事業年度ごとに、当該保険持株会社及びその子会社等の業務及び財産の状況に関する事項として内閣府令で定めるものを当該保険持株会社及び当該子会社等につき連結して記載した説明書類を作成し、当該保険持株会社の子会社である保険会社の本店及び支店その他これに準ずる場所として内閣府令で定める場所に備え置き、公衆の縦覧に供しなければならない。

Article 271-25 (1) An Insurance Holding Company shall, for each business year, prepare explanatory documents describing, with regard to the Insurance Holding Company and its Subsidiary Companies, etc., the particulars specified by Cabinet Office Ordinance as pertaining to the status of the business and property of the Insurance Holding Company and its Subsidiary Companies, etc. in a consolidated manner, and keep them for public inspection in the head office and branch offices of its Insurance Company Subsidiaries or any other equivalent place specified by Cabinet Office Ordinance.

２　前項の説明書類は、電磁的記録をもって作成することができる。

(2) The explanatory documents set forth in the preceding paragraph may be prepared in the form of electromagnetic record.

３　第一項の説明書類が電磁的記録をもって作成されているときは、保険持株会社の子会社である保険会社の本店及び支店その他これに準ずる場所として内閣府令で定める場所において、当該電磁的記録に記録された情報を電磁的方法により不特定多数の者が提供を受けることができる状態に置く措置として内閣府令で定めるものをとることができる。この場合においては、同項の説明書類を同項の規定により備え置き、公衆の縦覧に供したものとみなす。

(3) Where the explanatory documents set forth in paragraph (1) are prepared in the form of electromagnetic record, the Insurance Holding Company may take the measures to be specified by Cabinet Office Ordinance as measures to ensure that the information recorded in the electromagnetic records is available to many and unspecified persons by electromagnetic means at the head office and branch offices of its Insurance Company Subsidiaries or any other equivalent place to be specified by Cabinet Office Ordinance. In this case, the explanatory documents set forth in that paragraph shall be deemed to be kept for public inspection pursuant to the provisions of that paragraph.

４　前三項に定めるもののほか、第一項の説明書類を公衆の縦覧に供する期間その他これらの規定の適用に関し必要な事項は、内閣府令で定める。

(4) In addition to what is provided in the preceding three paragraphs, the period for making the documents set forth in paragraph (1) available for public inspection and any other necessary particulars involved in the application of these provisions of preceding paragraphs shall be specified by Cabinet Office Ordinance.

５　保険持株会社は、第一項に規定する事項のほか、当該保険持株会社の子会社である保険会社の保険契約者その他の顧客が当該保険持株会社及びその子会社等の業務及び財産の状況を知るために参考となるべき事項の開示に努めなければならない。

(5) An Insurance Holding Company shall endeavor to disclose, in addition to what is set forth in paragraph (1), any particular that would be helpful for the Policyholders and other customers of its Insurance Company Subsidiaries to know the status of the business and property of the Insurance Holding Company and its Subsidiary Companies, etc.

（保険持株会社の事業報告等の記載事項）

(Particulars for Inclusion in the Business Reports, etc. of an Insurance Holding Company)

第二百七十一条の二十六　保険持株会社が会社法第四百三十五条第二項（計算書類等の作成）の規定により作成する保険持株会社の事業報告及び附属明細書の記載事項は、内閣府令で定める。

Article 271-26 The particulars for inclusion in the business report and supplementary schedules prepared by an Insurance Holding Company pursuant to the provisions of Article 435, paragraph (2) (Preparation and Retention of Financial Statements, etc.) of the Companies Act, are specified by Cabinet Office Ordinance.

第四款　監督

Subsection 4 Supervision

（保険持株会社等による報告又は資料の提出）

(Submission of Reports or Materials by Insurance Holding Company, etc.)

第二百七十一条の二十七　内閣総理大臣は、保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため、第百二十八条第一項の規定により保険会社に対し報告又は資料の提出を求める場合において、特に必要があると認めるときは、当該保険会社を子会社とする保険持株会社、当該保険持株会社の子法人等（子会社その他当該保険持株会社がその経営を支配している法人として内閣府令で定めるものをいう。次項並びに次条第二項及び第四項において同じ。）又は当該保険持株会社から業務の委託を受けた者に対し、その理由を示した上で、当該保険会社の業務又は財産の状況に関し参考となるべき報告又は資料の提出を求めることができる。

Article 271-27 (1) In requesting an Insurance Company to submit a report or materials pursuant to the provisions of Article 128, paragraph (1), if the Prime Minister finds it particularly necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of the Insurance Company, he/she may request the Insurance Holding Company of which the Insurance Company is a Subsidiary, that Insurance Holding Company's Subsidiary, etc. (meaning a Subsidiary of the Insurance Holding Company or any other person to be specified by Cabinet Office Ordinance as a juridical person whose operations are controlled by the Insurance Holding Company; the same shall apply in the following paragraph, and paragraphs (2) and (4) of the following Article), or a person the Insurance Holding Company has entrusted with its business, to submit a report or materials that should serve as reference regarding the status of the business or property of the Insurance Company, indicating the reason therefor.

２　保険持株会社の子法人等又は当該保険持株会社から業務の委託を受けた者は、正当な理由があるときは、前項の規定による報告又は資料の提出を拒むことができる。

(2) An Insurance Holding Company's Subsidiary, etc. or a person that an Insurance Holding Company has entrusted with its business may refuse to submit reports or materials under the preceding paragraph if there are justifiable grounds for it to do so.

（保険持株会社等に対する立入検査）

(On-Site Inspection of Insurance Holding Company, etc.)

第二百七十一条の二十八　内閣総理大臣は、保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため、第百二十九条第一項の規定による保険会社に対する立入り、質問又は検査を行う場合において、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、当該職員に当該保険会社を子会社とする保険持株会社の事務所その他の施設に立ち入らせ、当該保険会社若しくは当該保険持株会社の業務若しくは財産の状況に関し質問させ、又は当該保険持株会社の帳簿書類その他の物件を検査させることができる。

Article 271-28 (1) If and to the extent that the Prime Minister finds it particularly necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of the Insurance Company in making an entry, asking questions, or conducting inspection in an Insurance Company pursuant to the provisions of Article 129, paragraph (1), he/she may have his/her officials enter an office or any other facility of the Insurance Holding Company of which the Insurance Company is a Subsidiary to ask questions on the status of the business or property of the Insurance Company or Insurance Holding Company, or inspect the books and documents and other materials of the Insurance Holding Company.

２　内閣総理大臣は、保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため、第百二十九条第一項の規定による保険会社に対する立入り、質問又は検査を行う場合において、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、当該職員に当該保険会社を子会社とする保険持株会社の子法人等若しくは当該保険持株会社から業務の委託を受けた者の営業所その他の施設に立ち入らせ、当該保険会社に対する質問若しくは検査に必要な事項に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

(2) If and to the extent that the Prime Minister finds it particularly necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of the Insurance Company in making an entry, asking questions, or conducting inspection in an Insurance Company pursuant to the provisions of Article 129, paragraph (1), he/she, may have his/her officials enter the business office or any other facility of an Insurance Holding Company's Subsidiary, etc. of which the Insurance Company is a Subsidiary or the business office or any other facility of a person the Insurance Holding Company has entrusted with its business, have such officials question the Insurance Company or ask questions about any particulars that are necessary for their inspection, or have such officials inspect books and documents and other materials.

３　前二項の規定による立入り、質問又は検査をする職員は、その立入り、質問又は検査の相手方にその理由を示さなければならない。

(3) The personnel who make an entry, ask questions or conduct inspection under the preceding two paragraphs shall indicate to the other party the reason for such entry, questioning or inspection.

４　前条第二項の規定は、第二項の規定による保険持株会社の子法人等又は当該保険持株会社から業務の委託を受けた者に対する質問及び検査について準用する。

(4) The provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis to the questioning and inspection of an Insurance Holding Company's Subsidiary, etc. or of a person that an Insurance Holding Company has entrusted with its business under paragraph (2).

（保険持株会社に対する改善計画の提出の要求等）

(Request for Submission of Improvement Plan, etc. by Insurance Holding Company, etc.)

第二百七十一条の二十九　内閣総理大臣は、保険持株会社の業務又は保険持株会社及びその子会社等の財産の状況に照らして、当該保険持株会社の子会社である保険会社の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため必要があると認めるときは、当該保険持株会社に対し、措置を講ずべき事項及び期限を示して、当該保険会社の経営の健全性を確保するための改善計画の提出を求め、若しくは提出された改善計画の変更を命じ、又はその必要の限度において監督上必要な措置を命ずることができる。

Article 271-29 (1) If the Prime Minister finds it necessary for protecting the Policyholders, etc. and for ensuring the sound and proper business operation of an Insurance Holding Company's Insurance Company Subsidiaries, in light of the status of the business of said Insurance Holding Company or the property of the Insurance Holding Company and its Subsidiary Companies, etc., the Prime Minister may request the Insurance Holding Company to submit an improvement plan for ensuring soundness in the management of the relevant Insurance Companies by designating particulars with regard to which measures must be taken and the time limit thereof, or may order, to the extent necessary for achieving this, measures necessary for supervision.

２　内閣総理大臣は、保険持株会社に対し前項の規定による命令（改善計画の提出を求めることを含む。）をした場合において、当該命令に係る措置の実施の状況に照らして特に必要があると認めるときは、当該保険持株会社の子会社である保険会社に対し、その業務の健全かつ適切な運営を確保するために必要な措置を命ずることができる。

(2) In giving an order to an Insurance Holding Company under the preceding paragraph (including the request for submission of an improvement plan), if the Prime Minister finds it particularly necessary in light of conditions regarding the implementation of the ordered measures, he/she may order its Insurance Company Subsidiaries to take necessary measures for ensuring sound and appropriate business operation.

（保険持株会社に係る認可の取消し等）

(Rescission of Authorization Pertaining to Insurance Holding Company, etc.)

第二百七十一条の三十　内閣総理大臣は、保険持株会社が法令、定款若しくは法令に基づく内閣総理大臣の処分に違反したとき、又は公益を害する行為をしたときは、当該保険持株会社に対しその取締役、執行役、会計参与若しくは監査役の解任その他監督上必要な措置を命じ、若しくは当該保険持株会社の第二百七十一条の十八第一項若しくは第三項ただし書の認可を取り消し、又は当該保険持株会社の子会社である保険会社に対し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。この場合において、同条第一項の認可のうち設立に係るものは、当該認可を受けて設立された保険持株会社に対して与えられているものとみなす。

Article 271-30 (1) The Prime Minister may, when an Insurance Holding Company has violated a law or regulation, its articles of incorporation or any disposition of the Prime Minister pursuant to a law or regulation, or has engaged in any conduct that harms the public interest, order the Insurance Holding Company to dismiss its directors, executive officers, accounting advisors or company auditors or to take necessary measures for the purpose of supervision, rescind the authorization given to the Insurance Holding Company under Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3), or order its Insurance Company Subsidiaries to suspend its business in whole or in part. In this case, the authorization set forth in paragraph (1) of that Article that was granted for establishment of the Insurance Holding Company shall be deemed to be granted to the Insurance Holding Company established under the authorization.

２　保険持株会社は、前項の規定により第二百七十一条の十八第一項又は第三項ただし書の認可を取り消されたときは、内閣総理大臣が指定する期間内に保険会社を子会社とする持株会社でなくなるよう、所要の措置を講じなければならない。

(2) An Insurance Holding Company shall, when the authorization set forth in Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3) is rescinded pursuant to the provisions of the preceding paragraph, take necessary measures to ensure that it will stop being a Holding Company whose Subsidiaries include an Insurance Company within a period designated by the Prime Minister.

３　前項に規定する措置が講じられた場合において、当該措置を講じた会社がなお保険会社の主要株主基準値以上の数の議決権の保有者であるときは、当該措置を講じた日を第二百七十一条の十第二項に規定する事由の生じた日とみなして、同項の規定を適用する。

(3) When the measures prescribed in the preceding paragraph have been taken, the day on which such measures were taken shall be deemed to be the date of occurrence of the event set forth in Article 171-10, paragraph (2) for the purpose of applying the provisions of the preceding paragraph where the company that has taken such measures continues to be the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold.

４　内閣総理大臣は、保険会社を子会社とする持株会社が次の各号のいずれかに該当する場合において必要があると認めるときは、当該持株会社の子会社である保険会社に対し、その業務の全部又は一部の停止を命ずることができる。

(4) If a Holding Company whose Subsidiaries include an Insurance Company falls under any of the following items and the Prime Minister finds it to be necessary, the Prime Minister may order that Holding Company's Insurance Company Subsidiaries to suspend its business in whole or in part:

一　第二百七十一条の十八第一項の認可を受けずに同項各号に掲げる取引又は行為により保険会社を子会社とする持株会社になったもの

(i) it has become a Holding Company whose Subsidiaries include an Insurance Company due to any of the transactions or actions listed in the items of that paragraph without the authorization required in Article 271-18, paragraph (1);

二　第二百七十一条の十八第一項の認可を受けずに保険会社を子会社とする持株会社として設立されたもの

(ii) it was established as a Holding Company whose Subsidiaries include an Insurance Company without the authorization required in Article 271-18, paragraph (1);

三　第二百七十一条の十八第三項ただし書の認可を受けることなく同項の猶予期限日後も保険会社を子会社とする持株会社であるもの

(iii) it continues to be a Holding Company whose Subsidiaries include an Insurance Company even after the Last Day of the Grace Period set forth in Article 271-18, paragraph (3) without the authorization set forth in the proviso thereto; or

四　第一項の規定により第二百七十一条の十八第一項又は第三項ただし書の認可を取り消された持株会社であって、第二項の規定による措置を講ずることなく同項の内閣総理大臣が指定する期間後も保険会社を子会社とする持株会社であるもの

(iv) it has had the authorization under Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3) rescinded pursuant to the provisions of paragraph (1), and continues to be a Holding Company whose Subsidiaries include an Insurance Company after the end of the period designated by the Prime Minister under paragraph (2) without taking the measures set forth in that paragraph.

第五款　雑則

Subsection 5 Miscellaneous Provisions

（保険持株会社に係る合併、会社分割又は事業の譲渡若しくは譲受けの認可）

(Authorization of Merger, Company Split, or Transfer of Business Involving Insurance Holding Company)

第二百七十一条の三十一　保険持株会社を全部又は一部の当事者とする合併（当該合併前に保険持株会社であった一の会社が当該合併後も保険持株会社として存続するものに限る。）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 271-31 (1) Any Merger involving an Insurance Holding Company or Insurance Holding Companies (limited to a merger as a result of which a company that was an Insurance Holding Company before the merger survives as an Insurance Holding Company) shall not be effective without authorization of the Prime Minister.

２　保険持株会社を当事者とする会社分割（当該会社分割により事業を承継させた保険持株会社又は当該会社分割により事業を承継した保険持株会社が、その会社分割後も引き続き保険持株会社であるものに限る。）は、政令で定めるものを除き、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) No company split of which an Insurance Holding Company is party (limited to the case where the Insurance Holding Company which had its business succeeded by another party through the company split or the Insurance Holding Company which succeeded to another party's business through the company split continues to exist as a Insurance Holding Company even after the company split) shall be effective without authorization of the Prime Minister, except for the cases specified by Cabinet Order.

３　保険持株会社を当事者とする事業の全部又は一部の譲渡又は譲受け（当該事業の譲渡又は譲受けをした保険持株会社が、その譲渡又は譲受け後も引き続き保険持株会社であるものに限る。）は、政令で定めるものを除き、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。

(3) No transfer of business where an Insurance Holding Company transfers or receives the whole or part of its or any other party's business (limited to the case where the Insurance Holding Company which transferred or received transfer of its or any other party's business continues to exist as an Insurance Holding Company even after the transfer or the receipt) shall be effective without authorization of the Prime Minister, except for the cases specified by Cabinet Order.

４　第二百七十一条の十九第一項の規定は、前三項の認可の申請があった場合について準用する。

(4) The provisions of Article 271-19, paragraph (1) apply mutatis mutandis whenever an application has been filed for the authorization set forth in the preceding three paragraphs.

第四節　雑則

Section 4 Miscellaneous Provisions

（届出事項）

(Particulars Requiring Notice)

第二百七十一条の三十二　保険主要株主（保険主要株主であった者を含む。）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 271-32 (1) If an Insurance Company's Major Shareholder (including a person who used to be an Insurance Company's Major Shareholder) falls under any of the following items, it shall notify the Prime Minister of this pursuant to the provisions of Cabinet Office Ordinance:

一　第二百七十一条の十第一項の認可に係る保険主要株主になったとき又は当該認可に係る保険主要株主として設立されたとき。

(i) If it becomes the Insurance Company's Major Shareholder under the authorization set forth in Article 271-10, paragraph (1) or is formed as the Insurance Company's Major Shareholder subject to such authorization;

二　保険会社の総株主の議決権の百分の五十を超える議決権の保有者となったとき。

(ii) If it comes to hold voting rights exceeding 50 percent of all shareholders' voting rights in the Insurance Company;

三　保険会社の主要株主基準値以上の数の議決権の保有者でなくなったとき（第五号の場合を除く。）。

(iii) If it ceases to be the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold (excluding the case referred to in item (v));

四　保険会社の総株主の議決権の百分の五十を超える議決権の保有者でなくなったとき（前号及び次号の場合を除く。）。

(iv) If it ceases to hold voting rights exceeding 50 percent of all shareholders' voting rights in the Insurance Company (excluding the cases referred to in the preceding and following items);

五　解散したとき（設立、株式移転、合併（当該合併により保険会社の主要株主基準値以上の数の議決権の保有者となる会社その他の法人を設立する場合に限る。）又は新設分割を無効とする判決が確定したときを含む。）。

(v) If it dissolves (including when a judgment invalidating its formation, share transfer, merger (limited to a merger for forming a company or any other juridical person that becomes the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold) or incorporation-type split has become final and binding);

六　その総株主の議決権の百分の五十を超える議決権が一の株主により取得又は保有されることとなったとき。

(vi) If its voting rights are acquired or come to be held by a single shareholder, in excess of 50 percent of all shareholders' voting rights; or

七　その他内閣府令で定める場合に該当するとき。

(vii) If it falls under any other case specified by Cabinet Office Ordinance.

２　保険持株会社（保険持株会社であった会社を含む。）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。

(2) If an Insurance Holding Company (including a former Insurance Holding Company) falls under any of the following items, it shall notify the Prime Minister of this pursuant to the provisions of Cabinet Office Ordinance:

一　第二百七十一条の十八第一項の認可に係る保険持株会社になったとき、又は当該認可に係る保険持株会社として設立されたとき。

(i) If it becomes an Insurance Holding Company subject to the authorization set forth in Article 271-18, paragraph (1) or is established as an Insurance Holding Company subject to such authorization;

二　保険会社を子会社とする持株会社でなくなったとき（第五号の場合を除く。）。

(ii) If it stops being a Holding Company whose Subsidiaries include an Insurance Company (excluding the case referred to in item (v));

三　第二百七十一条の二十二第一項各号に掲げる会社を子会社としようとするとき（第二百七十一条の三十一第一項から第三項までの規定による認可を受けて合併、会社分割又は事業の譲受けをしようとする場合を除く。）。

(iii) If it seeks to make any of the companies listed in the items of Article 271-22, paragraph (1) (except when it seeks to merge, Split or acquire a business with the authorization set forth in Article 271-31, paragraph (1), (2) or (3)) its Subsidiary;

四　その子会社が子会社でなくなったとき（第二百七十一条の三十一第二項又は第三項の規定による認可を受けて会社分割又は事業の譲渡をした場合及び第二号の場合を除く。）。

(iv) If its Subsidiary ceases to be its Subsidiary (except when it splits or assigns a business with the authorization set forth in Article 271-31, paragraph (2) or (3), and the case referred to in item (ii));

五　解散したとき（設立、株式移転、合併（当該合併により保険会社を子会社とする持株会社を設立するものに限る。）又は新設分割を無効とする判決が確定したときを含む。）。

(v) If it dissolves (including when a judgment invalidating its incorporation, share transfer, merger (limited to a merger for incorporating a Holding Company whose Subsidiaries include an Insurance Company) or incorporation-type split has become final and binding);

六　資本金の額を変更しようとするとき。

(vi) If it seeks to modify the amount of capital;

七　その総株主の議決権の百分の五を超える議決権が一の株主により取得又は保有されることとなったとき。

(vii) If its voting rights are acquired or come to be held by a single shareholder, in excess of 5 percent of all shareholders' voting rights; or

八　その他内閣府令で定める場合に該当するとき。

(viii) If it falls under any other case specified by Cabinet Office Ordinance.

３　第二条第十五項の規定は、第一項第六号及び前項第七号に規定する一の株主が取得し、又は保有することとなった保険主要株主又は保険持株会社の議決権について準用する。

(3) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to voting rights in an Insurance Company's Major Shareholder or an Insurance Holding Company which were acquired or have come to be held by the single shareholder set forth in paragraph (1), item (vi) or the preceding paragraph, item (vii).

（認可の失効）

(Expiration of Authorization)

第二百七十一条の三十三　第二百七十一条の十第一項の認可について次の各号のいずれかに該当するとき、同条第二項ただし書の認可について第二号又は第三号に該当するときは、当該認可は、その効力を失う。

Article 271-33 (1) The authorization set forth in Article 271-10, paragraph (1) shall lose its effect when it falls under any of the following items; and the authorization set forth in the proviso to Article 271-10, paragraph (2) shall lose its effect when it falls under item (ii) or (iii):

一　当該認可があった日から六月以内に当該認可があった事項が実行されなかったとき（やむを得ない理由がある場合において、あらかじめ内閣総理大臣の承認があったときを除く。）。

(i) The particulars covered by the authorization were not implemented within six months from the date of such authorization (except when the Prime Minster had given approval thereto for any compelling reason);

二　当該認可に係る保険主要株主が保険会社の主要株主基準値以上の数の議決権の保有者でなくなったとき。

(ii) The Insurance Company's Major Shareholder subject to the authorization ceases to be the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold; or

三　当該認可に係る保険主要株主が当該認可に係る保険会社を子会社とすることについて第二百七十一条の十八第一項又は第三項ただし書の認可を受けたとき。

(iii) The Insurance Company's Major Shareholder subject to the authorization has received the authorization set forth in Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3) to make the Insurance Company subject to the authorization its Subsidiary.

２　第二百七十一条の十八第一項の認可について次の各号のいずれかに該当するとき、同条第三項ただし書の認可について第二号に該当するときは、当該認可は、その効力を失う。

(2) The authorization set forth in Article 271-18, paragraph (1) shall lose its effect when it falls under any of the following items; and the authorization set forth in the proviso to Article 271-18, paragraph (3) shall lose its effect when it falls under item (ii):

一　当該認可があった日から六月以内に当該認可があった事項が実行されなかったとき（やむを得ない理由がある場合において、あらかじめ内閣総理大臣の承認があったときを除く。）。

(i) The particulars covered by the authorization were not implemented within six months from the date of such authorization (except when the Prime Minster had given approval thereto for any compelling reason); or

二　当該認可に係る保険持株会社が保険会社を子会社とする持株会社でなくなったとき。

(ii) The Insurance Holding Company subject to the authorization is no longer a Holding Company whose Subsidiaries include an Insurance Company.

第十二章　少額短期保険業者の特例

Chapter XII Special Provisions on Low-Cost, Short-Term Insurers

第一節　通則

Section 1 General Rules

（登録）

(Registration)

第二百七十二条　内閣総理大臣の登録を受けた者は、第三条第一項の規定にかかわらず、少額短期保険業を行うことができる。

Article 272 (1) A person registered with the Prime Minister may, notwithstanding the provisions of Article 3, paragraph (1), provide Low-Cost, Short-Term Insurance Services.

２　少額短期保険業者は、小規模事業者（その収受する保険料が政令で定める基準を超えないものをいう。第二百七十二条の二十六第一項第三号において同じ。）でなければならない。

(2) A Low-Cost, Short-Term Insurer shall be a small-scale entrepreneur (meaning an entrepreneur receiving insurance premiums in an amount not exceeding the standard specified by Cabinet Office Ordinance; the same shall apply in Article 272-26, paragraph (1), item (iii)).

（登録申請手続）

(Application Procedure for Registration)

第二百七十二条の二　前条第一項の登録を受けようとする者は、次に掲げる事項を記載した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 272-2 (1) An Applicant for the registration set forth in paragraph (1) of the preceding Article shall submit to the Prime Minister a written application for registration detailing the following particulars:

一　商号又は名称

(i) its trade name or name;

二　資本金の額又は基金の総額

(ii) the amount of capital or the total amount of funds;

三　取締役及び監査役（委員会設置会社にあっては、取締役及び執行役）の氏名

(iii) the names of directors and company auditors (or, in a company with Committees, directors and executive officers);

四　会計参与設置会社にあっては、会計参与の氏名又は名称

(iv) in a company with accounting advisors, the names of accounting advisors;

五　少額短期保険業以外の業務を行うときは、その業務の内容

(v) when it conducts any other business than Low-Cost, Short-Term Insurance Services, the content of such business; and

六　本店その他の事務所の所在地

(vi) the addresses of its head office and other offices.

２　前項の登録申請書には、次に掲げる書類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 following documents, as well as other documents to be specified by Cabinet Office Ordinance, shall be attached to the written application set forth in the preceding paragraph:

一　定款

(i) Articles of incorporation;

二　事業方法書

(ii) Statement of business procedures;

三　普通保険約款

(iii) General policy conditions; and

四　保険料及び責任準備金の算出方法書

(iv) Statement of calculation procedures for insurance premiums and policy reserve.

３　第四条第三項の規定は、前項の規定による同項第一号の定款の添付について準用する。

(3) The provisions of Article 4, paragraph (3) shall apply mutatis mutandis to the attachment of the articles of incorporation set forth in paragraph (2), item (i) pursuant to the provisions of the preceding paragraph.

４　第二項第二号から第四号までに掲げる書類には、内閣府令で定める事項を記載しなければならない。

(4) The documents listed in paragraph (2), items (ii) to (iv) inclusive must detail the particulars specified by Cabinet Office Ordinance.

（登録簿への登録）

(Registration to Registry)

第二百七十二条の三　内閣総理大臣は、第二百七十二条第一項の登録の申請があったときは、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、次に掲げる事項を少額短期保険業者登録簿に登録しなければならない。

Article 272-3 (1) Whenever an application has been filed for the registration under Article 272, paragraph (1), unless the Prime Minister denies the Applicant registration pursuant to the provisions of paragraph (1) of the following Article, the Prime Minister shall register the following particulars in the registry of Low-Cost, Short-Term Insurers :

一　前条第一項各号に掲げる事項

(i) The particulars 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 and number of registration.

２　内閣総理大臣は、少額短期保険業者登録簿を公衆の縦覧に供しなければならない。

(2) The Prime Minister shall make the registry of Low-Cost, Short-Term Insurers available for public inspection.

（登録の拒否）

(Refusal of Registration)

第二百七十二条の四　内閣総理大臣は、申請者が次の各号のいずれかに該当するとき、又は第二百七十二条の二第一項の登録申請書若しくは同条第二項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、その登録を拒否しなければならない。

Article 272-4 (1) The Prime Minister shall deny an Applicant registration if the Applicant falls under any of the following items, or if the written application or a document attached thereto includes any false detail or fails to detail a material fact:

一　株式会社又は相互会社（次に掲げる区分に応じ、次に定めるものに限る。）でない者

(i) A person that is not a Stock Company or Mutual Company (limited to a company that falls under the following sub-items in accordance with the categories set forth in those items):

イ　資本金の額又は基金（第五十六条の基金償却積立金を含む。次号において同じ。）の総額が政令で定める額に満たない株式会社又は相互会社（以下この項において「株式会社等」という。）　取締役会及び監査役又は委員会を置くもの

(a) A Stock Company or Mutual Company (hereinafter referred to as "Stock Company, etc." in this paragraph) whose capital or total funds (including the reserves for redemption of funds set forth in Article 56; the same shall apply in the following item) is less than the amount specified by Cabinet Order: a company with a board of directors and company auditors or Committees; or

ロ　イに掲げる株式会社等以外の株式会社等　取締役会及び監査役会又は委員会並びに会計監査人を置くもの

(b) Any other Stock Company, etc. than the Stock Company, etc. listed in (a): a company with a board of directors and board of company auditors or Committees, and accounting auditors;

二　資本金の額又は基金の総額が保険契約者等の保護のため必要かつ適当なものとして政令で定める額に満たない株式会社等

(ii) A Stock Company, etc. whose capital or total funds is less than the amount specified by Cabinet Order as necessary and appropriate for the protection of Policyholders, etc.;

三　純資産額が前号に規定する政令で定める額に満たない株式会社等

(iii) A Stock Company, etc. whose net assets are less than the amount specified by Cabinet Order which is provided for in the preceding item;

四　定款の規定が法令に適合しない株式会社等

(iv) A Stock Company, etc. whose articles of incorporation include any provisions that do not conform to laws and regulations.

五　第二百七十二条の二第二項第二号及び第三号に掲げる書類に記載された事項が次に掲げる基準に適合しない株式会社等

(v) A Stock Company, etc., whose documents listed in Article 272-2, paragraph (2), items (ii) and (iii) include any particular that does not conform to the following standards:

イ　保険契約の内容が、保険契約者等の保護に欠けるおそれのないものであること。

(a) Its insurance contracts do not include any stipulation that poses a risk to the protection of Policyholders, etc.;

ロ　保険契約の内容に関し、特定の者に対して不当な差別的取扱いをするものでないこと。

(b) Its insurance contracts do not include any stipulation that constitutes undue discriminatory treatment against specific persons;

ハ　保険契約の内容が、公の秩序又は善良の風俗を害する行為を助長し、又は誘発するおそれのないものであること。

(c) Its insurance contracts do not include any stipulation that poses the risk of facilitating or inducing conduct with prejudice to the public policy and good morals;

ニ　保険契約の内容が、当該株式会社等の支払能力に照らし、過大な危険の引受けを行うものでないこと。

(d) Its insurance contracts do not include any stipulation that entails acceptance of excessive risk in light of the solvency of the Stock Company, etc.; and

ホ　保険契約者等の権利義務その他保険契約の内容が、保険契約者等にとって明確かつ平易に定められたものであること。

(e) The stipulations of its insurance contracts, including on the rights and obligations of Policyholders, etc., are clear and plain to Policyholders, etc.;

六　第二百七十二条の二第二項第四号に掲げる書類に記載された保険料及び責任準備金の算出方法が保険数理に基づき合理的かつ妥当なものであることについて、保険計理人による確認が行われていない株式会社等

(vi) A Stock Company, etc. whose calculation procedures for insurance premiums and policy reserves as described in the document listed in Article 272-2, paragraph (2), item (iv) have not been confirmed by the actuary as reasonable and appropriate based on actuarial science.

七　第百三十三条若しくは第百三十四条の規定により第三条第一項の免許を取り消され、第二百七十二条の二十六第一項若しくは第二百七十二条の二十七の規定により第二百七十二条第一項の登録を取り消され、若しくは第三百七条第一項の規定により第二百七十六条若しくは第二百八十六条の登録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同種類の免許若しくは登録（当該免許又は登録に類する許可その他の行政処分を含む。）を取り消された場合において、その取消しの日から五年を経過しない株式会社等

(vii) A Stock Company, etc. whose license under Article 3, paragraph (1) was rescinded pursuant to the provisions of Article 133 or 134, whose registration under Article 272, paragraph (1) was canceled pursuant to the provisions of Article 272-26, paragraph (1) or Article 272-27 or whose registration under Article 276 or 286 was canceled pursuant to the provisions of Article 307, paragraph (1), or against which a similar type of license or registration under the relevant provisions of a foreign law or regulation equivalent to this Act (including any permission or other administrative disposition similar to such license or registration) was canceled in the foreign state concerned, without five years having elapsed since the date of such cancellation;

八　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）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株式会社等

(viii) A Stock Company, etc. sentenced to a fine (including any equivalent punishment under a foreign law or regulation) for violating the provisions of this Act, the Act concerning Regulation, etc. of Receiving of Capital Subscription, Deposits, Interest on Deposits, etc. (Act No. 195 of 1954) or an equivalent foreign law or regulation, without five years having elapsed since the execution of the sentence was terminated or since it was no longer subject to the execution of the sentence;

九　他に行う業務が第二百七十二条の十一第二項ただし書に規定する内閣府令で定める業務以外の業務である株式会社等又は当該他に行う業務がその少額短期保険業を適正かつ確実に行うにつき支障を及ぼすおそれがあると認められる株式会社等

(ix) A Stock Company, etc. that conducts any other business than the business set forth in the proviso to Article 272-11, paragraph (2) to be specified by Cabinet Office Ordinance, or is found to pose the risk of obstructing the appropriate and secure performance of its Low-Cost, Short-Term Insurance Services;

十　取締役、執行役、会計参与又は監査役のうちに次のいずれかに該当する者のある株式会社等

(x) A Stock Company, etc. whose directors, executive officers, accounting advisors or company auditors include any person:

イ　破産手続開始の決定を受けて復権を得ない者又は外国の法令上これと同様に取り扱われている者

(a) who was subject to a ruling for the commencement of bankruptcy proceedings and whose rights have not been restored, or who is receiving any similar treatment under a foreign law or regulation;

ロ　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

(b) who was sentenced to imprisonment without work or severer punishment (including any equivalent punishment under a foreign law or regulation), without five years having elapsed since the execution of the sentence was terminated or since he/she was no longer subject to the execution of the sentence;

ハ　第百三十三条若しくは第百三十四条の規定により第三条第一項の免許を取り消され、第二百五条若しくは第二百六条の規定により第百八十五条第一項の免許を取り消され、第二百三十一条若しくは第二百三十二条の規定により第二百十九条第一項の免許を取り消され、第二百七十二条の二十六第一項若しくは第二百七十二条の二十七の規定により第二百七十二条第一項の登録を取り消され、若しくは第三百七条第一項の規定により第二百七十六条若しくは第二百八十六条の登録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同種類の免許若しくは登録（当該免許又は登録に類する許可その他の行政処分を含む。）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会社の取締役、執行役、会計参与若しくは監査役又は日本における代表者であった者（これらに類する役職にあった者を含む。）でその取消しの日から五年を経過しない者

(c) whose license under Article 3, paragraph (1) was rescinded pursuant to the provisions of Article 133 or 134, whose license under Article 185, paragraph (1) was canceled pursuant to the provisions of Article 205 or 206, whose license under Article 219, paragraph (1) was canceled pursuant to the provisions of Article 231 or 232, whose registration under Article 272, paragraph (1) was canceled pursuant to the provisions of Article 272-26, paragraph (1) or Article 272-27 or whose registration under Article 276 or 286 was canceled pursuant to the provisions of Article 307, paragraph (1), or against whom a similar type of license or registration under the relevant provisions of a foreign law or regulation equivalent to this Act (including any permission or other administrative disposition similar to such license or registration) was canceled in the foreign state concerned, and who had been a director, executive officer, accounting advisor or company auditor, or the Representative Person in Japan (including any similar post) of the company at any time during the 30 (thirty) days prior to the date of the cancellation, without five years having elapsed since the date of such cancellation;

ニ　第三百七条第一項の規定により第二百七十六条若しくは第二百八十六条の登録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同種類の登録（当該登録に類する許可その他の行政処分を含む。）を取り消された場合において、その取消しの日から五年を経過しない者

(d) whose registration under Article 276 or 286 was rescinded pursuant to the provisions of Article 307, paragraph (1) or against whom a similar type of registration under the relevant provisions of a foreign law or regulation equivalent to this Act (including any permission or other administrative disposition similar to such registration) was canceled, without five years having elapsed since the date of such cancellation;

ホ　第百三十三条の規定により解任を命ぜられた取締役、執行役、会計参与若しくは監査役、第二百五条若しくは第二百三十一条の規定により解任を命ぜられた日本における代表者、第二百七十二条の二十六第二項の規定により解任を命ぜられた取締役、執行役、会計参与若しくは監査役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取締役、執行役、会計参与若しくは監査役若しくは日本における代表者（これらに類する役職にあった者を含む。）で、その処分を受けた日から五年を経過しない者

(e) who was subject to an order for dismissal as director, executive officer, accounting advisor or company auditor pursuant to the provisions of Article 133, an order for dismissal as Representative Person in Japan pursuant to the provisions of Article 205 or 231, an order for dismissal as director, executive officer, accounting advisor or company auditor pursuant to the provisions of Article 272-26, paragraph (2), or order for dismissal as director, executive officer, accounting advisor or company auditor or Representative Person in Japan (including any similar post) under the relevant provisions of a foreign law or regulation equivalent to this Act, without five years having elapsed since the date of such disposition; or

ヘ　第八号に規定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（平成三年法律第七十七号）の規定若しくはこれらに相当する外国の法令の規定に違反し、又は刑法若しくは暴力行為等処罰に関する法律（大正十五年法律第六十号）の罪を犯し、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) who was sentenced to a fine (including any equivalent punishment under a foreign law or regulation) for violating a provisions of any of the Acts set forth in item (viii) or the Act to Prevent Unjust Acts by Organized Crime Group Members, etc. (Act No. 77 of 1991), or a provisions of any foreign law or regulation equivalent to those Acts, or for committing a crime under the Penal Code or the Act on Punishment of Physical Violence and Other Related Matters (Act No. 60 of 1926), without five years having elapsed since the execution of the sentence was terminated or since he/she was no longer subject to the execution of the sentence;

十一　少額短期保険業を的確に遂行するに足りる人的構成を有しない株式会社等

(xi) A Stock Company, etc. without sufficient human resource structure to provide Low-Cost, Short-Term Insurance Services in an appropriate manner; or

十二　保険会社

(xii) An Insurance Company.

２　前項第三号の純資産額は、内閣府令で定めるところにより計算する。

(2) The amount of net assets set forth in item (iii) of the preceding paragraph shall be calculated pursuant to the provisions of a Cabinet Office Ordinance.

（供託）

(Deposit)

第二百七十二条の五　少額短期保険業者は、保険契約者等の保護のため必要かつ適当なものとして政令で定める額の金銭を本店又は主たる事務所の最寄りの供託所に供託しなければならない。

Article 272-5 (1) A Low-Cost, Short-Term Insurer shall deposit the amount of money to be specified by Cabinet Order as necessary and appropriate for the protection of Policyholders, etc. with the deposit office located nearest to its head office or principal office.

２　内閣総理大臣は、保険契約者等の保護のため必要があると認めるときは、少額短期保険業者に対し、その少額短期保険業を開始する前に、前項の政令で定める額のほか、相当と認める額の金銭の供託を命ずることができる。

(2) If the Prime Minister finds it necessary for the protection of Policyholders, etc., he/she may order a Low-Cost, Short-Term Insurer to deposit, in addition to the amount of money set forth in the preceding paragraph to be specified by Cabinet Order, the amount of money that he/she finds appropriate prior to the commencement of its Low-Cost, Short-Term Insurance Services.

３　少額短期保険業者は、政令で定めるところにより、当該少額短期保険業者のために所要の供託金が内閣総理大臣の命令に応じて供託される旨の契約を締結し、その旨を内閣総理大臣に届け出たときは、当該契約の効力の存する間、当該契約において供託されることとなっている金額（以下この条において「契約金額」という。）につき前二項の規定により供託する供託金の全部又は一部を供託しないことができる。

(3) If a Low-Cost, Short-Term Insurer has concluded an agreement stipulating that a required amount of deposit be deposited for the Low-Cost, Short-Term Insurer by order of the Prime Minister pursuant to the provisions of a Cabinet Order and has notified the Prime Minister of this, the insurer may withhold in whole or in part the deposit under the preceding two paragraphs regarding the amount to be deposited under said agreement (hereinafter referred to as the "Contract Amount" in this Article), so long as the agreement remains in effect.

４　内閣総理大臣は、保険契約者等の保護のため必要があると認めるときは、少額短期保険業者と前項の契約を締結した者又は当該少額短期保険業者に対し、契約金額に相当する金額の全部又は一部を供託すべき旨を命ずることができる。

(4) If the Prime Minister finds it necessary for the protection of Policyholders, etc., he/she may order a person who has concluded with a Low-Cost, Short-Term Insurer the agreement set forth in the preceding paragraph or the Low-Cost, Short-Term Insurer concerned to make a deposit in an amount corresponding to the whole or part of the Contract Amount.

５　少額短期保険業者は、第一項の規定により供託する供託金（第二項の規定により同項の金銭の供託を命ぜられた場合には、その供託金を含む。）につき供託又は第三項の契約の締結を行い、その旨を内閣総理大臣に届け出た後でなければ、少額短期保険業を開始してはならない。

(5) A Low-Cost, Short-Term Insurer must not commence Low-Cost, Short-Term Insurance Services, unless it has made the deposit under paragraph (1) (including any deposit made pursuant to the provisions of paragraph (2) following an order for deposit of money under that paragraph) or concluded the agreement set forth in paragraph (3), and has notified the Prime Minister thereof.

６　保険契約に係る保険契約者、被保険者又は保険金額を受け取るべき者は、保険契約により生じた債権に関し、当該少額短期保険業者に係る供託金について、他の債権者に先立ち弁済を受ける権利を有する。

(6) The Policyholders, insured parties or beneficiaries pertaining to insurance contracts have, with regard to any credit arising out of the insurance contracts, a priority claim over other creditors on the deposit pertaining to the Low-Cost, Short-Term Insurer.

７　前項の権利の実行に関し必要な事項は、政令で定める。

(7) Any necessary particular in enforcing a claim under the preceding paragraph shall be specified by Cabinet Order.

８　少額短期保険業者は、第六項の権利の実行その他の理由により、供託金の額（契約金額を含む。）が第一項の政令で定める額に不足することとなったときは、内閣府令で定める日から二週間以内にその不足額につき供託又は第三項の契約の締結（第三百十九条第十一号において単に「供託」という。）を行い、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。

(8) If the amount of its deposit (including the Contract Amount) falls below the amount set forth in paragraph (1) to be specified by Cabinet Order for reasons such as the enforcement of a claim under paragraph (6), the Low-Cost, Short-Term Insurer shall compensate for the shortfall or conclude the agreement set forth in paragraph (3) (simply referred to as "Make a Deposit" in Article 319, item (xi)) within two weeks from the date specified by Cabinet Office Ordinance, and notify the Prime Minister thereof without delay.

９　第一項、第二項又は前項の規定により供託する供託金は、国債証券、地方債証券その他の内閣府令で定める有価証券をもってこれに充てることができる。

(9) A national government bond, local government bond or any other securities to be specified by Cabinet Office Ordinance may be deposited in lieu of the deposit set forth in paragraph (1), (2) or the preceding paragraph.

１０　第一項、第二項、第四項又は第八項の規定により供託した供託金は、次の各号のいずれかに該当する場合には、政令で定めるところにより、取り戻すことができる。

(10) The deposit made pursuant to the provisions of paragraph (1), (2), (4) or (8) may be recovered pursuant to the provisions of a Cabinet Order, if and when:

一　第二百七十二条の二十六第一項又は第二百七十二条の二十七の規定により第二百七十二条第一項の登録が取り消されたとき。

(i) the registration made under Article 272, paragraph (1) is canceled pursuant to the provisions of Article 272-26, paragraph (1) or Article 272-27; or

二　第二百七十二条第一項の登録が第二百七十三条第一項又は第三項の規定によりその効力を失ったとき。

(ii) the registration made under Article 272, paragraph (1) loses its effect pursuant to the provisions of Article 273, paragraph (1) or (3).

１１　前各項に定めるもののほか、供託金に関し必要な事項は、内閣府令・法務省令で定める。

(11) In addition to what is specified for in the preceding paragraphs, any necessary particulars of deposits shall be prescribed by Cabinet Office Ordinance/Ordinance of the Ministry of Justice.

（少額短期保険業者責任保険契約）

(Low-Cost, Short-Term Insurers' Liability Insurance Contracts)

第二百七十二条の六　少額短期保険業者は、政令で定めるところにより、少額短期保険業者責任保険契約を締結し、内閣総理大臣の承認を受けたときは、当該契約の効力の存する間、当該契約の保険金の額に応じて前条第一項、第二項又は第八項の規定により供託する供託金の一部の供託又は同条第三項の契約の締結をしないことができる。

Article 272-6 (1) A Low-Cost, Short-Term Insurer that has concluded a Low-Cost, Short-Term Insurer's liability insurance contract pursuant to the provisions of a Cabinet Order may, with the Prime Minister's approval, withhold part of the deposit to be made under the preceding Article, paragraph (1), (2) or (8), or choose not to conclude the agreement set forth in paragraph (3) of the same Article, depending on the amount insured by the contract, so long as the contract remains in effect.

２　内閣総理大臣は、保険契約者等の保護のため必要があると認めるときは、前項の少額短期保険業者責任保険契約を締結した少額短期保険業者に対し、前条第一項、第二項又は第八項の規定により供託する供託金につき供託又は同条第三項の契約の締結をしないことができるとされた金額の全部又は一部を供託すべき旨を命ずることができる。

(2) If the Prime Minister finds it necessary for the protection of Policyholders, etc., he/she may order a Low-Cost, Short-Term Insurer that has concluded the Low-Cost, Short-Term Insurer's liability insurance contract set forth in the preceding paragraph to deposit in whole or in part that part of the deposit under the preceding Article, paragraph (1), (2) or (8) which the insurer may withhold or for which it may choose not to conclude the agreement set forth in paragraph (3) of the same Article.

３　前二項に定めるもののほか、少額短期保険業者責任保険契約に関し必要な事項は、内閣府令で定める。

(3) In addition to what is prescribed in the preceding two paragraphs, any necessary particular of Low-Cost, Short-Term Insurers' liability insurance contracts shall be specified by a Cabinet Office Ordinance.

（変更の届出）

(Notification of Change)

第二百七十二条の七　少額短期保険業者は、第二百七十二条の二第一項各号に掲げる事項に変更があったときは、その日から二週間以内に、その旨を内閣総理大臣に届け出なければならない。

Article 272-7 (1) If there has been a change in any of the particulars listed in the items of Article 272-2, paragraph (1), the Low-Cost, Short-Term Insurer shall notify the Prime Minister of this within two weeks from the day on which the change occurred.

２　内閣総理大臣は、前項の届出を受理したときは、その旨を少額短期保険業者登録簿に登録しなければならない。

(2) The Prime Minister shall register the effect of any notice received under the preceding paragraph to the registry of Low-Cost, Short-Term Insurers.

（標識の掲示等）

(Posting of Sign, etc.)

第二百七十二条の八　少額短期保険業者は、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 272-8 (1) A Low-Cost, Short-Term Insurer shall, at a conspicuous location in each of its offices, post a sign in the form to be specified by Cabinet Office Ordinance.

２　少額短期保険業者以外の者は、前項の標識又はこれに類似する標識を掲示してはならない。

(2) Any person other than a Low-Cost, Short-Term Insurer shall not post the sign set forth in the preceding paragraph or any similar sign thereto.

３　少額短期保険業者に対する第七条第二項の規定の適用については、同項中「誤認されるおそれのある文字」とあるのは、「誤認されるおそれのある文字（少額短期保険業者であることを示す文字として内閣府令で定めるものを除く。）」とする。

(3) For the purpose of applying the provisions of Article 7, paragraph (2) to a Low-Cost, Short-Term Insurer, the term "letters that run the risk of mistaking the entity for an Insurance Company" shall be deemed to be replaced with "letters that run the risk of mistaking the entity for an Insurance Company (excluding the letters to be specified by Cabinet Office Ordinance as indicating that the entity is a Low-Cost, Short-Term Insurer)."

（名義貸しの禁止）

(Prohibition of Name Lending)

第二百七十二条の九　少額短期保険業者は、自己の名義をもって他人に少額短期保険業を行わせてはならない。

Article 272-9 A Low-Cost, Short-Term Insurer shall not have another person provide Low-Cost, Short-Term Insurance Services in the name of the Low-Cost, Short-Term Insurer.

（取締役等の兼職制限）

(Restriction on Concurrent Holding of Posts by Director, etc.)

第二百七十二条の十　少額短期保険業者の常務に従事する取締役（委員会設置会社にあっては、執行役）は、他の会社の常務に従事する場合には、内閣総理大臣の承認を受けなければならない。

Article 272-10 (1) A director (in the case of a company with committees, executive officer) engaging in the day-to-day business of a Low-Cost, Short-Term Insurer shall not engage in the day-to-day business of another company, except when authorized by the Prime Minister.

２　内閣総理大臣は、前項の承認の申請があったときは、当該申請に係る事項が当該少額短期保険業者の業務の健全かつ適切な運営を妨げるおそれがあると認める場合を除き、これを承認しなければならない。

(2) Whenever an application has been filed for the authorization set forth in the preceding paragraph, unless the Prime Minister finds that the particulars given in the application pose the risk of interfering with the sound and appropriate business operation of the Low-Cost, Short-Term Insurer's business, the Prime Minister shall grant such authorization.

第二節　業務等

Section 2 Business, etc.

（業務の範囲）

(Scope of Business)

第二百七十二条の十一　少額短期保険業者は、少額短期保険業及びこれに付随する業務を行うことができる。

Article 272-11 (1) A Low-Cost, Short-Term Insurer may conduct Low-Cost, Short-Term Insurance Business and any other business incidental thereto.

２　少額短期保険業者は、前項の規定により行う業務のほか、他の業務を行うことができない。ただし、少額短期保険業に関連する業務として内閣府令で定める業務で、当該少額短期保険業者が少額短期保険業を適正かつ確実に行うにつき支障を及ぼす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。

(2) A Low-Cost, Short-Term Insurer may not conduct any business other than what is provided pursuant to the provisions of the preceding paragraph; provided however, that this shall not apply when the Low-Cost, Short-Term Insurer has received the approval of the Prime Minister pursuant to the provisions of Cabinet Office Ordinance for any business specified by Cabinet Office Ordinance as related to Low-Cost, Short-Term Insurance Services which are found to pose no risk to the insurer in performing Low-Cost, Short-Term Insurance Services in an appropriate and secure manner.

３　第二百七十二条第一項の登録の申請書に申請者が第一項の規定により行う業務以外の業務を行う旨の記載がある場合において、当該申請者がその登録を受けたときには、当該業務を行うことにつき前項ただし書の承認を受けたものとみなす。

(3) Where a written application for the registration set forth in Article 272, paragraph (1) includes an indication that the Applicant seeks to conduct any other business than what is provided for pursuant to the provisions of paragraph (1), the Applicant shall be deemed to have received the approval set forth in the proviso to the preceding paragraph conduct such business if its application for registration is accepted.

（運用の方法）

(Method of Investment)

第二百七十二条の十二　少額短期保険業者は、保険料として収受した金銭その他の資産の運用を行うには、次に掲げる方法によらなければならない。

Article 272-12 A Low-Cost, Short-Term Insurer shall invest money received as insurance premiums and other assets by any of the following methods:

一　内閣府令で定める銀行その他の金融機関への預金

(i) Deposit with any of the banks or financial institutions specified by Cabinet Office Ordinance;

二　国債その他これに準ずるものとして内閣府令で定める有価証券の取得

(ii) Acquisition of national government bonds or any other securities specified by Cabinet Office Ordinance as equivalent thereto; or

三　前二号に掲げる方法に準ずるものとして内閣府令で定める方法

(iii) Any other method specified by Cabinet Office Ordinance as equivalent to the methods listed in the preceding two items.

（一の保険契約者に係る保険金額等）

(Amount of Insurance Proceeds for One Policyholder, etc.)

第二百七十二条の十三　少額短期保険業者は、一の保険契約者について、その保険金額の合計額が政令で定める金額を超えることとなる保険の引受けを行ってはならない。

Article 272-13 (1) A Low-Cost, Short-Term Insurer shall not, with regard to any one single Policyholder, underwrite policies with a total amount of insurance proceeds exceeding the amount specified by Cabinet Order.

２　第百条の二、第百条の三及び第百条の四の規定は、少額短期保険業者について準用する。この場合において、第百条の三中「保険主要株主」とあるのは「第二百七十二条の三十四第一項に規定する少額短期保険主要株主」と、「保険持株会社」とあるのは「第二百七十二条の三十七第二項に規定する少額短期保険持株会社」と読み替えるものとする。

(2) The provisions of Article 100-2, Article 100-3 and Article 100-4 shall apply mutatis mutandis to a Low-Cost, Short-Term Insurer. In this case, the terms "Insurance Company's Major Shareholder" and "Insurance Holding Company" in Article 100-3 shall be deemed to be replaced with "Low-Cost, Short-Term Insurer's Major Shareholder provided for in Article 272-34, paragraph (1)" and "Low-Cost, Short-Term Insurance Holding Company as defined in Article 272-37, paragraph (2)," respectively.

（指定少額短期保険業務紛争解決機関との契約締結義務等）

(Obligation to Conclude a Contract, etc. with a Designated Dispute Resolution Organization for Low-Cost, Short-Term Insurance Services)

第二百七十二条の十三の二　少額短期保険業者は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 272-13-2 (1) A Low-Cost, Short-Term Insurer shall take the measures specified in the following items according to the category of cases set forth in the respective items:

一　指定少額短期保険業務紛争解決機関（指定紛争解決機関であってその紛争解決等業務の種別が少額短期保険業務であるものをいう。以下この条において同じ。）が存在する場合　一の指定少額短期保険業務紛争解決機関との間で少額短期保険業務に係る手続実施基本契約を締結する措置

(i) in cases where there is a Designated Dispute Resolution Organization for Low-Cost, Short-Term Insurance Services (meaning a Designated Dispute Resolution Organization for which the Category of Dispute Resolution Services, etc. is Low-Cost, Short-Term Insurance Services; hereinafter the same shall apply in this Article): measures to conclude a Basic Contract for the Implementation of Dispute Resolution Procedures for Low-Cost, Short-Term Insurance Services with a single Designated Dispute Resolution Organization for Low-Cost, Short-Term Insurance Services;

二　指定少額短期保険業務紛争解決機関が存在しない場合　少額短期保険業務に関する苦情処理措置及び紛争解決措置

(ii) in cases where there is no Designated Dispute Resolution Organization for Low-Cost, Short-Term Insurance Services: Complaint Processing Measures and Dispute Resolution Measures concerning Low-Cost, Short-Term Insurance Services.

２　少額短期保険業者は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定少額短期保険業務紛争解決機関の商号又は名称を公表しなければならない。

(2) A Low-Cost, Short-Term Insurer shall, when it has taken measures to conclude a Basic Contract for the Implementation of Dispute Resolution Procedures pursuant to the provisions of the preceding paragraph, publicize the trade name or name of the Designated Dispute Resolution Organization for Low-Cost, Short-Term Insurance Services that is the counterparty to said Basic Contract for the Implementation of Dispute Resolution Procedures.

３　第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。

(3) The provisions of paragraph (1) shall not apply for the periods specified in the following items according to the category of cases set forth in the respective items:

一　第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき　第三百八条の二十三第一項の規定による紛争解決等業務の廃止の認可又は第三百八条の二十四第一項の規定による指定の取消しの時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(i) when the relevant case which had fallen under the cases set forth in paragraph (1), item (i), has come to fall under the cases set forth in item (ii) of that paragraph: the period specified by the Prime Minister at the time of granting authorization for abolition of Dispute Resolution Services, etc. under Article 308-23, paragraph (1) or rescinding the designation under Article 308-24, paragraph (1), as the period necessary to take the measures specified in that item;

二　第一項第一号に掲げる場合に該当していた場合において、同号の一の指定少額短期保険業務紛争解決機関の紛争解決等業務の廃止が第三百八条の二十三第一項の規定により認可されたとき、又は同号の一の指定少額短期保険業務紛争解決機関の第三百八条の二第一項の規定による指定が第三百八条の二十四第一項の規定により取り消されたとき（前号に掲げる場合を除く。）　その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(ii) when the relevant case had fallen under the cases set forth in paragraph (1), item (i), and the abolition of Dispute Resolution Services, etc. of a single Designated Dispute Resolution Organization for Low-Cost, Short-Term Insurance Services under that item has been authorized under Article 308-23, paragraph (1) or the designation under Article 308-2, paragraph (1) of a single Designated Dispute Resolution Organization for Low-Cost, Short-Term Insurance Services under that item has been rescinded pursuant to Article 308-24, paragraph (1) (excluding the case set forth in the preceding item): the period specified by the Prime Minister at the time of granting such authorization or making such rescission, as the period necessary for taking the measures specified in paragraph (1), item (i); and

三　第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき　第三百八条の二第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(iii) when the relevant case which had fallen under the cases set forth in paragraph (1), item (ii) has come to fall under the cases set forth in item (i) of that paragraph: the period specified by the Prime Minister at the time of designation under Article 308-2, paragraph (1), as the period necessary to take the measures specified in that item.

（少額短期保険業者の子会社の範囲等）

(Scope of a Low-Cost, Short-Term Insurer's Subsidiary Companies, etc.)

第二百七十二条の十四　少額短期保険業者は、その行う業務に従属し、又は付随し、若しくは関連する業務として内閣府令で定める業務を専ら営む会社以外の会社を子会社としてはならない。

Article 272-14 (1) A Low-Cost, Short-Term Insurer shall not have as its Subsidiary any company other than one that conducts business that is dependent on its own business, or any other business specified by Cabinet Office Ordinance as incidental or related thereto.

２　少額短期保険業者は、前項に規定する内閣府令で定める業務を専ら営む会社を子会社としようとするときは、第二百七十二条の三十第一項において準用する第百四十二条の規定又は第百六十七条第一項若しくは第百七十三条の六第一項の規定により事業の譲受け、合併又は会社分割の認可を受ける場合を除き、あらかじめ、内閣総理大臣の承認を受けなければならない。

(2) A Low-Cost, Short-Term Insurer shall, when it seeks to take as its Subsidiary a company specialized in any of the business set forth in the preceding paragraph specified by Cabinet Office Ordinance, receive in advance the approval of the Prime Minister, unless it receives the authorization for business acquisition, merger or company split set forth in Article 142 as applied mutatis mutandis pursuant to Article 272-30, paragraph (1), or in Article 167, paragraph (1) or Article 173-6, paragraph (1).

第三節　経理

Section 3 Accounting

（事業年度）

(Business Year)

第二百七十二条の十五　少額短期保険業者の事業年度は、四月一日から翌年三月三十一日までとする。

Article 272-15 The business year of a Low-Cost, Short-Term Insurer shall run from 1 April to 31 March of the next year.

（業務報告書等）

(Business Report, etc.)

第二百七十二条の十六　少額短期保険業者は、事業年度ごとに、業務及び財産の状況を記載した業務報告書を作成し、内閣総理大臣に提出しなければならない。

Article 272-16 (1) A Low-Cost, Short-Term Insurer shall, for each business year, prepare a business report describing the status of its business and property for submission to the Prime Minister.

２　第二百七十二条の四第一項第一号ロに掲げる株式会社等である少額短期保険業者（次項及び次条において「特定少額短期保険業者」という。）は、前項の業務報告書のほか、中間業務報告書を作成し、内閣総理大臣に提出しなければならない。

(2) A Low-Cost, Short-Term Insurer that is also a Stock Company, etc. falling under Article 272-4, paragraph (1), item (i), sub-item (b) (referred to as "Specified Low-Cost, Short-Term Insurer" in the following paragraph and the following Article) shall, in addition to the business report set forth in the preceding paragraph, prepare an interim business report for submission to the Prime Minister.

３　第百十条第二項の規定は特定少額短期保険業者が子会社その他の当該特定少額短期保険業者と内閣府令で定める特殊の関係のある者（次条及び第二百七十二条の二十五第一項において「子会社等」という。）を有する場合について、第百十条第三項の規定は少額短期保険業者について、それぞれ準用する。この場合において、同項中「前二項」とあるのは、「第二百七十二条の十六第一項及び第二項並びに前項」と読み替えるものとする。

(3) The provisions of Article 110, paragraph (2) shall apply mutatis mutandis where a Specified Low-Cost, Short-Term Insurer has any Subsidiary or any other person to which it is specially related as specified by Cabinet Office Ordinance (referred to as "Subsidiary Company, etc." in the following Article and Article 272-25, paragraph (1)); and the provisions of Article 110, paragraph (3) shall apply mutatis mutandis to a Low-Cost, Short-Term Insurer. In this case, the term "the preceding two paragraphs" in Article 110, paragraph (3) shall be deemed to be replaced with "Article 272-16, paragraphs (1) and (2), and the preceding paragraph."

（業務及び財産の状況に関する説明書類）

(Explanatory Documents on Business and Property Status)

第二百七十二条の十七　第百十一条第一項及び第三項から第六項までの規定は少額短期保険業者について、同条第二項の規定は特定少額短期保険業者が子会社等を有する場合について、それぞれ準用する。

Article 272-17 The provisions of Article 111, paragraph (1) and paragraphs (3) to (6) inclusive shall apply mutatis mutandis to a Low-Cost, Short-Term Insurer; and the provisions of Article 111, paragraph (2) shall apply mutatis mutandis to a Specified Low-Cost, Short-Term Insurer with any Subsidiary Company, etc.

（事業費等の償却等に関する規定の準用）

(Mutatis Mutandis Application of Provisions on the Amortization of Business Expenditures, etc.)

第二百七十二条の十八　第百十三条、第百十五条、第百十六条第一項及び第三項、第百十七条並びに第百二十条から第百二十二条までの規定は少額短期保険業者について、第百十四条の規定は少額短期保険業者である株式会社について、それぞれ準用する。この場合において、第百十六条第三項中「前二項」とあるのは「第一項」と、第百二十一条第一項第一号中「内閣府令で定める保険契約に係る責任準備金が健全な保険数理に基づいて」とあるのは「保険料が保険数理に基づき合理的かつ妥当な方法により算出されているかどうか、責任準備金が保険数理に基づき合理的かつ妥当な方法により」と読み替えるものとする。

Article 272-18 The provisions of Article 113, Article 115, Article 116, paragraphs (1) and (3), Article 117, and Article 120 to 122 inclusive shall apply mutatis mutandis to a Low-Cost, Short-Term Insurer; and the provisions of Article 114 shall apply mutatis mutandis to a Stock Company that is also a Low-Cost, Short-Term Insurer. In this case, the term "the preceding two paragraphs" in Article 116, paragraph (3) shall be deemed to be replaced with "paragraph (1)"; and the term "policy reserves pertaining to the insurance contracts specified by Cabinet Office Ordinance has been funded according to a sound actuarial practice" in Article 121, paragraph (1), item (i) shall be deemed to be replaced with "insurance premiums pertaining to the insurance contracts specified by Cabinet Office Ordinance are calculated using a reasonable and relevant method based on actuarial science, and whether the policy reserves pertaining thereto has been funded using a reasonable and relevant method based on actuarial science."

第四節　監督

Section 4 Supervision

（事業方法書等に定めた事項の変更）

(Modification of Particulars Prescribed in Statement of Business Procedures, etc.)

第二百七十二条の十九　少額短期保険業者は、第二百七十二条の二第二項第二号から第四号までに掲げる書類に定めた事項を変更しようとする場合は、あらかじめ当該変更しようとする旨を内閣総理大臣に届け出なければならない。

Article 272-19 (1) A Low-Cost, Short-Term Insurer shall, when it seeks to modify any of the particulars prescribed in the documents listed in Article 272-2, paragraph (2), items (ii) to (iv) inclusive, give advance notification thereof to the Prime Minister.

２　少額短期保険業者は、前項の規定による届出が第二百七十二条の二第二項第四号に掲げる書類に定めた事項の変更である場合には、当該書類に定めた保険料及び責任準備金の算出方法が、保険数理に基づき合理的かつ妥当なものであると認められることについて、保険計理人が確認した結果を記載した意見書を提出しなければならない。

(2) Where the notification prescribed in the preceding paragraph pertains to the modification of any particular prescribed in the document listed in Article 272-2, paragraph (2), item (iv), the Low-Cost, Short-Term Insurer shall submit a written opinion confirming the actuary's finding that the method of calculating the insurance premiums and policy reserves prescribed in the document is reasonable and relevant based on actuarial science.

３　前項の意見書に関し必要な事項は、内閣府令で定める。

(3) The necessary the particulars of the written opinion set forth in the preceding paragraph shall be specified by Cabinet Office Ordinance.

（事業方法書等に定めた事項の変更の届出等）

(Notification, etc. of the Modification of Particulars Prescribed in Statement of Business Procedures, etc.)

第二百七十二条の二十　前条の規定による届出があった場合は、内閣総理大臣が当該届出を受理した日の翌日から起算して六十日を経過した日（当該届出が第二百七十二条の二第二項第四号に掲げる書類に定めた事項のみの変更に係るものである場合は、当該届出を受理した日の翌日）に、当該届出に係る変更があったものとする。

Article 272-20 (1) Where a notification was made under the preceding Article, the modification pertaining to such notification shall be deemed to be made on the day when sixty days have passed since the day following the date of receipt by the Prime Minister of the notification (or, on the day following the date of receipt of such notification, where the notification solely pertains to a modification in any of the particulars prescribed in the document listed in Article 272-2, paragraph (2), item (iv)).

２　内閣総理大臣は、前条の規定による届出（第二百七十二条の二第二項第四号に掲げる書類に定めた事項のみの変更に係る届出を除く。以下この条において同じ。）に係る事項が第二百七十二条の四第一項第五号に規定する基準に適合していると認めるときは、前項に規定する期間を相当と認める期間に短縮することができる。この場合において、内閣総理大臣は、当該届出をした者に対し、遅滞なく、当該期間の短縮を通知しなければならない。

(2) If the Prime Minister finds that the particulars of a notification under the preceding Article (other than a notification solely pertaining to a modification in any of the particulars prescribed in the document listed in Article 272, paragraph (2), item (iv)) conform to the standards listed in Article 272-4, paragraph (1), item (v), he/she may shorten the period prescribed in the preceding paragraph to any period of time that he/she finds reasonable. In this case, the Prime Minister shall, without delay, give notice of the shortened period of time to the person that made the notification.

３　内閣総理大臣は、前条の規定による届出に係る事項が第二百七十二条の四第一項第五号に規定する基準に適合するかどうかについて審査するため相当の期間を要し、当該審査期間が第一項に規定する期間内に終了しないと認める相当の理由があるときは、当該期間を相当と認める期間に延長することができる。この場合において、内閣総理大臣は、当該届出をした者に対し、遅滞なく、当該延長後の期間及び当該延長の理由を通知しなければならない。

(3) The Prime Minister may, when there is reasonable ground to believe that a reasonable period of time is required to examine whether the particulars of a notification under the preceding Article conform to the standards listed in Article 272-4, paragraph (1), item (v), and that such examination will not be completed within the period of time prescribed in paragraph (1), extend the period of time to any period that he/she finds reasonable. In this case, the Prime Minister shall, without delay, give notice of the extended period of time and the reason for the extension to the person that made the notification.

４　内閣総理大臣は、前条の規定による届出に係る事項が第二百七十二条の四第一項第五号に規定する基準に適合しないと認めるときは、当該届出を受理した日の翌日から起算して六十日を経過するまでの期間（前項の規定により当該期間が延長された場合にあっては、当該延長後の期間）内に限り、当該届出をした者に対し、期限を付して当該届出に係る事項について変更を命じ、又は当該届出の撤回を命ずることができる。

(4) If the Prime Minister finds that the particulars of a notification under the preceding Article do not conform to the standards listed in Article 272-4, paragraph (1), item (v), he/she may order the person that made the notification to modify any of the particulars of the notification within a specified period time, or to revoke the notification, provided that such order be issued within sixty days from the day following the date of receipt of such notification (or within any extended period of time pursuant to the provisions of the preceding paragraph).

（届出事項）

(Particulars Requiring Notice)

第二百七十二条の二十一　少額短期保険業者は、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、その旨を内閣総理大臣に届け出なければならない。

Article 272-21 (1) If a Low-Cost, Short-Term Insurer falls under any of the following items, it shall notify the Prime Minister of this pursuant to the provisions of a Cabinet Office Ordinance:

一　少額短期保険業を開始したとき。

(i) If it begins Low-Cost, Short-Term Insurance Business;

二　その子会社が子会社でなくなったとき（第二百七十二条の三十第一項において準用する第百四十二条又は第百七十三条の六第一項の規定による認可を受けて事業の譲渡又は会社分割をした場合を除く。）。

(ii) If its Subsidiary ceases to be its Subsidiary (except when it assigns its business or splits with the authorization set forth in Article 142 as applied mutatis mutandis pursuant to Article 272-30, paragraph (1), or Article 173-6, paragraph (1));

三　資本金の額又は基金の総額を増額しようとするとき。

(iii) If it seeks to increase the amount of capital or the total amount of funds;

四　定款の変更をしたとき。

(iv) If it modifies its articles of incorporation;

五　その総株主の議決権の百分の五を超える議決権が一の株主により取得又は保有されることとなったとき。

(v) If its voting rights are acquired or come to be held by a single shareholder, in excess of 5 percent of all shareholders' voting rights; or

六　その他内閣府令（金融破綻処理制度及び金融危機管理に係るものについては、内閣府令・財務省令）で定める場合に該当するとき。

(vi) If it falls under any of the other cases specified by Cabinet Office Ordinance (or Cabinet Office Ordinance/Ordinance of the Ministry of Finance in the cases pertaining to the financial bankruptcy processing system and financial crisis management).

２　第二条第十五項の規定は、前項第五号に規定する一の株主が取得し、又は保有することとなった少額短期保険業者の議決権について準用する。

(2) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the voting rights in a Low-Cost, Short-Term Insurer acquired or held by the single shareholder set forth in item (v) of the preceding paragraph.

（報告又は資料の提出）

(Submission of Reports or Materials)

第二百七十二条の二十二　内閣総理大臣は、少額短期保険業者の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため必要があると認めるときは、少額短期保険業者に対し、その業務又は財産の状況に関し報告又は資料の提出を求めることができる。

Article 272-22 (1) If the Prime Minister finds it necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of a Low-Cost, Short-Term Insurer, he/she may request the Low-Cost, Short-Term Insurer to submit a reports or materials concerning the status of its business or property.

２　内閣総理大臣は、少額短期保険業者の業務の健全かつ適切な運営を確保し、保険契約者等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、当該少額短期保険業者の子法人等（子会社その他少額短期保険業者がその経営を支配している法人として内閣府令で定めるものをいう。次項並びに次条第二項及び第三項において同じ。）又は当該少額短期保険業者から業務の委託を受けた者に対し、当該少額短期保険業者の業務又は財産の状況に関し参考となるべき報告又は資料の提出を求めることができる。

(2) If and to the extent that the Prime Minister finds it particularly necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of a Low-Cost, Short-Term Insurer, he/she may request the Low-Cost, Short-Term Insurer's Subsidiary Company, etc. (meaning its Subsidiary or any other juridical person whose management is specified as being be controlled by the Low-Cost, Short-Term Insurer under a Cabinet Office Ordinance; the same shall apply in the following paragraph and paragraphs (2) and (3) of the following Article) or a person the Low-Cost, Short-Term Insurer has entrusted with its business to submit a report or materials that should serve as reference concerning the condition of the business or property of the Low-Cost, Short-Term Insurer, within the limit necessary.

３　少額短期保険業者の子法人等又は当該少額短期保険業者から業務の委託を受けた者は、正当な理由があるときは、前項の規定による報告又は資料の提出を拒むことができる。

(3) A Low-Cost, Short-Term Insurer's Subsidiary Company, etc. or a person that a Low-Cost, Short-Term Insurer has entrusted with its business may refuse to submit reports or materials required under the preceding paragraph if there are justifiable grounds for it to do so.

（立入検査）

(On-Site Inspection)

第二百七十二条の二十三　内閣総理大臣は、少額短期保険業者の業務の健全かつ適切な運営を確保し、保険契約者等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、少額短期保険業者の営業所、事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

Article 272-23 (1) If the Prime Minister finds it necessary for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of a Low-Cost, Short-Term Insurer, he/she may have his/her officials enter a business office, any other office or any other facility of the Low-Cost, Short-Term Insurer to ask questions on the status of its business or property, or inspect books and documents and other materials.

２　内閣総理大臣は、前項の規定による立入り、質問又は検査を行う場合において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、少額短期保険業者の子法人等若しくは当該少額短期保険業者から業務の委託を受けた者の施設に立ち入らせ、当該少額短期保険業者に対する質問若しくは検査に必要な事項に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

(2) The Prime Minister may, when and to the extent that he/she finds it particularly necessary in making an entry, asking questions, or conducting inspection pursuant to the provisions of the preceding paragraph, have his/her officials enter a facility of a Low-Cost, Short-Term Insurer's Subsidiary Company, etc. or a person the Low-Cost, Short-Term Insurer has entrusted with its business, have such officials question the Low-Cost, Short-Term Insurer or ask questions about any particulars that are necessary for their inspection, or have such officials inspect books and documents and other materials.

３　少額短期保険業者の子法人等又は当該少額短期保険業者から業務の委託を受けた者は、正当な理由があるときは、前項の規定による質問及び検査を拒むことができる。

(3) A Low-Cost, Short-Term Insurer's Subsidiary Company, etc. or a person that a Low-Cost, Short-Term Insurer has entrusted with its business may refuse the questioning and inspection set forth in the preceding paragraph if there are justifiable grounds for it to do so.

（事業方法書等に定めた事項の変更命令）

(Order to Modify Regarding Particulars Prescribed in Statement of Business Procedures, etc.)

第二百七十二条の二十四　内閣総理大臣は、少額短期保険業者が第二百七十二条の二第二項第四号に掲げる書類に定めた事項が次の各号のいずれかに該当すると認めるときは、当該少額短期保険業者に対し、期限を付して同号に掲げる書類に定めた事項の変更を命ずることができる。

Article 272-24 (1) If the Prime Minister finds that the particulars prescribed by a Low-Cost, Short-Term Insurer in the document listed in Article 272-2, paragraph (2), item (iv) fall under any of the following items, he/she may order the Low-Cost, Short-Term Insurer to modify any of the particulars prescribed in the document listed in that item within a specified period of time:

一　保険料の算出方法が、保険金等割合（毎決算期において、その事業年度に保険契約に基づいて支払義務が発生した保険金その他の給付金（これに準ずるものとして内閣府令で定めるものを含む。）を、当該保険契約により収受した保険料として内閣府令で定めるもので除して得た割合をいう。）その他の収支の状況に照らして、保険数理に基づき合理的かつ妥当なものであると認められないとき。

(i) The method of calculating insurance premiums is not found to be reasonable and relevant based on actuarial science, in light of the rate of Insurance Proceeds, etc. (meaning the rate found by dividing the amount of the insurance proceeds and other benefits (including any other payment specified by Cabinet Office Ordinance as equivalent thereto) which became payable under insurance contracts within the business year concerned) by the amount of insurance premiums specified by Cabinet Office Ordinance as received under the insurance contracts; or

二　責任準備金の算出方法が、保険数理に基づき合理的かつ妥当なものであると認められないとき。

(ii) The method of calculating the policy reserves is not found to be reasonable and relevant based on actuarial science.

２　内閣総理大臣は、前項に規定する場合のほか、少額短期保険業者の業務若しくは財産の状況に照らして、又は事情の変更により、少額短期保険業者の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため必要があると認めるときは、当該少額短期保険業者に対し、その必要の限度において、第二百七十二条の二第二項第二号から第四号までに掲げる書類に定めた事項の変更を命ずることができる。

(2) In addition to the cases prescribed in the preceding paragraph, the Prime Minister may, when and to the extent that he/she finds it necessary, in light of the status of the business or property of a Low-Cost, Short-Term Insurer or changing circumstances, for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of the Low-Cost, Short-Term Insurer, order the Low-Cost, Short-Term Insurer to modify any of the particulars prescribed in the documents listed in Article 272-2, paragraph (2), items (ii) to (iv) inclusive.

（業務改善命令）

(Business Improvement Order)

第二百七十二条の二十五　内閣総理大臣は、少額短期保険業者の業務若しくは財産又は少額短期保険業者及びその子会社等の財産の状況に照らして、当該少額短期保険業者の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため必要があると認めるときは、当該少額短期保険業者に対し、措置を講ずべき事項及び期限を示して、経営の健全性を確保するための改善計画の提出を求め、又は提出された改善計画の変更を命じ、その他監督上必要な措置を命ずることができる。

Article 272-25 (1) If the Prime Minister finds it necessary, in light of the status of the business or property of a Low-Cost, Short-Term Insurer or the status of the property of its Subsidiary Company, etc., for protecting the Policyholders, etc. and for ensuring the sound and appropriate business operation of the Low-Cost, Short-Term Insurer, he/she may request the Low-Cost, Short-Term Insurer to submit an improvement program for ensuring the soundness of its management by specifying particulars with regard to which measures must be taken as well as a time limit or order the modification of the submitted improvement program, or order necessary measures for the purpose of supervision.

２　前項の規定による命令であって、少額短期保険業者の保険金等の支払能力の充実の状況によって必要があると認めるときにするものは、少額短期保険業者の保険金等の支払能力の充実の状況に係る区分に応じ内閣府令・財務省令で定めるものでなければならない。

(2) An order under the preceding paragraph that it is found to be necessary to issue due to the Low-Cost, Short-Term Insurer's level of solvency in terms of its ability to pay Insurance Proceeds, etc., must be an order specified by Cabinet Office Ordinance or Ordinance of the Ministry of Finance for the category that corresponds to the Low-Cost, Short-Term Insurer's level of solvency in terms of its ability to pay Insurance Proceeds, etc.

（登録の取消し等）

(Cancellation of Registration, etc.)

第二百七十二条の二十六　内閣総理大臣は、少額短期保険業者が次の各号のいずれかに該当することとなったときは、期限を付して当該少額短期保険業者の業務の全部若しくは一部の停止を命じ、又は第二百七十二条第一項の登録を取り消すことができる。

Article 272-26 (1) The Prime Minister may order the total or partial suspension of the business of a Low-Cost, Short-Term Insurer for a specified period of time, or cancel the registration set forth in Article 272, paragraph (1), if and when the Low-Cost, Short-Term Insurer:

一　第二百七十二条の四第一項第一号から第四号まで、第七号、第八号又は第十一号に該当したとき。

(i) falls under any of Article 272-4, paragraph (1), items (i) to (iv) inclusive, item (vii), (viii) or (xi);

二　不正の手段により第二百七十二条第一項の登録を受けたとき。

(ii) obtains the registration set forth in Article 272, paragraph (1) by wrongful means;

三　小規模事業者でなくなったとき、その他法令の規定に違反したとき。

(iii) ceases to be a small-scale entrepreneur or violates any other provisions of a law or regulation;

四　法令に基づく内閣総理大臣の処分又は第二百七十二条の二第二項各号に掲げる書類に定めた事項のうち特に重要なものに違反したとき。

(iv) violates any disposition by the Prime Minister pursuant to a law or regulation or any of the particularly important particulars prescribed in the documents listed in the items of Article 272-2, paragraph (2); or

五　公益を害する行為をしたとき。

(v) engages in any action with prejudice to the public interest.

２　内閣総理大臣は、少額短期保険業者の取締役、執行役、会計参与又は監査役が第二百七十二条の四第一項第十号イからヘまでのいずれかに該当することとなったとき、法令の規定に違反する行為をしたとき、又は前項第四号若しくは第五号に該当する行為をしたときは、当該少額短期保険業者に対し当該取締役、執行役、会計参与又は監査役の解任を命ずることができる。

(2) Where any director, executive officer, accounting advisor or company auditor of a Low-Cost, Short-Term Insurer falls under any of Article 272-4, paragraph (1), item (x), sub-items (a) to (f) inclusive, violates any provisions of a law or regulation, or acts as listed in item (iv) or (v) of the preceding paragraph, the Prime Minister may order the Low-Cost, Short-Term Insurer to dismiss the director, executive officer, accounting advisor or company auditor.

第二百七十二条の二十七　内閣総理大臣は、少額短期保険業者の財産の状況が著しく悪化し、少額短期保険業を継続することが保険契約者等の保護の見地から適当でないと認めるときは、当該少額短期保険業者の第二百七十二条第一項の登録を取り消すことができる。

Article 272-27 If the Prime Minister finds that, from the viewpoint of protecting Policyholders, etc., it is inappropriate for a Low-Cost, Short-Term Insurer to engage in Low-Cost, Short-Term Insurance Services, because of extreme deterioration in the status of its property, the Prime Minister may cancel the registration of such Low-Cost, Short-Term Insurer under Article 272, paragraph (1).

（健全性の基準に関する規定の準用）

(Mutatis Mutandis Application of Provisions on the Standard of Soundness)

第二百七十二条の二十八　第百三十条の規定は、少額短期保険業者について準用する。

Article 272-28 The provisions of Article 130 shall apply mutatis mutandis to a Low-Cost, Short-Term Insurer.

第五節　保険契約の包括移転等

Section 5 Portfolio Transfers, etc. of Insurance Contracts

（保険契約の包括移転に関する規定の準用）

(Mutatis Mutandis Application of Provisions on Portfolio Transfers of Insurance Contracts)

第二百七十二条の二十九　第七章第一節の規定は、少額短期保険業者の保険契約の移転について準用する。この場合において、第百三十五条第一項中「外国保険会社等」とあるのは、「外国保険会社等及び少額短期保険業者」と読み替えるものとする。

Article 272-29 The provisions of Chapter VII, Section 1 shall apply mutatis mutandis to the transfer of insurance contracts of a Low-Cost, Short-Term Insurer. In this case, the term "Foreign Insurance Company, etc." in Article 135, paragraph (1) shall be deemed to be replaced with "Foreign Insurance Company, etc. or Low-Cost, Short-Term Insurer."

（事業の譲渡又は譲受け並びに業務及び財産の管理の委託に関する規定の準用）

(Mutatis Mutandis Application of Provisions on the Transfer or Acceptance of Business, and Entrustment of Activity and Property)

第二百七十二条の三十　第百四十二条の規定は、少額短期保険業者を全部又は一部の当事者とする事業の譲渡又は譲受けについて準用する。

Article 272-30 (1) The provisions of Article 142 shall apply mutatis mutandis to the transfer or acceptance of business involving a Low-Cost, Short-Term Insurer or Low-Cost, Short-Term Insurers.

２　第七章第三節の規定は、少額短期保険業者がその業務及び財産の管理の委託をする場合について準用する。この場合において、第百四十四条第一項中「外国保険会社等（内閣府令で定めるものを除く。）」とあるのは、「外国保険会社等（内閣府令で定めるものを除く。）及び少額短期保険業者」と読み替えるものとする。

(2) The provisions of Chapter VII, Section 3 shall apply mutatis mutandis to entrustment of the administration of business and property by a Low-Cost, Short-Term Insurer. In this case, the term "Foreign Insurance Company, etc. (unless otherwise specified by a Cabinet Office Ordinance)" in Article 144, paragraph (1) shall be deemed to be replaced with "Foreign Insurance Company, etc. (unless otherwise specified by a Cabinet Office Ordinance) or Low-Cost, Short-Term Insurer."

第六節　株主

Section 6 Shareholders

第一款　少額短期保険主要株主

Subsection 1 Low-Cost, Short-Term Insurers' Major Shareholders

（少額短期保険業者の主要株主基準値以上の数の議決権の保有者に係る承認等）

(Approval Pertaining to Holders of Voting Rights in a Low-Cost, Short-Term Insurer, etc. Equal to or Exceeding the Major Shareholder Threshold)

第二百七十二条の三十一　次に掲げる取引若しくは行為により一の少額短期保険業者の主要株主基準値以上の数の議決権の保有者になろうとする者又は少額短期保険業者の主要株主基準値以上の数の議決権の保有者である会社その他の法人の設立をしようとする者（第二百七十一条の十第一項に規定する国等、第二百七十二条の三十五第一項に規定する持株会社になろうとする会社、同項に規定する者及び少額短期保険業者を子会社としようとする第二百七十二条の三十七第二項に規定する少額短期保険持株会社を除く。）は、あらかじめ、内閣総理大臣の承認を受けなければならない。

Article 272-31 (1) Any person who seeks to become the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold or to form a company or juridical person that is the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold through any of the following transactions or actions (other than the State, etc. set forth in Article 271-10, paragraph (1), the company set forth in Article 272-35, paragraph (1) that seeks to become a Holding Company, the person set forth in that paragraph or the Low-Cost, Short-Term Insurance Holding Company set forth in Article 272-37, paragraph (2) that seeks to make a Low-Cost, Short-Term Insurer its Subsidiary Company), shall obtain the approval of the Prime Minister in advance:

一　当該議決権の保有者になろうとする者による少額短期保険業者の議決権の取得（担保権の実行による株式の取得その他の内閣府令で定める事由によるものを除く。）

(i) Acquisition of voting rights in a Low-Cost, Short-Term Insurer by a person seeking to hold the relevant voting rights (except for those obtained by the acquisition of shares through the exercise of a security interest or due to any other event specified by Cabinet Office Ordinance);

二　当該議決権の保有者になろうとする者がその主要株主基準値以上の数の議決権を保有している会社による第二百七十二条第一項の登録を受ける行為

(ii) An action through which the registration set forth in Article 272, paragraph (1), is obtained, through a company that holds a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold, by the person seeking to become the holder of said voting rights); or

三　その他政令で定める取引又は行為

(iii) Any other transaction or action specified by Cabinet Order.

２　前項各号に掲げる取引又は行為以外の事由により一の少額短期保険業者の主要株主基準値以上の数の議決権の保有者になった者（第二百七十一条の十第一項に規定する国等、第二百七十二条の三十五第二項に規定する特定少額短期持株会社及び第二百七十二条の三十七第二項に規定する少額短期保険持株会社を除く。以下この条及び第三百三十三条において「特定少額短期主要株主」という。）は、当該事由の生じた日の属する当該少額短期保険業者の事業年度の終了の日から一年を経過する日（以下この項及び第四項において「猶予期限日」という。）までに少額短期保険業者の主要株主基準値以上の数の議決権の保有者でなくなるよう、所要の措置を講じなければならない。ただし、当該特定少額短期主要株主が、猶予期限日後も引き続き少額短期保険業者の主要株主基準値以上の数の議決権の保有者であることについて内閣総理大臣の承認を受けた場合は、この限りでない。

(2) Any person that has become the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold due to any other event than the transactions or actions listed in the items of the preceding paragraph (other than the National Government, etc. set forth in Article 271-10, paragraph (1), the Specified Low-Cost, Short-Term Insurance Holding Company set forth in Article 272-35, paragraph (2) or the Specified Low-Cost, Short-Term Insurance Holding Company set forth in Article 272-37, paragraph (2); referred to as a "Low-Cost, Short-Term Insurer's Specified Major Shareholder" hereafter in this Article as well as in Article 333) shall take necessary measures for ensuring that it will cease to be the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold by the date one year after the last day of the Low-Cost, Short-Term Insurer's business year in which the event occurred (referred to as the "Last Day of the Grace Period" hereafter in this paragraph as well as in paragraph (4)); provided, however, that this shall not apply where the Low-Cost, Short-Term Insurer's Specified Major Shareholder has received approval from the Prime Minister for continuing to be the holder of a number of voting rights in the Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold after the Last Day of the Grace Period.

３　特定少額短期主要株主は、前項の規定による措置により少額短期保険業者の主要株主基準値以上の数の議決権の保有者でなくなったときは、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。当該措置によることなく少額短期保険業者の主要株主基準値以上の数の議決権の保有者でなくなったときも、同様とする。

(3) If a Low-Cost, Short-Term Insurer's Specified Major Shareholder has ceased to be the holder of a number of voting rights in the Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold due to the measures set forth in the preceding paragraph, it shall notify the Prime Minister of this without delay. The same applies if it has ceased to be the holder of a number of voting rights in the Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold without such measures.

４　内閣総理大臣は、第一項の承認を受けずに同項各号に掲げる取引若しくは行為により少額短期保険業者の主要株主基準値以上の数の議決権の保有者になった者若しくは少額短期保険業者の主要株主基準値以上の数の議決権の保有者として設立された会社その他の法人又は第二項ただし書の承認を受けることなく猶予期限日後も少額短期保険業者の主要株主基準値以上の数の議決権の保有者である者に対し、当該少額短期保険業者の主要株主基準値以上の数の議決権の保有者でなくなるよう、所要の措置を講ずることを命ずることができる。

(4) The Prime Minister may order a person who has become the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold through any of the transactions or actions listed in the items of paragraph (1) or a company or any other juridical person formed as the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold, without receiving the approval set forth in paragraph (1), or a person that continues to be the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold, even after the Last Day of the Grace Period, without receiving the approval set forth in the proviso to paragraph (2), to take necessary measures for ensuring that it will cease to be the holder of a number of voting rights in the Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold.

５　第二条第十五項の規定は、前各項の場合において、少額短期保険業者の主要株主基準値以上の数の議決権の保有者が保有する議決権について準用する。

(5) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the voting rights held by the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold, in the cases referred to in the preceding paragraphs.

（承認申請手続）

(Application Procedure for Approval)

第二百七十二条の三十二　前条第一項又は第二項ただし書の承認を受けようとする者は、次に掲げる事項を記載した承認申請書を内閣総理大臣に提出しなければならない。

Article 272-32 (1) Any person that seeks to receive the approval set forth in the preceding Article, paragraph (1) or the proviso to paragraph (2) shall submit to the Prime Minister a written application for approval detailing the following particulars:

一　議決権保有割合（当該承認を受けようとする者の保有する当該承認に係る少額短期保険業者の議決権の数を、当該少額短期保険業者の総株主の議決権で除して得た割合をいう。第二百七十二条の三十六第一項及び第二百七十二条の四十二第一項において同じ。）に関する事項、取得資金に関する事項、保有の目的その他の少額短期保険業者の議決権の保有に関する重要な事項として内閣府令で定める事項

(i) the particulars of the Proportion of Voting Rights Held (meaning the proportion calculated by dividing the number of voting rights the Applicant for approval holds in the Low-Cost, Short-Term Insurer to which the approval pertains, by all shareholders' voting rights in the Low-Cost, Short-Term Insurer; the same shall apply in Article 272-36, paragraph (1) and Article 272-42, paragraph (1)), the particulars of the acquisition funding, the purpose of holding the voting rights, and other particulars specified by Cabinet Office Ordinance as important particulars of the holding of voting rights in a Low-Cost, Short-Term Insurer;

二　商号、名称又は氏名及び住所

(ii) its trade name, name, and address;

三　法人である場合においては、その資本金又は出資の額及びその代表者の氏名

(iii) for a juridical person, the amount of capital or contribution and the name of its representative person; and

四　事業を行っているときは、営業所の名称及び所在地並びにその事業の種類

(iv) for a business entity, the names and addresses of its business offices and the type of its business.

２　前項の承認申請書には、次条第一項第一号ハ及び第二号ハに該当しないことを誓約する書面その他内閣府令で定める書面を添付しなければならない。

(2) The written application for approval set forth in the preceding paragraph shall be attached with a document containing a pledge that the application does not fall under paragraph (1), item (i), sub-item (c) or item (ii), sub-item (c) of the following Article as well as any other document specified by Cabinet Office Ordinance.

３　第二条第十五項の規定は、第一項の場合において、承認申請書を提出する者が保有する議決権について準用する。

(3) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the voting rights held by the person submitting the written application for approval in the case referred to in paragraph (1).

第二百七十二条の三十三　内閣総理大臣は、第二百七十二条の三十一第一項又は第二項ただし書の承認の申請があったときは、次のいずれかに該当する場合を除き、これを承認しなければならない。

Article 272-33 (1) Whenever an application has been filed for the approval under Article 272-31, paragraph (1) or the proviso to Article 272-31, paragraph (2), with the exception of cases falling under any of the following, the Prime Minister shall give such approval:

一　当該承認の申請をした者（以下この条において「申請者」という。）が会社その他の法人である場合又は当該承認を受けて会社その他の法人が設立される場合にあっては、次のいずれかに該当するとき。

(i) The person that filed the application for approval (hereinafter referred to as "Applicant" in this Article) is a company or any other juridical person, or where a company or any other juridical person is to be formed with the approval, any of the following applies:

イ　取得資金に関する事項、保有の目的その他の当該申請者又は当該承認を受けて設立される会社その他の法人（以下この号において「法人申請者等」という。）による少額短期保険業者の主要株主基準値以上の数の議決権の保有に関する事項に照らして、当該法人申請者等がその主要株主基準値以上の数の議決権の保有者であり、又はその主要株主基準値以上の数の議決権の保有者となる少額短期保険業者の業務の健全かつ適切な運営を損なうおそれがあること。

(a) In light of the particulars of the acquisition funding, the purpose of holding the voting rights or any other particular involved in the holding of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold by the company or any other juridical person to be formed with the approval (hereinafter referred to as "Juridical Person Applicant, etc." in this item), the application poses a risk to the sound and appropriate business operation of the Low-Cost, Short-Term Insurer in which the Juridical Person Applicant, etc. holds, or will hold, a number of voting rights equal to or exceeding the Major Shareholder Threshold;

ロ　法人申請者等及びその子会社（子会社となる会社を含む。）の財産及び収支の状況に照らして、当該法人申請者等がその主要株主基準値以上の数の議決権の保有者であり、又はその主要株主基準値以上の数の議決権の保有者となる少額短期保険業者の業務の健全かつ適切な運営を損なうおそれがあること。

(b) In light of the condition of the property and balance of payment of the Juridical Person Applicant, etc. and its Subsidiary Companies (including any prospective Subsidiary Company), the application poses a risk to the sound and appropriate business operation of the Low-Cost, Short-Term Insurer in which the Juridical Person-Applicant, etc. holds, or will hold, a number of voting rights equal to or exceeding the Major Shareholder Threshold; or

ハ　法人申請者等が、次のいずれかに該当する者であること。

(c) The Juridical Person Applicant, etc. falls under any of the following:

（１）　第百三十三条若しくは第百三十四条の規定により第三条第一項の免許を取り消され、第二百五条若しくは第二百六条の規定により第百八十五条第一項の免許を取り消され、第二百三十一条若しくは第二百三十二条の規定により第二百十九条第一項の免許を取り消され、第二百七十二条の二十六第一項若しくは第二百七十二条の二十七の規定により第二百七十二条第一項の登録を取り消され、若しくは第三百七条第一項の規定により第二百七十六条若しくは第二百八十六条の登録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同種類の免許若しくは登録（当該免許又は登録に類する許可その他の行政処分を含む。）を取り消された場合において、その取消しの日から五年を経過しない者

1. A person whose license under Article 3, paragraph (1) was canceled pursuant to the provisions of Article 133 or 134, whose license under Article 185, paragraph (1) was canceled pursuant to the provisions of Article 205 or 206, whose license under Article 219, paragraph (1) was canceled pursuant to the provisions of Article 231 or 232, whose registration under Article 272, paragraph (1) was canceled pursuant to the provisions of Article 272-26, paragraph (1) or Article 272-27 or whose registration under Article 276 or 286 was canceled pursuant to the provisions of Article 307, paragraph (1), or whose license or registration of a similar type obtained under a foreign law or regulation equivalent to this Act (including any permission or other administrative disposition similar to such license or registration) was canceled in the foreign state concerned, without five years having elapsed since the date of such cancellation.

（２）　第二百七十二条の四第一項第八号に規定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

2. A person sentenced to a fine (including any equivalent punishment under a foreign law or regulation) for violating a provisions of any of the actions set forth in Article 272-4, paragraph (1), item (viii) or any foreign law or regulation equivalent thereto, without five years having elapsed since the execution of the sentence was terminated or since it was no longer subject to the execution of the sentence;

（３）　役員のうちに会社法第三百三十一条第一項第二号（取締役の資格等）若しくは第十二条第一項の規定により読み替えて適用する同法第三百三十一条第一項第三号に掲げる者又は第二百七十二条の四第一項第十号イからヘまでのいずれかに該当する者のある者

3. A person whose officers include the person listed in Article 331, paragraph (1), item (ii) of the Companies Act (Qualifications of Directors) or Article 331, paragraph (1), item (iii) of that Act as applied with relevant changes in interpretation pursuant to the provisions of Article 12, paragraph (1), or a person falling under any of Article 272-4, paragraph (1), item (x), sub-items (a) to (f) inclusive; or

二　前号に掲げる場合以外の場合にあっては、次のいずれかに該当するとき。

(ii) In any other case than that listed in the preceding item, any of the following applies:

イ　取得資金に関する事項、保有の目的その他の当該申請者による少額短期保険業者の主要株主基準値以上の数の議決権の保有に関する事項に照らして、当該申請者がその主要株主基準値以上の数の議決権の保有者であり、又はその主要株主基準値以上の数の議決権の保有者となる少額短期保険業者の業務の健全かつ適切な運営を損なうおそれがあること。

(a) In light of the particulars of the acquisition funding, the purpose of holding the voting rights or any other particular involved in the holding of a number of voting rights in the Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold by the Applicant, the application poses a risk to the sound and appropriate business operation of the Low-Cost, Short-Term Insurer in which the Applicant holds, or will hold, a number of voting rights equal to or exceeding the Major Shareholder Threshold;

ロ　当該申請者の財産の状況（当該申請者が事業を行う者である場合においては、収支の状況を含む。）に照らして、当該申請者がその主要株主基準値以上の数の議決権の保有者であり、又はその主要株主基準値以上の数の議決権の保有者となる少額短期保険業者の業務の健全かつ適切な運営を損なうおそれがあること。

(b) In light of the status of the property of the Applicant (including the condition of balance of payment, where the Applicant is a business entity), the application poses a risk to the sound and appropriate business operation of the Low-Cost, Short-Term Insurer in which the Applicant holds, or will hold, a number of voting rights equal to or exceeding the Major Shareholder Threshold; or

ハ　当該申請者が、次のいずれかに該当する者であること。

(c) The Applicant falls under any of the following points:

（１）　成年被後見人若しくは被保佐人又は外国の法令上これと同様に取り扱われている者であって、その法定代理人が会社法第三百三十一条第一項第二号若しくは第十二条第一項の規定により読み替えて適用する同法第三百三十一条第一項第三号に掲げる者又は第二百七十二条の四第一項第十号イからヘまでのいずれかに該当する者であるもの

1. An adult ward or person under curatorship, or any other person receiving a similar treatment under a foreign law or regulation, whose statutory representative falls under Article 331, paragraph (1), item (ii) of the Companies Act or Article 331, paragraph (1), item (iii) of that Act as applied with relevant changes in interpretation pursuant to the provisions of Article 12, paragraph (1), or any of Article 272-4, paragraph (1), item (x), sub-items (a) to (f) inclusive; or

（２）　会社法第三百三十一条第一項第二号若しくは第十二条第一項の規定により読み替えて適用する同法第三百三十一条第一項第三号に掲げる者又は第二百七十二条の四第一項第十号イからヘまでのいずれかに該当する者

2. A person falling under Article 331, paragraph (1), item (ii) of the Companies Act or Article 331, paragraph (1), item (iii) of that Act as applied with relevant changes in interpretation pursuant to the provisions of Article 12, paragraph (1), or any of Article 272-4, paragraph (1), item (x), sub-items (a) to (f) inclusive.

２　第二条第十五項の規定は、前項の場合において、申請者が保有する議決権について準用する。

(2) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the voting rights held by the Applicant in the case referred to in the preceding paragraph.

（監督に関する規定の準用）

(Mutatis Mutandis Application of Provisions on Supervision)

第二百七十二条の三十四　第二百七十一条の十二から第二百七十一条の十四まで及び第二百七十一条の十六の規定は、少額短期保険業者の主要株主基準値以上の数の議決権の保有者である少額短期保険主要株主（第二百七十二条の三十一第一項各号に掲げる取引若しくは行為について保有者となる承認を受け、同項の承認を受けて設立され、又は同条第二項ただし書の承認を受けている者をいう。以下同じ。）について準用する。この場合において、第二百七十一条の十二中「第百二十八条第一項」とあるのは「第二百七十二条の二十二第一項」と、第二百七十一条の十三中「第百二十九条第一項」とあるのは「第二百七十二条の二十三第一項」と、第二百七十一条の十四中「第二百七十一条の十一各号」とあるのは「第二百七十二条の三十三第一項各号」と、「第二百七十一条の十第一項又は第二項ただし書の認可」とあるのは「第二百七十二条の三十一第一項又は第二項ただし書の承認」と、第二百七十一条の十六第一項中「第二百七十一条の十第一項若しくは第二項ただし書の認可」とあるのは「第二百七十二条の三十一第一項若しくは第二項ただし書の承認」と、「同条第一項の認可」とあるのは「同条第一項の承認」と、「当該認可」とあるのは「当該承認」と、同条第二項中「第二百七十一条の十第一項又は第二項ただし書の認可」とあるのは「第二百七十二条の三十一第一項又は第二項ただし書の承認」と読み替えるものとする。

Article 272-34 (1) The provisions of Article 271-12 to 271-14 inclusive and 271-16 shall apply mutatis mutandis to a Low-Cost, Short-Term Insurer's Major Shareholder that holds a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold (meaning a person that has received the approval to hold such voting rights following any of the transactions or actions listed in items of Article 272-31, paragraph (1), was formed with the approval set forth in the same paragraph, or has received the approval set forth in the proviso to paragraph (2) of the same Article; the same shall apply hereinafter). In this case, the term "Article 128, paragraph (1)" in Article 271-12 shall be deemed to be replaced with "Article 272-22, paragraph (1)"; the term "Article 129, paragraph (1)" in Article 271-13 shall be deemed to be replaced with "Article 272-23, paragraph (1)"; the terms "the items of Article 271-11" and "authorization set forth in the proviso of Article 271, paragraph (1) or (2)" in Article 271-14 shall be deemed to be replaced with "Article 272-33, paragraph (1), items (i) and (ii)" and "approval set forth in Article 272-31, paragraph (1) or the proviso to Article 272-31, paragraph (2)," respectively; the terms "authorization of the Insurance Company's Major Shareholder set forth in the proviso of Article 271-10, paragraph (1) or (2)," "authorizations set forth in Article 271-10, paragraph (1)" and "said authorization" in Article 271-16, paragraph (1) shall be deemed to be replaced with "approval of the Insurance Company's Major Shareholder set forth in Article 272-31, paragraph (1) or the proviso to Article 272-31, paragraph (2)," "approvals set forth in Article 272-31, paragraph (1)," and "said approval," respectively; and the term "authorization set forth in the proviso of Article 271-10, paragraph (1) or (2)" in Article 271-16, paragraph (2) shall be deemed to be replaced with "approval set forth in Article 272-31, paragraph (1) or the proviso to Article 272-31, paragraph (2)."p

２　第二条第十五項の規定は、前項の場合において、少額短期保険業者の主要株主基準値以上の数の議決権の保有者が保有する議決権について準用する。

(2) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to the voting rights held by the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold in the case referred to in the preceding paragraph.

第二款　少額短期保険持株会社

Subsection 2 Low-Cost, Short-Term Insurance Holding Company

（少額短期保険持株会社に係る承認等）

(Approval Pertaining to Low-Cost, Short-Term Insurance Holding Company, etc.)

第二百七十二条の三十五　次に掲げる取引若しくは行為により少額短期保険業者を子会社とする持株会社になろうとする会社又は少額短期保険業者を子会社とする持株会社の設立をしようとする者は、あらかじめ、内閣総理大臣の承認を受けなければならない。

Article 272-35 (1) Any company that seeks to become a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer through any of the following transactions or actions, or any person that seeks to incorporate a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer must receive in advance the approval of the Prime Minister:

一　当該会社又はその子会社による少額短期保険業者の議決権の取得（担保権の実行による株式の取得その他の内閣府令で定める事由によるものを除く。）

(i) Acquisition of voting rights in the Low-Cost, Short-Term Insurer by the company or any of its Subsidiaries (excluding through the acquisition of shares by the exercise of a security interest or any other event specified by Cabinet Office Ordinance);

二　当該会社の子会社による第二百七十二条第一項の登録を受ける行為

(ii) Any action by a Subsidiary of the company to obtain the registration set forth in Article 272, paragraph (1); or

三　その他政令で定める取引又は行為

(iii) Any other transaction or action specified by Cabinet Order.

２　前項各号に掲げる取引又は行為以外の事由により少額短期保険業者を子会社とする持株会社になった会社（以下「特定少額短期持株会社」という。）は、当該事由の生じた日の属する事業年度終了後三月以内に、当該会社が少額短期保険業者を子会社とする持株会社になった旨その他の内閣府令で定める事項を内閣総理大臣に届け出なければならない。

(2) Any company that has become a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer following any other event than the transactions or actions listed in items of the preceding paragraph (hereinafter referred to as "Specified Low-Cost, Short-Term Insurance Holding Company") shall, within three months from the end of the business year in which the event occurred, notify the Prime Minister of the fact that the company has become a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer, as well as other particulars specified by Cabinet Office Ordinance.

３　特定少額短期持株会社は、前項の事由の生じた日の属する事業年度の終了の日から一年を経過する日（以下この項及び第五項において「猶予期限日」という。）までに少額短期保険業者を子会社とする持株会社でなくなるよう、所要の措置を講じなければならない。ただし、当該特定少額短期持株会社が、猶予期限日後も引き続き少額短期保険業者を子会社とする持株会社であることについて内閣総理大臣の承認を受けた場合は、この限りでない。

(3) A Specified Low-Cost, Short-Term Insurance Holding Company shall take necessary measures to ensure that it will cease to be a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer by the date that is one year after the last day of the business year in which the event set forth in the preceding paragraph occurred (referred to as "Last Day of the Grace Period" hereafter in this paragraph as well as in paragraph (5)); provided, however, that this shall not apply where the Prime Minister approves that the Specified Low-Cost, Short-Term Insurance Holding Company continue as a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer after the Last Day of the Grace Period.

４　特定少額短期持株会社は、前項の規定による措置により少額短期保険業者を子会社とする持株会社でなくなったときは、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。当該措置によることなく少額短期保険業者を子会社とする持株会社でなくなったときも、同様とする。

(4) If a Specified Low-Cost, Short-Term Insurance Holding Company has ceased to be a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer due to the measures taken under the preceding paragraph, it shall notify the Prime Minister of this without delay. The same applies if it has ceased to be a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer without such measures.

５　内閣総理大臣は、第一項の承認を受けずに同項各号に掲げる取引若しくは行為により少額短期保険業者を子会社とする持株会社になった会社若しくは少額短期保険業者を子会社とする持株会社として設立された会社又は第三項ただし書の承認を受けることなく猶予期限日後も少額短期保険業者を子会社とする持株会社である会社に対し、少額短期保険業者を子会社とする持株会社でなくなるよう、所要の措置を講ずることを命ずることができる。

(5) The Prime Minister may order any company that has become a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer due to any of the transactions or actions listed in the items of paragraph (1) or was incorporated as a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer, without the approval set forth in paragraph (1), or any company that continues as a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer after the Last Day of the Grace Period without the approval set forth in the proviso to paragraph (3), to take necessary measures to ensure that it will cease to be a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer.

第二百七十二条の三十六　前条第一項又は第三項ただし書の承認を受けようとする者は、次に掲げる事項を記載した承認申請書を内閣総理大臣に提出しなければならない。

Article 272-36 (1) A person seeking to receive the approval set forth in the preceding Article, paragraph (1) or the proviso to paragraph (3) must submit a written application for approval to the Prime Minister detailing the following particulars:

一　議決権保有割合に関する事項、取得資金に関する事項、保有の目的その他の少額短期保険業者の議決権の保有に関する重要な事項として内閣府令で定める事項

(i) the particulars of the Proportion of Voting Rights Held, the particulars of the acquisition funding, the purpose of holding the voting rights, and other particulars specified by Cabinet Office Ordinance as important particulars of the holding of voting rights in a Low-Cost, Short-Term Insurer:

二　商号

(ii) its trade name;

三　資本金の額

(iii) the amount of capital;

四　取締役及び監査役（委員会設置会社にあっては、取締役及び執行役）の氏名

(iv) the names of its directors and company auditors (or, in a company with Committees, directors and executive officers); and

五　本店その他の営業所の名称及び所在地

(v) the names and addresses of its head office and other offices.

２　前項の承認申請書には、定款、貸借対照表、損益計算書、次条第一項第三号に該当しないことを誓約する書面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 written application for approval set forth in the preceding paragraph shall be attached with the articles of incorporation, the balance sheet, the profit and loss statement, a document containing a pledge that the application does not fall under paragraph (1), item (iii) of the following Article, and other documents specified by Cabinet Office Ordinance.

第二百七十二条の三十七　内閣総理大臣は、第二百七十二条の三十五第一項又は第三項ただし書の承認の申請があったときは、次のいずれかに該当する場合を除き、これを承認しなければならない。

Article 272-37 (1) Whenever an application has been filed for the approval referred to in Article 272-35, paragraph (1) or the proviso to Article 272-35, paragraph (3), with the exception of cases falling under any of the following, the Prime Minister shall give such approval:

一　当該承認の申請をした会社又は当該承認を受けて設立される会社（以下この条において「申請者等」という。）及びその子会社（子会社となる会社を含む。第四号において同じ。）の財産及び収支の状況に照らして、当該申請者等がその子会社であり、又はその子会社となる少額短期保険業者の業務の健全かつ適切な運営を損なうおそれがあること。

(i) in light of the status of the property and balance of payment of the company that filed the application for approval or the company to be incorporated with the approval (hereinafter referred to as "Applicant, etc." in this Article) and its Subsidiaries (including any prospective Subsidiaries), the Applicant, etc. poses a risk to the sound and appropriate business operation of the Low-Cost, Short-Term Insurer that is, or will be its Subsidiary;

二　申請者等が、その人的構成等に照らして、その子会社であり、又はその子会社となる少額短期保険業者の経営管理を的確かつ公正に遂行することができる知識及び経験を有しない者であること。

(ii) in light of its human resource structure, etc., the Applicant, etc. does not have the necessary knowledge and experience for ensuring the appropriate and fair management of the Low-Cost, Short-Term Insurer that is, or will be, its Subsidiary;

三　申請者等が第二百七十二条の三十三第一項第一号ハに該当する者であること。

(iii) the Applicant, etc. falls under Article 272-33, paragraph (1), item (i), sub-item (c); or

四　申請者等の子会社の業務の内容が第二百七十二条の三十九第三項各号のいずれかに該当するものであること。

(iv) the business content of any Subsidiary of the Applicant, etc. falls under item of Article 272-39, paragraph (3).

２　少額短期保険持株会社（少額短期保険業者を子会社とする持株会社であって、第二百七十二条の三十五第一項各号に掲げる取引若しくは行為について保有者となる承認を受け、同項の承認を受けて設立され、又は同条第三項ただし書の承認を受けているものをいう。以下同じ。）は、外国の法令に準拠して設立されたものを除き、株式会社であって次に掲げる機関を置くものでなければならない。

(2) A Low-Cost, Short-Term Insurance Holding Company (meaning a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer that has received the approval to hold the relevant voting rights following any of the transactions or actions listed in items of Article 272-35, paragraph (1), was incorporated with the approval set forth in Article 272-35, paragraph (1), or has received the approval set forth in the proviso to Article 272-35, paragraph (3); the same shall apply hereinafter) shall be a Stock Company that has the following organs, unless it was incorporated in accordance with the laws and regulations of the foreign state:

一　取締役会

(i) Board of directors;

二　監査役会又は委員会

(ii) Board of company auditors or Committees; and

三　会計監査人

(iii) Accounting auditors.

（少額短期保険持株会社の取締役等の適格性等）

(Qualification, etc. for Directors, etc. of Low-Cost, Short-Term Insurance Holding Company)

第二百七十二条の三十七の二　会社法第三百三十一条第二項ただし書（取締役の資格等）（同法第三百三十五条第一項（監査役の資格等）において準用する場合を含む。）、第三百三十二条第二項（取締役の任期）（同法第三百三十四条第一項（会計参与の任期）において準用する場合を含む。）、第三百三十六条第二項（監査役の任期）及び第四百二条第五項ただし書（執行役の選任等）の規定は、少額短期保険持株会社については、適用しない。

Article 272-37-2 (1) The following provisions in the Companies Act shall not apply to a Low-Cost, Short-Term Insurance Holding Company: the proviso to Article 331, paragraph (2) (Qualifications of Directors) (including the cases where it is applied mutatis mutandis pursuant to Article 335, paragraph (1) (Qualifications of Company Auditors) of that Act), Article 332, paragraph (2) (Directors' Terms of Office) (including the cases where it is applied mutatis mutandis pursuant to Article 334, paragraph (1) (Accounting Advisors' Terms of Office) of that Act), Article 336, paragraph (2) (Company Auditors' Terms of Office) and the proviso to Article 402, paragraph (5) (Election of Executive Officers).

２　少額短期保険持株会社は、持分会社の無限責任社員又は業務を執行する社員となることができない。

(2) A Low-Cost, Short-Term Insurance Holding Company may not become an unlimited partner or a partner who executes the business of a membership company.

（少額短期保険持株会社の業務範囲等）

(Scope of Business of Low-Cost, Short-Term Insurance Holding Company, etc.)

第二百七十二条の三十八　少額短期保険持株会社は、次条第一項各号に掲げる会社及びこれらの会社以外の会社で同項又は同条第四項ただし書の規定による内閣総理大臣の承認を受けて子会社とした会社の経営管理を行うこと並びにこれに附帯する業務のほか、他の業務を営むことができない。

Article 272-38 (1) A Low-Cost, Short-Term Insurance Holding Company may not conduct business other than managing the operation of any company falling under items of paragraph (1) of the following Article and any other company that has become its Subsidiary with the approval of the Prime Minister set forth in Article 272-39, paragraph (1) or the proviso to Article 272-39, paragraph (4), or any other business incidental thereto.

２　少額短期保険持株会社は、その業務を営むに当たっては、その子会社である少額短期保険業者の業務の健全かつ適切な運営の確保に努めなければならない。

(2) A Low-Cost, Short-Term Insurance Holding Company shall, in conducting its business, endeavor to ensure the sound and appropriate business operation of its Low-Cost, Short-Term Insurer Subsidiaries.

（少額短期保険持株会社の子会社の範囲等）

(Scope of Subsidiaries of a Low-Cost, Short-Term Insurance Holding Company, etc.)

第二百七十二条の三十九　少額短期保険持株会社は、次に掲げる会社以外の会社を子会社としようとするときは、あらかじめ、内閣総理大臣の承認を受けなければならない。

Article 272-39 (1) A Low-Cost, Short-Term Insurance Holding Company must receive advance approval from the Prime Minister, when it seeks to make any company other than the companies that fall under any of the categories specified in the following items its Subsidiary:

一　少額短期保険業者

(i) A Low-Cost, Short-Term Insurer; or

二　少額短期保険業者の行う業務に従属し、又は付随し、若しくは関連する業務として内閣府令で定める業務を専ら営む会社

(ii) A company specialized in business that is dependent on the business conducted by a Low-Cost, Short-Term Insurer, or any business specified by Cabinet Office Ordinance as incidental or related thereto.

２　前項の承認を受けようとする少額短期保険持株会社は、当該承認の申請に係る会社の業務の内容、資本金の額、人的構成その他の内閣府令で定める事項を記載した申請書を内閣総理大臣に提出しなければならない。

(2) A Low-Cost, Short-Term Insurance Holding Company that seeks to receive the approval set forth in the preceding paragraph shall submit to the Prime Minister a written application detailing the business content, amount of capital and human resource structure of the company covered by the application for approval, as well as other particulars specified by Cabinet Office Ordinance.

３　内閣総理大臣は、第一項の承認の申請があったときは、当該申請に係る会社が行い、又は行おうとする業務の内容が、次の各号のいずれかに該当する場合を除き、これを承認しなければならない。

(3) Whenever an application has been filed for the approval referred to in paragraph (1), with the exception of cases in which the content of the business that the company to which the application pertains conducts or seeks to conducts falls under one of the following items, the Prime Minister shall give such approval:

一　当該業務の内容が、公の秩序又は善良の風俗を害するおそれがあること。

(i) it may harm the public policy and good morals; or

二　当該業務の内容が、当該申請に係る会社の資本金の額、人的構成等に照らして、当該申請に係る会社の経営の健全性を損なう危険性が大きく、かつ、その経営の健全性が損なわれた場合には、当該申請をした少額短期保険持株会社の子会社である少額短期保険業者の経営の健全性が損なわれることとなるおそれがあること。

(ii) it is likely to damage the soundness in management of the company covered by the application in light of the amount of capital, human resource structure, etc. of the company, and any such damage to its managerial soundness in turn poses the risk of damaging the soundness in the management of the Low-Cost, Short-Term Insurer Subsidiaries of the Low-Cost, Short-Term Insurance Holding Company that has filed the application.

４　第一項の規定は、同項各号に掲げる会社以外の会社が、少額短期保険持株会社又はその子会社の担保権の実行による株式又は持分の取得その他の内閣府令で定める事由により当該少額短期保険持株会社の子会社となる場合には、適用しない。ただし、当該少額短期保険持株会社は、その子会社となった当該会社を引き続き子会社とすることについて内閣総理大臣の承認を受けた場合を除き、当該会社が当該事由の生じた日から一年を経過する日までに子会社でなくなるよう、所要の措置を講じなければならない。

(4) The provisions of paragraph (1) shall not apply where a company not falling under paragraph (1), item (i) or (ii) becomes a Subsidiary of the Low-Cost, Short-Term Insurance Holding Company following the acquisition of shares or equity interests through the exercise of security interest by the Low-Cost, Short-Term Insurance Holding Company or any of its Subsidiaries, or any other justifiable event specified by Cabinet Office Ordinance; provided, however, that the Low-Cost, Short-Term Insurance Holding Company shall, unless the Prime Minister approves that such company continue to be its Subsidiary, take necessary measures to ensure that the company will cease to be its Subsidiary within one year from the date of such event.

５　少額短期保険持株会社が、保険会社を子会社とすることにより保険持株会社になろうとする場合又は保険持株会社である場合には、前条第一項の規定及び前各項の規定を適用せず、第二百七十一条の二十二の規定の定めるところによる。

(5) The provisions of Article 271-22 shall apply in lieu of the provisions of paragraph (1) of the preceding Article and the preceding paragraphs to any Low-Cost, Short-Term Insurance Holding Company that seeks to become an Insurance Holding Company by making an Insurance Company its Subsidiary, or any Low-Cost, Short-Term Insurance Holding Company that already is an Insurance Holding Company.

６　少額短期保険持株会社が、銀行若しくは長期信用銀行を子会社とすることにより銀行持株会社若しくは長期信用銀行持株会社になろうとする場合又は銀行持株会社若しくは長期信用銀行持株会社である場合には、前条第一項の規定及び第一項から第四項までの規定を適用せず、銀行法又は長期信用銀行法の相当規定の定めるところによる。

(6) The relevant provisions of the Banking Act or the Long Term Credit Bank Act shall apply in lieu of the provisions of paragraph (1) of the preceding Article and paragraphs (1) to (4) inclusive to any Low-Cost, Short-Term Insurance Holding Company that seeks to become a Bank Holding Company or Long Term Credit Bank Holding Company by making a Bank or Long Term Credit Bank its Subsidiary, or any Low-Cost, Short-Term Insurance Holding Company that already is a Bank Holding Company or Long Term Credit Bank Holding Company.

（経理、監督等に関する規定の準用）

(Mutatis Mutandis Application of Provisions on Accounting, Supervision, etc.)

第二百七十二条の四十　第二百七十一条の二十三の規定は少額短期保険持株会社の事業年度について、第二百七十一条の二十四の規定は少額短期保険持株会社及びその子会社その他の当該少額短期保険持株会社と内閣府令で定める特殊の関係のある会社（以下この条において「子会社等」という。）の業務及び財産の状況を連結して記載した中間業務報告書及び業務報告書について、第二百七十一条の二十五第一項から第四項までの規定は少額短期保険持株会社及びその子会社等の業務及び財産の状況に関する事項として内閣府令で定めるものを当該少額短期保険持株会社及び当該子会社等につき連結して記載した説明書類について、同条第五項の規定は少額短期保険持株会社について、第二百七十一条の二十六の規定は少額短期保険持株会社の事業報告及び附属明細書の記載事項について、それぞれ準用する。

Article 272-40 (1) The provisions of Article 271-23 shall apply mutatis mutandis to the business year of a Low-Cost, Short-Term Insurance Holding Company; the provisions of Article 271-24 shall apply mutatis mutandis to an interim business report or business report describing in a consolidated manner the status of the business and property of a Low-Cost, Short-Term Insurance Holding Company, its Subsidiaries and any other company to which it is specially related as specified by Cabinet Office Ordinance (hereinafter referred to as "Subsidiary Companies, etc." in this Article); the provisions of Article 271-25, paragraphs (1) to (4) inclusive shall apply mutatis mutandis to explanatory documents describing the particulars specified by Cabinet Office Ordinance as pertaining to the status of the business and property of a Low-Cost, Short-Term Insurance Holding Company and its Subsidiary Companies, etc. in a consolidated manner with regard to the Low-Cost, Short-Term Insurance Holding Company and its Subsidiary Companies, etc.; the provisions of Article 271-25, paragraph (5) shall apply mutatis mutandis to a Low-Cost, Short-Term Insurance Holding Company; and the provisions of Article 271-26 shall apply mutatis mutandis to the particulars for inclusion in the business report and annexed detailed statements of a Low-Cost, Short-Term Insurance Holding Company.

２　第二百七十一条の二十七の規定は少額短期保険業者を子会社とする少額短期保険持株会社、当該少額短期保険持株会社の子法人等（子会社その他当該少額短期保険持株会社がその経営を支配している法人として内閣府令で定めるものをいう。以下この条において同じ。）又は当該少額短期保険持株会社から業務の委託を受けた者について、第二百七十一条の二十八第一項の規定は少額短期保険業者を子会社とする少額短期保険持株会社について、同条第二項及び第四項の規定は少額短期保険持株会社の子法人等又は当該少額短期保険持株会社から業務の委託を受けた者について、同条第三項の規定はこれらの規定による立入り、質問又は検査をする職員について、第二百七十一条の二十九第一項の規定は少額短期保険持株会社について、同条第二項の規定は少額短期保険持株会社の子会社である少額短期保険業者について、第二百七十一条の三十の規定は少額短期保険持株会社又は少額短期保険持株会社の子会社である少額短期保険業者について、それぞれ準用する。この場合において、第二百七十一条の二十七第一項中「第百二十八条第一項」とあるのは「第二百七十二条の二十二第一項」と、第二百七十一条の二十八第一項及び第二項中「第百二十九条第一項」とあるのは「第二百七十二条の二十三第一項」と、第二百七十一条の三十第一項中「第二百七十一条の十八第一項若しくは第三項ただし書の認可」とあるのは「第二百七十二条の三十五第一項若しくは第三項ただし書の承認」と、「同条第一項の認可」とあるのは「同条第一項の承認」と、「当該認可」とあるのは「当該承認」と、同条第二項中「第二百七十一条の十八第一項又は第三項ただし書の認可」とあるのは「第二百七十二条の三十五第一項又は第三項ただし書の承認」と、同条第三項中「第二百七十一条の十第二項」とあるのは「第二百七十二条の三十一第二項」と、同条第四項第一号及び第二号中「第二百七十一条の十八第一項の認可」とあるのは「第二百七十二条の三十五第一項の承認」と、同項第三号中「第二百七十一条の十八第三項ただし書の認可」とあるのは「第二百七十二条の三十五第三項ただし書の承認」と、同項第四号中「第二百七十一条の十八第一項又は第三項ただし書の認可」とあるのは「第二百七十二条の三十五第一項又は第三項ただし書の承認」と読み替えるものとする。

(2) The provisions of Article 271-27 shall apply mutatis mutandis to a Low-Cost, Short-Term Insurance Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer, a Low-Cost, Short-Term Insurance Holding Company's Subsidiary, etc. (meaning a Subsidiary or any other person to be prescribed by Cabinet Office Ordinance as a juridical person whose management is controlled by the Low-Cost, Short-Term Insurance Holding Company; hereinafter the same shall apply in this Article) or a person the Low-Cost, Short-Term Insurance Holding Company has entrusted with its business; the provisions of Article 271-28, paragraph (1) shall apply mutatis mutandis to a Low-Cost, Short-Term Insurance Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer; the provisions of Article 271-28, paragraphs (2) and (4) shall apply mutatis mutandis to a Low-Cost, Short-Term Insurance Holding Company's Subsidiary, etc. and a person that a Low-Cost, Short-Term Insurance Holding Company has entrusted with its business; the provisions of Article 271-28, paragraph (3) shall apply mutatis mutandis to the personnel who make an entry, ask questions or conduct inspection under those provisions; the provisions of Article 271-29, paragraph (1) shall apply mutatis mutandis to a Low-Cost, Short-Term Insurance Holding Company; the provisions of Article 271-29, paragraph (2) shall apply mutatis mutandis to a Low-Cost, Short-Term Insurer that is the Subsidiary of a Low-Cost, Short-Term Insurance Holding Company; and the provisions of Article 271-30 shall apply mutatis mutandis to a Low-Cost, Short-Term Insurance Holding Company or a Low-Cost, Short-Term Insurer that is the Subsidiary of a Low-Cost, Short-Term Insurance Holding Company. In this case, the term "Article 128, paragraph (1)" in Article 271-27, paragraph (1) shall be deemed to be replaced with "Article 272-22, paragraph (1)"; the term "Article 129, paragraph (1)" in Article 271-28, paragraphs (1) and (2) shall be deemed to be replaced with "Article 272-23, paragraph (1)"; the terms "authorization given to the Insurance Holding Company under Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3)," "authorization set forth in Article 271-18, paragraph (1)" and "said authorization" in Article 271-30, paragraph (1) shall be deemed to be replaced with "approval given to the Insurance Holding Company under Article 272-35, paragraph (1) or the proviso to Article 272-35, paragraph (3)," "approval set forth in Article 272-35, paragraph (1)" and "said approval," respectively; the term "authorization set forth in Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3)" in Article 271-30, paragraph (2) shall be deemed to be replaced with "approval set forth in Article 272-35, paragraph (1) or the proviso to Article 272-35, paragraph (3)"; the term "Article 271-10, paragraph (2)" in Article 271-30, paragraph (3) shall be deemed to be replaced with "Article 272-31, paragraph (2)"; the term "authorization set forth in Article 271-18, paragraph (1)" in Article 271-30, paragraph (4), items (i) and (ii) shall be deemed to be replaced with "approval set forth in Article 272-35, paragraph (1)"; the term "Article 271-18, paragraph (3) without the authorization set forth in the proviso thereto" in Article 271-30, paragraph (4), item (iii) shall be deemed to be replaced with "Article 272-35, paragraph (3) without the approval set forth in the proviso thereto"; and the term "authorization under Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3)" in Article 271-30, paragraph (4), item (iv) shall be deemed to be replaced with "approval under Article 272-35, paragraph (1) or the proviso to Article 272-35, paragraph (3)."

第三款　雑則

Subsection 3 Miscellaneous Provisions

（外国少額短期保険主要株主又は外国少額短期保険持株会社に対する法律の適用関係）

(Application of this Act to Low-Cost, Short-Term Insurers' Major Foreign Shareholders and to Foreign Low-Cost, Short-Term Insurance Holding Companies)

第二百七十二条の四十一　少額短期保険業者の主要株主基準値以上の数の議決権の保有者であって外国人若しくは外国法人であるもの又は少額短期保険業者を子会社とする持株会社であって外国の法令に準拠して設立されたもの（以下この条において「外国少額短期保険主要株主等」という。）に対しこの法律を適用する場合における特例及び技術的読替えその他外国少額短期保険主要株主等に対するこの法律の規定の適用に関し必要な事項は、政令で定める。

Article 272-41 A Cabinet Order shall prescribe special provisions and technical changes in interpretation in applying this Act to a foreign national or foreign juridical person that is the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold and to a person incorporated in accordance with the laws and regulations of a foreign state whose Subsidiaries include a Low-Cost, Short-Term Insurer (hereinafter referred to as a "Low-Cost, Short-Term Insurer's Major Foreign Shareholder, etc." in this Article), as well as any other particular necessary for applying the provisions of this Act to a Low-Cost, Short-Term Insurer's Major Foreign Shareholder, etc.

（届出事項）

(Particulars Requiring Notice)

第二百七十二条の四十二　少額短期保険主要株主（少額短期保険主要株主であった者を含む。）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 272-42 (1) If a Low-Cost, Short-Term Insurer's Major Shareholder (including a person that used to be a Low-Cost, Short-Term Insurer's Major Shareholder) falls under any of the following items, it shall notify the Prime Minister of this pursuant to the provisions of a Cabinet Office Ordinance:

一　第二百七十二条の三十一第一項の承認に係る少額短期保険主要株主になったとき、又は当該承認に係る少額短期保険主要株主として設立されたとき。

(i) If it becomes the Low-Cost, Short-Term Insurer's Major Shareholder subject to the approval set forth in Article 272-31, paragraph (1) or is formed as the Low-Cost, Short-Term Insurer's Major Shareholder subject to such approval;

二　第二百七十二条の三十二第一項各号に掲げる事項に変更があったとき（議決権保有割合に変更があったときを除く。）。

(ii) If any of the particulars listed in the items of Article 272-32, paragraph (1) are modified (excluding any modification in the Proportion of Voting Rights Held;

三　少額短期保険業者の総株主の議決権の百分の五十を超える議決権の保有者となったとき。

(iii) If it comes to hold voting rights exceeding 50 percent of all shareholders' voting rights in the Low-Cost, Short-Term Insurer;

四　少額短期保険業者の主要株主基準値以上の数の議決権の保有者でなくなったとき（第六号の場合を除く。）。

(iv) If it ceases to be the holder of a number of voting rights in the Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold (excluding the case referred to in item (vi));

五　少額短期保険業者の総株主の議決権の百分の五十を超える議決権の保有者でなくなったとき（前号及び次号の場合を除く。）。

(v) If it ceases to hold voting rights exceeding 50 percent of all shareholders' voting rights in the Low-Cost, Short-Term Insurer (excluding the cases referred to in the preceding and following items);

六　解散したとき（設立、株式移転、合併（当該合併により少額短期保険業者の主要株主基準値以上の数の議決権の保有者となる会社その他の法人を設立する場合に限る。）又は新設分割を無効とする判決が確定したときを含む。）。

(vi) If it dissolves (including the case where a court judgment invalidating the establishment, share transfer, Merger (limited to a Merger having resulted in establishment of a company or any other juridical person that becomes the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold) or an Incorporation-Type Split pertaining to the holder has become final and binding);

七　その総株主の議決権の百分の五十を超える議決権が一の株主により取得又は保有されることとなったとき。

(vii) If its voting rights are acquired or come to be held by a single shareholder, in excess of 50 percent of all shareholders' voting rights; or

八　その他内閣府令で定める場合に該当するとき。

(viii) If it falls under any other case specified by Cabinet Office Ordinance.

２　少額短期保険持株会社（少額短期保険持株会社であった会社を含む。）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。

(2) If a Low-Cost, Short-Term Insurance Holding Company (including a former Low-Cost, Short-Term Insurance Holding Company) falls under any of the following items, it shall notify the Prime Minister of this pursuant to the provisions of Cabinet Office Ordinance:

一　第二百七十二条の三十五第一項の承認に係る少額短期保険持株会社になったとき、又は当該承認に係る少額短期保険持株会社として設立されたとき。

(i) it becomes a Low-Cost, Short-Term Insurance Holding Company subject to the approval set forth in Article 272-35, paragraph (1) or is incorporated as a Low-Cost, Short-Term Insurance Holding Company subject to such approval;

二　少額短期保険業者を子会社とする持株会社でなくなったとき（第五号の場合を除く。）。

(ii) it ceases to be a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer (excluding the case referred to in item (v));

三　第二百七十二条の三十九第一項各号に掲げる会社を子会社としようとするとき。

(iii) it seeks to make any of the companies listed in items of Article 272-39, paragraph (1) its Subsidiary;

四　その子会社が子会社でなくなったとき（第二号の場合を除く。）。

(iv) such Subsidiary ceases to be its Subsidiary (excluding the case referred to in item (ii));

五　解散したとき（設立、株式移転、合併（当該合併により少額短期保険業者を子会社とする持株会社を設立するものに限る。）又は新設分割を無効とする判決が確定したときを含む。）。

(v) the holder dissolves (including the case where a court judgment invalidating the establishment, share transfer, Merger (limited to a Merger for incorporating a Holding Company to make a Low-Cost, Short-Term Insurer its Subsidiary) or Incorporation-Type Split has become final and binding);

六　資本金の額を変更しようとするとき。

(vi) it seeks to modify the amount of capital;

七　その総株主の議決権の百分の五を超える議決権が一の株主丹より取得又は保有されることとなったとき。

(vii) its voting rights constituting over 5 percent of all shareholders' voting rights, are acquired or come to be held by a single shareholder; or

八　その他内閣府令で定める場合に該当するとき。

(viii) the holder falls under any other case specified by Cabinet Office Ordinance.

３　第二条第十五項の規定は、第一項第七号及び前項第七号に規定する一の株主が取得し、又は保有することとなった少額短期保険主要株主又は少額短期保険持株会社の議決権について準用する。

(3) The provisions of Article 2, paragraph (15) shall apply mutatis mutandis to voting rights in a Low-Cost, Short-Term Insurer's Major Shareholder or in a Low-Cost, Short-Term Insurance Holding Company which were acquired or have come to be held by the single shareholder set forth in paragraph (1), item (vii) or the preceding paragraph, item (vii).

（承認の失効）

(Expiration of Approval)

第二百七十二条の四十三　第二百七十一条の三十三第一項の規定は少額短期保険主要株主に係る第二百七十二条の三十一第一項の承認又は同条第二項ただし書の承認について、第二百七十一条の三十三第二項の規定は少額短期保険持株会社に係る第二百七十二条の三十五第一項の承認又は同条第三項ただし書の承認について、それぞれ準用する。

Article 272-43 The provisions of Article 271-33, paragraph (1) shall apply mutatis mutandis to the approval given to a Low-Cost, Short-Term Insurer's Major Shareholder under Article 272-31, paragraph (1) or the proviso to Article 272-31, paragraph (2); and the provisions of Article 271-33, paragraph (2) shall apply mutatis mutandis to the approval given to a Low-Cost, Short-Term Insurance Holding Company under Article 272-35, paragraph (1) or the proviso to Article 272-35, paragraph (3).

第十三章　雑則

Chapter XIII Miscellaneous Provisions

（免許又は登録の失効）

(Expiration of License or Registration)

第二百七十三条　保険会社（外国保険会社等を含む。）又は少額短期保険業者が次の各号のいずれか（外国保険会社等にあっては、第一号又は第五号）に該当するときは、第三条第一項若しくは第百八十五条第一項の免許又は第二百七十二条第一項の登録は、その効力を失う。

Article 273 (1) The license set forth Article 3, paragraph (1) or Article 185, paragraph (1), or the registration set forth in Article 272, paragraph (1) shall lose its effect for an Insurance Company (including a Foreign Insurance Company, etc.) or a Low-Cost, Short-Term Insurer falling under any of the following items (item (i) or (v) for a Foreign Insurance Company, etc.):

一　保険業（外国保険会社等にあっては、日本における保険業。第五号において同じ。）を廃止したとき。

(i) It has abolished its Insurance Business (for a Foreign Insurance Company, etc., its Insurance Business in Japan; the same shall apply in item (v);

二　解散したとき（設立、株式移転、合併（当該合併により保険会社を設立するものに限る。）又は新設分割を無効とする判決が確定したときを含む。）。

(ii) It has dissolved (including when a judgment invalidating its incorporation, share transfer, merger (limited to a merger for incorporating an Insurance Company) or an incorporation-type split has become final and binding);

三　保険業を営む株式会社が保険契約の全部に係る保険契約の移転をしたとき。

(iii) A Stock Company operating in the Insurance Business has transferred all of its insurance contracts;

四　保険業を営む株式会社が会社分割により保険契約の全部を承継させたとき。

(iv) A Stock Company operating in the Insurance Business has carried out a company split, effectively transferring all of its insurance contracts; or

五　当該免許又は登録を受けた日から六月以内に保険業を開始しなかったとき（やむを得ない理由がある場合において、あらかじめ内閣総理大臣の承認を受けたときを除く。）。

(v) It does not start its Insurance Business within six months from the date of obtaining such license or registration (except when it received in advance the approval of the Prime Minister for any compelling reason).

２　第二百九条第五号から第八号までのいずれかに該当して同条の規定による届出（同条第五号に係る届出にあっては、当該合併後当該外国保険会社等が消滅することとなる合併、当該外国保険会社等の事業の全部を承継させることとなる会社分割及び事業の全部の譲渡に係る届出に限る。）があったときは、当該届出をした外国保険会社等に係る第百八十五条第一項の内閣総理大臣の免許は、その効力を失う。

(2) When a notification was made under Article 209 following any of the events listed in Article 209, items (v) to (viii) inclusive (for a notification under Article 209, item (v), limited to the notification of a merger through which the Foreign Insurance Company, etc. will be extinguished, a company split resulting in the transfer in whole of the business of the Foreign Insurance Company, etc. or an assignment of the whole business), the license granted by the Prime Minister to the notifying Foreign Insurance Company, etc. under Article 185, paragraph (1) shall lose its effect.

３　少額短期保険業者が第三条第一項の免許を受けたときは、第二百七十二条第一項の登録は、その効力を失う。

(3) The registration set forth in Article 272, paragraph (1) shall lose its effect when the Low-Cost, Short-Term Insurer obtains the license set forth in Article 3, paragraph (1).

（内閣総理大臣の告示）

(Public Notice by Prime Minister)

第二百七十四条　次に掲げる場合には、内閣総理大臣は、その旨を官報で告示するものとする。

Article 274 In the following cases, the Prime Minister shall give public notice of the relevant fact in the Official Gazette:

一　第百三十二条第一項、第百三十三条、第二百四条第一項、第二百五条、第二百四十一条第一項又は第二百七十二条の二十六第一項の規定により業務（外国保険会社等にあっては、日本における業務）の全部又は一部の停止を命じたとき。

(i) When he/she orders suspension of the whole or part of the business (for a Foreign Insurance Company, etc., its business in Japan) pursuant to the provisions of Article 132, paragraph (1), Article 133, Article 204, paragraph (1), Article 205, Article 241, paragraph (1) or Article 272-26, paragraph (1);

二　第百三十三条、第百三十四条、第二百五条、第二百六条、第二百七十二条の二十六第一項又は第二百七十二条の二十七の規定により第三条第一項若しくは第百八十五条第一項の免許又は第二百七十二条第一項の登録を取り消したとき。

(ii) he/she has canceled the license set forth in Article 3, paragraph (1) or Article 185, paragraph (1), or the registration set forth in Article 272, paragraph (1), pursuant to the provisions of Article 133, Article 134, Article 205, Article 206, Article 272-26, paragraph (1) or Article 272-27;

三　第二百四十一条第一項の規定による保険管理人による業務及び財産の管理を命ずる処分又は第二百五十八条第一項の規定による命令をしたとき。

(iii) he/she has made a disposition ordering the administration of business and property by the Insurance Administrator pursuant to the provisions of Article 241, paragraph (1) or issued an order pursuant to the provisions of Article 258, paragraph (1);

四　前条の規定により第三条第一項又は第百八十五条第一項の免許がその効力を失ったとき。

(iv) When the license granted under Article 3, paragraph (1) or Article 185, paragraph (1) has loses effect pursuant to the provisions of the preceding Article;

五　第二百七十一条の十六第一項の規定により第二百七十一条の十第一項又は第二項ただし書の認可を取り消したとき。

(v) When he/she rescinds the authorization set forth in Article 271-10, paragraph (1) or the proviso to Article 271-10, paragraph (2) pursuant to the provisions of Article 271-16, paragraph (1);

六　第二百七十一条の三十第一項の規定により第二百七十一条の十八第一項又は第三項ただし書の認可を取り消したとき。

(vi) When he/she rescinds the authorization set forth in Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3) pursuant to the provisions of Article 271-30, paragraph (1);

七　第二百七十一条の三十第一項の規定により保険持株会社の子会社である保険会社の業務の全部又は一部の停止を命じたとき。

(vii) When he/she orders suspension of the whole or part of the business of an Insurance Holding Company's Insurance Company Subsidiaries, pursuant to the provisions of Article 271-30, paragraph (1);

八　第二百七十一条の三十第四項の規定により保険会社の業務の全部又は一部の停止を命じたとき。

(viii) When he/she orders suspension of the whole or part of the business of an Insurance Company pursuant to the provisions of Article 271-30, paragraph (4); or

九　第二百七十一条の三十三の規定により第二百七十一条の十第一項若しくは第二項ただし書又は第二百七十一条の十八第一項若しくは第三項ただし書の認可が効力を失ったとき。

(ix) the authorization set forth in Article 271-10, paragraph (1) or the proviso to Article 271-10, paragraph (2) or in Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3) has lost its effect pursuant to the provisions of Article 271-33.

第三編　保険募集

Part III Insurance Solicitation

第一章　通則

Chapter I General Rules

（保険募集の制限）

(Restrictions on Insurance Solicitation)

第二百七十五条　次の各号に掲げる者が当該各号に定める保険募集を行う場合を除くほか、何人も保険募集を行ってはならない。

Article 275 (1) Insurance Solicitation may not take place other than as provided for in each of the following items with the person set forth in the relevant item engaging in the stipulated Insurance Solicitation:

一　次条の登録を受けた生命保険募集人　その所属保険会社等のために行う保険契約の締結の代理又は媒介（生命保険募集人である銀行その他の政令で定める者（以下この条において「銀行等」という。）又はその役員若しくは使用人にあっては、保険契約者等の保護に欠けるおそれが少ない場合として内閣府令で定める場合に限る。）

(i) A Life Insurance Agent registered under the following Article: agency or intermediation for its Affiliated Insurance Company, etc. in concluding insurance contracts (for a bank serving as a Life Insurance Agent or any other person specified by Cabinet Order (hereinafter referred to as "Bank, etc." in this Article), or an director or employee thereof, this shall be limited to the cases specified by Cabinet Office Ordinance as posing little risk to the protection of Policyholders, etc.)

二　損害保険会社（外国損害保険会社等を含む。以下この編において同じ。）の役員（代表権を有する役員並びに監査役及び監査委員を除く。以下この条、第二百八十三条及び第三百二条において同じ。）若しくは使用人又は次条の登録を受けた損害保険代理店若しくはその役員若しくは使用人　その所属保険会社等のために行う保険契約の締結の代理又は媒介（損害保険代理店である銀行等又はその役員若しくは使用人にあっては、保険契約者等の保護に欠けるおそれが少ない場合として内閣府令で定める場合に限る。）

(ii) An officer (other than an officer with authority of representation, or an auditor or audit committee member; the same shall apply hereinafter in this Article, as well as in Articles 283 and 302.) or an employee of a Non-Life Insurance Company (including a Foreign Non-Life Insurance Company, etc.; hereinafter the same shall apply in this Part), or a Non-Life Insurance Representative registered under the following Article or an officer or employee thereof: agency or intermediation for its Affiliated Insurance Company, etc. in concluding insurance contracts (for a Bank, etc. serving as a Non-Life Insurance Representative, or an officer or employee thereof, this shall be limited to the cases specified by Cabinet Office Ordinance as posing little risk to the protection of Policyholders, etc.)

三　特定少額短期保険募集人（少額短期保険募集人のうち、第三条第五項第一号に掲げる保険その他内閣府令で定める保険のみに係る保険募集を行う者で、少額短期保険業者の委託を受けた者でないものをいう。以下同じ。）又は次条の登録を受けた少額短期保険募集人　その所属保険会社等のために行う保険契約の締結の代理又は媒介（少額短期保険募集人である銀行等又はその役員若しくは使用人にあっては、保険契約者等の保護に欠けるおそれが少ない場合として内閣府令で定める場合に限る。）

(iii) A Specified Low-Cost, Short-Term Insurance Agent (meaning a Low-Cost, Short-Term Insurance Agent that engages in Insurance Solicitation only for the class of insurance defined in Article 3, paragraph (5), item (i) or any other class of insurance specified by Cabinet Office Ordinance, and who has not been delegated by the Low-Cost, Short-Term Insurer; the same shall apply hereinafter) or a Low-Cost, Short-Term Insurance Agent registered under the following Article: agency or intermediation for its Affiliated Insurance Company, etc. in concluding insurance contracts (for a Bank, etc. serving as a Low-Cost, Short-Term Insurance Agent, or an officer or employee thereof, this shall be limited to the cases specified by Cabinet Office Ordinance as posing little risk to the protection of Policyholders, etc.)

四　第二百八十六条の登録を受けた保険仲立人又はその役員若しくは使用人　保険契約（外国保険会社等以外の外国保険業者が保険者となる保険契約については、政令で定めるものに限る。）の締結の媒介（保険仲立人である銀行等又はその役員若しくは使用人にあっては、保険契約者等の保護に欠けるおそれが少ない場合として内閣府令で定める場合に限る。）であって生命保険募集人、損害保険募集人及び少額短期保険募集人がその所属保険会社等のために行う保険契約の締結の媒介以外のもの

(iv) An Insurance Broker registered under Article 286, or an officer or employee thereof: intermediation in concluding insurance contracts (where the insurer is a Foreign Insurer that is not a Foreign Insurance Company, etc., this shall be limited to the cases specified by Cabinet Order; for a Bank, etc. serving as an Insurance Broker, or an officer or employee thereof, this shall be limited to the cases specified by Cabinet Office Ordinance as posing little risk to the protection of Policyholders, etc.), excluding intermediation for the conclusion of insurance contracts that a Life Insurance Agent, Non-Life Insurance Agent, or Low-Cost, Short-Term Insurance Agent does for its Affiliated Insurance Company, etc.

２　銀行等は、他の法律の規定にかかわらず、次条又は第二百八十六条の登録を受けて保険募集を行うことができる。

(2) Notwithstanding the provisions of any other Act, a Bank, etc. may engage in Insurance Solicitation by way of registration under the following Article or Article 286.

第二章　保険募集人及び所属保険会社等

Chapter II Insurance Agents and Affiliated Insurance Companies, etc.

第一節　保険募集人

Section 1 Insurance Agents

（登録）

(Registration)

第二百七十六条　特定保険募集人（生命保険募集人、損害保険代理店又は少額短期保険募集人（特定少額短期保険募集人を除く。）をいう。以下同じ。）は、この法律の定めるところにより、内閣総理大臣の登録を受けなければならない。

Article 276 A Specified Insurance Agent (meaning a Life Insurance Agent, Non-Life Insurance Representative, or Low-Cost, Short-Term Insurance Agent (other than a Specified Low-Cost, Short-Term Insurance Agent); the same shall apply hereinafter) shall be registered with the Prime Minister pursuant to the provisions of this Act.

（登録の申請）

(Application for registration)

第二百七十七条　前条の登録を受けようとする者は、次に掲げる事項を記載した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 277 (1) A person applying for a registration under the preceding Article shall submit to the Prime Minister a written application detailing the following particulars:

一　商号若しくは名称又は氏名及び生年月日

(i) Trade name or name and birth date;

二　事務所の名称及び所在地

(ii) Name and location of the office;

三　所属保険会社等の商号、名称又は氏名

(iii) Trade name, name of the Affiliated Insurance Company, etc.;

四　他に業務を行っているときは、その業務の種類

(iv) Any other type of business conducted by the Applicant; and

五　その他内閣府令で定める事項

(v) Any other particular specified by Cabinet Office Ordinance.

２　前項の登録申請書には、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 set forth in the preceding paragraph:

一　第二百七十九条第一項第一号から第五号まで、第七号、第八号（同項第六号に係る部分を除く。）、第九号（同項第六号に係る部分を除く。）、第十号又は第十一号のいずれにも該当しないことを誓約する書面

(i) A written statement pledging that the Applicant does not fall under any of Article 279, paragraph (1), items (i) to (v) inclusive, item (vii) or (viii) (excluding the reference to Article 279, paragraph (1), item (vi)), item (ix) (excluding the reference to Article 279, paragraph (1), item (vi)), item (x) or (xi);

二　登録申請者が法人（法人で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。以下この編において同じ。）であるときは、その役員（法人でない社団又は財団におけるその代表者又は管理人を含む。第二百八十三条及び第三百二条を除き、以下この編において同じ。）の氏名及び住所を記載した書面

(ii) Where the Applicant is a juridical person (including an association or foundation that is not a juridical person and has a designated representative person or manager; hereinafter the same shall apply in this Part), a written statement indicating the names and addresses of its officers (including the representative person or manager of an association or foundation that is not a juridical person; hereinafter the same shall apply in this Part except for Articles 283 and 302); and

三　前二号に掲げるもののほか、内閣府令で定める書類

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

（登録の実施）

(Registration process)

第二百七十八条　内閣総理大臣は、第二百七十六条の登録の申請があった場合においては、次条第一項から第三項までの規定により登録を拒否する場合を除くほか、直ちに、次に掲げる事項を内閣府令で定める場所に備える生命保険募集人登録簿、損害保険代理店登録簿又は少額短期保険募集人登録簿に登録しなければならない。

Article 278 (1) Whenever an application has been filed for the registration under Article 276, unless the Prime Minister denies the Applicant registration pursuant to the provisions of paragraphs (1) to (3) inclusive of the following Article, the Prime Minister shall immediately register the following particulars in the registry of Life Insurance Agents, the registry of Non-Life Insurance Representatives, or the registry of Low-Cost, Short-Term Insurance Agents maintained at the location specified by Cabinet Office Ordinance:

一　前条第一項各号に掲げる事項

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

二　登録年月日及び登録番号

(ii) Date and number of registration.

２　内閣総理大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を登録申請者及び所属保険会社等に通知しなければならない。

(2) Whenever the Prime Minister has made a registration under the provisions of the preceding paragraph, he/she shall notify the Applicant and the Affiliated Insurance Company, etc. of this without delay.

（登録の拒否）

(Denial of Registration)

第二百七十九条　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 279 (1) The Prime Minister shall deny an Applicant registration if the Applicant falls under any of the following items, or if the written application or a document attached thereto includes a false detail with regard to an important particular or fails to detail a material fact:

一　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

(i) A bankrupt whose rights have not been restored or a person receiving any similar treatment under a foreign law or regulation;

二　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三年を経過しない者

(ii) A person sentenced to imprisonment or severer punishment (including any equivalent punishment under a foreign law or regulation), without three years having elapsed since the execution of the sentence was terminated or since he/she was no longer subject to the execution of the sentence;

三　この法律又はこれ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、又は刑の執行を受けることがなくなった日から三年を経過しない者

(iii) A person sentenced to fine (including any equivalent punishment under a foreign law or regulation) for violating the provisions of this Act or of an equivalent foreign law or regulation, without three years having elapsed since the execution of the sentence was terminated or since he/she was no longer subject to the execution of the sentence;

四　第三百七条第一項の規定により第二百七十六条の登録を取り消され、その取消しの日から三年を経過しない者（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、当該取消しの日前三十日以内に当該法人の役員であった者で当該取消しの日から三年を経過しないものを含む。）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同種類の登録（当該登録に類する許可その他の行政処分を含む。以下この号において「登録等」という。）を取り消され、その取消しの日から三年を経過しない者（当該登録等を取り消された者が法人である場合においては、当該取消しの日前三十日以内に当該法人の役員であった者で当該取消しの日から三年を経過しないものを含む。）

(iv) A person whose registration under Article 276 above was cancelled pursuant to the provisions of Article 307, paragraph (1), without three years having elapsed since the date of the cancellation (including, where the cancellation of registration was made against a juridical person, a person who had been an officer of the juridical person at any time during the thirty days prior to the date of the cancellation, without three years having elapsed since that date); or a person against whom a similar registration under any provisions of a foreign law or regulation equivalent to this Act was cancelled in the foreign state concerned (including any permission or other administrative measures similar to the registration; hereinafter referred to as "Registration, etc." in this item), without three years having elapsed since the date of the cancellation (including, where the cancellation of Registration, etc. was made against a juridical person, a person who had been an officer of the juridical person at any time during the thirty days prior to the date of the cancellation, without three years having elapsed since that date);

五　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

(v) An adult ward or person under curatorship, or any other person receiving a similar treatment under a foreign law or regulation;

六　申請の日前三年以内に保険募集に関し著しく不適当な行為をした者

(vi) A person who had engaged in any extremely inappropriate conduct in connection with Insurance Solicitation during the three years prior to the date of application;

七　保険仲立人又はその役員若しくは保険募集を行う使用人

(vii) An Insurance Broker, or any of its officers or any of its employees engaged in Insurance Solicitation;

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 business capacity of an adult regarding sales and whose statutory representative falls under any of the preceding items;

九　法人でその役員のうちに第一号から第六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 include at least one person falling under any of item (i) to (vi) inclusive;

十　個人でその保険募集を行う使用人のうちに第七号に該当する者のあるもの

(x) An individual whose employees engaged in Insurance Solicitation include at least one person falling under item (vii); or

十一　法人でその役員又は保険募集を行う使用人のうちに第七号に該当する者のあるもの

(xi) A juridical person whose officers or employees engaged in Insurance Solicitation include at least one person falling under item (vii).

２　内閣総理大臣は、前項の規定により登録を拒否しようとするときは、あらかじめ、登録申請者にその旨を通知し、その者又はその代理人の出頭を求め、釈明のための証拠を提出する機会を与えるため、内閣総理大臣の指定する職員をして意見を聴取させなければならない。

(2) If the Prime Minister seeks to deny an Applicant registration pursuant to the provisions of the preceding paragraph, he/she shall notify the Applicant of this in advance and require the appearance of the Applicant or his/her representative at an opinion hearing to be held by an official designated by the Prime Minister in order to provide an opportunity to submit any further evidence in support of the application.

３　前項の場合において、内閣総理大臣は、意見を聴取される者が正当な理由がないのに、意見の聴取に応じないときは、意見の聴取を行わないで登録を拒否することができる。

(3) In the case referred to in the preceding paragraph, the Prime Minister may deny an Applicant registration without hearing any opinion, if the person summoned for the hearing fails to appear without justifiable grounds.

４　内閣総理大臣は、前三項の規定により登録を拒否したときは、遅滞なく、書面をもって、その旨を登録申請者に通知しなければならない。

(4) If the Prime Minister has denied an Applicant registration pursuant to the provisions of the preceding three paragraphs, he/she shall notify the Applicant of this in writing without delay.

（変更等の届出等）

(Notice, etc. of a Change, etc.)

第二百八十条　特定保険募集人が次の各号のいずれかに該当することとなったときは、当該各号に定める者は、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。

Article 280 (1) If a Specified Insurance Agent has come to fall under any of the following items, the person specified in the relevant item shall notify the Prime Minister of this without delay:

一　第二百七十七条第一項各号に掲げる事項について変更があったとき。　当該変更に係る特定保険募集人

(i) Any of the particulars listed in the items of Article 277, paragraph (1) have changed: the Specified Insurance Agent affected by the change;

二　保険募集の業務を廃止したとき。　特定保険募集人であった個人又は特定保険募集人であった法人を代表する役員

(ii) It has abolished its Insurance Solicitation business: the individual who served as the Specified Insurance Agent or the officer representing the juridical person that served as the Specified Insurance Agent;

三　特定保険募集人である個人が死亡したとき。　その相続人

(iii) The individual serving as the Specified Insurance Agent has died: his/her heir;

四　特定保険募集人である法人について破産手続開始の決定があったとき。　その破産管財人

(iv) The juridical person serving as the Specified Insurance Agent has become the subject of a ruling for the commencement of bankruptcy proceedings: the bankruptcy trustee;

五　特定保険募集人である法人が合併（法人でない社団又は財団にあっては、合併に相当する行為。次号において同じ。）により消滅したとき。　その法人を代表する役員であった者

(v) The juridical person serving as the Specified Insurance Agent has extinguished due to merger (for an association or foundation that is not a juridical person, any action equivalent to merger; the same shall apply in the following item): the person who served as the officer representing the juridical person; or

六　特定保険募集人である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（法人でない社団又は財団にあっては、解散に相当する行為）をしたとき。　その清算人（法人でない社団又は財団にあっては、その代表者又は管理人であった者）

(vi) The juridical person serving as the Specified Insurance Agent has dissolved (for an association or foundation that is not a juridical person, any action equivalent to dissolution) for a reason other than a merger or a ruling for the commencement of bankruptcy proceedings: its liquidator (for an association or foundation that is not a juridical person, its representative person or the person who served as its manager).

２　内閣総理大臣は、前項第一号に係る同項の届出を受理したときは、届出があった事項を生命保険募集人登録簿、損害保険代理店登録簿又は少額短期保険募集人登録簿に登録し、その旨を所属保険会社等に通知しなければならない。

(2) Whenever the Prime Minister receives notice under the preceding paragraph for the reason specified in item (i), he/she shall register the particulars of the notice in the registry of Life Insurance Agents, the registry of Non-Life Insurance Representatives, or the registry of Low-Cost, Short-Term Insurance Agents, and notify the Affiliated Insurance Company, etc. of this.

３　特定保険募集人が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ったときは、当該特定保険募集人の登録は、その効力を失う。

(3) Registration of a Specified Insurance Agent shall lose its effect if and when said Agent falls under any of paragraph (1), items (ii) to (vi) inclusive.

（登録免許税及び手数料）

(Registration and license tax and fees)

第二百八十一条　第二百七十六条の登録を受けようとする者（登録免許税法（昭和四十二年法律第三十五号）別表第一第三十七号の規定により新たな登録とみなされる場合における前条第一項第一号の規定による届出をする者を含む。）は、第一号に掲げる場合にあっては同法の定めるところにより登録免許税を、第二号に掲げる場合にあっては実費を勘案して政令で定める額の手数料を、それぞれ納めなければならない。

Article 281 An Applicant for registration under Article 276 (including a person who files a report under paragraph (1), item (i) of the preceding Article when such report is deemed to be a new registration pursuant to the provisions of item (xxxvii) of Appended Table 1 of the Registration and License Tax Act (Act No. 35 of 1967)) shall pay the registration and license tax pursuant to the provisions of that Act in the case of item (i), or a fee in an amount specified by Cabinet Order taking the actual cost into consideration in the case of item (ii)

一　所属保険会社等から委託（一時的な必要に基づき期限を付して行われる委託で内閣府令で定めるものを除く。）を受けて行う第二百七十七条第一項の規定による登録の申請（登録免許税法第三十四条の規定により新たな登録とみなされる場合における前条第一項第一号の規定による届出を含む。）を行う場合

(i) Any application for registration under Article 277, paragraph (1) (including a report filed under paragraph (1), item (i) of the preceding Article above when such report is deemed to be a new registration pursuant to the provisions of Article 34 of the Registration and License Tax Act) submitted upon entrustment by the Affiliated Insurance Company, etc. (excluding any entrustment for a limited time based on temporary needs and specified as such by Cabinet Office Ordinance); or

二　前号に規定する申請以外の申請を行う場合

(ii) Any application which does not fall under the preceding item.

（生命保険募集人に係る制限）

(Restriction on Life Insurance Agents)

第二百八十二条　生命保険会社（外国生命保険会社等を含む。以下この編において同じ。）は、他の生命保険会社の生命保険募集人に対して、保険募集の委託をしてはならない。

Article 282 (1) A Life Insurance Company (including a Foreign Life Insurance Company, etc.; hereinafter the same shall apply in this Part) shall not entrust a Life Insurance Agent of another Life Insurance Company with any Insurance Solicitation on its own behalf.

２　生命保険募集人は、他の生命保険会社の役員若しくは使用人若しくはこれらの者の使用人を兼ね、又は他の生命保険会社の委託を受けて保険募集を行い、若しくは他の生命保険会社の委託を受けて保険募集を行う者の役員若しくは使用人として保険募集を行うことができない。

(2) A Life Insurance Agent may neither serve as an officer or employee of another Life Insurance Company, or as an employee of any such person, nor may an agent engage in Insurance Solicitation under delegation from another Life Insurance Company or serve as an officer or employee of a person that engages in Insurance Solicitation under delegation from another Life Insurance Company.

３　前二項の規定は、生命保険募集人が二以上の所属保険会社等を有する場合においても、その保険募集に係る業務遂行能力その他の状況に照らして、保険契約者等の保護に欠けるおそれがないものとして政令で定める場合には、適用しない。

(3) The provisions of the preceding two paragraphs shall not apply to a Life Insurance Agent that has two or more Affiliated Insurance Companies, etc. if specified by Cabinet Order as posing little risk to the protection of Policyholders, etc. in light of the person's capacity to perform in business involving Insurance Solicitation and other conditions.

第二節　所属保険会社等

Section 2 Affiliated Insurance Companies, etc.

（所属保険会社等の賠償責任）

(Liability of Affiliated Insurance Companies, etc.)

第二百八十三条　所属保険会社等は、保険募集人が保険募集について保険契約者に加えた損害を賠償する責任を負う。

Article 283 (1) An Affiliated Insurance Company, etc. shall be liable for any damage caused by an Insurance Agent to a Policyholder involving Insurance Solicitation.

２　前項の規定は、次に掲げる場合には、適用しない。

(2) The provisions of the preceding paragraph shall not apply when

一　所属保険会社等の役員である保険募集人（生命保険会社にあっては、当該役員の使用人である生命保険募集人を含む。）が行う保険募集については、所属保険会社等が当該役員の選任について相当の注意をし、かつ、これらの者の行う保険募集について保険契約者に加えた損害の発生の防止に努めたとき。

(i) With regard to Insurance Solicitation by an Insurance Agent who is an officer of the Affiliated Insurance Company, etc. (for a Life Insurance Company, including a Life Insurance Agent who is an employee of such officer), the Affiliated Insurance Company, etc. used due care in appointing the officer and has made reasonable efforts in relation to Insurance Solicitation by such person to prevent the damage caused to the Policyholder;

二　所属保険会社等の使用人である保険募集人（生命保険会社にあっては、当該使用人の使用人である生命保険募集人を含む。）が行う保険募集については、所属保険会社等が当該使用人（生命保険会社の使用人の使用人を除く。）の雇用について相当の注意をし、かつ、これらの者の行う保険募集について保険契約者に加えた損害の発生の防止に努めたとき。

(ii) With regard to Insurance Solicitation by an Insurance Agent who is an employee of the Affiliated Insurance Company, etc. (for a Life Insurance Company, including a Life Insurance Agent who is an employee of such employee), the Affiliated Insurance Company, etc. used due care in recruiting the employee (other than an employee of a Life Insurance Company's employee) and has made reasonable efforts in relation to Insurance Solicitation by such person to prevent the damage caused to the Policyholder; or

三　所属保険会社等の委託に基づく特定保険募集人又はその役員若しくは使用人である保険募集人が行う保険募集については、所属保険会社等が当該特定保険募集人の委託をするについて相当の注意をし、かつ、これらの者の行う保険募集について保険契約者に加えた損害の発生の防止に努めたとき。

(iii) With regard to Insurance Solicitation by a Specified Insurance Agent upon entrustment by the Affiliated Insurance Company, etc., or an officer or employee thereof, the Affiliated Insurance Company, etc. used due care in entrusting the Specified Insurance Agent with such solicitation and has made reasonable efforts in relation to Insurance Solicitation by such person to prevent the damage caused to the Policyholder.

３　第一項の規定は、所属保険会社等から保険募集人に対する求償権の行使を妨げない。

(3) The provisions of paragraph (1) shall not prevent the Affiliated Insurance Company, etc. to exercise its right to obtain reimbursement from the Insurance Agent concerned.

４　民法第七百二十四条（不法行為による損害賠償請求権の期間の制限）の規定は、第一項の請求権について準用する。

(4) The provisions of Article 724 of the Civil Code (Time limit for seeking compensation for damage caused by tort) shall apply mutatis mutandis to any claim under paragraph (1).

（所属保険会社等を代理人とする登録の申請等）

(Application for Registration, etc. through Affiliated Insurance Company, etc. as Agent)

第二百八十四条　特定保険募集人又は第二百八十条第一項第二号から第六号までに定める者は、所属保険会社等を代理人として、第二百七十七条第一項の規定による登録の申請又は第二百八十条第一項若しくは第三百二条の規定による届出をすることができる。

Article 284 A Specified Insurance Agent or a person falling under any of Article 280, paragraph (1), items (ii) to (vi) inclusive may appoint the Affiliated Insurance Company, etc. as his/her agent in applying for a registration under Article 277, paragraph (1), or in filing a report under Article 280, paragraph (1) or Article 302.

（特定保険募集人の原簿）

(Registry of Specified Insurance Agents)

第二百八十五条　所属保険会社等は、内閣府令で定めるところにより、当該所属保険会社等に係る特定保険募集人に関する原簿を、その本店若しくは主たる事務所又は支店若しくは従たる事務所（外国保険会社等の場合にあっては、第百八十五条第一項に規定する支店等）に備え置かなければならない。

Article 285 (1) An Affiliated Insurance Company, etc. shall, pursuant to the provisions of Cabinet Office Ordinance, maintain a registry of Specified Insurance Agents acting on its behalf at its head office or principal office, or at one of its branch offices or secondary offices (for a Foreign Insurance Company, etc., at its branch office, etc. set forth in Article 185, paragraph (1)).

２　利害関係人は、必要があるときは、所属保険会社等に対して、前項の原簿の閲覧を求めることができる。

(2) Any interested person may require the Affiliated Insurance Company, etc. as necessary to provide access to the registry set forth in the preceding paragraph for inspection.

第三章　保険仲立人

Chapter III Insurance Broker

（登録）

(Registration)

第二百八十六条　保険仲立人は、この法律の定めるところにより、内閣総理大臣の登録を受けなければならない。

Article 286 An Insurance Broker shall be registered with the Prime Minister pursuant to the provisions of this Act.

（登録の申請）

(Application for Registration)

第二百八十七条　前条の登録を受けようとする者は、次に掲げる事項を記載した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 287 (1) A person applying for a registration under the preceding Article shall submit to the Prime Minister a written application detailing the following particulars:

一　商号、名称又は氏名及び住所

(i) Trade name, name and address;

二　事務所の名称及び所在地

(ii) Name and location of the office;

三　取り扱う保険契約の種類

(iii) Class(es) of insurance contract to be dealt in;

四　他に業務を行っているときは、その業務の種類

(iv) Any other type of business conducted by the Applicant; and

五　その他内閣府令で定める事項

(v) Any other particular specified by Cabinet Office Ordinance.

２　前項の登録申請書には、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 set forth in the preceding paragraph:

一　第二百八十九条第一項第一号から第五号まで、第七号、第八号（同項第六号に係る部分を除く。）、第九号（同項第六号に係る部分を除く。）又は第十号のいずれにも該当しないことを誓約する書面

(i) A written statement pledging that the Applicant does not fall under any of Article 289, paragraph (1), items (i) to (v) inclusive, item (vii) or (viii) (excluding the reference to Article 289, paragraph (1), item (vi)), item (ix) (excluding the reference to Article 289, paragraph (1), item (vi)) or item (x);

二　登録申請者が法人であるときは、その役員の氏名及び住所を記載した書面

(ii) In the case where the person is juridical person, a written statement indicating the names and addresses of its officers; and

三　前二号に掲げるもののほか、内閣府令で定める書類

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

（登録の実施）

(Registration Process)

第二百八十八条　内閣総理大臣は、第二百八十六条の登録の申請があった場合においては、次条第一項から第三項までの規定により登録を拒否する場合を除くほか、直ちに、次に掲げる事項を内閣府令で定める場所に備える保険仲立人登録簿に登録しなければならない。

Article 288 (1) Whenever an application has been filed for the registration under Article 286, unless the Prime Minister denies the Applicant registration pursuant to the provisions of paragraphs (1) to (3) inclusive of the following Article, the Prime Minister shall immediately register the following particulars in the registry of Insurance Brokers maintained at the location specified by Cabinet Office Ordinance:

一　前条第一項各号に掲げる事項

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

二　登録年月日及び登録番号

(ii) The date and number of registration.

２　内閣総理大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を登録申請者に通知しなければならない。

(2) Whenever the Prime Minister has made a registration under the provisions of the preceding paragraph, he/she shall notify the Applicant of this without delay.

３　内閣総理大臣は、保険仲立人登録簿を公衆の縦覧に供しなければならない。

(3) The Prime Minister shall make the registry of Insurance Brokers available for public inspection.

（登録の拒否）

(Denial of Registration)

第二百八十九条　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 289 (1) The Prime Minister shall deny an Applicant registration if the Applicant falls under any of the following items, or if the written application or a document attached thereto includes a false detail with regard to an important particular or fails to detail a material fact:

一　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

(i) A bankrupt whose rights have not been restored or a person receiving any similar treatment under a foreign law or regulation;

二　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三年を経過しない者

(ii) A person sentenced to imprisonment or severer punishment (including any equivalent punishment under a foreign law or regulation), without three years having elapsed since the execution of the sentence was terminated or since he/she was no longer subject to the execution of the sentence;

三　この法律又はこれ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、又は刑の執行を受けることがなくなった日から三年を経過しない者

(iii) A person sentenced to fine (including any equivalent punishment under a foreign law or regulation) for violating the provisions of this Act or of an equivalent foreign law or regulation, without three years having elapsed since the execution of the sentence was terminated or since he/she was no longer subject to the execution of the sentence;

四　第三百七条第一項の規定により第二百八十六条の登録を取り消され、その取消しの日から三年を経過しない者（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、当該取消しの日前三十日以内に当該法人の役員であった者で当該取消しの日から三年を経過しないものを含む。）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同種類の登録（当該登録に類する許可その他の行政処分を含む。以下この号において「登録等」という。）を取り消され、その取消しの日から三年を経過しない者（当該登録等を取り消された者が法人である場合においては、当該取消しの日前三十日以内に当該法人の役員であった者で当該取消しの日から三年を経過しないものを含む。）

(iv) A person whose registration under Article 286 was cancelled pursuant to the provisions of Article 307, paragraph (1), without three years having elapsed since the date of the cancellation (including, where the cancellation of registration was made against a juridical person, a person who had been an officer of the juridical person at any time during the thirty days prior to the date of the cancellation, without three years having elapsed since that date), or a person against whom a similar registration under the provisions of a foreign law or regulation equivalent to this Act was canceled in the foreign state concerned (including any permission or other administrative measures similar to the registration; hereinafter referred to as "Registration, etc." in this item), without three years having elapsed since the date of the cancellation (including, where the cancellation of Registration, etc. was made against a juridical person, a person who had been an officer of the juridical person at any time during the thirty days prior to the date of the cancellation, without three years having elapsed since that date);

五　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

(v) An adult ward or person under curatorship, or any other person receiving a similar treatment under a foreign law or regulation;

六　申請の日前三年以内に保険募集に関し著しく不適当な行為をした者

(vi) A person who had engaged in any extremely inappropriate conduct in connection with Insurance Solicitation during the three years prior to the date of application;

七　保険会社等若しくは外国保険会社等、これらの役員（保険募集人である者を除く。）又は保険募集人（損害保険代理店の使用人については、保険募集を行う者に限る。）

(vii) An Insurance Company, etc. or Foreign Insurance Company, etc., any of its officers (other than an officer who is also an Insurance Agent), or an Insurance Agent (for an employee of a Non-Life Insurance Representative, limited to those engaged in Insurance Solicitation);

八　個人でその保険募集を行う使用人のうちに前各号のいずれかに該当する者のあるもの

(viii) An individual whose employees engaged in Insurance Solicitation include at least one person falling under any of the preceding items;

九　法人でその役員又は保険募集を行う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 engaged in Insurance Solicitation include at least one person falling under any of item (i) to (vii) inclusive; or

十　保険募集に係る業務を的確に遂行するに足りる能力を有しない者

(x) A person who does not have sufficient capacity to appropriately perform in business involving Insurance Solicitation.

２　内閣総理大臣は、前項の規定により登録を拒否しようとするときは、あらかじめ、登録申請者にその旨を通知し、その者又はその代理人の出頭を求め、釈明のための証拠を提示する機会を与えるため、内閣総理大臣の指定する職員をして意見を聴取させなければならない。

(2) If the Prime Minister seeks to deny an Applicant registration pursuant to the provisions of the preceding paragraph, he/she shall notify the Applicant of this in advance and require the appearance of the Applicant or his/her representative at an opinion hearing to be held by an official designated by the Prime Minister in order to provide an opportunity to produce any further evidence in support of the application.

３　前項の場合において、内閣総理大臣は、意見を聴取される者が正当な理由がないのに、意見の聴取に応じないときは、意見の聴取を行わないで登録を拒否することができる。

(3) In the case referred to in the preceding paragraph, the Prime Minister may deny an Applicant registration without hearing any opinion, if the person summoned for the hearing fails to appear without justifiable grounds.

４　内閣総理大臣は、前三項の規定により登録を拒否したときは、遅滞なく、書面をもって、その旨を登録申請者に通知しなければならない。

(4) If the Prime Minister has denied an Applicant registration pursuant to the provisions of the preceding three paragraphs, he/she shall notify the Applicant of this in writing without delay..

（変更等の届出等）

(Notice, etc. of a Change, etc.)

第二百九十条　保険仲立人が次の各号のいずれかに該当することとなったときは、当該各号に定める者は、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。

Article 290 (1) If an Insurance Broker has come to fall under any of the following items, the person specified in the relevant item shall notify the Prime Minister of this without delay:

一　第二百八十七条第一項各号に掲げる事項について変更があったとき。　当該変更に係る保険仲立人

(i) Any of the particulars listed in the items of Article 287, paragraph (1) have changed: the Insurance Broker affected by the change;

二　保険募集の業務を廃止したとき。　保険仲立人であった個人又は保険仲立人であった法人を代表する役員

(ii) It has abolished its Insurance Solicitation business: the individual who served as the Insurance Broker or the officer representing the juridical person that served as the Insurance Broker;

三　保険仲立人である個人が死亡したとき。　その相続人

(iii) The individual serving as the Insurance Broker has died: his/her heir;

四　保険仲立人である法人について破産手続開始の決定があったとき。　その破産管財人

(iv) The juridical person serving as an Insurance Broker has become the subject of a ruling for the commencement of bankruptcy proceedings: its bankruptcy trustee;

五　保険仲立人である法人が合併（法人でない社団又は財団にあっては、合併に相当する行為。次号において同じ。）により消滅したとき。　その法人を代表する役員であった者

(v) The juridical person serving as an Insurance Broker has extinguished due to merger (for an association or foundation that is not a juridical person, any action equivalent to merger; the same shall apply in the following item): the person who served as the officer representing the juridical person; or

六　保険仲立人である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（法人でない社団又は財団にあっては、解散に相当する行為）をしたとき。　その清算人（法人でない社団又は財団にあっては、その代表者又は管理人であった者）

(vi) The juridical person serving as an Insurance Broker has dissolved (for an association or foundation that is not a juridical person, any action equivalent to dissolution) for a reason other than a merger or ruling for the commencement of bankruptcy proceedings: its liquidator (for an association or foundation that is not a juridical person, its representative person or the person who served as its manager).

２　内閣総理大臣は、前項第一号に係る同項の届出を受理したときは、届出があった事項を保険仲立人登録簿に登録しなければならない。

(2) Whenever the Prime Minister receives notice under the preceding paragraph for the reason provided in item (i), he/she shall register the particulars of the notice on the registry of Insurance Brokers.

３　保険仲立人が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ったときは、当該保険仲立人の登録は、その効力を失う。

(3) An Insurance Broker's registration becomes invalid if the broker comes to fall under any of paragraph (1), items (ii) to (vi) inclusive.

（保証金）

(Security Deposit)

第二百九十一条　保険仲立人は、保証金を主たる事務所の最寄りの供託所に供託しなければならない。

Article 291 (1) An Insurance Broker shall make a security deposit with the deposit office located nearest to its principal office.

２　前項の保証金の額は、保険仲立人の業務の状況及び保険契約者等の保護を考慮して、政令で定める額とする。

(2) The security deposit as set forth in the preceding paragraph shall be in an amount specified by Cabinet Order, taking into consideration the business characteristics of the Insurance Broker and the necessity of protecting Policyholders, etc.

３　保険仲立人は、政令で定めるところにより、当該保険仲立人のために所要の保証金が内閣総理大臣の命令に応じて供託される旨の契約を締結し、かつ、その旨を内閣総理大臣に届け出たときは、当該契約の効力の存する間、当該契約において供託されることとなっている金額（以下この条において「契約金額」という。）につき第一項の保証金の全部又は一部の供託をしないことができる。

(3) If an Insurance Broker has concluded a contract stipulating that a required amount of security deposit will be made for the Insurance Broker by order of the Prime Minister pursuant to the provisions of Cabinet Order and has notified the Prime Minister of this, the broker may withhold in whole or in Part the security deposit under paragraph (1) regarding the amount to be deposited under said contract (hereinafter referred to as the "Contract Amount" in this Article), so long as the contract remains in effect.

４　内閣総理大臣は、保険契約者等の保護のため必要があると認めるときは、保険仲立人と前項の契約を締結した者又は当該保険仲立人に対し、契約金額に相当する金額の全部又は一部を供託すべき旨を命ずることができる。

(4) If the Prime Minister finds it necessary for the protection of Policyholders, etc., he/she may order a person who has concluded with an Insurance Broker a contract as set forth in the preceding paragraph or the Insurance Broker concerned to make a deposit in an amount corresponding to the whole or Part of the Contract Amount.

５　保険仲立人は、第一項の保証金につき供託（第三項の契約の締結を含む。）を行い、かつ、その旨を内閣総理大臣に届け出た後でなければ、保険契約の締結の媒介を行ってはならない。

(5) An Insurance Broker may not act as an intermediary in concluding an insurance contract, unless he/she has made the security deposit under paragraph (1) (including the conclusion of a contract under paragraph (3)) and has notified the Prime Minister of this.

６　保険仲立人に保険契約の締結の媒介を委託した保険契約者、当該保険契約の被保険者又は保険金額を受け取るべき者は、保険契約の締結の媒介に関して生じた債権に関し、当該保険仲立人に係る保証金について、他の債権者に先立ち弁済を受ける権利を有する。

(6) A Policyholder who entrusted an Insurance Broker with acting as an intermediary in concluding an insurance contract, the insured covered by the insurance contract or the Beneficiary of the insurance contract shall, with regard to any credit arising out of any such action as an intermediary in concluding the insurance contract, have a priority claim over other creditors on the security deposit made by the Insurance Broker.

７　前項の権利の実行に関し必要な事項は、政令で定める。

(7) Any other necessary particular for enforcing a claim as set forth in the preceding paragraph shall be specified by Cabinet Order.

８　保険仲立人は、第六項の権利の実行その他の理由により、保証金の額（契約金額を含む。第十項において同じ。）が第二項の政令で定める額に不足することとなったときは、内閣府令で定める日から二週間以内にその不足額につき供託（第三項の契約の締結を含む。第三百十九条第十二号において同じ。）を行い、かつ、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。

(8) If the amount of a security deposit (including the Contract Amount; the same shall apply in paragraph (10)) falls below the amount specified by Cabinet Order under paragraph (2) for reasons such as the enforcement of a claim under paragraph (6), the Insurance Broker shall compensate for the shortfall within two weeks from the date specified by Cabinet Office Ordinance (including the conclusion of a contract under paragraph (3); the same shall apply in Article 319, item (xii)), and notify the Prime Minister of this without delay.

９　第一項又は前項の規定により供託する保証金は、国債証券、地方債証券その他の内閣府令で定める有価証券をもってこれに充てることができる。

(9) The security deposit to be made pursuant to the provisions of paragraph (1) or the preceding paragraph may be in the form of a national government bond, local government bond or any other securities specified by Cabinet Office Ordinance.

１０　第一項、第四項又は第八項の規定により供託した保証金は、次の各号のいずれかに該当することとなったときは、内閣総理大臣の承認を受けて、その全部又は一部を取り戻すことができる。

(10) The security deposit made pursuant to the provisions of paragraph (1), (4) or (8) may be fully or Partly recovered with the Prime Minister's authorization, if and when:

一　前条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ったとき。

(i) Any of the item (ii) to (vi) inclusive of paragraph (1) of the preceding Article applies;

二　第三百七条第一項又は第二項の規定により登録が取り消されたとき。

(ii) The relevant registration is canceled pursuant to the provisions of Article 307, paragraph (1) or (2) ; or

三　業務の状況の変化その他の理由により保証金の額が第二項の政令で定める額を超えることとなったとき。

(iii) The security deposit exceeds the amount specified by Cabinet Order under paragraph (2) for reasons such as changing business characteristics.

１１　内閣総理大臣は、前項の承認をするときは、保険契約の締結の媒介に関して生じた債権の弁済を確保するために必要と認める限度において、取り戻すことができる時期及び取り戻すことができる保証金の額を指定することができる。

(11) The Prime Minister may, in giving an authorization as set forth in the preceding paragraph, designate a period for the recovery and the recoverable amount of the security deposit, within the limit that he/she finds necessary for ensuring the payment of any claim that has arisen out of action as an intermediary in concluding an insurance contract.

１２　前各項に定めるもののほか、保証金に関し必要な事項は、内閣府令・法務省令で定める。

(12) In addition to what is provided for in the preceding paragraphs, any necessary particular of security deposits shall be specified by Cabinet Office Ordinance/Ordinance of the Ministry of Justice.

（保険仲立人賠償責任保険契約）

(Insurance Brokers Liability Insurance Contract)

第二百九十二条　保険仲立人は、政令で定めるところにより、保険仲立人賠償責任保険契約を締結し、内閣総理大臣の承認を受けたときは、当該契約の効力の存する間、当該契約の保険金の額に応じて前条第一項の保証金の一部の供託（同条第三項の契約の締結を含む。次項において同じ。）をしないことができる。

Article 292 (1) An Insurance Broker who has concluded an Insurance Broker's liability insurance contract pursuant to the provisions of Cabinet Order may, with the Prime Minister's authorization, withhold in whole or in part the security deposit to be made under paragraph (1) of the preceding Article (including the conclusion of a contract under paragraph (3) of that Article; the same shall apply in the following paragraph) in accordance with the amount of insurance proceeds under the contract, so long as the contract remains in effect.

２　内閣総理大臣は、保険契約者等の保護のため必要があると認めるときは、前項の保険仲立人賠償責任保険契約を締結した保険仲立人に対し、前条第一項の保証金につき供託をしないことができるとされた金額の全部又は一部を供託すべき旨を命ずることができる。

(2) If the Prime Minister finds it necessary for the protection of Policyholders, etc., he/she may order an Insurance Broker who has concluded an Insurance Broker's liability insurance contract as set forth in the preceding paragraph to make in whole or in Part that Part of the security deposit under paragraph (1) of the preceding Article which may be withheld.

３　前二項に定めるもののほか、保険仲立人賠償責任保険契約に関し必要な事項は、内閣府令で定める。

(3) In addition to what is provided for in the preceding two paragraphs, any necessary particular for Insurance Brokers liability insurance contracts shall be specified by Cabinet Office Ordinance.

（商法の準用）

(Mutatis Mutandis Application of the Commercial Code)

第二百九十三条　商法第五百四十三条、第五百四十四条及び第五百四十六条から第五百五十条まで（仲立営業）の規定は、保険仲立人が行う保険契約の締結の媒介であって相互会社（外国相互会社を含む。）が当該保険契約の保険者となるべきものについて準用する。

Article 293 The provisions of Articles 543, 544 and 546 to 550 inclusive (Brokerage Business) of the Commercial Code shall apply mutatis mutandis to action as an intermediary by an Insurance Broker in concluding an insurance contract in which the insurer is supposed to be a Mutual Company (including a Foreign Mutual Company).

第四章　業務

Chapter IV Business

（顧客に対する説明）

(Explanation to Customer)

第二百九十四条　保険募集人は、保険募集を行おうとするときは、あらかじめ、顧客に対し次に掲げる事項を明らかにしなければならない。

Article 294 An Insurance Agent shall, when seeking to engage in Insurance Solicitation, clearly communicate in advance the following particulars to customers:

一　所属保険会社等の商号、名称又は氏名

(i) Trade name or name of the Affiliated Insurance Company, etc.;

二　自己が所属保険会社等の代理人として保険契約を締結するか、又は保険契約の締結を媒介するかの別

(ii) Whether he/she will act as an agent of the Affiliated Insurance Company, etc. or as an intermediary in concluding an insurance contract; and

三　その他内閣府令で定める事項

(iii) Any other particular specified by Cabinet Office Ordinance.

（自己契約の禁止）

(Prohibition of Self-Contract)

第二百九十五条　損害保険代理店及び保険仲立人は、その主たる目的として、自己又は自己を雇用している者を保険契約者又は被保険者とする保険契約（保険仲立人にあっては、内閣府令で定めるものに限る。次項において「自己契約」という。）の保険募集を行ってはならない。

Article 295 (1) A Non-Life Insurance Representative or Insurance Broker shall not make it his/her primary business purpose to engage in Insurance Solicitation for insurance contracts in which he/she or his/her employer is the Policyholder or the insured (for an Insurance Broker, limited to those contracts specified by Cabinet Office Ordinance; referred to as "Self-Contracts" in the following paragraph).

２　前項の規定の適用については、損害保険代理店又は保険仲立人が保険募集を行った自己契約に係る保険料の合計額として内閣府令で定めるところにより計算した額が、当該損害保険代理店又は保険仲立人が保険募集を行った保険契約に係る保険料の合計額として内閣府令で定めるところにより計算した額の百分の五十を超えることとなったときは、当該損害保険代理店又は保険仲立人は、自己契約の保険募集を行うことをその主たる目的としたものとみなす。

(2) For the purpose of applying the provisions of the preceding paragraph, a Non-Life Insurance Representative or Insurance Broker shall be deemed to have made it his/her primary business purpose to engage in Insurance Solicitation for Self-Contracts, when the total amount of insurance premiums for the Self-Contracts solicited by the Non-Life Insurance Representative or Insurance Broker, as calculated pursuant to the provisions of Cabinet Office Ordinance, exceeds 50 percent of the total amount of insurance premiums for all contracts solicited by the Non-Life Insurance Representative or Insurance Broker, as calculated pursuant to the provisions of Cabinet Office Ordinance.

（保険仲立人の氏名等の明示）

(Clear Indication of Name, etc. of Insurance Broker)

第二百九十六条　保険仲立人は、保険契約の締結の媒介を行おうとするときは、内閣府令で定めるところにより、次に掲げる事項を記載した書面を顧客に交付しなければならない。

Article 296 (1) If an Insurance Broker seeks to act as an intermediary in concluding an insurance contract, he/she shall deliver to the customer a document detailing the following particulars pursuant to the provisions of Cabinet Office Ordinance:

一　保険仲立人の商号、名称又は氏名及び住所

(i) Trade name, name and address of the Insurance Broker;

二　保険仲立人の権限に関する事項

(ii) The particulars of the Insurance Broker' authority

三　保険仲立人の損害賠償に関する事項

(iii) The particulars of the Insurance Broker' liability; 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, any particular specified by Cabinet Office Ordinance.

２　保険仲立人は、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、当該顧客の承諾を得て、当該書面に記載すべき事項を電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であって内閣府令で定めるものにより提供することができる。この場合において、当該保険仲立人は、当該書面を交付したものとみなす。

(2) In lieu of the delivery of a written statement under the preceding paragraph, an Insurance Broker may, with the authorization of the customer pursuant to the provisions of Cabinet Order, communicate the particulars that are required to be included in the written statement by a method using an electronic data processing system or any other method using information and communications technology pursuant to the provisions of Cabinet Office Ordinance. In this case, the Insurance Broker shall be deemed to have delivered the written statement.

（保険仲立人の開示事項）

(Information to be Disclosed by Insurance Brokers)

第二百九十七条　保険仲立人は、顧客から求められたときは、保険契約の締結の媒介に関して当該保険仲立人が受ける手数料、報酬その他の対価の額その他内閣府令で定める事項を、明らかにしなければならない。

Article 297 An Insurance Broker shall, upon request of a customer, disclose the amount of commission, reward or any other consideration that he/she receives for acting as an intermediary in concluding the insurance contract, or any other particular specified by Cabinet Office Ordinance.

（結約書の記載事項）

(Particulars for Inclusion in a Closing Document)

第二百九十八条　保険仲立人に対する商法第五百四十六条第一項（結約書作成及び交付義務）（第二百九十三条において準用する場合を含む。）の規定の適用については、同項中「其要領」とあるのは、「内閣府令ニ定ムル事項」とする。

Article 298 For the purpose of applying the provisions of Article 546, paragraph (1) of the Commercial Code (Obligation to Prepare and Deliver Closing Document) (including the cases where it is applied mutatis mutandis pursuant to Article 293) to an Insurance Broker, the term "its outline" in the paragraph shall be deemed to be replaced with "the particulars specified by Cabinet Office Ordinance."

（保険仲立人の誠実義務）

(Insurance Broker's Obligation of Good Faith)

第二百九十九条　保険仲立人は、顧客のため誠実に保険契約の締結の媒介を行わなければならない。

Article 299 An Insurance Broker shall act in good faith for the benefit of the customer in acting as an intermediary for the conclusion of an insurance contract.

（指定保険仲立人保険募集紛争解決機関との契約締結義務等）

(Obligation to Conclude a Contract, etc. with a Designated Dispute Resolution Organization for Insurance Solicitation by Insurance Brokers)

第二百九十九条の二　保険仲立人は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 299-2 (1) An Insurance Broker shall take the measures specified in the following items according to the category of cases set forth in the respective items:

一　指定保険仲立人保険募集紛争解決機関（指定紛争解決機関であってその紛争解決等業務の種別が保険仲立人保険募集であるものをいう。以下この条において同じ。）が存在する場合　一の指定保険仲立人保険募集紛争解決機関との間で保険仲立人保険募集に係る手続実施基本契約を締結する措置

(i) in cases where there is a Designated Dispute Resolution Organization for Insurance Solicitation by Insurance Brokers (meaning a Designated Dispute Resolution Organization for which the Category of Dispute Resolution Services, etc. is Insurance Solicitation by Insurance Brokers; hereinafter the same shall apply in this Article): measures to conclude a Basic Contract for the Implementation of Dispute Resolution Procedures for Insurance Solicitation by Insurance Brokers with a single Designated Dispute Resolution Organization for Insurance Solicitation by Insurance Brokers;

二　指定保険仲立人保険募集紛争解決機関が存在しない場合　保険仲立人保険募集に関する苦情処理措置及び紛争解決措置

(ii) in cases where there is no Designated Dispute Resolution Organization for Insurance Solicitation by Insurance Brokers: Complaint Processing Measures and Dispute Resolution Measures concerning Insurance Solicitation by Insurance Brokers.

２　保険仲立人は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定保険仲立人保険募集紛争解決機関の商号又は名称を公表しなければならない。

(2) An Insurance Broker shall, when it has taken measures to conclude a Basic Contract for the Implementation of Dispute Resolution Procedures pursuant to the provisions of the preceding paragraph, publicize the trade name or name of the Designated Dispute Resolution Organization for Insurance Solicitation by Insurance Brokers that is the counterparty to said Basic Contract for the Implementation of Dispute Resolution Procedures.

３　第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。

(3) The provisions of paragraph (1) shall not apply for the periods specified in the following items according to the category of cases set forth in the respective items:

一　第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき　第三百八条の二十三第一項の規定による紛争解決等業務の廃止の認可又は第三百八条の二十四第一項の規定による指定の取消しの時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(i) when the relevant case which had fallen under the cases set forth in paragraph (1), item (i), has come to fall under the cases set forth in item (ii) of that paragraph: the period specified by the Prime Minister at the time of granting authorization for abolition of Dispute Resolution Services, etc. under Article 308-23, paragraph (1) or rescinding the designation under Article 308-24, paragraph (1), as the period necessary to take the measures specified in that item;

二　第一項第一号に掲げる場合に該当していた場合において、同号の一の指定保険仲立人保険募集紛争解決機関の紛争解決等業務の廃止が第三百八条の二十三第一項の規定により認可されたとき、又は同号の一の指定保険仲立人保険募集紛争解決機関の第三百八条の二第一項の規定による指定が第三百八条の二十四第一項の規定により取り消されたとき（前号に掲げる場合を除く。）　その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(ii) when the relevant case had fallen under the cases set forth in paragraph (1), item (i), and the abolition of Dispute Resolution Services, etc. of a single Designated Dispute Resolution Organization for Insurance Solicitation by Insurance Brokers under that item has been authorized under Article 308-23, paragraph (1) or the designation under Article 308-2, paragraph (1) of a single Designated Dispute Resolution Organization for Insurance Solicitation by Insurance Brokers under that item has been rescinded pursuant to Article 308-24, paragraph (1) (excluding the case set forth in the preceding item): the period specified by the Prime Minister at the time of granting such authorization or making such rescission, as the period necessary for taking the measures specified in paragraph (1), item (i); and

三　第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき　第三百八条の二第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(iii) when the relevant case which had fallen under the cases set forth in paragraph (1), item (ii) has come to fall under the cases set forth in item (i) of that paragraph: the period specified by the Prime Minister at the time of designation under Article 308-2, paragraph (1), as the period necessary to take the measures specified in that item.

（保険契約の締結又は保険募集に関する禁止行為）

(Prohibited Acts Pertaining to Conclusion of Insurance Contract or Insurance Solicitation)

第三百条　保険会社等若しくは外国保険会社等、これらの役員（保険募集人である者を除く。）、保険募集人又は保険仲立人若しくはその役員若しくは使用人は、保険契約の締結又は保険募集に関して、次に掲げる行為（次条に規定する特定保険契約の締結又はその代理若しくは媒介に関しては、第一号に規定する保険契約の契約条項のうち重要な事項を告げない行為及び第九号に掲げる行為を除く。）をしてはならない。

Article 300 (1) An Insurance Company, etc. or Foreign Insurance Company, etc., any officer thereof (other than an officer who is an Insurance Agent), an Insurance Agent, or an Insurance Broker or any officer or employee thereof shall not take any of the following actions in relation to the conclusion of an insurance contract or Insurance Solicitation (for the conclusion of a specified insurance contract provided in the following Article and related act as an agent or intermediary, excluding the non-disclosure of any important particular stipulated in the insurance contract contained in the provisions of item (i) and the act specified in item (ix):

一　保険契約者又は被保険者に対して、虚偽のことを告げ、又は保険契約の契約条項のうち重要な事項を告げない行為

(i) Falsely informing the Policyholder or the insured, or failing to disclose thereto any important particular stipulated in the insurance contract;

二　保険契約者又は被保険者が保険会社等又は外国保険会社等に対して重要な事項につき虚偽のことを告げることを勧める行為

(ii) Encouraging the Policyholder or the insured to give false information about any important particular to an Insurance Company, etc. or Foreign Insurance Company, etc.;

三　保険契約者又は被保険者が保険会社等又は外国保険会社等に対して重要な事実を告げるのを妨げ、又は告げないことを勧める行為

(iii) Preventing or discouraging the Policyholder or the insured from informing an Insurance Company, etc. or Foreign Insurance Company, etc. of a material fact;

四　保険契約者又は被保険者に対して、不利益となるべき事実を告げずに、既に成立している保険契約を消滅させて新たな保険契約の申込みをさせ、又は新たな保険契約の申込みをさせて既に成立している保険契約を消滅させる行為

(iv) Inducing the Policyholder or the insured to apply for a new insurance contract without informing him/her of any fact that would work to his/her disadvantage in the termination of an already effected insurance contract, or terminating an already effected insurance contract by inducing the Policyholder or the insured to apply for a new contract;

五　保険契約者又は被保険者に対して、保険料の割引、割戻しその他特別の利益の提供を約し、又は提供する行為

(v) Promising to offer, or actually offering, to the Policyholder or the insured a discount or rebate on insurance premiums, or any other special advantage;

六　保険契約者若しくは被保険者又は不特定の者に対して、一の保険契約の契約内容につき他の保険契約の契約内容と比較した事項であって誤解させるおそれのあるものを告げ、又は表示する行為

(vi) Telling or indicating to the Policyholder or the insured, or any other unspecified person a misleading message regarding the features of an insurance contract in comparison with other contracts;

七　保険契約者若しくは被保険者又は不特定の者に対して、将来における契約者配当又は社員に対する剰余金の分配その他将来における金額が不確実な事項として内閣府令で定めるものについて、断定的判断を示し、又は確実であると誤解させるおそれのあることを告げ、若しくは表示する行為

(vii) Making a conclusive statement, or telling or indicating a misleading message to the Policyholder, the insured, or an unspecified person so that he/she may believe that a certain amount of money will be obtained in the future as a dividend to Policyholders, dividend of surplus to members or any other benefit whose amount is specified as uncertain by Cabinet Office Ordinance.

八　保険契約者又は被保険者に対して、当該保険契約者又は被保険者に当該保険会社等又は外国保険会社等の特定関係者（第百条の三（第二百七十二条の十三第二項において準用する場合を含む。第三百一条において同じ。）に規定する特定関係者及び第百九十四条に規定する特殊関係者のうち、当該保険会社等又は外国保険会社等を子会社とする保険持株会社及び少額短期保険持株会社（以下この条及び第三百一条の二において「保険持株会社等」という。）、当該保険持株会社等の子会社（保険会社等及び外国保険会社等を除く。）並びに保険業を行う者以外の者をいう。）が特別の利益の供与を約し、又は提供していることを知りながら、当該保険契約の申込みをさせる行為

(viii) Inducing the Policyholder or the insured to offer an insurance contract, knowing that the Specified Related Party of the Insurance Company, etc. or Foreign Insurance Company, etc. (meaning a Specified Related Party as set forth in Article 100-3 (including the cases where it is applied mutatis mutandis pursuant to Article 272-13, paragraph (2); the same shall apply in Article 301) or a Specially Related Party as set forth in Article 194, other than an Insurance Holding Company or Low-Cost, Short-Term Insurance Holding Company whose Subsidiaries include the Insurance Company, etc. or Foreign Insurance Company, etc. (referred to as "Insurance Holding Company, etc." hereinafter in this Article as well as in Article 301-2), a Subsidiary of the Insurance Holding Company, etc. (other than an Insurance Company, etc. or Foreign Insurance Company, etc.), or a person conducting Insurance Business) has promised to offer, or actually offered, a special advantage to the Policyholder or the insured.

九　前各号に定めるもののほか、保険契約者等の保護に欠けるおそれがあるものとして内閣府令で定める行為

(ix) In addition to what is listed in the preceding items, any other action specified by Cabinet Office Ordinance as posing risk to the protection of Policyholders, etc.

２　前項第五号の規定は、保険会社等又は外国保険会社等が第四条第二項各号、第百八十七条第三項各号又は第二百七十二条の二第二項各号に掲げる書類に基づいて行う場合には、適用しない。

(2) The provisions of the preceding paragraph, item (v) shall not apply where an Insurance Company, etc. or Foreign Insurance Company, etc. makes such offer based on a document listed in any of the items of Article 4, paragraph (2), the items of Article 187, paragraph (3) or the items of Article 272-2, paragraph (2).

（金融商品取引法の準用）

(Mutatis Mutandis Application of the Financial Instruments and Exchange Act)

第三百条の二　金融商品取引法第三章第一節第五款（第三十四条の二第六項から第八項まで（特定投資家が特定投資家以外の顧客とみなされる場合）並びに第三十四条の三第五項及び第六項（特定投資家以外の顧客である法人が特定投資家とみなされる場合）を除く。）（特定投資家）及び第四十五条（第三号及び第四号を除く。）（雑則）の規定は保険会社等若しくは外国保険会社等又は保険仲立人が行う特定保険契約（金利、通貨の価格、同法第二条第十四項に規定する金融商品市場における相場その他の指標に係る変動により損失が生ずるおそれ（当該保険契約が締結されることにより顧客の支払うこととなる保険料の合計額が、当該保険契約が締結されることにより当該顧客の取得することとなる保険金、返戻金その他の給付金の合計額を上回ることとなるおそれをいう。）がある保険契約として内閣府令で定めるものをいう。以下この条において同じ。）又は顧客のために特定保険契約の締結の媒介を行うことを内容とする契約の締結について、同章第二節第一款（第三十五条から第三十六条の四まで（第一種金融商品取引業又は投資運用業を行う者の業務の範囲、第二種金融商品取引業又は投資助言・代理業のみを行う者の兼業の範囲、顧客に対する誠実義務、標識の掲示、名義貸しの禁止、社債の管理の禁止等）、第三十七条第一項第二号（広告等の規制）、第三十七条の二（取引態様の事前明示義務）、第三十七条の三第一項第二号及び第六号並びに第三項（契約締結前の書面の交付）、第三十七条の五から第三十七条の七まで（保証金の受領に係る書面の交付、書面による解除、指定紛争解決機関との契約締結義務等）、第三十八条第一号及び第二号並びに第三十八条の二（禁止行為）、第三十九条第三項ただし書及び第五項（損失補てん等の禁止）並びに第四十条の二から第四十条の五まで（最良執行方針等、分別管理が確保されていない場合の売買等の禁止、特定投資家向け有価証券の売買等の制限、特定投資家向け有価証券に関する告知義務）を除く。）（通則）の規定は保険会社等、外国保険会社等、保険募集人又は保険仲立人が行う特定保険契約の締結又はその代理若しくは媒介について、それぞれ準用する。この場合において、これらの規定中「金融商品取引契約」とあるのは「特定保険契約等」と、「金融商品取引業」とあるのは「特定保険契約の締結又はその代理若しくは媒介の業務」と、同法第三十四条中「顧客を相手方とし、又は顧客のために金融商品取引行為（第二条第八項各号に掲げる行為をいう。以下同じ。）」とあるのは「特定保険契約（保険業法第三百条の二に規定する特定保険契約をいう。以下同じ。）又は顧客のために特定保険契約の締結の媒介」と、同法第三十七条第二項中「金融商品取引行為」とあるのは「特定保険契約の締結」と、同法第三十七条の三第一項中「締結しようとするとき」とあるのは「締結しようとするとき、又は特定保険契約の締結の代理若しくは媒介を行うとき」と、「次に掲げる事項」とあるのは「次に掲げる事項その他保険業法第三百条第一項第一号に規定する保険契約の契約条項のうち重要な事項」と、同項第一号中「金融商品取引業者等」とあるのは「特定保険契約等を締結する保険会社等（保険業法第二条の二第一項に規定する保険会社等をいう。）、外国保険会社等（同法第二条第七項に規定する外国保険会社等をいう。）又は保険仲立人（同条第二十五項に規定する保険仲立人をいう。）」と、同項第五号中「金融商品取引行為」とあるのは「特定保険契約の締結」と、同法第三十八条第一項中「使用人」とあるのは「使用人（保険募集人（保険業法第二条第二十三項に規定する保険募集人をいう。）を除く。第三十九条第三項において同じ。）」と、同法第三十九条第一項第一号中「有価証券の売買その他の取引（買戻価格があらかじめ定められている買戻条件付売買その他の政令で定める取引を除く。）又はデリバティブ取引（以下この条において「有価証券売買取引等」という。）」とあるのは「特定保険契約の締結」と、「有価証券又はデリバティブ取引（以下この条において「有価証券等」という。）」とあるのは「特定保険契約」と、「顧客（信託会社等（信託会社又は金融機関の信託業務の兼営等に関する法律第一条第一項の認可を受けた金融機関をいう。以下同じ。）が、信託契約に基づいて信託をする者の計算において、有価証券の売買又はデリバティブ取引を行う場合にあつては、当該信託をする者を含む。以下この条において同じ。）」とあるのは「顧客」と、「損失」とあるのは「損失（当該特定保険契約が締結されることにより顧客の支払う保険料の合計額が当該特定保険契約が締結されることにより当該顧客の取得する保険金、返戻金その他の給付金の合計額を上回る場合における当該保険料の合計額から当該保険金、返戻金その他の給付金の合計額を控除した金額をいう。以下この条において同じ。）」と、「補足するため」とあるのは「補足するため、当該特定保険契約によらないで」と、同項第二号及び第三号中「有価証券売買取引等」とあるのは「特定保険契約の締結」と、「有価証券等」とあるのは「特定保険契約」と、同項第二号中「追加するため」とあるのは「追加するため、当該特定保険契約によらないで」と、同項第三号中「追加するため、」とあるのは「追加するため、当該特定保険契約によらないで」と、同条第二項中「有価証券売買取引等」とあるのは「特定保険契約の締結」と、同条第三項中「原因となるものとして内閣府令で定めるもの」とあるのは「原因となるもの」と、同法第四十条第一号中「金融商品取引行為」とあるのは「特定保険契約等の締結」と、同法第四十五条第二号中「第三十七条の二から第三十七条の六まで、第四十条の二第四項及び第四十三条の四」とあるのは「第三十七条の三（第一項各号に掲げる事項に係る部分に限り、同項第二号及び第六号並びに第三項を除く。）及び第三十七条の四」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。

Article 300-2 The provisions of Chapter III, Section 1, Subsection 5 (excluding Article 34-2, paragraphs (6) to (8) inclusive (Cases Where a Professional Investor Is Deemed to Be a Customer Other than a Professional Investor) and Article 34-3, paragraphs (5) and (6) (Cases Where a Juridical Person Who Is a Customer Other than a Professional Investor Is Deemed to Be a Professional Investor)) (Professional Investors) and Article 45 (excluding items (iii) and (iv)) (Miscellaneous Provisions) of the Financial Instruments and Exchange Act shall apply mutatis mutandis to the conclusion of a specified insurance contract (meaning an insurance contract specified by Cabinet Office Ordinance as entailing the risk of loss due to any changes in interest rates, currency values, financial instruments market prices as set forth in Article 2, paragraph (14) of that Act or any other indicator (meaning the risk that the total amount of insurance premiums to be paid by the customer following the conclusion of the insurance contract may exceed the total insurance proceeds, reimbursements and other benefits to be paid out to the customer following the conclusion of the contract); hereinafter the same shall apply in this Article) effected by an Insurance Company, etc. or Foreign Insurance Company, etc., or a contract stipulating any specific action as an intermediary for the benefit of a customer in concluding a specified insurance contract; the provisions of Section 2, Subsection 1 of the same Chapter (excluding Article 35 to 36-4 inclusive (Scope of Business for Persons Who Engage in Type 1 Financial Instruments Transaction Business or Investment Management Business, Scope of Subsidiary Businesses of Persons Who Only Engage in Type II Financial Instruments Business or Investment Advisory and Agency Business, Duty of Good Faith to Customers, Posting of Signs, Prohibition of Name-Lending and Prohibition of Administration of Company Bonds, etc.), Article 37, paragraph (1), item (ii) (Regulation of Advertising, etc.), Article 37-2 (Obligation to Clarify Conditions of Transactions in Advance), Article 37-3, paragraph (1), items (ii) and (vi) and Article 37-3, paragraph (3) (Delivery of Document Prior to Conclusion of Contract), Article 37-5 to Article 37-7 inclusive (Delivery of Document Pertaining to Receipt of Security Deposit; Cancellation by a Written Statement; and Obligation to Execute Contract with Designated Dispute Resolution Organization), Article 38, items (i) and (ii) and Article 38-2 (Prohibited Acts), the proviso of Article 39, paragraph (3) and Article 39, paragraph (5) (Prohibition of Loss Compensation, etc.), Article 40-2 to Article 40-5 inclusive (Best Execution Policy, etc.; Prohibition of Purchase and Sale, etc. Where Separate Management Is Not Ensured; (General Rules)) shall apply mutatis mutandis to the conclusion of a specified insurance contract by an Insurance Company, etc., Foreign Insurance Company, etc., Insurance Agent or Insurance Broker and related actions as an agent or intermediary. In this case, the terms "financial instruments transaction contract" and "financial instruments transaction business" in those provisions shall be deemed to be replaced with "specified insurance contract, etc.," and "the conclusion of a specified insurance contract, or any related action as an agent or intermediary," respectively; in Article 34 of that Act, the term "the Act of Executing a Financial Instruments Transaction (meaning actions listed in the items of Article 2, paragraph (8); the same shall apply hereinafter) with a customer as the other party or on behalf of a customer" shall be deemed to be replaced with "effecting a specified insurance contract (meaning a specified insurance contract provided in Article 300-2 of the Insurance Business Act; the same shall apply hereinafter) or acting as an intermediary for the benefit of a customer in concluding a specified insurance contract"; in Article 37, paragraph (2) of that Act, the term "the Act of Executing a Financial Instruments Transaction" shall be deemed to be replaced with "the conclusion of specified insurance contracts"; in Article 37-3, paragraph (1) of that Act, the term "when it seeks to conclude a Contract for a Financial Instruments Transaction" shall be deemed to be replaced with "when it seeks to conclude a Contract for a Financial Instruments Transaction or actions as an agent or intermediary in concluding a specified insurance contract" and the term "the following particulars" with "the following particulars and any other important particular stipulated by an insurance contract as provided in Article 300, paragraph (1), item (i) of the Insurance Business Act"; in Article 37-3, paragraph (1), item (i) of that Act, the term "Financial Instruments Transaction Business Operators, etc." shall be deemed to be replaced with "Insurance Company, etc. (meaning an Insurance Company, etc. as defined in Article 2-2, paragraph (1) of the Insurance Business Act), Foreign Insurance Company, etc. (meaning a Foreign Insurance Company, etc. as defined in Article 2, paragraph (7) of that Act) or Insurance Broker (meaning an Insurance Broker as defined in paragraph (25) of the same Article) concluding a specified insurance contract, etc."; in Article 37-3, paragraph (1), item (v) of that Act, the term "financial instruments transaction business conducted" shall be deemed to be replaced with "specified insurance contract concluded"; in Article 38, paragraph (1) of that Act, the term "employee" shall be deemed to be replaced with "employee (excluding an Insurance Agent as defined in Article 2, paragraph (23) of the Insurance Business Act; the same shall apply in Article 39, paragraph (3))"; in Article 39, paragraph (1), item (i) of that Act, the term "purchase and sale or any other transaction of Securities (excluding a purchase and sale on condition of repurchase for which the repurchase price is set in advance and other transactions specified by Cabinet Order) or of Derivative Transactions (hereinafter referred to as a 'Purchase and Sale or Other Transaction of Securities, etc.' in this Article)" shall be deemed to be replaced with "the conclusion of a specified insurance contract"; the term "securities or derivative transactions (hereinafter referred to as 'securities, etc.' in this Article)" with "specified insurance contract," the term "customer (in the case where a Trust Company, etc. (meaning a trust company or financial institution that has obtained authorization under Article 1, paragraph (1) of the Act on the Provision of Trust Business by Financial Institutions; the same shall apply hereinafter) conducts the purchase and sale of Securities or Derivative Transactions on the account of the person who has established a trust under a trust contract, including said person who established the trust; hereinafter the same shall apply in this Article)" with "the customer," the term "loss" with "loss (meaning, where the total amount of insurance premiums to be paid by the customer following the conclusion of the specified insurance contract exceeds the total insurance proceeds, reimbursements and other benefits to be paid out to the customer following the conclusion of the contract, the total amount of premium payment less the total insurance proceeds, reimbursements and other benefits; hereinafter the same shall apply in this Article)," and the term "to supplement" with "to supplement, outside the stipulations of the specified insurance contract"; in Article 39, paragraph (1), items (ii) and (iii) of that Act, the term "the Purchase and Sale or Other Transaction of Securities, etc." shall be deemed to be replaced with "the conclusion of a specified insurance contract," the term "securities, etc." with "specified insurance contract," and the term "to add to" with "to add to, outside the stipulations of the specified insurance contract"; in Article 39, paragraph (2) of that Act, the term "the Purchase and Sale or Other Transaction of Securities, etc." shall be deemed to be replaced with "the conclusion of a specified insurance contract"; in Article 39, paragraph (3) of that Act, the term "determined by Cabinet Office Ordinance as a potential cause" shall be deemed to be replaced with "a potential cause"; in Article 40, item (i) of that Act, the term "financial instruments transaction business" with "the conclusion of a specified insurance contract, etc."; in Article 45, item (ii) of that Act, the term "Article 37-2 to 37-6 inclusive, Article 40-2, paragraph (4) and Article 43-4" shall be deemed to be replaced with "Articles 37-3 (as far as any of the particulars listed in the items of Article 37-3, paragraph (1) is concerned, excluding Article 37-3, paragraph (1), items (ii) and (vi) and Article 37-3, paragraph (3)) and 37-4"; and any other necessary technical replacement of terms shall be specified by Cabinet Order.

第三百一条　保険会社等又は外国保険会社等は、その特定関係者（第百条の三に規定する特定関係者（保険業を行う者に限る。）をいい、外国保険会社等の場合にあっては、第百九十四条に規定する特殊関係者（保険業を行う者に限る。）をいう。以下この条において同じ。）が行う保険契約の締結又はその特定関係者に係る保険募集に関して、次に掲げる行為又は取引をしてはならない。

Article 301 An Insurance Company, etc. or Foreign Insurance Company, etc. shall not act in any of the following ways or make any of the following transactions in relation to the conclusion of an insurance contract by a Specified Related Party (meaning a Specified Related Party as defined in Article 100-3 (limited to a person conducting Insurance Business) or, in the case of a Foreign Insurance Company, etc., a Specially Related Party as defined in Article 194 (limited to a person conducting Insurance Business); hereinafter the same shall apply in this Article) or any Insurance Solicitation involving the Specified Related Party:

一　当該特定関係者を保険者とする保険契約の保険契約者又は被保険者に対して、特別の利益の提供を約し、又は提供する行為

(i) Promising to offer, or actually offering, any special advantage to the Policyholder or the insured in an insurance contract where the Specified Related Party is the insurer; or

二　当該特定関係者との間又は当該特定関係者を保険者とする保険契約の保険契約者若しくは被保険者との間で行う行為又は取引のうち前号に掲げるものに準ずる行為又は取引で、保険募集の公正を害するおそれのあるものとして内閣府令で定める行為又は取引

(ii) Acting or making a transaction with the Specified Related Party, or with the Policyholder or the insured in an insurance contract where the Specified Related Party is the insurer, provided that the action or transaction is equivalent to that listed in the preceding item and is specified by Cabinet Office Ordinance as posing a risk of harming the fairness of Insurance Solicitation

第三百一条の二　保険持株会社等及びその子会社（保険会社等及び外国保険会社等を除く。）は、当該保険持株会社等の子会社である保険会社等若しくは外国保険会社等が行う保険契約の締結又は当該保険会社等若しくは外国保険会社等に係る保険募集に関して、次に掲げる行為又は取引をしてはならない。

Article 301-2 An Insurance Holding Company, etc. and any Subsidiary thereof (other than an Insurance Company, etc. or Foreign Insurance Company, etc.) may not act any of the following ways or make any of the following transactions in connection with the conclusion of an insurance contract by any Insurance Company, etc. or Foreign Insurance Company, etc. that is a Subsidiary of the Insurance Holding Company, etc., or in connection with Insurance Solicitation for the Insurance Company, etc. or Foreign Insurance Company, etc.:

一　当該保険会社等又は外国保険会社等を保険者とする保険契約の保険契約者又は被保険者に対して、特別の利益の提供を約し、又は提供する行為

(i) Promising to offer, or actually offering, any special advantage to the Policyholder or the insured in an insurance contract where the Insurance Company, etc. or Foreign Insurance Company, etc. is the insurer; or

二　当該保険会社等又は外国保険会社等を保険者とする保険契約の保険契約者若しくは被保険者との間で行う行為又は取引のうち前号に掲げるものに準ずる行為又は取引で、保険募集の公正を害するおそれのあるものとして内閣府令で定める行為又は取引

(ii) Acting or making a transaction with the Policyholder or the insured in an insurance contract where the Insurance Company, etc. or Foreign Insurance Company, etc. is the insurer, provided that the action or transaction is equivalent to that listed in the preceding item and is specified by Cabinet Office Ordinance as posing a risk of harming the fairness of Insurance Solicitation.

第五章　監督

Chapter V Supervision

（役員又は使用人の届出）

(Notification Pertaining to Directors and Employees)

第三百二条　損害保険代理店、少額短期保険募集人又は保険仲立人は、その役員又は使用人（少額短期保険募集人の役員又は使用人にあっては、特定少額短期保険募集人に限る。）に保険募集を行わせようとするときは、その者の氏名及び生年月日を内閣総理大臣に届け出なければならない。届け出た事項について変更を生じたとき、又は届出に係る役員若しくは使用人が保険募集を行わないこととなったとき、若しくはこれらの者が死亡したときも、同様とする。

Article 302 A Non-Life Insurance Representative, Small-Claims and Short-Term Insurance Agent or Insurance Broker shall, when it seeks to appoint any of its officers or employees to act as Insurance Agents (limited to a specified Low-Cost, Short-Term Insurance Agent for an officer or employee of a Low-Cost, Short-Term Insurance Agent), notify the Prime Minister of the person's name and birth date. The same shall apply to any change in a particular with regard to which notification has been given, the cessation of Insurance Solicitation by any of the officers or employees covered by the notification, and the death of any such person.

（帳簿書類の備付け）

(Keeping of Books and Documents)

第三百三条　保険仲立人は、内閣府令で定めるところにより、その事務所ごとに、その業務に関する帳簿書類を備え、保険契約者ごとに保険契約の締結の年月日その他の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 303 An Insurance Broker shall, pursuant to the provisions of Cabinet Office Ordinance, prepare and keep at each of its offices books and documents on its business, and enter therein the dates of insurance contracts and any other particulars specified by Cabinet Office Ordinance for each Policyholder.

（事業報告書の提出）

(Submission of Business Reports)

第三百四条　保険仲立人は、事業年度ごとに、内閣府令で定めるところにより、事業報告書を作成し、毎事業年度経過後三月以内に、これを内閣総理大臣に提出しなければならない。

Article 304 An Insurance Broker shall, pursuant to the provisions of Cabinet Office Ordinance, prepare a business report for each business year and submit it to the Prime Minister within three months from the end of the previous business year.

（立入検査等）

(On-Site Inspection, etc.)

第三百五条　内閣総理大臣は、この法律の施行に必要な限度において、特定保険募集人又は保険仲立人に対し、そ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、当該特定保険募集人若しくは保険仲立人の事務所に立ち入らせ、その業務若しくは財産の状況若しくは帳簿書類その他の物件を検査させ、若しくは関係者に質問させることができる。

Article 305 The Prime Minister may, within the limit necessary for the enforcement of this Act, order a Specified Insurance Agent or Insurance Broker to submit any report or data that should serve as a reference on its business or property, or have his/her officials enter an office of the Specified Insurance Agent or Insurance Broker to inspect the condition of its business or property or books and documents and other materials, or to ask questions of relevant persons.

（業務改善命令）

(Business Improvement Order)

第三百六条　内閣総理大臣は、特定保険募集人又は保険仲立人の業務の運営に関し、保険契約者等の利益を害する事実があると認めるときは、保険契約者等の保護のため必要な限度において、当該特定保険募集人又は保険仲立人に対し、業務の運営の改善に必要な措置をとるべきことを命ずることができる。

Article 306 When the Prime Minister finds, with regard to the business of a Specified Insurance Agent or Insurance Broker, any fact that might harm the interest of Policyholders, etc., he/she may order, within the limit necessary for the protection of Policyholders, etc., the Specified Insurance Agent or Insurance Broker to take necessary measures to improve its business operations.

（登録の取消し等）

(Cancellation of Registration, etc.)

第三百七条　内閣総理大臣は、特定保険募集人又は保険仲立人が次の各号のいずれかに該当するときは、第二百七十六条若しくは第二百八十六条の登録を取り消し、又は六月以内の期間を定めて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 307 (1) The Prime Minister may cancel the registration of a Specified Insurance Agent or Insurance Broker under Article 276 or 286 above, or order total or partial suspension of its business for a period not exceeding six months when:

一　特定保険募集人が第二百七十九条第一項第一号から第三号まで、第四号（この法律に相当する外国の法令の規定に係る部分に限る。）、第五号、第七号、第八号（同項第六号に係る部分を除く。）、第九号（同項第六号に係る部分を除く。）、第十号若しくは第十一号のいずれかに該当することとなったとき、又は保険仲立人が第二百八十九条第一項第一号から第三号まで、第四号（この法律に相当する外国の法令の規定に係る部分に限る。）、第五号、第七号、第八号（同項第六号に係る部分を除く。）、第九号（同項第六号に係る部分を除く。）若しくは第十号のいずれかに該当することとなったとき。

(i) The Specified Insurance Agent falls under any of Article 279, paragraph (1), items (i) to (iii) inclusive, (iv) (limited to the segment meaning any provisions of a foreign law or regulation equivalent to this Act), (v), (vii), (viii) (excluding the reference to Article 279, paragraph (1), item (vi)), item (ix) (excluding the reference to Article 279, paragraph (1), item (vi)), item (x) or (xi), or the Insurance Broker falls under any of Article 289, paragraph (1), items (i) to (iii) inclusive, (iv) (limited to the segment meaning "any provisions of a foreign law or regulation equivalent to this Act"), (v), (vii), (viii) (excluding the reference to Article 279, paragraph (1), item (vi)), item (ix) (excluding the reference to Article 279, paragraph (1), item (vi)) or item (x);

二　不正の手段により第二百七十六条又は第二百八十六条の登録を受けたとき。

(ii) The registration under Article 276 or 286 was obtained by wrongful means; or

三　この法律又はこの法律に基づく内閣総理大臣の処分に違反したとき、その他保険募集に関し著しく不適当な行為をしたと認められるとき。

(iii) The Specified Insurance Agent or Insurance Broker violates any provisions of this Act or any measures by the Prime Minister based on this Act, or is found to have engaged in any other extremely inappropriate conduct in connection with Insurance Solicitation.

２　内閣総理大臣は、特定保険募集人若しくは保険仲立人の事務所の所在地を確知できないとき、又は特定保険募集人若しくは保険仲立人の所在（法人である場合にあっては、その法人を代表する役員の所在）を確知できないときは、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特定保険募集人又は保険仲立人から申出がないときは、当該特定保険募集人又は保険仲立人の登録を取り消すことができる。

(2) If the Prime Minister cannot ascertain the location of the office of a Specified Insurance Agent or Insurance Broker, or the whereabouts of a Specified Insurance Agent or Insurance Broker (in the case of a juridical person, the whereabouts of the director who represents the juridical person), he/she may issue public notice of that fact and cancel the registration of the Specified Insurance Agent or Insurance Broker if the person does not report within thirty days from the date of the public notice, pursuant to the provisions of Cabinet Office Ordinance.

３　前項の規定による処分については、行政手続法第三章（不利益処分）の規定は、適用しない。

(3) The provisions of Chapter III of the Administrative Procedure Act (Adverse Dispositions) shall not apply to any measures under the preceding paragraph.

（登録の抹消等）

(Deregistration, etc.)

第三百八条　内閣総理大臣は、次に掲げる場合には、特定保険募集人又は保険仲立人の登録を抹消しなければならない。

Article 308 (1) The Prime Minister shall deregister a Specific Insurance Agent or Insurance Broker when

一　前条第一項又は第二項の規定により第二百七十六条又は第二百八十六条の登録を取り消したとき。

(i) He/she has canceled, pursuant to the provisions of paragraph (1) or (2) of the preceding Article above, any registration under Article 276 or 286 above; or

二　第二百八十条第三項の規定により第二百七十六条の登録がその効力を失ったとき、又は第二百九十条第三項の規定により第二百八十六条の登録がその効力を失ったとき。

(ii) Any registration under Article 276 has lost its effect pursuant to the provisions of Article 280, paragraph (3), or any registration under Article 286 has lost its effect pursuant to the provisions of Article 290, paragraph (3).

２　内閣総理大臣は、前項の規定により特定保険募集人に関する登録を抹消したときは、当該特定保険募集人に係る所属保険会社等にその旨を通知しなければならない。この場合において、当該所属保険会社等は、第二百八十五条第一項に規定する原簿から当該特定保険募集人に係る記載を消除しなければならない。

(2) If the Prime Minister has deregistered a Specified Insurance Agent pursuant to the provisions of the preceding paragraph, he/she shall notify the Specified Insurance Agent's Affiliated Insurance Company, etc. of this. In this case, the Affiliated Insurance Company, etc. shall delete the entries pertaining to the Specified Insurance Agent from the registry stipulated in Article 285, paragraph (1).

第四編　指定紛争解決機関

Part IV Designated Dispute Resolution Organizations

第一章　通則

Chapter I General Rules

（紛争解決等業務を行う者の指定）

(Designation of Person to Conduct Dispute Resolution Services, etc.)

第三百八条の二　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、紛争解決等業務を行う者として、指定することができる。

Article 308-2 (1) The Prime Minister may designate a person satisfying the following requirements as the person to conduct Dispute Resolution Services, etc., upon that person's application:

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。第四号ニにおいて同じ。）であること。

(i) that the relevant person is a juridical person (including an association or foundation without judicial personality for which a representative person or administrator has been designated, and excluding a juridical person established under laws and regulations of a foreign state and any other foreign organizations; the same shall apply in item (iv), sub-item (d));

二　第三百八条の二十四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、その取消しの日から五年を経過しない者又は他の法律の規定による指定であって紛争解決等業務に相当する業務に係るものとして政令で定めるものを取り消され、その取消しの日から五年を経過しない者でないこと。

(ii) that the relevant person is not a person who has had the designation under this paragraph rescinded pursuant to Article 308-24, paragraph (1) and for whom five years have not passed since the date of rescission, nor is the relevant person a person who has had the designation under the provisions of other Acts specified by Cabinet Order as pertaining to business equivalent to Dispute Resolution Services, etc. rescinded and for whom five years have not passed since the date of rescission;

三　この法律若しくは弁護士法（昭和二十四年法律第二百五号）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った日から五年を経過しない者でないこと。

(iii) that the relevant person is not a person who has been sentenced to a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act or the Attorney Act (Act No. 205 of 1949) or laws and regulations of a foreign state equivalent thereto and for whom five years have not passed since the day when the execution of the punishment terminated or he/she became free from the execution of the punishment;

四　役員のうちに、次のいずれかに該当する者がないこと。

(iv) that the relevant person has no Officers falling under any of the following categories of persons:

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 who has not obtained restoration of rights, 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

(c) a person who has been sentenced to or a severer punishment (including punishment under laws and regulations of a foreign state equivalent to this) and for whom five years have not passed since the day when the execution of the punishment terminated or he/she became free from the execution of the punishment;

ニ　第三百八条の二十四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若しく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、その取消しの日前一月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。ニにおいて同じ。）であった者でその取消しの日から五年を経過しない者又は他の法律の規定による指定であって紛争解決等業務に相当する業務に係るものとして政令で定めるもの若しくは当該他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政令で定める指定に類する行政処分を取り消された場合において、その取消しの日前一月以内にその法人の役員であった者でその取消しの日から五年を経過しない者

(d) in cases where the designation under this paragraph has been rescinded under the provisions of Article 308-24, paragraph (1) or an administrative disposition similar to said designation in a foreign state pursuant to the provisions of laws and regulations of the foreign state which are equivalent to this Act has been rescinded, a person who was an Officer (including persons treated in the same manner under laws and regulations of a foreign state; the same shall apply in this sub-item (d)) of the juridical person within one month prior to the date of rescission and for whom five years have not passed since the date of rescission, or in cases where the designation under the provisions of other Acts specified by Cabinet Order as pertaining to business equivalent to Dispute Resolution Services, etc. or an administrative disposition similar to said designation in a foreign state as specified by Cabinet Order under the provisions of laws and regulations of the foreign state which are equivalent to said other Acts has been rescinded, a person who was an Officer of the juridical person within one month prior to the date of rescission and for whom five years have not passed from the date of rescission; or

ホ　この法律若しくは弁護士法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

(e) a person who has been sentenced to a fine (including punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Attorney Act, or laws and regulations of a foreign state equivalent thereto and for whom five years have not passed since the day when the execution of the punishment terminated or he/she became free from the execution of the punishment;

五　紛争解決等業務を的確に実施するに足りる経理的及び技術的な基礎を有すること。

(v) that the relevant person has a sufficient financial and technical basis to properly implement Dispute Resolution Services, etc.;

六　役員又は職員の構成が紛争解決等業務の公正な実施に支障を及ぼすおそれがないものであること。

(vi) that the composition of the Officers or employees has no risk of causing hindrance to the fair implementation of Dispute Resolution Services, etc.;

七　紛争解決等業務の実施に関する規程（以下「業務規程」という。）が法令に適合し、かつ、この法律の定めるところにより紛争解決等業務を公正かつ的確に実施するために十分であると認められること。

(vii) that the rules concerning the implementation of Dispute Resolution Services, etc. (hereinafter referred to as the "Operational Rules") conform to laws and regulations and are found sufficient for the fair and appropriate implementation of Dispute Resolution Services, etc. pursuant to the provisions of this Act; and

八　次項の規定により意見を聴取した結果、手続実施基本契約の解除に関する事項その他の手続実施基本契約の内容（第三百八条の七第二項各号に掲げる事項を除く。）その他の業務規程の内容（同条第三項の規定によりその内容とするものでなければならないこととされる事項並びに同条第四項各号及び第五項第一号に掲げる基準に適合するために必要な事項を除く。）について異議（合理的な理由が付されたものに限る。）を述べた保険業関係業者の数の保険業関係業者の総数に占める割合が政令で定める割合以下の割合となったこと。

(viii) that, as a result of hearing the opinions pursuant to the following paragraph, the proportion of the number of Insurance Service Providers who have stated their objections to the particulars of the cancellation of the Basic Contract for the Implementation of Dispute Resolution Procedures, other contents of the Basic Contract for the Implementation of Dispute Resolution Procedures (excluding the particulars listed in the items of paragraph (2) of Article 308-7), and other contents of the Operational Rules (excluding the particulars which are to be the content thereof as provided by paragraph (3) of that Article and the particulars that are necessary to conforming to the standards listed in the items of paragraph (4) of that Article and item (i) of paragraph (5) of that Article) (limited to objections with reasonable grounds attached thereto) to the total number of Insurance Service Providers has become less than the proportion specified by Cabinet Order.

２　前項の申請をしようとする者は、あらかじめ、内閣府令で定めるところにより、保険業関係業者に対し、業務規程の内容を説明し、これについて異議がないかどうかの意見（異議がある場合には、その理由を含む。）を聴取し、及びその結果を記載した書類を作成しなければならない。

(2) Any person who seeks to file the application under the preceding paragraph shall, in advance and pursuant to the provisions of Cabinet Office Ordinance, explain the contents of the Operational Rules to the Insurance Service Provider and hear opinions therefrom as to whether they have any objections thereto (in cases where there are objections, reasons therefor shall be included) and prepare a document detailing the results thereof.

３　内閣総理大臣は、第一項の規定による指定をしようとするときは、同項第五号から第七号までに掲げる要件（紛争解決手続の業務に係る部分に限り、同号に掲げる要件にあっては、第三百八条の七第四項各号及び第五項各号に掲げる基準に係るものに限る。）に該当していることについて、あらかじめ、法務大臣に協議しなければならない。

(3) When the Prime Minister seeks to make the designation under paragraph (1), he/she shall consult the Minister of Justice in advance with regard to the fact that the relevant person satisfies the requirements listed in items (v) to (vii) inclusive of that paragraph (limited to the part related to the operation of Dispute Resolution Procedures, and with regard to the requirements set forth in item (vii), limited to the requirement pertaining to the standards listed in the items of paragraph (4) of Article 308-7 and the items of paragraph (5) of that Article).

４　第一項の規定による指定は、紛争解決等業務の種別ごとに行うものとし、同項第八号の割合は、当該紛争解決等業務の種別ごとに算定するものとする。

(4) The designation under paragraph (1) shall be made for each Category of Dispute Resolution Services, etc. and the proportion under item (viii) of that item shall be calculated for each Category of Dispute Resolution Services, etc.

５　内閣総理大臣は、第一項の規定による指定をしたときは、指定紛争解決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、当該指定に係る紛争解決等業務の種別並びに当該指定をした日を官報で告示しなければならない。

(5) When the Prime Minister has made the designation under paragraph (1), he/she shall give public notice of the trade name or name and the location of the principal business office or office of the Designated Dispute Resolution Organization, the Category of Dispute Resolution Services, etc. related to said designation, as well as the day on which he/she made the designation in the official gazette.

（指定の申請）

(Application for Designation)

第三百八条の三　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 308-3 (1) A person who seeks to obtain the designation set forth in paragraph (1) of the preceding Article shall submit a written application for designation detailing the following particulars to the Prime Minister:

一　指定を受けようとする紛争解決等業務の種別

(i) the Category of Dispute Resolution Services, etc. for which the relevant person seeks to obtain designation;

二　商号又は名称

(ii) the trade name or name;

三　主たる営業所又は事務所その他紛争解決等業務を行う営業所又は事務所の名称及び所在地

(iii) the name and location of the principal business office or office or any other business offices or offices for Dispute Resolution Services, etc.; and

四　役員の氏名又は商号若しくは名称

(iv) the name(s) or trade name(s) of the Officer(s).

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 under 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 to pledge that the person satisfies the requirements set forth in items (iii) and (iv) of paragraph (1) 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 the juridical person's certificate of registered particulars (including those equivalent thereto);

三　業務規程

(iii) the Operational Rules;

四　組織に関する事項を記載した書類

(iv) documents detailing the particulars of the organization;

五　財産目録、貸借対照表その他の紛争解決等業務を行うために必要な経理的な基礎を有することを明らかにする書類であって内閣府令で定めるもの

(v) an inventory of assets, a balance sheet, and any other documents that certify that the relevant person has the necessary financial basis for conducting Dispute Resolution Services, etc. which are specified by Cabinet Office Ordinance;

六　前条第二項に規定する書類その他同条第一項第八号に掲げる要件に該当することを証する書類として内閣府令で定めるもの

(vi) the documents prescribed in paragraph (2) of the preceding Article and any other documents specified by Cabinet Office Ordinance as those that prove that the relevant person satisfies the requirements set forth in item (viii) of paragraph (1) of that Article; and

七　前各号に掲げるもののほか、内閣府令で定める書類

(vii) in addition to what is provided for in the preceding items, documents specified by Cabinet Office Ordinance.

３　前項の場合において、定款、財産目録又は貸借対照表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 assets, or balance sheet has been prepared in the form of an Electromagnetic Record, such Electromagnetic Record may be attached in lieu of the written documents.

（秘密保持義務等）

(Obligation of Confidentiality, etc.)

第三百八条の四　指定紛争解決機関の紛争解決委員（第三百八条の十三第二項の規定により選任された紛争解決委員をいう。次項、次条第二項並びに第三百八条の七第二項及び第四項において同じ。）若しくは役員若しくは職員又はこれらの職にあった者は、紛争解決等業務に関して知り得た秘密を漏らし、又は自己の利益のために使用してはならない。

Article 308-4 (1) A Dispute Resolution Mediator (meaning the Dispute Resolution Mediator appointed under Article 308-13, paragraph (2); the same shall apply in the following paragraph, paragraph (2) of the following Article and Article 308-7, paragraphs (2) and (4)) or an Officer or employee of the Designated Dispute Resolution Organization, or a person who was formerly in such position shall not divulge to another person or use for his/her own interest any confidential information learned during the course of Dispute Resolution Services, etc.

２　指定紛争解決機関の紛争解決委員又は役員若しくは職員で紛争解決等業務に従事する者は、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) With regard to the application of the Penal Code and other penal provisions, a Dispute Resolution Mediator or an Officer or employee of the Designated Dispute Resolution Organization who is engaged in Dispute Resolution Services, etc. shall be deemed to be officials engaged in public service under laws and regulations.

第二章　業務

Chapter II Business

（指定紛争解決機関の業務）

(Business of a Designated Dispute Resolution Organization)

第三百八条の五　指定紛争解決機関は、この法律及び業務規程の定めるところにより、紛争解決等業務を行うものとする。

Article 308-5 (1) A Designated Dispute Resolution Organization shall perform Dispute Resolution Services, etc. pursuant to the provisions of this Act and Operational Rules.

２　指定紛争解決機関（紛争解決委員を含む。）は、当事者である加入保険業関係業者（手続実施基本契約を締結した相手方である保険業関係業者をいう。以下この編において同じ。）若しくはその顧客（顧客以外の保険契約者等を含む。以下この編において同じ。）又はこれらの者以外の者との手続実施基本契約その他の契約で定めるところにより、紛争解決等業務を行うことに関し、負担金又は料金その他の報酬を受けることができる。

(2) A Designated Dispute Resolution Organization (including the Dispute Resolution Mediators) may receive obligatory contributions, fees, or any other remuneration for performing the Dispute Resolution Services, etc. pursuant to the Basic Contract for the Implementation of Dispute Resolution Procedures or any other contracts concluded with the Member Insurance Service Provider (meaning the Insurance Service Provider with whom a Basic Contract for the Implementation of Dispute Resolution Procedures have been concluded; hereinafter the same shall apply in this Part) who is the party or with the customer thereof (including the Policyholder, etc. other than a customer; hereinafter the same shall apply in this Part) or with persons other than these persons.

（苦情処理手続又は紛争解決手続の業務の委託）

(Entrustment of Operation of Complaint Processing Procedures or Dispute Resolution Procedures)

第三百八条の六　指定紛争解決機関は、他の指定紛争解決機関又は他の法律の規定による指定であって紛争解決等業務に相当する業務に係るものとして政令で定めるものを受けた者（第三百八条の十三第四項及び第五項において「受託紛争解決機関」という。）以外の者に対して、苦情処理手続又は紛争解決手続の業務を委託してはならない。

Article 308-6 A Designated Dispute Resolution Organization shall not entrust the operation of Complaint Processing Procedures or Dispute Resolution Procedures to persons other than other Designated Dispute Resolution Organizations or a person who has obtained the designation under the provisions of other Acts specified by Cabinet Order as related to business equivalent to the Dispute Resolution Services, etc. (referred to as the "Entrusted Dispute Resolution Organization" in Article 308-13, paragraph (4) and (5)).

（業務規程）

(Operational Rules)

第三百八条の七　指定紛争解決機関は、次に掲げる事項に関する業務規程を定めなければならない。

Article 308-7 (1) A Designated Dispute Resolution Organization shall set forth Operational Rules for the following particulars:

一　手続実施基本契約の内容に関する事項

(i) the particulars of the contents of the Basic Contract for the Implementation of Dispute Resolution Procedures;

二　手続実施基本契約の締結に関する事項

(ii) the particulars of the conclusion of a Basic Contract for the Implementation of Dispute Resolution Procedures;

三　紛争解決等業務の実施に関する事項

(iii) the particulars of the implementation of Dispute Resolution Services, etc.;

四　紛争解決等業務に要する費用について加入保険業関係業者が負担する負担金に関する事項

(iv) the particulars of the obligatory contribution to be borne by the Member Insurance Service Providers with regard to the cost required for the Dispute Resolution Services, etc.;

五　当事者である加入保険業関係業者又はその顧客（以下この編において単に「当事者」という。）から紛争解決等業務の実施に関する料金を徴収する場合にあっては、当該料金に関する事項

(v) when collecting fees for the implementation of Dispute Resolution Services, etc. from the Member Insurance Service Provider who is the relevant party or from the customer thereof (hereinafter simply referred to as the "Party" in this Part), the particulars of such fees;

六　他の指定紛争解決機関その他相談、苦情の処理又は紛争の解決を実施する国の機関、地方公共団体、民間事業者その他の者との連携に関する事項

(vi) the particulars of coordination with other Designated Dispute Resolution Organizations, national organs, local governments, private enterprises, or any other persons processing complaints or implementing dispute resolution;

七　紛争解決等業務に関する苦情の処理に関する事項

(vii) the particulars of complaint processing regarding Dispute Resolution Services, etc.; and

八　前各号に掲げるもののほか、紛争解決等業務の実施に必要な事項として内閣府令で定めるもの

(viii) in addition to what is listed in the preceding items, particulars specified by Cabinet Office Ordinance as those necessary for the implementation of Dispute Resolution Services, etc.

２　前項第一号の手続実施基本契約は、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 Basic Contract for the Implementation of Dispute Resolution Procedures as referred to in item (i) of the preceding paragraph shall provide the following particulars:

一　指定紛争解決機関は、加入保険業関係業者の顧客からの保険業務等関連苦情の解決の申立て又は当事者からの紛争解決手続の申立てに基づき苦情処理手続又は紛争解決手続を開始すること。

(i) that the Designated Dispute Resolution Organization is to commence Complaint Processing Procedures or Dispute Resolution Procedures based on the application for the resolution of Complaints Related to Insurance Services, etc. from the customer of the Member Insurance Service Provider or on application for Dispute Resolution Procedures by the Party;

二　指定紛争解決機関又は紛争解決委員は、苦情処理手続を開始し、又は加入保険業関係業者の顧客からの申立てに基づき紛争解決手続を開始した場合において、加入保険業関係業者にこれらの手続に応じるよう求めることができ、当該加入保険業関係業者は、その求めがあったときは、正当な理由がないのに、これを拒んではならないこと。

(ii) that the Designated Dispute Resolution Organization or a Dispute Resolution Mediator may, when Complaint Processing Procedures has been commenced, or when Dispute Resolution Procedures based on an application by the customer of the Member Insurance Service Provider has been commenced, request that the Member Insurance Service Provider respond to these procedures, and in cases of such request, said Member Insurance Service Provider shall not refuse such request without justifiable grounds;

三　指定紛争解決機関又は紛争解決委員は、苦情処理手続又は紛争解決手続において、加入保険業関係業者に対し、報告又は帳簿書類その他の物件の提出を求めることができ、当該加入保険業関係業者は、その求めがあったときは、正当な理由がないのに、これを拒んではならないこと。

(iii) that a Designated Dispute Resolution Organization or Dispute Resolution Mediator may request the Member Insurance Service Provider to make reports or submit books and documents or any other articles in the course of Complaint Processing Procedures or Dispute Resolution Procedures, and that said Member Insurance Service Provider shall not refuse such request without justifiable grounds;

四　紛争解決委員は、紛争解決手続において、保険業務等関連紛争の解決に必要な和解案を作成し、当事者に対し、その受諾を勧告することができること。

(iv) that a Dispute Resolution Mediator may prepare a settlement proposal necessary for the resolution of Disputes Related to Insurance Services, etc. in the course of Dispute Resolution Procedures and recommend that the Party accept such proposal;

五　紛争解決委員は、紛争解決手続において、前号の和解案の受諾の勧告によっては当事者間に和解が成立する見込みがない場合において、事案の性質、当事者の意向、当事者の手続追行の状況その他の事情に照らして相当であると認めるときは、保険業務等関連紛争の解決のために必要な特別調停案を作成し、理由を付して当事者に提示することができること。

(v) that, in cases where, in connection with the Dispute Resolution Procedures, there is no prospect of reaching a settlement between the Parties to the dispute through the recommendation to accept the settlement proposal under the preceding item, if the Dispute Resolution Mediator find it reasonable in light of the nature of the case, intention of the Parties, the status of implementation of procedures by the Parties, or any other circumstances, he/she may prepare a Special Conciliation Proposal necessary for the resolution of a Dispute Related to Insurance Services, etc. and present it to the Parties with reasons attached thereto;

六　加入保険業関係業者は、訴訟が係属している請求を目的とする紛争解決手続が開始された場合には、当該訴訟が係属している旨、当該訴訟における請求の理由及び当該訴訟の程度を指定紛争解決機関に報告しなければならないこと。

(vi) that, if Dispute Resolution Procedures are commenced for claims with litigation pending, a Member Insurance Service Provider must report that said litigation is pending, the grounds for the claims in said litigation, and the progress of said litigation to the Designated Dispute Resolution Organization;

七　加入保険業関係業者は、紛争解決手続の目的となった請求に係る訴訟が提起された場合には、当該訴訟が提起された旨及び当該訴訟における請求の理由を指定紛争解決機関に報告しなければならないこと。

(vii) that, if litigation involving the claims subject to the Dispute Resolution Procedures is filed, a Member Insurance Service Provider must report that said litigation has been filed and the grounds for the claims in said litigation to the Designated Dispute Resolution Organization;

八　前二号に規定する場合のほか、加入保険業関係業者は、紛争解決手続の目的となった請求に係る訴訟に関し、当該訴訟の程度その他の事項の報告を求められた場合には、当該事項を指定紛争解決機関に報告しなければならないこと。

(viii) in addition to what is provided for in the preceding two items, that if a Member Insurance Service Provider has been demanded to make reports on the progress of litigation involving the claims subject to Dispute Resolution Procedures or any other particulars, he/she must report such particulars to the Designated Dispute Resolution Organization;

九　加入保険業関係業者は、第六号若しくは第七号の訴訟が裁判所に係属しなくなった場合又はその訴訟について裁判が確定した場合には、その旨及びその内容を指定紛争解決機関に報告しなければならないこと。

(ix) that if the litigation referred to in item (vi) or (vii) comes to no longer be pending in court, or if the court decision in the litigation has become final and binding, the Member Insurance Service Provider must report this to the Designated Dispute Resolution Organization and give the details thereof;

十　加入保険業関係業者は、その顧客に対し指定紛争解決機関による紛争解決等業務の実施について周知するため、必要な情報の提供その他の措置を講じなければならないこと。

(x) that a Member Insurance Service Provider must provide necessary information or take other measures necessary for informing the implementation of Dispute Resolution Services, etc. by a Designated Dispute Resolution Organization to its customer; and

十一　前各号に掲げるもののほか、保険業務等関連苦情の処理又は保険業務等関連紛争の解決の促進のために必要であるものとして内閣府令で定める事項

(xi) in addition to what is provided for in the preceding items, particulars specified by Cabinet Office Ordinance as those necessary for the promotion of the processing of Complaints Related to Insurance Services, etc. or the resolution of Disputes Related to Insurance Services, etc.

３　第一項第二号の手続実施基本契約の締結に関する事項に関する業務規程は、保険業関係業者から手続実施基本契約の締結の申込みがあった場合には、当該保険業関係業者が手続実施基本契約に係る債務その他の紛争解決等業務の実施に関する義務を履行することが確実でないと見込まれるときを除き、これを拒否してはならないことを内容とするものでなければならない。

(3) The Operational Rules concerning particulars involved in the conclusion of a Basic Contract for the Implementation of Dispute Resolution Procedures under paragraph (1), item (ii) shall provide that, in cases where a Designated Dispute Resolution Organization has received an application for the conclusion of a Basic Contract for the Implementation of Dispute Resolution Procedures from a Member Insurance Service Provider, except in cases where it is expected to be uncertain whether said Member Insurance Service Provider will perform the obligations under the Basic Contract for the Implementation of Dispute Resolution Procedures or any other obligations regarding the implementation of Dispute Resolution Services, etc., said Designated Dispute Resolution Organization shall not refuse such application.

４　第一項第三号に掲げる事項に関する業務規程は、次に掲げる基準に適合するものでなければならない。

(4) The Operational Rules concerning the particulars listed in paragraph (1), item (iii), must conform to the following standards:

一　苦情処理手続と紛争解決手続との連携を確保するための措置が講じられていること。

(i) measures have been taken to ensure coordination between Complaint Processing Procedures and Dispute Resolution Procedures;

二　紛争解決委員の選任の方法及び紛争解決委員が保険業務等関連紛争の当事者と利害関係を有することその他の紛争解決手続の公正な実施を妨げるおそれがある事由がある場合において、当該紛争解決委員を排除するための方法を定めていること。

(ii) a method has been established for appointing the Dispute Resolution Mediator and, in cases where the Dispute Resolution Mediator has an interest with the Party to the Dispute Related to Insurance Services, etc. or where there are any other causes that are likely to hinder the fair implementation of Dispute Resolution Procedures, the method has been established for excluding such Dispute Resolution Mediator;

三　指定紛争解決機関の実質的支配者等（指定紛争解決機関の株式の所有、指定紛争解決機関に対する融資その他の事由を通じて指定紛争解決機関の事業を実質的に支配し、又はその事業に重要な影響を与える関係にあるものとして内閣府令で定める者をいう。）又は指定紛争解決機関の子会社等（指定紛争解決機関が株式の所有その他の事由を通じてその事業を実質的に支配する関係にあるものとして内閣府令で定める者をいう。）を保険業務等関連紛争の当事者とする保険業務等関連紛争について紛争解決手続の業務を行うこととしている指定紛争解決機関にあっては、当該実質的支配者等若しくは当該子会社等又は指定紛争解決機関が紛争解決委員に対して不当な影響を及ぼすことを排除するための措置が講じられていること。

(iii) with regard to a Designated Dispute Resolution Organization that is to carry out the operations of Dispute Resolution Procedures with regard to Disputes Related to Insurance Services, etc. of which a Party is the Substantial Controller, etc. (meaning a person specified by Cabinet Office Ordinance as one who substantially controls business of the Designated Dispute Resolution Organization or who has a material influence on business thereof through the holding of the shares of the Designated Dispute Resolution Organization, financing to the Designated Dispute Resolution Organization or any other causes) of the Designated Dispute Resolution Organization or the Subsidiary Company, etc. (meaning a person specified by Cabinet Office Ordinance as one whose business is substantially controlled by the Designated Dispute Resolution Organization through the holding of shares and any other causes) of the Designated Dispute Resolution Organization, measures have been taken for preventing said Substantial Controller, etc., Subsidiary Company, etc., or Designated Dispute Resolution Organization to exercise undue influence on the Dispute Resolution Mediator;

四　紛争解決委員が弁護士でない場合（司法書士法（昭和二十五年法律第百九十七号）第三条第一項第七号（業務）に規定する紛争について行う紛争解決手続において、紛争解決委員が同条第二項に規定する司法書士である場合を除く。）において、紛争解決手続の実施に当たり法令の解釈適用に関し専門的知識を必要とするときに、弁護士の助言を受けることができるようにするための措置を定めていること。

(iv) if the Dispute Resolution Mediator is not an attorney-at-law (excluding cases where, with regard to the Dispute Resolution Procedures carried out for a dispute set forth in Article 3, paragraph (1), item (vii) (Business) of the Judicial Scrivener Act (Act No. 197 of 1950), the Dispute Resolution Mediator is a judicial scrivener as set forth in paragraph (2) of that Article) and expert knowledge on the interpretation and application of laws and regulations is required for the implementation of Dispute Resolution Procedures, measures have been taken to receive the advice of an attorney-at-law;

五　紛争解決手続の実施に際して行う通知について相当な方法を定めていること。

(v) an appropriate method has been established for the notice to be given in implementing the Dispute Resolution Procedures;

六　紛争解決手続の開始から終了に至るまでの標準的な手続の進行について定めていること。

(vi) a standard operation process has been established from the commencement to the termination of Dispute Resolution Procedures;

七　加入保険業関係業者の顧客が指定紛争解決機関に対し保険業務等関連苦情の解決の申立てをする場合又は保険業務等関連紛争の当事者が指定紛争解決機関に対し紛争解決手続の申立てをする場合の要件及び方式を定めていること。

(vii) the requirements and methods have been established for filing an application with the Designated Dispute Resolution Organization for the resolution of a Complaint Related to Insurance Services, etc. by the customer of a Member Insurance Service Provider or for filing an application for Dispute Resolution Procedures with the Designated Dispute Resolution Organization by a Party to the Dispute Related to Insurance Services, etc.;

八　指定紛争解決機関が加入保険業関係業者から紛争解決手続の申立てを受けた場合において、保険業務等関連紛争の他方の当事者となる当該加入保険業関係業者の顧客に対し、速やかにその旨を通知するとともに、当該顧客がこれに応じて紛争解決手続の実施を依頼するか否かを確認するための手続を定めていること。

(viii) the Designated Dispute Resolution Organization has established procedures for promptly notifying any customer of the Member Insurance Service Provider that would be the other Party to a Dispute Related to Insurance Services, etc., of any application that the organization has received for Dispute Resolution Procedures from the Member Insurance Service Provider, and to confirm with such customer whether it will request the implementation of Dispute Resolution Procedures in response to this;

九　指定紛争解決機関が加入保険業関係業者の顧客から第七号の紛争解決手続の申立てを受けた場合において、保険業務等関連紛争の他方の当事者となる当該加入保険業関係業者に対し、速やかにその旨を通知する手続を定めていること。

(ix) the Designated Dispute Resolution Organization has established procedures for promptly notifying any Member Insurance Service Provider that would be the other Party to the Dispute Related to Insurance Services, etc., of any application that the organization has received for Dispute Resolution Procedures under item (vii) from the customer of the Member Insurance Service Provider;

十　紛争解決手続において提出された帳簿書類その他の物件の保管、返還その他の取扱いの方法を定めていること。

(x) a method has been established for retaining, returning, and other handling of books and documents and any other articles which have been submitted in the course of Dispute Resolution Procedures;

十一　紛争解決手続において陳述される意見又は提出され、若しくは提示される帳簿書類その他の物件に含まれる保険業務等関連紛争の当事者又は第三者の秘密について、当該秘密の性質に応じてこれを適切に保持するための取扱いの方法を定めていること。第三百八条の十三第九項に規定する手続実施記録に記載されているこれらの秘密についても、同様とする。

(xi) a method has been established for handling the confidential information of the Parties to the Dispute Related to Insurance Services, etc. or of a third party, which is to be included in opinions to be entered or the books and documents or any other articles to be submitted or presented in the course of Dispute Resolution Procedures, in accordance with the nature of such confidential information; the same applies to the confidential information contained in the dispute resolution procedures record referred to in Article 308-13, paragraph (9);

十二　保険業務等関連紛争の当事者が紛争解決手続を終了させるための要件及び方式を定めていること。

(xii) that the requirements and methods have been established for the Parties to a Dispute Related to Insurance Services, etc. to terminate the Dispute Resolution Procedures;

十三　紛争解決委員が紛争解決手続によっては保険業務等関連紛争の当事者間に和解が成立する見込みがないと判断したときは、速やかに当該紛争解決手続を終了し、その旨を保険業務等関連紛争の当事者に通知することを定めていること。

(xiii) it is stipulated that the Dispute Resolution Mediator will promptly terminate Dispute Resolution Procedures and notify the Parties to the Dispute Related to Insurance Services, etc. if the Dispute Resolution Mediator judges there to be no prospect of reaching a settlement between the Parties to a Dispute Related to Insurance Services, etc.; and

十四　指定紛争解決機関の紛争解決委員、役員及び職員について、これらの者が紛争解決等業務に関し知り得た秘密を確実に保持するための措置を定めていること。

(xiv) measures have been established to have the Dispute Resolution Mediator or an Officer or employee of the Designated Dispute Resolution Organization securely retain the confidential information learned in the course of Dispute Resolution Services, etc.

５　第一項第四号及び第五号に掲げる事項に関する業務規程は、次に掲げる基準に適合するものでなければならない。

(5) The Operational Rules concerning the particulars listed in paragraph (1), items (iv) and (v) must conform to the following standards:

一　第一項第四号に規定する負担金及び同項第五号に規定する料金の額又は算定方法及び支払方法（次号において「負担金額等」という。）を定めていること。

(i) provisions have been made for the amount of the obligatory contribution set forth in paragraph (1), item (iv), the fees referred to in item (v) of that paragraph, or the calculation and payment methods for them (collectively referred to as the "Amount of Obligatory Contribution, etc." in the following item); and

二　負担金額等が著しく不当なものでないこと。

(ii) the Amount of Obligatory Contribution, etc. is not grossly inappropriate.

６　第二項第五号の「特別調停案」とは、和解案であって、次に掲げる場合を除き、加入保険業関係業者が受諾しなければならないものをいう。

(6) The term "Special Conciliation Proposal" as used in paragraph (2), item (v) means, except for the following cases, a settlement proposal for the Member Insurance Service Provider to accept:

一　当事者である加入保険業関係業者の顧客（以下この項において単に「顧客」という。）が当該和解案を受諾しないとき。

(i) if the customer of the Member Insurance Service Provider who is the relevant party (hereinafter simply referred to as the "Customer" in this paragraph) does not accept the relevant settlement proposal;

二　当該和解案の提示の時において当該紛争解決手続の目的となった請求に係る訴訟が提起されていない場合において、顧客が当該和解案を受諾したことを加入保険業関係業者が知った日から一月を経過する日までに当該請求に係る訴訟が提起され、かつ、同日までに当該訴訟が取り下げられないとき。

(ii) if, at the time of the relevant settlement proposal, litigation had not been filed involving a claim which had become the subject matter of the Dispute Resolution Procedures, but is filed in connection with that claim by the day on which one month has elapsed from the day when the Member Insurance Service Provider came to know that the Customer had accepted the settlement proposal and is not withdrawn by that day;

三　当該和解案の提示の時において当該紛争解決手続の目的となった請求に係る訴訟が提起されている場合において、顧客が当該和解案を受諾したことを加入保険業関係業者が知った日から一月を経過する日までに当該訴訟が取り下げられないとき。

(iii) if, at the time of the relevant settlement proposal, litigation had been filed involving a claim which had become the subject matter of the relevant Dispute Resolution Procedures, and said litigation has not been withdrawn by the day on which one month has elapsed from the day when the Member Insurance Service Provider came to know that the Customer had accepted the settlement proposal; or

四　顧客が当該和解案を受諾したことを加入保険業関係業者が知った日から一月を経過する日までに、当該紛争解決手続が行われている保険業務等関連紛争について、当事者間において仲裁法（平成十五年法律第百三十八号）第二条第一項（定義）に規定する仲裁合意がされ、又は当該和解案によらずに和解若しくは調停が成立したとき。

(iv) with regard to a Dispute Related to Insurance Services, etc. for which Dispute Resolution Procedures have been implemented, if an arbitration agreement defined in Article 2, paragraph (1) (Definitions) of the Arbitration Act (Act No. 138 of 2003) has been entered into or a settlement or conciliation not through said settlement proposal has been reached between the Parties by the day on which one month has elapsed from the day when the Member Insurance Service Provider came to know that the Customer had accepted the settlement proposal.

７　業務規程の変更は、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。

(7) Changes to the Operational Rules shall not come into effect without the authorization of the Prime Minister.

８　内閣総理大臣は、前項の規定による認可をしようとするときは、当該認可に係る業務規程が第四項各号及び第五項各号に掲げる基準（紛争解決手続の業務に係る部分に限る。）に適合していることについて、あらかじめ、法務大臣に協議しなければならない。

(8) When the Prime Minister seeks to grant the authorization under the preceding paragraph, he/she shall consult the Minister of Justice in advance as to whether the Operational Rules subject to said authorization conform to the standards set forth in the items of paragraph (4) and the items of paragraph (5) (limited to the part related to the operation of Dispute Resolution Procedures).

（手続実施基本契約の不履行の事実の公表等）

(Publication, etc. of the Fact of Non-Performance of the Basic Contract for the Implementation of Dispute Resolution Procedures)

第三百八条の八　指定紛争解決機関は、手続実施基本契約により加入保険業関係業者が負担する義務の不履行が生じた場合において、当該加入保険業関係業者の意見を聴取し、当該不履行につき正当な理由がないと認めるときは、遅滞なく、当該加入保険業関係業者の商号、名称又は氏名及び当該不履行の事実を公表するとともに、内閣総理大臣に報告しなければならない。

Article 308-8 (1) In cases where non-performance of the obligations to be incurred by a Member Insurance Service Provider under a Basic Contract for the Implementation of Dispute Resolution Procedures arises, when a Designated Dispute Resolution Organization has heard opinions from said Member Insurance Service Provider and finds there are no justifiable grounds for such non-performance, said Designated Dispute Resolution Organization shall publicize and report to the Prime Minister the trade name or name of said Member Insurance Service Provider and the fact of such non-performance, without delay.

２　指定紛争解決機関は、保険業務等関連苦情及び保険業務等関連紛争を未然に防止し、並びに保険業務等関連苦情の処理及び保険業務等関連紛争の解決を促進するため、加入保険業関係業者その他の者に対し、情報の提供、相談その他の援助を行うよう努めなければならない。

(2) A Designated Dispute Resolution Organization shall endeavor to provide information, consultation or any other support to a Member Insurance Service Provider or any other person to preemptively prevent Complaints Related to Insurance Services, etc. and Disputes Related to Insurance Services, etc., or to promote the processing of Complaints Related to Insurance Services, etc. and the resolution of Disputes Related to Insurance Services, etc.

（暴力団員等の使用の禁止）

(Prohibition of Use of Organized Crime Group Member, etc.)

第三百八条の九　指定紛争解決機関は、暴力団員等（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（定義）に規定する暴力団員（以下この条において「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をいう。）を紛争解決等業務に従事させ、又は紛争解決等業務の補助者として使用してはならない。

Article 308-9 A Designated Dispute Resolution Organization shall not have an Organized Crime Group Member, etc. (meaning the Organized Crime Group Member, etc. as defined in Article 2, item (vi) (Definitions) of the Act on Prevention of Unjust Acts by Organized Crime Group Member (hereinafter referred to as the "Organized Crime Group Member" in this Article) or a person for whom five years have not passed from the day on which such person ceased to be an Organized Crime Group Member) engaged in Dispute Resolution Services, etc. or use him/her as an assistant in Dispute Resolution Services.

（差別的取扱いの禁止）

(Prohibition of Discriminatory Treatment)

第三百八条の十　指定紛争解決機関は、特定の加入保険業関係業者に対し不当な差別的取扱いをしてはならない。

Article 308-10 A Designated Dispute Resolution Organization shall not treat any particular Member Insurance Service Provider in an unjust, discriminatory manner.

（記録の保存）

(Preservation of Records)

第三百八条の十一　指定紛争解決機関は、第三百八条の十三第九項の規定によるもののほか、内閣府令で定めるところにより、紛争解決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 308-11 A Designated Dispute Resolution Organization shall, except for those under the provisions of Article 308-13, paragraph (9) and pursuant to the provisions of Cabinet Office Ordinance, prepare and preserve records concerning Dispute Resolution Services, etc.

（指定紛争解決機関による苦情処理手続）

(Complaint Processing Procedures by a Designated Dispute Resolution Organization)

第三百八条の十二　指定紛争解決機関は、加入保険業関係業者の顧客から保険業務等関連苦情について解決の申立てがあったときは、その相談に応じ、当該顧客に必要な助言をし、当該保険業務等関連苦情に係る事情を調査するとともに、当該加入保険業関係業者に対し、当該保険業務等関連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 308-12 When a customer of a Member Insurance Service Provider files an application for resolution of a Complaint Related to Insurance Services, etc., a Designated Dispute Resolution Organization shall respond to requests for consultation, provide necessary advice to the customer, investigate the circumstances pertaining to such Complaint Related to Insurance Services, etc., notify said Member Insurance Service Provider of the substance and content of such Complaint Related to Insurance Services, etc., and demand that said Member Insurance Service Provider process the complaint expeditiously.

（指定紛争解決機関による紛争解決手続）

(Dispute Resolution Procedures by a Designated Dispute Resolution Organization)

第三百八条の十三　加入保険業関係業者に係る保険業務等関連紛争の解決を図るため、当事者は、当該加入保険業関係業者が手続実施基本契約を締結した指定紛争解決機関に対し、紛争解決手続の申立てをすることができる。

Article 308-13 (1) The Parties to the Dispute Related to Insurance Services, etc. may file an application for Dispute Resolution Procedures with the Designated Dispute Resolution Organization with whom the Member Insurance Service Provider has concluded a Basic Contract for the Implementation of Dispute Resolution Procedures for the purpose of resolving Disputes Related to Insurance Services, etc. related to the Member Insurance Service Provider.

２　指定紛争解決機関は、前項の申立てを受けたときは、紛争解決委員を選任するものとする。

(2) When a Designated Dispute Resolution Organization has received the application under the preceding paragraph, it shall appoint Dispute Resolution Mediators.

３　紛争解決委員は、人格が高潔で識見の高い者であって、次の各号のいずれかに該当する者（第一項の申立てに係る当事者と利害関係を有する者を除く。）のうちから選任されるものとする。この場合において、紛争解決委員のうち少なくとも一人は、第一号又は第三号（当該申立てが司法書士法第三条第一項第七号（業務）に規定する紛争に係るものである場合にあっては、第一号、第三号又は第四号）のいずれかに該当する者でなければならない。

(3) Dispute Resolution Mediators shall be appointed from among persons who are of the highest moral character and fall under any of the following items (excluding persons who have an interest with the Parties pertaining to the application under paragraph (1)). In this case, at least one of the Dispute Resolution Mediators shall be a person who falls under item (i) or (iii) (in cases where said application is that related to a dispute provided in Article 3, paragraph (1), item (vii) (Business) of the Judicial Scrivener Act, item (i), (iii) or (iv)):

一　弁護士であってその職務に従事した期間が通算して五年以上である者

(i) an attorney-at-law who has been engaged in his/her profession for five years or more in total;

二　保険業務等に従事した期間が通算して十年以上である者

(ii) a person who has been engaged in Insurance Services, etc. for ten years or more in total;

三　消費生活に関する消費者と事業者との間に生じた苦情に係る相談その他の消費生活に関する事項について専門的な知識経験を有する者として内閣府令で定める者

(iii) a person who has specialized knowledge and experience on consultation for the complaints which have arisen between the consumer and the enterprise with regard to consumer affairs or on any other particular of consumer affairs as provided by Cabinet Office Ordinance;

四　当該申立てが司法書士法第三条第一項第七号に規定する紛争に係るものである場合にあっては、同条第二項に規定する司法書士であって同項に規定する簡裁訴訟代理等関係業務に従事した期間が通算して五年以上である者

(iv) in cases where the application is that related to the dispute prescribed in Article 3, paragraph (1), item (vii) of the Judicial Scrivener Act, a judicial scrivener as prescribed in paragraph (2) of that Article who has been engaged in business involving legal representation in summary court, etc. defined in that paragraph for five years or more in total; or

五　前各号に掲げる者に準ずる者として内閣府令で定める者

(v) persons specified by Cabinet Office Ordinance as those equivalent to the persons listed in the preceding items.

４　指定紛争解決機関は、第一項の申立てを第二項の規定により選任した紛争解決委員（以下この条及び次条第一項において単に「紛争解決委員」という。）による紛争解決手続に付するものとする。ただし、紛争解決委員は、当該申立てに係る当事者である加入保険業関係業者の顧客が当該保険業務等関連紛争を適切に解決するに足りる能力を有する者であると認められることその他の事由により紛争解決手続を行うのに適当でないと認めるとき、又は当事者が不当な目的でみだりに第一項の申立てをしたと認めるときは、紛争解決手続を実施しないものとし、紛争解決委員が当該申立てを受託紛争解決機関における紛争解決手続に相当する手続に付することが適当と認めるときは、指定紛争解決機関は、受託紛争解決機関に紛争解決手続の業務を委託するものとする。

(4) A Designated Dispute Resolution Organization shall have the application under paragraph (1) proceed into Dispute Resolution Procedures through the Dispute Resolution Mediator appointed under paragraph (2) (hereinafter simply referred to as the "Dispute Resolution Mediator" in this Article and paragraph (1) of the following Article); provided, however, that in cases where the Dispute Resolution Mediator finds that it is not appropriate to carry out Dispute Resolution Procedures on the grounds that it is acceptable to recognize the customer of the Member Insurance Service Provider who is a Party to said application as a person who has sufficient ability to properly resolve the Dispute Related to Insurance Services, etc. or on any other grounds, or where he/she finds that the Parties have filed the application under paragraph (1) for improper purposes and without reason, he/she shall not implement Dispute Resolution Procedures, and when the Dispute Resolution Mediator finds it appropriate to have the application proceed into procedures equivalent to Dispute Resolution Procedures to be conducted by an Entrusted Dispute Resolution Organization, the Designated Dispute Resolution Organization shall entrust the operations of Dispute Resolution Procedures to an Entrusted Dispute Resolution Organization.

５　前項ただし書の規定により紛争解決委員が紛争解決手続を実施しないこととしたとき、又は受託紛争解決機関に業務を委託することとしたときは、指定紛争解決機関は、第一項の申立てをした者に対し、その旨を理由を付して通知するものとする。

(5) If a Dispute Resolution Mediator has decided not to implement Dispute Resolution Procedures pursuant to the proviso to the preceding paragraph, or has decided to entrust the operations to an Entrusted Dispute Resolution Organization, the Designated Dispute Resolution Organization shall notify the person who filed the application under paragraph (1) of this, appending the reasons therefor.

６　紛争解決委員は、当事者若しくは参考人から意見を聴取し、若しくは報告書の提出を求め、又は当事者から参考となるべき帳簿書類その他の物件の提出を求め、和解案を作成して、その受諾を勧告し、又は特別調停（第三百八条の七第六項に規定する特別調停案を提示することをいう。）をすることができる。

(6) A Dispute Resolution Mediator may hear opinions of the Parties or witnesses, request said persons to submit written reports, or request the Parties to submit books and documents and other articles that will be helpful, and may prepare a settlement plan necessary for the resolution of the case and recommend the Parties to accept said plan, or provide a Special Conciliation (meaning to present the Special Conciliation Proposal prescribed in Article 308-7, paragraph (6));.

７　紛争解決手続は、公開しない。ただし、紛争解決委員は、当事者の同意を得て、相当と認める者の傍聴を許すことができる。

(7) Dispute Resolution Procedures shall not be open to the public; provided, however, that a Dispute Resolution Mediator may allow the attendance of a person who is considered appropriate with the consent of the Parties.

８　指定紛争解決機関は、紛争解決手続の開始に先立ち、当事者である加入保険業関係業者の顧客に対し、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、これを記載した書面を交付し、又はこれを記録した電磁的記録を提供して説明をしなければならない。

(8) A Designated Dispute Resolution Organization shall, prior to the commencement of Dispute Resolution Procedures and pursuant to the provisions of Cabinet Office Ordinance, deliver a document containing the following particulars or provide the Electromagnetic Record in which such particulars are recorded and make an explanation thereof to the customer of the Member Insurance Service Provider who is a party to the dispute:

一　当該顧客が支払う料金に関する事項

(i) the particulars of the fees to be paid by the customer;

二　第三百八条の七第四項第六号に規定する紛争解決手続の開始から終了に至るまでの標準的な手続の進行

(ii) the standard operation process from the commencement to the termination of Dispute Resolution Procedures as provided in Article 308-7, paragraph (4), item (vi); 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, particulars specified by Cabinet Office Ordinance.

９　指定紛争解決機関は、内閣府令で定めるところにより、その実施した紛争解決手続に関し、次に掲げる事項を記載した手続実施記録を作成し、保存しなければならない。

(9) A Designated Dispute Resolution Organization shall, pursuant to the provisions of Cabinet Office Ordinance, prepare and preserve a dispute resolution procedures record detailing the following particulars, for Dispute Resolution Procedures it has implemented:

一　保険業務等関連紛争の当事者が紛争解決手続の申立てをした年月日

(i) the date on which the Parties to the Dispute Related to Insurance Services, etc. filed the application for Dispute Resolution Procedures;

二　保険業務等関連紛争の当事者及びその代理人の氏名、商号又は名称

(ii) the name or trade name of the Parties to the Dispute Related to Insurance Services, etc. and the agents thereof;

三　紛争解決委員の氏名

(iii) the names of the Dispute Resolution Mediators;

四　紛争解決手続の実施の経緯

(iv) the particulars of the Dispute Resolution Procedures;

五　紛争解決手続の結果（紛争解決手続の終了の理由及びその年月日を含む。）

(v) the results of the Dispute Resolution Procedures (including the reasons for the termination of the Dispute Resolution Procedures and the date thereof); and

六　前各号に掲げるもののほか、実施した紛争解決手続の内容を明らかにするために必要な事項であって内閣府令で定めるもの

(vi) in addition to what is listed in the preceding items, particulars necessary for clarifying the contents of the implemented Dispute Resolution Procedures which are specified by Cabinet Office Ordinance.

（時効の中断）

(Interruption of Prescription)

第三百八条の十四　紛争解決手続によっては保険業務等関連紛争の当事者間に和解が成立する見込みがないことを理由に紛争解決委員が当該紛争解決手続を終了した場合において、当該紛争解決手続の申立てをした当該保険業務等関連紛争の当事者がその旨の通知を受けた日から一月以内に当該紛争解決手続の目的となった請求について訴えを提起したときは、時効の中断に関しては、当該紛争解決手続における請求の時に、訴えの提起があったものとみなす。

Article 308-14 (1) In cases where the Dispute Resolution Mediators terminate the Dispute Resolution Procedures on the grounds that there is no prospect of reaching a settlement between the Parties to the relevant Dispute Related to Insurance Services, etc. through the Dispute Resolution Procedures, when the Party to said Dispute Related to Insurance Services, etc. that filed the application for said Dispute Resolution Procedure files an action for the claims which were the subject matter of said Dispute Resolution Procedures within one month from the day on which he/she received the notice of the termination, with regard to the interruption of prescription, it shall be deemed that the action was filed at the time when the claim was made through Dispute Resolution Procedures.

２　指定紛争解決機関の紛争解決等業務の廃止が第三百八条の二十三第一項の規定により認可され、又は第三百八条の二第一項の規定による指定が第三百八条の二十四第一項の規定により取り消され、かつ、その認可又は取消しの日に紛争解決手続が実施されていた保険業務等関連紛争がある場合において、当該紛争解決手続の申立てをした当該保険業務等関連紛争の当事者が第三百八条の二十三第三項若しくは第三百八条の二十四第四項の規定による通知を受けた日又は当該認可若しくは取消しを知った日のいずれか早い日から一月以内に当該紛争解決手続の目的となった請求について訴えを提起したときも、前項と同様とする。

(2) The provisions of the preceding paragraph shall also apply in cases where the abolition of Dispute Resolution Services, etc. by a Designated Dispute Resolution Organization has been authorized under Article 308-23, paragraph (1) or the designation under Article 308-2, paragraph (1) has been rescinded under Article 308-24, paragraph (1) and there is a Dispute Related to Insurance Services, etc. for which Dispute Resolution Procedures have been implemented as of the day of authorization or rescission, when the Party to the Dispute Related to Insurance Services, etc. that filed the application for Dispute Resolution Procedures files an action for the claims which were the subject matter of the Dispute Resolution Procedures within one month from the day on which said Party received the notice under Article 308-23, paragraph (3) or Article 308-24, paragraph (3) or the day on which the Party came to know of the authorization or rescission whichever comes earlier.

（訴訟手続の中止）

(Suspension of Court Proceeding(s))

第三百八条の十五　保険業務等関連紛争について当該保険業務等関連紛争の当事者間に訴訟が係属する場合において、次の各号のいずれかに掲げる事由があり、かつ、当該保険業務等関連紛争の当事者の共同の申立てがあるときは、受訴裁判所は、四月以内の期間を定めて訴訟手続を中止する旨の決定をすることができる。

Article 308-15 (1) In cases where litigation is pending between the Parties to a Dispute Related to Insurance Services, etc., with regard to said Dispute Related to Insurance Services, etc., when there are any of the following grounds and the Parties to said Dispute Related to Insurance Services, etc. have filed a joint petition, the court in charge of the case may decide to suspend court proceedings for a fixed period of not longer than four months:

一　当該保険業務等関連紛争について、当該保険業務等関連紛争の当事者間において紛争解決手続が実施されていること。

(i) that, with regard to the relevant Dispute Related to Insurance Services, etc., Dispute Resolution Procedures have been implemented between the Parties to the Dispute Related to Insurance Services, etc.; and

二　前号の場合のほか、当該保険業務等関連紛争の当事者間に紛争解決手続によって当該保険業務等関連紛争の解決を図る旨の合意があること。

(ii) in addition to the case referred to in the preceding item, that an agreement to achieve a resolution of the relevant Dispute Related to Insurance Services, etc. through Dispute Resolution Procedures has been reached between the Parties to the Dispute Related to Insurance Services, etc.

２　受訴裁判所は、いつでも前項の決定を取り消すことができる。

(2) The court in charge of the case may rescind the decision under the preceding paragraph at any time.

３　第一項の申立てを却下する決定及び前項の規定により第一項の決定を取り消す決定に対しては、不服を申し立てることができない。

(3) No appeal may be entered against a decision dismissing the application under paragraph (1) or a decision rescinding the decision under paragraph (1).

（加入保険業関係業者の名簿の縦覧）

(Public Inspection of the Registry of Member Insurance Service Providers)

第三百八条の十六　指定紛争解決機関は、加入保険業関係業者の名簿を公衆の縦覧に供しなければならない。

Article 308-16 A Designated Dispute Resolution Organization shall make the registry of the Member Insurance Service Providers available for public inspection.

（名称の使用制限）

(Restriction on Use of Name)

第三百八条の十七　指定紛争解決機関でない者（金融商品取引法第百五十六条の三十九第一項（紛争解決等業務を行う者の指定）の規定による指定を受けた者その他これに類する者として政令で定めるものを除く。）は、その名称又は商号中に指定紛争解決機関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。

Article 308-17 A person who is not a Designated Dispute Resolution Organization (excluding persons who have been designated under Article 156-39, paragraph (1) (Designation of Person to Conduct Dispute Resolution Services, etc.) of the Financial Instruments and Exchange Act and any other persons specified by Cabinet Order as those similar thereto) shall not use any term in its name or trade name that is likely to mislead people to understand that said person is a Designated Dispute Resolution Organization.

第三章　監督

Chapter III Supervision

（変更の届出）

(Notification of Changes)

第三百八条の十八　指定紛争解決機関は、第三百八条の三第一項第二号から第四号までのいずれかに掲げる事項に変更があったときは、その旨を内閣総理大臣に届け出なければならない。

Article 308-18 (1) If there has been any change in the particulars listed in Article 308-3, paragraph (1), item (ii) to (iv) inclusive, a Designated Dispute Resolution Organization shall notify the Prime Minister of this.

２　内閣総理大臣は、前項の規定により指定紛争解決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ったときは、その旨を官報で告示しなければならない。

(2) If the Prime Minister has received notice of a change to the trade name or name of a Designated Dispute Resolution Organization or to the location of the principal business office or office thereof, the Prime Minister shall give public notice of this in the official gazette.

（手続実施基本契約の締結等の届出）

(Notification of the Conclusion, etc. of a Basic Contract for the Implementation of Dispute Resolution Procedures)

第三百八条の十九　指定紛争解決機関は、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 308-19 If a Designated Dispute Resolution Organization falls under any of the following items, it shall notify the Prime Minister of this pursuant to the provisions of Cabinet Office Ordinance:

一　保険業関係業者と手続実施基本契約を締結したとき、又は当該手続実施基本契約を終了したとき。

(i) it has concluded a Basic Contract for the Implementation of Dispute Resolution Procedures with an Insurance Service Provider or has terminated said Basic Contract for the Implementation of Dispute Resolution Procedures; and

二　前号に掲げるもののほか、内閣府令で定めるとき。

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

（業務に関する報告書の提出）

(Submission of Report on Business)

第三百八条の二十　指定紛争解決機関は、事業年度ごとに、当該事業年度に係る紛争解決等業務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 308-20 (1) A Designated Dispute Resolution Organization shall, for each business year, prepare a report on Dispute Resolution Services, etc. pertaining to the relevant business year and submit it 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) The particulars for inclusion, the submission date, and any other particulars necessary for the report under the preceding paragraph shall be specified by Cabinet Office Ordinance.

（報告徴収及び立入検査）

(Order for Production of Reports and On-Site Inspection)

第三百八条の二十一　内閣総理大臣は、紛争解決等業務の公正かつ的確な遂行のため必要があると認めるときは、指定紛争解決機関に対し、その業務に関し報告若しくは資料の提出を命じ、又は当該職員に、指定紛争解決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、当該指定紛争解決機関の業務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 308-21 (1) When the Prime Minister finds it necessary for the fair and appropriate execution of Dispute Resolution Services, etc., he/she may order a Designated Dispute Resolution Organization to make reports or submit materials concerning the business thereof, or have his/her officials enter the business office or office or any other facilities of a Designated Dispute Resolution Organization to inquire about the status of business of said Designated Dispute Resolution Organization or inspect the books and documents or other articles.

２　内閣総理大臣は、紛争解決等業務の公正かつ的確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、指定紛争解決機関の加入保険業関係業者若しくは当該指定紛争解決機関から業務の委託を受けた者に対し、当該指定紛争解決機関の業務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その他の施設に立ち入らせ、当該指定紛争解決機関の業務の状況に関し質問させ、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) If and to the extent that the Prime Minister finds it especially necessary for the fair and appropriate execution of Dispute Resolution Services, etc., he/she may order a Member Insurance Service Provider of the Designated Dispute Resolution Organization or a person the Designated Dispute Resolution Organization has entrusted with its business, to make reports or submit materials, or may have his/her officials enter the business office or office or any other facilities of these persons, inquire about the status of business of said Designated Dispute Resolution Organization, or inspect books and documents or other articles of these persons.

（業務改善命令）

(Business Improvement Order)

第三百八条の二十二　内閣総理大臣は、指定紛争解決機関の紛争解決等業務の運営に関し、紛争解決等業務の公正かつ的確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、当該指定紛争解決機関に対して、その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 308-22 (1) If and to the extent that the Prime Minister finds it necessary for ensuring the fair and appropriate execution of Dispute Resolution Services, etc. with regard to the Designated Dispute Resolution Organization's management of the Dispute Resolution Services, etc., he/she may order necessary measures for improving the business operation of the relevant Designated Dispute Resolution Organization.

２　内閣総理大臣は、指定紛争解決機関が次の各号のいずれかに該当する場合において、前項の規定による命令をしようとするときは、あらかじめ、法務大臣に協議しなければならない。

(2) In cases where a Designated Dispute Resolution Organization falls under any of the following items, when the Prime Minister seeks to give the order under the preceding paragraph, he/she shall consult with the Minister of Justice in advance:

一　第三百八条の二第一項第五号から第七号までに掲げる要件（紛争解決手続の業務に係る部分に限り、同号に掲げる要件にあっては、第三百八条の七第四項各号及び第五項各号に掲げる基準に係るものに限る。以下この号において同じ。）に該当しないこととなった場合又は第三百八条の二第一項第五号から第七号までに掲げる要件に該当しないこととなるおそれがあると認められる場合

(i) cases where the Designated Dispute Resolution Organization has come to no longer satisfy the requirements set forth in Article 308-2, paragraph (1), items (v) to (vii) inclusive (limited to the part pertaining to the operations of Dispute Resolution Procedures, the requirement set forth in item (vii) of that paragraph shall be one pertaining to the standards listed in the items of paragraph (4) of Article 308-7 or the items of paragraph (5) of that Article; hereinafter the same shall apply in this item) or where the Designated Dispute Resolution Organization is found likely to come to no longer satisfy the requirements set forth in Article 308-2, paragraph (1), items (v) to (vii) inclusive; or

二　第三百八条の五、第三百八条の六、第三百八条の九又は第三百八条の十三の規定に違反した場合（その違反行為が紛争解決手続の業務に係るものである場合に限る。）

(ii) cases where the Designated Dispute Resolution Organization has violated the provisions of Article 308-5, Article 308-6, Article 308-9, or Article 308-13 (limited to cases where such violation is one that is related to the operations of Dispute Resolution Procedures).

（紛争解決等業務の休廃止）

(Suspension or Abolition of Dispute Resolution Services, etc.)

第三百八条の二十三　指定紛争解決機関は、紛争解決等業務の全部若しくは一部の休止（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 308-23 (1) When a Designated Dispute Resolution Organization seeks to suspend (excluding the suspension on the grounds prescribed in the following paragraph) or abolish all or part of the Dispute Resolution Services, etc., it shall obtain authorization from the Prime Minister.

２　指定紛争解決機関が、天災その他のやむを得ない理由により紛争解決等業務の全部又は一部の休止をした場合には、直ちにその旨を、理由を付して内閣総理大臣に届け出なければならない。指定紛争解決機関が当該休止をした当該紛争解決等業務の全部又は一部を再開するときも、同様とする。

(2) If a Designated Dispute Resolution Organization has suspended all or part of its Dispute Resolution Services, etc. due to a natural disaster or any other inevitable grounds, it shall immediately notify the Prime Minister of this, appending the reasons therefor. The same applies if the Designated Dispute Resolution Organization recommences all or part of its suspended Dispute Resolution Services, etc.

３　第一項の規定による休止若しくは廃止の認可を受け、又は前項の休止をした指定紛争解決機関は、当該休止又は廃止の日から二週間以内に、当該休止又は廃止の日に苦情処理手続又は紛争解決手続（他の指定紛争解決機関又は他の法律の規定による指定であって紛争解決等業務に相当する業務に係るものとして政令で定めるものを受けた者（以下この項において「委託紛争解決機関」という。）から業務の委託を受けている場合における当該委託に係る当該委託紛争解決機関の苦情を処理する手続又は紛争の解決を図る手続を含む。次条第四項において同じ。）が実施されていた当事者、当該当事者以外の加入保険業関係業者及び他の指定紛争解決機関に当該休止又は廃止をした旨を通知しなければならない。指定紛争解決機関が当該休止をした当該紛争解決等業務の全部又は一部を再開するときも、同様とする。

(3) A Designated Dispute Resolution Organization that has obtained the authorization for suspension or abolition under paragraph (1) or that has implemented the suspension under the preceding paragraph shall notify the Parties for which Complaint Processing Procedures or Dispute Resolution Procedures have been implemented (if another Designated Dispute Resolution Organization or a person with the legally provided for designation specified by Cabinet Order as involving business equivalent to Dispute Resolution Services, etc. (hereinafter collectively referred to as the "Entrusting Dispute Resolution Organization" in this paragraph), has entrusted the relevant Designated Dispute Resolution Organization with its business, this includes procedures for processing complaints of the Entrusting Dispute Resolution Organization in connection with the entrustment or procedures for dispute resolution; the same shall apply in paragraph (4) of the following Article), the Member Insurance Service Providers other than said Parties, and other Designated Dispute Resolution Organization(s), of the fact of the suspension or abolition within two weeks from the day of said suspension or abolition or on the day of said suspension or abolition. The same shall apply when the Designated Dispute Resolution Organization recommences all or part of the suspended Dispute Resolution Services, etc.

（指定の取消し等）

(Rescission of Designation, etc.)

第三百八条の二十四　内閣総理大臣は、指定紛争解決機関が次の各号のいずれかに該当するときは、第三百八条の二第一項の規定による指定を取り消し、又は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ずることができる。

Article 308-24 (1) When a Designated Dispute Resolution Organization falls under any of the following items, the Prime Minister may rescind the designation under Article 308-2, paragraph (1) or order the suspension of all or part of its business by specifying a period not exceeding six months:

一　第三百八条の二第一項第二号から第七号までに掲げる要件に該当しないこととなったとき、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ったことが判明したとき。

(i) when the Designated Dispute Resolution Organization has come to no longer satisfy the requirements listed in Article 308-2, paragraph (1), items (ii) to (vii) inclusive, or the Designated Dispute Resolution Organization is found to have not fallen under any of the items of that paragraph at the time when receiving the designation;

二　不正の手段により第三百八条の二第一項の規定による指定を受けたとき。

(ii) when the Designated Dispute Resolution Organization has received the designation under Article 308-2, 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 Dispute Resolution Organization has violated laws and regulations or a disposition under laws and regulations.

２　内閣総理大臣は、指定紛争解決機関が次の各号のいずれかに該当する場合において、前項の規定による処分又は命令をしようとするときは、あらかじめ、法務大臣に協議しなければならない。

(2) In cases where a Designated Dispute Resolution Organization falls under any of the following items, when the Prime Minister seeks to make a disposition or order under the preceding paragraph, he/she shall consult with the Minister of Justice in advance:

一　第三百八条の二第一項第五号から第七号までに掲げる要件（紛争解決手続の業務に係る部分に限り、同号に掲げる要件にあっては、第三百八条の七第四項各号及び第五項各号に掲げる基準に係るものに限る。以下この号において同じ。）に該当しないこととなった場合又は第三百八条の二第一項の規定による指定を受けた時点において同項第五号から第七号までに掲げる要件に該当していなかったことが判明した場合

(i) cases where the Designated Dispute Resolution Organization has come to no longer satisfy the requirements listed in Article 308-2, paragraph (1), items (v) to (vii) inclusive (limited to the part pertaining to the operations of Dispute Resolution Procedures, the requirement set forth in item (vii) of that paragraph shall be limited to one related to the standards listed in the items of Article 308-7, paragraph (4) or the items of paragraph (5) of that Article; hereinafter the same shall apply in this item), or the Designated Dispute Resolution Organization is found not to have satisfied the requirements set forth in Article 308-2, paragraph (1), items (v) to (vii) inclusive at the time it received the designation under Article 308-2, paragraph (1); or

二　第三百八条の五、第三百八条の六、第三百八条の九又は第三百八条の十三の規定に違反した場合（その違反行為が紛争解決手続の業務に係るものである場合に限る。）

(ii) cases where the Designated Dispute Resolution Organization has violated the provisions of Article 308-5, Article 308-6, Article 308-9, or Article 308-13 (limited to cases where such violation is one that is related to the operation of Dispute Resolution Procedure).

３　内閣総理大臣は、第一項の規定により第三百八条の二第一項の規定による指定を取り消したときは、その旨を官報で告示するものとする。

(3) If the Prime Minister has rescinded a designation under Article 308-2, paragraph (1) pursuant to the provisions of paragraph (1), he/she shall give public notice of this in the official gazette.

４　第一項の規定により第三百八条の二第一項の規定による指定の取消しの処分を受け、又はその業務の全部若しくは一部の停止の命令を受けた者は、当該処分又は命令の日から二週間以内に、当該処分又は命令の日に苦情処理手続又は紛争解決手続が実施されていた当事者、当該当事者以外の加入保険業関係業者及び他の指定紛争解決機関に当該処分又は命令を受けた旨を通知しなければならない。

(4) Any person who has received a disposition of rescission of the designation under Article 308-2, paragraph (1) or an order for suspension of all or part of its business pursuant to the provisions of paragraph (1) shall, within two weeks from the day of said disposition or order, notify the Parties for which Complaint Processing Procedures or Dispute Resolution Procedures had been implemented, a Member Insurance Service Provider other than the Parties, and other Designated Dispute Resolution Organization(s) to the effect that he/she has received the disposition or order.

第五編　雑則

Part V Miscellaneous Provisions

（保険契約の申込みの撤回等）

(Revocation of an Offer for an Insurance Contract, etc.)

第三百九条　保険会社等若しくは外国保険会社等に対し保険契約の申込みをした者又は保険契約者（以下この条において「申込者等」という。）は、次に掲げる場合を除き、書面によりその保険契約の申込みの撤回又は解除（以下この条において「申込みの撤回等」という。）を行うことができる。

Article 309 (1) Any person that has made an offer for an insurance contract to an Insurance Company, etc. or a Foreign Insurance Company, etc., or any of the Policyholders of such company (hereinafter referred to as "Offeror, etc." in this Article) may revoke or cancel the offer in writing (hereinafter referred to as "Revocation of an Offer, etc." in this Article), unless:

一　申込者等が、内閣府令で定めるところにより、保険契約の申込みの撤回等に関する事項を記載した書面を交付された場合において、その交付をされた日と申込みをした日とのいずれか遅い日から起算して八日を経過したとき。

(i) A document detailing the particulars for the Revocation of an Offer, etc. for an insurance contract has been issued to the Offeror, etc. pursuant to the provisions of a Cabinet Office Ordinance, and eight days have elapsed counting from the issue date of such document or the date of the offer, whichever is later;

二　申込者等が、営業若しくは事業のために、又は営業若しくは事業として締結する保険契約として申込みをしたとき。

(ii) The Offeror, etc. made the offer to conclude the insurance contract for the purpose of, or on behalf of, its operation or business;

三　一般社団法人若しくは一般財団法人、特別の法律により設立された法人、法人でない社団若しくは財団で代表者若しくは管理人の定めのあるもの又は国若しくは地方公共団体が保険契約の申込みをしたとき。

(iii) The offer was made by a general incorporated association or general incorporated foundation, a juridical person formed under a special Act, a non-incorporated association or foundation with a designated representative or administrator, or the national government or a local government;

四　当該保険契約の保険期間が一年以下であるとき。

(iv) The insurance contract has a term of coverage of one year or less;

五　当該保険契約が、法令により申込者等が加入を義務付けられているものであるとき。

(v) The Offeror, etc. is required by law to take out the insurance contract; or

六　申込者等が保険会社等、外国保険会社等、特定保険募集人又は保険仲立人の営業所、事務所その他の場所において保険契約の申込みをした場合その他の場合で、申込者等の保護に欠けるおそれがないと認められるものとして政令で定める場合

(vi) The Offeror, etc. has offered the insurance contract at a business office or any other office or facility of an Insurance Company, etc., Foreign Insurance Company, etc., Specified Insurance Agent, Insurance Broker, or otherwise, and the situation falls under any of the cases specified by Cabinet Order as posing no risk to the protection of the Offeror, etc.

２　前項第一号の場合において、保険会社等又は外国保険会社等は、同号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、当該申込者等の承諾を得て、当該書面に記載すべき事項を電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であって内閣府令で定めるものにより提供することができる。この場合において、当該保険会社等又は外国保険会社等は、当該書面を交付したものとみなす。

(2) In the case referred to in item (i) of the preceding paragraph, an Insurance Company, etc. or Foreign Insurance Company, etc. may, in lieu of issuing of the document set forth in that item, provide the relevant person with the particulars that are required to be included in the document by a method using an electronic data processing system or any other method using information and communication technology to be specified by Cabinet Office Ordinance, pursuant to the provisions of a Cabinet Order and with the approval of the Applicant, etc. In this case, the Insurance Company, etc. or Foreign Insurance Company, etc. shall be deemed to have issued that document.

３　前項前段に規定する方法（内閣府令で定める方法を除く。）により第一項第一号の規定による書面の交付に代えて行われた当該書面に記載すべき事項の提供は、申込者等の使用に係る電子計算機に備えられたファイルへの記録がされた時に当該申込者等に到達したものとみなす。

(3) Where the method set forth in the first sentence of the preceding paragraph (other than the method to be specified by Cabinet Office Ordinance) is used in lieu of issuing the document set forth in paragraph (1), item (i), the particulars that are required to be included in that document shall be deemed to have arrived with the Offeror, etc. when they have been recorded on a file stored in the computer used by the Offeror, etc.

４　保険契約の申込みの撤回等は、当該保険契約の申込みの撤回等に係る書面を発した時に、その効力を生ずる。

(4) The Revocation of an Offer, etc. for an insurance contract shall take effect when the document on the Revocation of the Offer, etc. is issued.

５　保険会社等又は外国保険会社等は、保険契約の申込みの撤回等があった場合には、申込者等に対し、その申込みの撤回等に伴う損害賠償又は違約金その他の金銭の支払を請求することができない。ただし、第一項の規定による保険契約の解除の場合における当該解除までの期間に相当する保険料として内閣府令で定める金額については、この限りでない。

(5) If a Revocation of an Offer, etc. for an insurance contract has been effected, the Insurance Company, etc. or Foreign Insurance Company, etc. may not demand from the Offeror, etc. payment for any damages, penalties or other money for the Revocation of the Offer, etc.; provided, however, that this shall not apply, in the case of revocation of an insurance contract under paragraph (1), to the amount of money specified by Cabinet Office Ordinance as equivalent to the insurance premium for the period leading to the date of such revocation.

６　保険会社等又は外国保険会社等は、保険契約の申込みの撤回等があった場合において、当該保険契約に関連して金銭を受領しているときは、申込者等に対し、速やかに、これを返還しなければならない。ただし、第一項の規定による保険契約の解除の場合における当該保険契約に係る保険料の前払として受領した金銭のうち前項の内閣府令で定める金額については、この限りでない。

(6) If a Revocation of an Offer, etc. for an insurance contract has been effected, the Insurance Company, etc. or Foreign Insurance Company, etc. shall promptly refund to the Offeror, etc. any money received in connection with the insurance contract; provided, however, that this shall not apply, in the case of revocation of an insurance contract under paragraph (1), to that part of the money received as prepayment of the insurance premium pertaining to the insurance contract which corresponds to the amount set forth in the preceding paragraph specified by Cabinet Office Ordinance.

７　特定保険募集人その他の保険募集を行う者は、保険契約につき申込みの撤回等があった場合において、当該保険契約に関連して金銭を受領しているときは、申込者等に対し、速やかに、これを返還しなければならない。

(7) If a Revocation of an Offer, etc. for an insurance contract has been effected, the Specified Insurance Agent or any other person engaged in Insurance Solicitation shall promptly refund to the Offeror, etc. any money received in connection with the insurance contract.

８　保険仲立人その他の保険募集を行う者は、保険会社等又は外国保険会社等に保険契約の申込みの撤回等に伴い損害賠償その他の金銭を支払った場合において、当該支払に伴う損害賠償その他の金銭の支払を、申込みの撤回等をした者に対し、請求することができない。

(8) An Insurance Broker or any other person engaged in Insurance Solicitation that has paid to an Insurance Company, etc. or Foreign Insurance Company, etc. any damages or other money for the Revocation of an Offer, etc. for an insurance contract may not, in connection with such payment, demand from the person who effected the Revocation of the Offer, etc. payment of any damages or other money.

９　保険契約の申込みの撤回等の当時、既に保険金の支払の事由が生じているときは、当該申込みの撤回等は、その効力を生じない。ただし、申込みの撤回等を行った者が、申込みの撤回等の当時、既に保険金の支払の事由の生じたことを知っているときは、この限りでない。

(9) The Revocation of an Offer, etc. for an insurance contract shall not take effect if any event that gives rise to payment of an insurance proceeds has occurred by the time of such Revocation of the Offer, etc.; provided, however, that this shall not apply where the person who effected the Revocation of the Offer, etc. knew that an event giving rise to payment of insurance proceeds had occurred by the time of such Revocation of the Offer, etc.

１０　第一項及び第四項から前項までの規定に反する特約で申込者等に不利なものは、無効とする。

(10) Any special provisions in an insurance contract that violate any of the provisions of paragraphs (1) and (4) to (9) inclusive shall be null and void if it is disadvantageous to the Offeror, etc.

（認可等の条件）

(Condition for Authorization, etc.)

第三百十条　内閣総理大臣又は内閣総理大臣及び財務大臣は、この法律の規定による認可、許可又は承認（次項及び第三百十二条において「認可等」という。）に条件を付し、及びこれを変更することができる。

Article 310 (1) The Prime Minister, or the Prime Minister and the Minister of Finance, may impose conditions on any authorization, permission or approval (referred to as "Authorization, etc." in the following paragraph and Article 312) prescribed in this Act or change them.

２　前項の条件は、認可等の趣旨に照らして、又は認可等に係る事項の確実な実施を図るため必要最小限のものでなければならない。

(2) The conditions set forth in the preceding paragraph shall, in light of the purpose of the Authorization, etc., be the minimum necessary for ensuring assured implementation of the particulars of the Authorization, etc..

（検査職員の証票の携帯及び提示等）

(Carrying and Showing of Identification card by Inspecting Personnel, etc.)

第三百十一条　第百二十二条の二第四項、第百二十九条（第百七十九条第二項及び第二百七十一条第三項において準用する場合を含む。）、第二百一条（第二百十二条第六項及び第二百七十一条第三項において準用する場合を含む。）、第二百二十七条（第二百三十五条第五項及び第二百七十一条第三項において準用する場合を含む。）、第二百六十五条の四十六、第二百七十一条の九、第二百七十一条の十三（第二百七十二条の三十四第一項において準用する場合を含む。）、第二百七十一条の二十八（第二百七十二条の四十第二項において準用する場合を含む。）、第二百七十二条の二十三（第百七十九条第二項及び第二百七十一条第三項において準用する場合を含む。）、第三百五条又は第三百八条の二十一の規定による立入り、質問又は検査をする職員は、その身分を示す証票を携帯し、関係人の請求があったときは、これを提示しなければならない。

Article 311 (1) The personnel who make an entry, ask questions or conduct inspection under Article 122-2, paragraph (4), Article 129 (including the cases where it is applied mutatis mutandis pursuant to Article 179, paragraph (2) and Article 271, paragraph (3)), Article 201 (including the cases where it is applied mutatis mutandis pursuant to Article 212, paragraph (6) and Article 271, paragraph (3)), Article 227 (including the cases where it is applied mutatis mutandis pursuant to Article 235, paragraph (5) and Article 271, paragraph (3)), Article 265-46, Article 271-9, Article 271-13 (including the cases where it is applied mutatis mutandis pursuant to Article 272-34, paragraph (1)), Article 271-28 (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (2)), Article 272-23 (including the cases where it is applied mutatis mutandis pursuant to Article 179, paragraph (2) and Article 271, paragraph (3)), Article 305 or Article 308-21 shall carry their identification cards with them and show it on the request of a relevant person.

２　前項に規定する各規定による立入り、質問又は検査の権限は、犯罪捜査のために認められたものと解してはならない。

(2) The authority to make an entry, ask questions or conduct inspection prescribed in the preceding paragraph shall not be construed as given for any criminal investigation.

（財務大臣への協議）

(Consultation with Minister of Finance)

第三百十一条の二　内閣総理大臣は、保険会社等、外国保険会社等又は免許特定法人に対し次に掲げる処分をすることが保険業に対する信頼性の維持に重大な影響を与えるおそれがあると認めるときは、あらかじめ、保険業に対する信頼性の維持を図るために必要な措置に関し、財務大臣に協議しなければならない。

Article 311-2 (1) Before the Prime Minister finds that reaching any of the following dispositions with regard to an Insurance Company, etc., a Foreign Insurance Company, etc. or a licensed specified juridical person could have a serious impact on the maintenance of the credibility of Insurance Services, he/she shall consult in advance with the Minister of Finance on the necessary measures for maintaining the credibility of Insurance Services:

一　第百三十二条第一項、第百三十三条、第二百四条第一項、第二百五条、第二百三十条第一項、第二百三十一条、第二百四十一条第一項、第二百七十一条の三十第一項若しくは第四項（第二百七十二条の四十第二項において準用する場合を含む。）又は第二百七十二条の二十六第一項の規定による業務の全部又は一部の停止の命令

(i) An order for total or partial suspension of business under Article 132, paragraph (1), Article 133, Article 204, paragraph (1), Article 205, Article 230, paragraph (1), Article 231, Article 241, paragraph (1), Article 271-30, paragraph (1) or (4) (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (2)), or Article 272-26, paragraph (1);

二　第二百四十条の三の規定による業務の停止の命令

(ii) An order for suspension of business under Article 240-3;

三　第百三十三条、第百三十四条、第二百五条、第二百六条、第二百三十一条、第二百三十二条、第二百七十二条の二十六第一項又は第二百七十二条の二十七の規定による第三条第一項、第百八十五条第一項若しくは第二百十九条第一項の免許又は第二百七十二条第一項の登録の取消し

(iii) Cancellation of the license set forth in Article 3, paragraph (1), Article 185, paragraph (1) or Article 219, paragraph (1), or the registration set forth in Article 272, paragraph (1) under Article 133, Article 134, Article 205, Article 206, Article 231, Article 232, Article 272-26, paragraph (1) or Article 272-27; or

四　第二百四十一条第一項の規定による保険管理人による業務及び財産の管理を命ずる処分

(iv) A disposition ordering the administration of business and property by an Insurance Administrator under Article 241, paragraph (1).

２　内閣総理大臣は、その行おうとする次の各号に掲げる処分により当該各号に定める機構の業務が行われたならば、機構の利用可能な資金の状況が著しく悪化し保険業に対する信頼性の維持に重大な影響を与えるおそれがあると認めるときは、あらかじめ、保険業に対する信頼性の維持を図るために必要な措置に関し、財務大臣に協議しなければならない。

(2) Before the Prime Minister finds that if a Corporation were to conduct any of the business listed in the following items pursuant to his/her disposition listed in the relevant item, the condition of the funds available to the Corporation would deteriorate extremely, thus posing the risk of a serious impact on the maintenance of the credibility of the Insurance Business, he/she shall consult in advance with the Minister of Finance on the necessary measures for maintaining the credibility of the Insurance Business:

一　第二百六十八条第一項、第二百七十条第一項、第二百七十条の三の十二第一項若しくは第二百七十条の六の三第一項の認定又は第二百六十九条第一項、第二百七十条の三の十三第三項若しくは第二百七十条の六の四第三項の付記　保険契約の移転等（第二百六十条第一項に規定する保険契約の移転等をいう。）、保険契約の承継（同条第七項に規定する保険契約の承継をいう。）、保険契約の再承継（同条第八項に規定する保険契約の再承継をいう。）又は保険契約の再移転（同条第十一項に規定する保険契約の再移転をいう。）のための第二百六十五条の二十八第一項第三号に規定する資金援助

(i) The authorization set forth in Article 268, paragraph (1), Article 270, paragraph (1), Article 270-3-12, paragraph (1) or Article 270-6-3, paragraph (1), or the supplementary note set forth in Article 269, paragraph (1), Article 270-3-13, paragraph (3) or Article 270-6-4, paragraph (3): the Financial Assistance set forth in Article 265-28, paragraph (1), item (iii) for transfer, etc. of insurance contracts (meaning the transfer, etc. of insurance contracts set forth in Article 260, paragraph (1)), succession of insurance contracts (meaning the succession of insurance contracts set forth in Article 260, paragraph (7)), Succession to Inherited Insurance Contracts (meaning the Succession to Inherited Insurance Contracts set forth in Article 260, paragraph (8)) or retransfer of insurance contracts (meaning the retransfer of insurance contracts set forth in Article 260, paragraph (11)); or

二　第二百七十条第一項の認定　第二百六十五条の二十八第一項第五号に規定する保険契約の引受け

(ii) The authorization set forth in Article 270, paragraph (1): the Underwriting of Insurance Contracts set forth in Article 265-28, paragraph (1), item (v).

（財務大臣への通知）

(Notice to Minister of Finance)

第三百十一条の三　内閣総理大臣は、次に掲げる処分をしたときは、速やかに、その旨を財務大臣に通知するものとする。

Article 311-3 (1) If the Prime Minister has reached any of the following dispositions, he/she shall promptly notify the Minister of Finance of this:

一　第三条第一項、第百八十五条第一項若しくは第二百十九条第一項の規定による免許又は第二百七十二条第一項の規定による登録

(i) The license set forth in Article 3, paragraph (1), Article 185, paragraph (1) or Article 219, paragraph (1), or the registration set forth in Article 272, paragraph (1);

二　第百六条第四項（第二百六十条第二項に規定する破綻保険会社に該当する保険会社その他の内閣府令・財務省令で定める保険会社を子会社としようとする場合に限る。）、第百三十九条第一項（第二百七十二条の二十九において準用する場合を含む。）、第百四十二条（第二百七十二条の三十第一項において準用する場合を含む。）、第百五十三条第一項、第百六十七条第一項、第二百八条、第二百三十三条、第二百七十一条の十第一項若しくは第二項ただし書、第二百七十一条の十八第一項若しくは第三項ただし書、第二百七十一条の三十一第一項から第三項まで、第二百七十二条の三十一第一項若しくは第二項ただし書又は第二百七十二条の三十五第一項若しくは第三項ただし書の規定による認可又は承認

(ii) The authorization or approval set forth in Article 106, paragraph (4) (limited to the cases where the applicant seeks to make a Subsidiary out of an Insurance Company that falls under the category of Bankrupt Insurance Company as defined in Article 260, paragraph (2) or any other Insurance Company specified by Cabinet Office Ordinance/Ordinance of the Ministry of Finance), Article 139, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-29), Article 142 (including the cases where it is applied mutatis mutandis pursuant to Article 272-30, paragraph (1)), Article 153, paragraph (1), Article 167, paragraph (1), Article 208, Article 233, Article 271-10, paragraph (1), the proviso to Article 271-10, paragraph (2), Article 271-18, paragraph (1), the proviso to Article 271-18, paragraph (3), Article 271-31, paragraphs (1) to (3) inclusive, Article 272-31, paragraph (1), the proviso to Article 272-31, paragraph (2), Article 272-35, paragraph (1) or the proviso to Article 272-35, paragraph (3);

三　第百三十二条第一項、第百三十三条、第二百四条第一項、第二百五条、第二百三十条第一項、第二百三十一条、第二百四十条の三、第二百四十一条第一項、第二百四十七条第五項、第二百五十八条第一項、第二百七十一条の六、第二百七十一条の七、第二百七十一条の十第四項、第二百七十一条の十四（第二百七十二条の三十四第一項において準用する場合を含む。）、第二百七十一条の十五、第二百七十一条の十六第一項（第二百七十二条の三十四第一項において準用する場合を含む。）、第二百七十一条の十八第五項、第二百七十一条の二十九若しくは第二百七十一条の三十第一項若しくは第四項（これらの規定を第二百七十二条の四十第二項において準用する場合を含む。）、第二百七十二条の二十五第一項、第二百七十二条の二十六第一項若しくは第二項、第二百七十二条の三十一第四項又は第二百七十二条の三十五第五項の規定による命令（改善計画の提出を求めることを含む。）

(iii) Giving of an order (including any request for the submission of an improvement program) set forth in Article 132, paragraph (1), Article 133, Article 204, paragraph (1), Article 205, Article 230, paragraph (1), Article 231, Article 240-3, Article 241, paragraph (1), Article 247, paragraph (5), Article 258, paragraph (1), Article 271-6, Article 271-7, Article 271-10, paragraph (4), Article 271-14 (including the cases where it is applied mutatis mutandis pursuant to Article 272-34, paragraph (1)), Article 271-15, Article 271-16, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-34, paragraph (1), Article 271-18, paragraph (5), Article 271-29 or Article 271-30, paragraph (1) or (4) (including the cases where any of those provisions is applied mutatis mutandis pursuant to Article 272-40, paragraph (2)), Article 272-25, paragraph (1), Article 272-26, paragraph (1) or (2), Article 272-31, paragraph (4), or Article 272-35, paragraph (5);

四　第百三十三条、第百三十四条、第二百五条、第二百六条、第二百三十一条若しくは第二百三十二条の規定による第三条第一項、第百八十五条第一項若しくは第二百十九条第一項の免許の取消し又は第二百七十二条の二十六第一項若しくは第二百七十二条の二十七の規定による第二百七十二条第一項の登録の取消し

(iv) Rescission of the license set forth in Article 3, paragraph (1), Article 185, paragraph (1) or Article 219, paragraph (1) pursuant to the provisions of Article 133, 134, 205, 206, 231 or 232, or cancellation of the registration set forth in Article 272, paragraph (1) pursuant to the provisions of Article 272-26, paragraph (1) or Article 272-27;

五　第二百七十一条の十六第一項の規定による第二百七十一条の十第一項若しくは第二項ただし書の認可の取消し、第二百七十一条の三十第一項の規定による第二百七十一条の十八第一項若しくは第三項ただし書の認可の取消し、第二百七十二条の三十四第一項において準用する第二百七十一条の十六第一項の規定による第二百七十二条の三十一第一項若しくは第二項ただし書の承認の取消し又は第二百七十二条の四十第二項において準用する第二百七十一条の三十第一項の規定による第二百七十二条の三十五第一項若しくは第三項ただし書の承認の取消し

(v) Rescission of the authorization set forth in Article 271-10, paragraph (1) or the proviso to Article 271-10, paragraph (2) pursuant to the provisions of Article 271-16, paragraph (1), rescission of the authorization set forth in Article 271-18, paragraph (1) or the proviso to Article 271-18, paragraph (3) pursuant to the provisions of Article 271-30, paragraph (1), rescission of the approval set forth in Article 272-31, paragraph (1) or the proviso to Article 272-31, paragraph (2) pursuant to the provisions of Article 271-16, paragraph (1) as applied mutatis mutandis pursuant to Article 272-34, paragraph (1), or rescission of the approval set forth in Article 272-35, paragraph (1) or the proviso to Article 272-35, paragraph (3) pursuant to the provisions of Article 271-30, paragraph (1) as applied mutatis mutandis pursuant to Article 272-40, paragraph (2);

六　第二百四十一条第一項の規定による保険管理人による業務及び財産の管理を命ずる処分

(vi) Any disposition ordering the administration of business and property by an Insurance Administrator under Article 241, paragraph (1); or

七　第二百四十七条第二項又は第四項の規定による承認

(vii) The approval set forth in Article 247, paragraph (2) or (4).

２　内閣総理大臣は、次に掲げる規定による届出（第一号及び第四号に掲げる規定による届出にあっては、内閣府令・財務省令で定める場合に係るものに限る。）があったときは、速やかに、その旨を財務大臣に通知するものとする。

(2) If the Prime Minister has received notice under any of the following provisions (for notice under the provisions listed in item (i) or (iv), limited to one involving the cases specified by Cabinet Office Ordinance/Ordinance of the Ministry of Finance), promptly notify the Minister of Finance of this:

一　第百二十七条第一項（同項第八号に係る部分に限る。）

(i) Article 127, paragraph (1) (limited to the segment pertaining to item (viii) of that paragraph);

二　第二百九条（同条第五号から第八号までに係る部分に限る。）

(ii) Article 209 (limited to the segment pertaining to item (v) to (viii) inclusive of that Article);

三　第二百三十四条（同条第四号から第七号までに係る部分に限る。）

(iii) Article 234 (limited to the segment pertaining to item (iv) to (vii) inclusive of that Article); or

四　第二百七十二条の二十一第一項（第六号に係る部分に限る。）

(iv) Article 272-21, paragraph (1) (limited to the segment pertaining to item (vi)).

（財務大臣への資料提出等）

(Submission of Materials to the Minster of Finance, etc.)

第三百十一条の四　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、保険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 311-4 (1) If the Minister of Finance finds it necessary for planning or drafting a system for Insurance Services in connection with the financial bankruptcy processing system and financial crisis management under his/her jurisdiction, he/she shall request the Prime Minister to submit materials and provide explanations as necessary.

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、保険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、保険会社等、外国保険会社等、免許特定法人の総代理店（第二百十九条第一項に規定する総代理店をいう。）、保険主要株主、保険持株会社、少額短期保険主要株主、少額短期保険持株会社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) If and to the extent that the Minister of Finance finds it particularly necessary for designing or planning a system pertaining to the Insurance Business in connection with the financial bankruptcy processing system and financial crisis management under his/her jurisdiction, he/she may request an Insurance Company, etc., a Foreign Insurance Company, etc., the General Representative of a licensed specified juridical person (meaning the General Representative set forth in Article 219, paragraph (1)), an Insurance Company's Major Shareholder, an Insurance Holding Company, a Low-Cost, Short-Term Insurer's Major Shareholder, a Low-Cost, Short-Term Insurance Holding Company or any other relevant person to submit materials or to provide explanations or other cooperation.

（内閣府令等への委任）

(Delegation to Cabinet Office Ordinance, etc.)

第三百十二条　この法律に定めるもののほか、この法律による認可等に関する申請の手続、書類の提出の手続その他この法律を実施するため必要な事項は、内閣府令（機構及びその行う業務に係るものにあっては、内閣府令・財務省令）で定める。

Article 312 In addition to what is prescribed in this Act, the procedures for application and submission of documents for Authorization, etc. under this Act and any other particular necessary for the implementation of this Act shall be specified by Cabinet Office Ordinance (or Cabinet Office Ordinance/Ordinance of the Ministry of Finance for any particular of a Corporation and its business).

（権限の委任）

(Delegation of Authority)

第三百十三条　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 313 (1) The Prime Minister shall delegate his/her authority under this Act (excluding those specified by 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 of the Financial Services Agency may, pursuant to the provisions of a Cabinet Order, delegate part of the authority that has been delegated pursuant to the provisions of the preceding paragraph to the Director-Generals of Local Finance Bureaus or Local Finance Branch Offices.

（経過措置）

(Transitional Measures)

第三百十四条　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従い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 314 Whenever an order is enacted, revised or abolished pursuant to this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be provided for by that order, to the extent considered reasonably necessary for its enactment, revision or abolition.

第六編　罰則

Part VI Penal Provisions

第三百十五条　次の各号のいずれかに該当する者は、三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 315 Any person who falls under any of the following items shall be punished by imprisonment with work for not more than three years or a fine of not more than three million yen, or both:

一　第三条第一項の規定に違反して、内閣総理大臣の免許を受けないで保険業を行った者

(i) A person who has conducted Insurance Services without obtaining the license of the Prime Minister, in violation of the provisions of Article 3, paragraph (1);

二　第七条の二（第百九十九条において準用する場合を含む。）の規定に違反して、他人に保険業を行わせた者

(ii) A person who had another person conduct Insurance Services in violation of Article 7-2 (including the cases where it is applied mutatis mutandis pursuant to Article 199);

三　不正の手段により第二百七十二条第一項の登録を受けた者

(iii) A person who has obtained the registration set forth in Article 272, paragraph (1) by wrongful means;

四　第二百七十二条の九の規定に違反して、他人に少額短期保険業を行わせた者

(iv) A person who had another person to conduct Low-Cost, Short-Term Insurance Services in violation of Article 272-9; and

五　第三百条の二において準用する金融商品取引法第三十九条第一項の規定に違反した者

(v) Any person who has violated the provisions of Article 39, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 300-2.

第三百十五条の二　次に掲げる違反があった場合においては、その違反行為をした者は、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。

Article 315-2 In any of the following cases of violation, a person who has committed the violation shall be punished by imprisonment with work for not more than two years or a fine of amount more than three million yen, or both:

一　第二百七十一条の十八第一項の規定による内閣総理大臣の認可を受けないで、同項各号に掲げる取引若しくは行為により保険会社を子会社とする持株会社になったとき、又は保険会社を子会社とする持株会社を設立したとき。

(i) When a person has, without obtaining the authorization of the Prime Minister under the provisions of Article 271-18, paragraph (1), by any of the transactions or actions listed in the items of the same paragraph, become a Holding Company whose Subsidiaries include an Insurance Company, or incorporated a Holding Company whose Subsidiaries include an Insurance Company;

二　第二百七十一条の十八第三項の規定に違反して同項に規定する猶予期限日を超えて保険会社を子会社とする持株会社であったとき。

(ii) When the person had been, in violation of Article 271-18, paragraph (3), a Holding Company whose Subsidiaries included an Insurance Company beyond the Last Day of the Grace Period prescribed in the same paragraph;

三　第二百七十一条の十八第五項の規定による命令に違反して保険会社を子会社とする持株会社であったとき又は第二百七十一条の三十第二項の規定に違反して同項に規定する内閣総理大臣が指定する期間を超えて保険会社を子会社とする持株会社であったとき。

(iii) When the person had been a Holding Company whose Subsidiaries included an Insurance Company in violation of the order under the provisions of Article 271-18, paragraph (5), or when the person had been, in violation of Article 271-30, paragraph (2), a Holding Company whose Subsidiaries included an Insurance Company beyond the period of time designated by the Prime Minister prescribed in the same paragraph;

四　第二百七十二条の三十五第一項の規定による内閣総理大臣の承認を受けないで、同項各号に掲げる取引若しくは行為により少額短期保険業者を子会社とする持株会社になったとき、又は少額短期保険業者を子会社とする持株会社を設立したとき。

(iv) When the person has, without obtaining the approval of the Prime Minister under the provisions of Article 272-35, paragraph (1), through any of the transactions or actions listed in the items of the same paragraph, become a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer, or incorporated a Holding Company whose Subsidiaries include a Low-Cost, Short-Term Insurer;

五　第二百七十二条の三十五第三項の規定に違反して同項に規定する猶予期限日を超えて少額短期保険業者を子会社とする持株会社であったとき。

(v) When the person had been, in violation of Article 272-35, paragraph (3), a Holding Company whose Subsidiaries included a Low-Cost, Short-Term Insurer beyond the Last Day of the Grace Period prescribed in the same paragraph; and

六　第二百七十二条の三十五第五項の規定による命令に違反して少額短期保険業者を子会社とする持株会社であったとき、又は第二百七十二条の四十第二項において準用する第二百七十一条の三十第二項の規定に違反して同項に規定する内閣総理大臣が指定する期間を超えて少額短期保険業者を子会社とする持株会社であったとき。

(vi) When the person had been a Holding Company whose Subsidiaries included a Low-Cost, Short-Term Insurer in violation of the order under the provisions of Article 272-35, paragraph (5), or when the person had been, in violation of the provisions of Article 271-30, paragraph (2), as applied mutatis mutandis pursuant to Article 272-40, paragraph (2), a Holding Company whose Subsidiaries included a Low-Cost, Short-Term Insurer beyond the period of time designated by the Prime Minister prescribed in the same paragraph.

第三百十六条　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。

Article 316 Any person who falls under any of the following items shall be punished by imprisonment with work for not more than two years or a fine of not more than three million yen, or both:

一　第五条第二項（第百八十七条第五項において準用する場合を含む。）又は第二百二十一条第二項の規定により付した条件に違反した者

(i) Any person who has violated the conditions imposed pursuant to the provisions of Article 5, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 187, paragraph (5)) or Article 221, paragraph (2);

二　第百三十二条第一項、第百三十三条、第二百四条第一項、第二百五条、第二百三十条第一項、第二百三十一条、第二百四十一条第一項、第二百七十一条の三十第一項若しくは第四項（第二百七十二条の四十第二項において準用する場合を含む。）又は第二百七十二条の二十六第一項の規定による業務の全部又は一部の停止の命令に違反した者

(ii) Any person who has violated the order for the whole or partial suspension of the business under the provisions of Article 132, paragraph (1), Article 133, Article 204, paragraph (1), Article 205, Article 230, paragraph (1), Article 231, Article 241, paragraph (1), Article 271-30, paragraph (1) or (4) (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (2)), or Article 272-26, paragraph (1);

三　第二百四十条の三の規定による業務の停止の命令に違反した者

(iii) Any person who has violated the order for suspension of the business under the provisions of Article 240-3;

四　第百八十六条第一項の規定に違反した者

(iv) Any person who has violated the provisions of Article 186, paragraph (1);

五　第百八十八条第一項の規定により付した条件に違反した者

(v) Any person who has violated the conditions imposed pursuant to the provisions of Article 188, paragraph (1);

六　第百九十条第五項、第二百二十三条第五項又は第二百七十二条の五第五項の規定に違反した者

(vi) Any person who has violated the provisions of Article 190, paragraph (5), Article 223, paragraph (5), or Article 272-5, paragraph (5); and

七　第二百四十五条（第二百五十八条第二項において準用する場合を含む。）、第二百五十条第五項（第二百七十条の四第九項において準用する場合を含む。）、第二百五十四条第四項又は第二百五十五条の二第三項の規定に違反して業務を行った者

(vii) Any person who has conducted business in violation of Article 245 (including the cases where it is applied mutatis mutandis pursuant to Article 258, paragraph (2)), Article 250, paragraph (5) (including the cases where it is applied mutatis mutandis pursuant to Article 270-4, paragraph (9)), Article 254, paragraph (4), or Article 255-2, paragraph (3).

第三百十六条の二　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 316-2 Any person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than three million yen, or both:

一　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十四条第一項第一号、第三号又は第四号の規定に違反して、これらの規定に掲げる行為をした者

(i) Any person who, in violation of the provisions of Article 24, paragraph (1), item (i), (iii), or (iv) of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), has acted as listed in those provisions;

二　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十九条第二項の規定に違反した者

(ii) Any person who has violated the provisions of Article 29, paragraph (2) of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199);

三　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第四十二条第一項から第三項まで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

(iii) Any person who has failed to submit the report or materials under the provisions of Article 42, paragraphs (1) to (3) inclusive of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), or has submitted a false report or materials; and

四　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第四十二条第一項から第三項まで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、又はこれらの規定による検査を拒み、妨げ、若しくは忌避した者

(iv) Any person who has failed to answer the questions asked by the officials under the provisions of Article 42, paragraphs (1) to (3) inclusive of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199) or has made a false answer, or has refused, obstructed, or avoided the inspection under the provisions.

第三百十六条の三　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 316-3 Any person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than three million yen, or both:

一　第三百八条の三第一項の規定による指定申請書又は同条第二項の規定によりこれに添付すべき書類若しくは電磁的記録に虚偽の記載又は記録をしてこれらを提出した者

(i) Any person who has submitted a written application for designation under Article 308-3, paragraph (1) or a document or Electromagnetic Records to be attached thereto pursuant to the provisions of paragraph (2) of that Article, in which he/she has included a false detail or record;

二　第三百八条の九の規定に違反した者

(ii) Any person who has violated the provisions of Article 308-9;

三　第三百八条の二十第一項の規定による報告書を提出せず、又は虚偽の記載をした報告書を提出した者

(iii) Any person who has failed to submit a report under Article 308-20, paragraph (1) or has submitted a report that includes any false detail;

四　第三百八条の二十一第一項若しく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、又はこれら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、若しくはこれらの規定による検査を拒み、妨げ、若しくは忌避した者

(iv) Any person who has failed to submit a report or material pursuant to the provisions of Article 308-21, paragraph (1) or (2) or submitted to a false report or material; any person who has failed to answer the questions asked by the officials under these provisions or has made a false answer, or has refused, obstructed, or avoided the inspection under these provisions; and

五　第三百八条の二十二第一項の規定による命令に違反した者

(v) Any person who has violated the order under Article 308-22, paragraph (1).

第三百十七条　次の各号のいずれかに該当する者は、一年以下の懲役又は三百万円以下の罰金に処する。

Article 317 A person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than three million yen:

一　第百十条第一項（第百九十九条において準用する場合を含む。）若しくは第二項（第二百七十二条の十六第三項において準用する場合を含む。）、第百九十五条、第二百七十一条の二十四第一項（第二百七十二条の四十第一項において準用する場合を含む。）又は第二百七十二条の十六第一項若しくは第二項の規定に違反して、これらの規定に規定する書類若しくは電磁的記録を提出せず、又はこれらの書類若しくは電磁的記録に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をしてこれらの書類若しくは電磁的記録を提出した者

(i) Any person who, in violation of Article 110, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 199) or paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 272-16, paragraph (3)), Article 195, Article 271-24, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (1)), or Article 272-16, paragraph (1) or (2), has failed to submit the document or electromagnetic record prescribed in the provisions, or has submitted documents or electromagnetic records in which he/she has failed to detail or record the particulars that must be detailed or recorded or in which he/she has included a false detail or record;

一の二　第百十一条第一項（第百九十九条及び第二百七十二条の十七において準用する場合を含む。）若しくは第二項（第二百七十二条の十七において準用する場合を含む。）若しくは第二百七十一条の二十五第一項（第二百七十二条の四十第一項において準用する場合を含む。）の規定に違反して、これらの規定に規定する書類を公衆の縦覧に供せず、若しくは第百十一条第四項（第百九十九条及び第二百七十二条の十七において準用する場合を含む。）若しくは第二百七十一条の二十五第三項（第二百七十二条の四十第一項において準用する場合を含む。）の規定に違反して、第百十一条第三項（第百九十九条及び第二百七十二条の十七において準用する場合を含む。）若しくは第二百七十一条の二十五第二項（第二百七十二条の四十第一項において準用する場合を含む。）に規定する電磁的記録に記録された情報を電磁的方法により不特定多数の者が提供を受けることができる状態に置く措置として内閣府令で定めるものをとらず、又はこれらの規定に違反して、これらの書類に記載すべき事項を記載せず、若しくは虚偽の記載をして、公衆の縦覧に供し、若しくは電磁的記録に記録すべき事項を記録せず、若しくは虚偽の記録をして、電磁的記録に記録された情報を電磁的方法により不特定多数の者が提供を受けることができる状態に置く措置をとった者

(i)-2 Any person who, in violation of Article 111, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 199 and Article 272-17) or paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 272-17), or Article 271-25, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (1)), has failed to make the document prescribed in the provisions available for public inspection, or who, in violation of Article 111, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 199 and Article 272-17) or Article 271-25, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (1)), has failed to take the measure specified by Cabinet Office Ordinance which makes the information recorded in the electromagnetic record prescribed in Article 111, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 199 and Article 272-17) or Article 271-25, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (1)) available to many and unspecified persons by electromagnetic means, or who, in violation of these provisions, has made documents in which he/she has failed to detail the particulars that are required to be included or in which he/she has included a false detail available for public inspection, or who has taken measures to make the information recorded in electronic records in which he/she has failed to record the particulars that are required to be recorded in the electromagnetic records or in which he/she has included a false record available to many and unspecified persons by electromagnetic means;

二　第百二十八条第一項若しくは第二項、第二百条第一項若しくは第二項、第二百二十六条第一項若しくは第二項、第二百七十一条の八、第二百七十一条の十二（第二百七十二条の三十四第一項において準用する場合を含む。）、第二百七十一条の二十七第一項（第二百七十二条の四十第二項において準用する場合を含む。）又は第二百七十二条の二十二第一項若しくは第二項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

(ii) Any person who has failed to submit the reports or materials under the provisions of Article 128, paragraph (1) or (2), Article 200, paragraph (1) or (2), Article 226, paragraph (1) or (2), Article 271-8, Article 271-12 (including the cases where it is applied mutatis mutandis pursuant to Article 272-34, paragraph (1)), Article 271-27, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (2)), or Article 272-22, paragraph (1) or (2), or has submitted false reports or materials;

三　第百二十九条第一項若しくは第二項、第二百一条第一項若しくは第二項、第二百二十七条第一項若しくは第二項、第二百七十一条の九第一項、第二百七十一条の十三第一項（第二百七十二条の三十四第一項において準用する場合を含む。）、第二百七十一条の二十八第一項若しくは第二項（第二百七十二条の四十第二項において準用する場合を含む。）若しくは第二百七十二条の二十三第一項若しくは第二項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避した者

(iii) Any person who has failed to answer the questions under the provisions of Article 129, paragraph (1) or (2), Article 201, paragraph (1) or (2), Article 227, paragraph (1) or (2), Article 271-9, paragraph (1), Article 271-13, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-34, paragraph (1)), Article 271-28, paragraph (1) or (2) (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (2)), or Article 272-23, paragraph (1) or (2), or has made a false answer, or has refused, obstructed, or avoided the inspection under the provisions;

四　第百七十九条第一項（第二百十二条第五項及び第二百三十五条第五項において準用する場合を含む。）の規定による命令に違反した者

(iv) Any person who has violated the order under the provisions of Article 179, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 212, paragraph (5) and Article 235, paragraph (5));

五　第百七十九条第二項において準用する第百二十八条第一項若しくは第二百七十二条の二十二第一項、第二百十二条第五項において準用する第二百条第一項又は第二百三十五条第五項において準用する第二百二十六条第一項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

(v) Any person who has failed to submit the reports or materials under the provisions of Article 128, paragraph (1) or Article 272-22, paragraph (1), as applied mutatis mutandis pursuant to Article 179, paragraph (2), the provisions of Article 200, paragraph (1), as applied mutatis mutandis pursuant to Article 212, paragraph (5), or the provisions of Article 226, paragraph (1), as applied mutatis mutandis pursuant to Article 235, paragraph (5), or has submitted false reports or materials;

六　第百七十九条第二項において準用する第百二十九条第一項若しくは第二百七十二条の二十三第一項、第二百十二条第五項において準用する第二百一条第一項、第二百三十五条第五項において準用する第二百二十七条第一項又は第二百七十一条第三項において準用する第百二十九条第一項、第二百一条第一項、第二百二十七条第一項若しくは第二百七十二条の二十三第一項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避した者

(vi) Any person who has failed to answer any question under the provisions of Article 129, paragraph (1) or Article 272-23, paragraph (1), as applied mutatis mutandis pursuant to Article 179, paragraph (2), the provisions of Article 201, paragraph (1), as applied mutatis mutandis pursuant to Article 212, paragraph (5), the provisions of Article 227, paragraph (1), as applied mutatis mutandis pursuant to Article 235, paragraph (5), or Article 129, paragraph (1), Article 201, paragraph (1), Article 227, paragraph (1), or Article 272-23, paragraph (1), as applied mutatis mutandis pursuant to Article 271, paragraph (3), or has made a false answer, or has refused, obstructed, or avoided the inspection under the provisions;

七　第二百七十一条の三十第一項（第二百七十二条の四十第二項において準用する場合を含む。）の規定による命令（取締役、執行役、会計参与若しくは監査役の解任又は業務の全部若しくは一部の停止の命令を除く。）に違反した者

(vii) Any person who has violated the order (except for orders for the dismissal of the director, executive officer, accounting advisor, or company auditor, or for the full or partial suspension of business) under the provisions of Article 271-30, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (2)); and

八　第三百十条第一項の規定により付した条件（第二百七十一条の十八第一項若しくは第三項ただし書の規定による認可又は第二百七十二条の三十五第一項若しくは第三項ただし書の規定による承認に係るものに限る。）に違反した者

(viii) Any person who has violated any condition attached pursuant to the provisions of Article 310, paragraph (1) (limited to those pertaining to the authorization under the provisions of the proviso of Article 271-18, paragraph (1) or (3), or the approval under the provisions of the proviso of Article 272-35, paragraph (1) or (3)).

第三百十七条の二　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百万円以下の罰金に処し、又はこれを併科する。

Article 317-2 Any person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than one million yen, or both:

一　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第十一条第五項の規定に違反して、保険金信託業務を開始した者

(i) Any person who, in violation of the provisions of Article 11, paragraph (5) of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), has commenced Insurance-Proceed Trust Services;

二　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十四条の二又は第三百条の二において準用する金融商品取引法第三十九条第二項の規定に違反した者

(ii) Any person who has violated the provisions of Article 24-2 of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), or the provisions of Article 39, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 300-2.

三　第二百七十二条の二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

(iii) Any person who has submitted a written application for registration set forth in Article 272-2, paragraph (1) or a document set forth in the same Article, paragraph (2) which includes a false detail;

四　第二百七十五条第一項各号に掲げる者でない者であって、保険募集を行った者

(iv) Any person who is not any of the persons listed in the items of Article 275, paragraph (1) and has engaged in Insurance Solicitation;

五　不正の手段により第二百七十六条又は第二百八十六条の登録を受けた者

(v) A person who has obtained the registration set forth in Article 276 or Article 286 by wrongful means;

六　第二百九十一条第五項の規定に違反した者

(vi) Any person who has violated the provisions of Article 291, paragraph (5);

七　第三百条第一項の規定に違反して同項第一号から第三号までに掲げる行為をした者

(vii) Any person who, in violation of Article 300, paragraph (1), has acted as listed in item (i) to (iii) inclusive of the same paragraph;

八　第三百条の二において準用する金融商品取引法第三十七条の三第一項（第二号及び第六号を除く。）の規定に違反して、書面を交付せず、若しくは同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又は同条第二項において準用する同法第三十四条の二第四項に規定する方法により当該事項を欠いた提供若しくは虚偽の事項の提供をした者

(viii) Any person who, in violation of Article 37-3, paragraph (1) (except for items (ii) and (vi)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 300-2, has failed to deliver a document or has delivered a document that does not detail the particulars prescribed in the same paragraph or that includes false details; or any person who has provided information lacking said particulars or has provided false particulars by the method specified in Article 34-2, paragraph (4) of that Act as applied mutatis mutandis pursuant to paragraph (2) of that Article; and

九　第三百七条第一項の規定による業務の全部又は一部の停止の命令に違反した者

(ix) Any person who has violated the order for the full or partial suspension of business under the provisions of Article 307, paragraph (1).

十　第三百八条の四第一項の規定に違反して、その職務に関して知り得た秘密を漏らし、又は自己の利益のために使用した者

(x) Any person who, in violation of the provisions of Article 308-4, paragraph (1), has divulged any information learned in the course of his/her duties or has used such information for his/her own interest;

第三百十七条の三　前条第二号の場合において、犯人又は情を知った第三者が受けた財産上の利益は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

Article 317-3 In the case referred to in item (ii) in the preceding Article, the property interest received by the offender or a third person who knows the circumstances shall be confiscated. Where it is not possible to confiscate the whole or part of it, the value thereof shall be collected.

第三百十八条　第二百四十条の十、第二百四十七条の三又は第二百六十五条の二十一の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 318 Any person who has violated the provisions of Article 240-10, Article 247-3, or Article 265-21 shall be punished by imprisonment with work for not more than one year or a fine of not more than five hundred thousand yen.

第三百十八条の二　被調査会社の取締役、執行役、会計参与、監査役、会計監査人若しくは支配人その他の使用人又はこれらの者であった者が第二百四十条の九第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したときは、一年以下の懲役又は五十万円以下の罰金に処する。

Article 318-2 (1) When the director, executive officer, accounting advisor, company auditor, accounting auditor, or manager or other employee of a Company Being Investigated, or any person who has resigned from these positions has failed to make a report under the provisions of Article 240-9, paragraph (1), or has made a false report, or has refused, obstructed, or evaded the inspection under the provisions of the same paragraph, he/she shall be punished by imprisonment with work for not more than one year or a fine of not more than five hundred thousand yen.

２　被管理会社の取締役、執行役、会計参与、監査役、会計監査人若しくは支配人その他の使用人又はこれらの者であった者が第二百四十七条の二第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したときは、一年以下の懲役又は五十万円以下の罰金に処する。

(2) When the director, executive officer, accounting advisor, company auditor, accounting auditor, or manager or other employee of a Managed Company, or any person who has resigned from these positions has failed to make a report under the provisions of Article 247-2, paragraph (1), or has made a false report, or has refused, obstructed, or avoided the inspection under the provisions of the same paragraph, he/she shall be punished by imprisonment with work for not more than one year or a fine of not more than five hundred thousand yen.

第三百十九条　次の各号のいずれかに該当する者は、六月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 319 Any person who falls under any of the following items shall be punished by imprisonment with work for not more than six months or a fine of not more than five hundred thousand yen, or both:

一　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第十一条第八項の規定に違反して、供託を行わなかった者

(i) Any person who, in violation of the provisions of Article 11, paragraph (8) of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), has failed to Make a Deposit;

二　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十四条の二又は第三百条の二において準用する金融商品取引法第三十七条第一項（第二号を除く。）に規定する事項を表示せず、又は虚偽の表示をした者

(ii) Any person who has failed to indicate the particulars prescribed in the provisions of Article 24, paragraph (2) of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), or the provisions of paragraph (1) or Article 37, paragraph (1) (except for item (ii)) of the Financial Instruments and Exchange Act, as supplied mutatis mutandis pursuant to Article 300-2, or has indicated false particulars;

三　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十四条の二又は第三百条の二において準用する金融商品取引法第三十七条第二項の規定に違反した者

(iii) Any person who has violated the provisions of Article 24-2 of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applies mutatis mutandis pursuant to Article 199), or the provisions of Article 37, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 300-2;

四　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十四条の二において準用する金融商品取引法第三十七条の三第一項（第二号から第四号まで及び第六号を除く。）の規定に違反して、書面を交付せず、若しくは同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又は同条第二項において準用する同法第三十四条の二第四項に規定する方法により当該事項を欠いた提供若しくは虚偽の事項の提供をした者

(iv) Any person who, in violation of the provisions of Article 37-3, paragraph (1) (except for item (ii) to (iv) inclusive and item (vi)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 24-2 of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), has failed to deliver a document, or has delivered a document that does not detail the particulars prescribed in the same paragraph or a document that includes false details; or any person who has provided information lacking said particulars or has provided false particulars by the method specified in Article 34-2, paragraph (4) of that Act as applied mutatis mutandis pursuant to paragraph (2) of that Article;

五　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十六条第一項の規定による書面を交付せず、又は虚偽の書面を交付した者

(v) Any person who has failed to deliver a document under the provisions of Article 26, paragraph (1) of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), or has delivered a false document;

六　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十七条第一項の規定による報告書を交付せず、又は虚偽の記載をした報告書を交付した者

(vi) Any person who has failed to deliver a report under the provisions of Article 27, paragraph (1) of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), or has delivered a report that includes false details;

七　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十九条第三項の規定による書面を交付せず、又は虚偽の書面を交付した者

(vii) Any person who has failed to deliver a document under the provisions of Article 29, paragraph (3) of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), or has delivered a false document;

八　第百九十条第八項の規定に違反して、同項の不足額につき供託を行わなかった者

(viii) Any person who, in violation of Article 190, paragraph (8), has failed to Make a Deposit for the shortfall set forth in the same paragraph;

九　第二百二十三条第九項の規定に違反して、同項の不足額につき供託を行わなかった者

(ix) Any person who, in violation of Article 223, paragraph (9), has failed to Make a Deposit for the shortfall set forth in the same paragraph;

十　第二百七十二条の三十六第一項の承認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

(x) Any person who has submitted a written application for approval set forth in Article 272-36, paragraph (1) or a document set forth in paragraph (2) of the same Article in which he/she has included false details;

十一　第二百七十二条の五第八項の規定に違反して、同項の不足額につき供託を行わなかった者

(xi) Any person who, in violation of Article 272-5, paragraph (8), has failed to Make a Deposit for the shortfall set forth in the same paragraph;

十二　第二百九十一条第八項の規定に違反して、同項の不足額につき保証金の供託を行わなかった者

(xii) Any person who, in violation of Article 291, paragraph (8), has failed to deposit the security deposit for the shortfall set forth in the same paragraph; and

十三　第三百条の二において準用する金融商品取引法第三十七条の四第一項の規定による書面を交付せず、若しくは虚偽の記載をした書面を交付した者又は同条第二項において準用する同法第三十四条の二第四項に規定する方法により虚偽の事項の提供をした者

(xiii) Any person who has failed to deliver the document under the provisions of Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 300-2, or has delivered a document that includes false details; or a person or who has provided false particulars by the method specified in Article 34-2, paragraph (4) of that Act as applied mutatis mutandis pursuant to paragraph (2) of that Article.

第三百十九条の二　第三百八条の十一又は第三百八条の十三第九項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は、百万円以下の罰金に処する。

Article 319-2 Any person who has failed to prepare or preserve the records under Article 308-11 or Article 308-13, paragraph (9), or has prepared false records shall be punished by a fine of not more than one million yen.

第三百十九条の三　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 319-3 A person who falls under any of the following items shall be punished by a fine of not more than five hundred thousand yen:

一　第二百六十五条の四十六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

(i) Any person who has failed to submit the report or materials under the provisions of Article 265-46, or has submitted a false report or materials;

二　第二百六十五条の四十六の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、又は同条の規定による検査を拒み、妨げ、若しくは忌避した者

(ii) Any person who has failed to answer any question under the provisions of Article 265-46, or has made a false answer, or has refused, obstructed, or avoided the inspection under the provisions of the same Article;

三　第二百七十条の三第三項（第二百七十条の三の二第八項、第二百七十条の三の十四第二項、第二百七十条の四第七項及び第二百七十条の六の五第二項において準用する場合を含む。）、第二百七十条の三の三第三項、第二百七十条の三の四第四項、第二百七十条の三の六第二項、第二百七十条の三の七第二項、第二百七十条の三の八第二項、第二百七十条の六の七第二項、第二百七十条の六の八第三項（第二百七十条の六の九第三項において準用する場合を含む。）、第二百七十条の七第四項、第二百七十条の八第四項又は第二百七十条の八の三第二項の規定による報告をせず、又は虚偽の報告をした者

(iii) Any person who has failed to make a report under the provisions of Article 270-3, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 270-3-2, paragraph (8), Article 270-3-14, paragraph (2), Article 270-4, paragraph (7), and Article 270-6-5, paragraph (2)), Article 270-3-3, paragraph (3), Article 270-3-4, paragraph (4), Article 270-3-6, paragraph (2), Article 270-3-7, paragraph (2), Article 270-3-8, paragraph (2), Article 270-6-7, paragraph (2), Article 270-6-8, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 270-6-9, paragraph (3)), Article 270-7, paragraph (4), Article 270-8, paragraph (4), or Article 270-8-3, paragraph (2), or has made a false report;

四　第二百七十条の三の十の規定による報告をせず、又は虚偽の報告をした者

(iv) Any person who has failed to make a report under the provisions of Article 270-3-10, or has made a false report; and

五　第三百八条の二十三第一項の規定による認可を受けないで紛争解決等業務の全部若しくは一部の休止又は廃止をした者

(v) Any person who has suspended or abolished all or part of the Dispute Resolution Services, etc. without obtaining an authorization under Article 308-23, paragraph (1).

第三百二十条　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 320 A person who falls under any of the following items shall be punished by a fine of not more than three hundred thousand yen:

一　第百二条第一項（第百九十九条において準用する場合を含む。）の規定による認可を受けてしなければならない事項を認可を受けないでした者

(i) Any person who, without obtaining authorization, has acted with regard to particulars which require authorization under the provisions of Article 102, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 199);

一の二　第百二十二条の二第四項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した者

(i)-2 Any person who has failed to make a report under the provisions of Article 122-2, paragraph (4) or has made a false report, or has refused, obstructed, or avoided the inspection under the provisions of the same paragraph;

一の三　第二百六十五条の三十一第一項、第二百六十六条第二項（第二百六十七条第四項において準用する場合を含む。）、第二百六十七条第二項、第二百七十条の三の十一第二項、第二百七十条の六の二第二項、第二百七十条の六の六第二項又は第二百七十条の八の二第二項の規定による資料を提出せず、又は虚偽の資料を提出した者

(i)-3 Any person who has failed to submit the materials under the provisions of Article 265-31, paragraph (1), Article 266, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 267, paragraph (4)), Article 267, paragraph (2), Article 270-3-11, paragraph (2), Article 270-6-2, paragraph (2), Article 270-6-6, paragraph (2), and Article 270-8-2, paragraph (2), or has submitted false materials;

二　第二百七十七条第一項の登録申請書若しくは同条第二項の書類又は第二百八十七条第一項の登録申請書若しくは同条第二項の書類に虚偽の記載をして提出した者

(ii) Any person who has submitted a written application for registration set forth in Article 277, paragraph (1), a document set forth in the same Article, paragraph (2), a written application for registration set forth in Article 287, paragraph (1), or a document set forth in the same Article, paragraph (2) in which he/she has included false details;

三　第三百三条の規定に違反して、帳簿書類を備えず、これに同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った者

(iii) Any person who, in violation of Article 303, has failed to keep books and documents, has failed to enter the particulars prescribed in the same Article in the books and documents, has included false entries in the books and documents, or has failed to preserve the books and documents;

四　第三百四条の規定に違反して、同条に規定する書類を提出せず、又はこれに記載すべき事項を記載せず、若しくは虚偽の記載をしてこれを提出した者

(iv) Any person who has, in violation of Article 304, failed to submit the documents prescribed in the same Article, who has submitted documents in which he/she has failed to detail particulars that are required to be included, or who has submitted documents in which he/she has included false details;

五　第三百五条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

(v) Any person who has failed to submit the report or materials under the provisions of Article 305, or has submitted false reports or materials;

六　第三百五条の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、又は同条の規定による検査を拒み、妨げ、若しくは忌避した者

(vi) Any person who has failed to answer any question under the provisions of Article 305 or has made a false answer, or has refused, obstructed, or avoided the inspection under the provisions of the same Article; and

七　第三百六条の規定による命令に違反した者

(vii) Any person who has violated the order under the provisions of Article 306.

八　第三百八条の八第一項の規定による報告をせず、又は虚偽の報告をした者

(viii) Any person who has failed to make a report under Article 308-8, paragraph (1), or has made a false report;

九　第三百八条の十八第一項、第三百八条の十九又は第三百八条の二十三第二項の規定による届出をせず、又は虚偽の届出をした者

(ix) Any person who has failed to make a notification under Article 308-18, paragraph (1), Article 308-19 or Article 308-23, paragraph (2), or has made a false notification; and

十　第三百八条の二十三第三項又は第三百八条の二十四第四項の規定による通知をせず、又は虚偽の通知をした者

(x) Any person who has failed to make a notification under Article 308-23, paragraph (3) or Article 308-24, paragraph (4), or has made a false notification.

第三百二十一条　法人（法人で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又は財産に関し、次の各号に掲げる規定の違反行為をしたときは、その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 321 (1) When the representative person or agent of a juridical person (including an association or foundation that is not a juridical person and has provisions on representative persons or administrators; hereinafter the same shall apply in this paragraph) or representative, employee or other worker of a juridical person or individual has committed the violation set forth in the provisions listed in the following items with regard to the business or property of said juridical person or individual, not only the offender shall be punished but also said juridical person shall be punished by the fine prescribed respectively in those items, and said individual shall be punished by the fine prescribed in the respective Articles:

一　第三百十五条第五号若しくは第三百十六条第一号から第三号まで、第六号若しくは第七号　三億円以下の罰金刑

(i) Article 315, item (v), or Article 316, items (i) to (iii) inclusive, item (vi) or (vii); a fine of not more than three hundred million yen;

二　第三百十六条の二、第三百十六条の三（第二号を除く。）又は第三百十七条第一号から第三号まで、第七号若しくは第八号　二億円以下の罰金刑

(ii) Article 316-2, Article 316-3 (excluding item (ii)) or Article 317, items (i) to (iii) inclusive, items (vii) or (viii); a fine of not more than two hundred million yen;

三　第三百十七条の二第二号　一億円以下の罰金刑

(iii) Article 317-2, item (ii); a fine of not more than one hundred million yen; and

四　第三百十五条（第五号を除く。）、第三百十五条の二、第三百十六条第四号若しくは第五号、第三百十六条の三第二号、第三百十七条第四号から第六号まで、第三百十七条の二（第二号を除く。）又は第三百十八条の二から前条まで　各本条の罰金刑

(iv) Article 315 (except for item (v)), Article 315-2, Article 316, item (iv) or (v), Article 316-3, item (ii), Article 317, items (iv) to (vi) inclusive, Article 317-2 (except for item (ii)), or Article 318-2 to the preceding Article inclusive; a fine prescribed in the respective Articles.

２　法人でない社団又は財団について前項の規定の適用がある場合には、その代表者又は管理人がその訴訟行為につきその法人で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。

(2) In the case where the provisions of the preceding paragraph apply to an association or foundation that is not a juridical person, its representative person or administrator shall represent said association or foundation in any procedural acts, and the provisions of the Acts concerning criminal procedures in the cases where a juridical person is the accused or a suspect shall apply mutatis mutandis.

（取締役等の特別背任罪）

(Special Breach of Trust Crime of Director, etc.)

第三百二十二条　次に掲げる者が、自己若しくは第三者の利益を図り又は保険会社等に損害を加える目的で、その任務に背く行為をし、当該保険会社等に財産上の損害を加えたときは、十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 322 (1) When any of the following persons, for the purpose of promoting his/her own interest or the interest of a third party, or inflicting damage on an Insurance Company etc., engages in conduct in breach of his/her duty and causes financial loss to the Insurance Company, etc., he/she shall be punished by imprisonment with work for not more than ten years or a fine of not more than ten million yen, or both:

一　保険会社等の保険管理人又は保険計理人

(i) Insurance administrator or actuary of an Insurance Company, etc.;

二　相互会社の発起人

(ii) Incorporator of a Mutual Company;

三　相互会社の設立時取締役又は設立時監査役

(iii) Director or company auditor of a Mutual Company at the time of its incorporation;

四　相互会社の取締役、執行役、会計参与又は監査役

(iv) Director, executive officer, accounting advisor or company auditor of a Mutual Company;

五　民事保全法第五十六条に規定する仮処分命令により選任された相互会社の取締役、執行役又は監査役の職務を代行する者

(v) Acting director, executive officer or auditor of a Mutual Company who has been appointed pursuant to the provisional disposition order prescribed in Article 56 of the Civil Provisional Relief Act;

六　第五十三条の十二第二項、第五十三条の十五において準用する会社法第三百五十一条第二項、第五十三条の二十五第二項において準用する同法第四百一条第三項（第五十三条の二十七第三項において準用する場合を含む。）又は第五十三条の三十二において準用する同法第四百二十条第三項において準用する同法第四百一条第三項の規定により選任された一時取締役、会計参与、監査役、代表取締役、委員、執行役又は代表執行役の職務を行うべき者

(vi) Any person who shall carry out the duties of a temporary director, accounting advisor, company auditor, representative director, committee member, executive officer or representative executive officer who has been appointed pursuant to the provisions of Article 53-15, paragraph (2) of the Companies Act, as applied mutatis mutandis pursuant to Article 53-15, Article 401, paragraph (3) of that Act, as applied mutatis mutandis pursuant to Article 53-25, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 53-27, paragraph (3)) or Article 401, paragraph (3) of that Act, as applied mutatis mutandis pursuant to Article 420, paragraph (3) of that Act, as applied mutatis mutandis pursuant to Article 53-32;

七　相互会社の支配人

(vii) Manager of a Mutual Company;

八　事業に関するある種類又は特定の事項の委任を受けた相互会社の使用人

(viii) Employee of a Mutual Company to whom a type of particular or a specific particular of its business has been delegated; and

九　検査役（相互会社に係るものに限る。）

(ix) Inspector (limited to those pertaining to a Mutual Company).

２　次に掲げる者が、自己若しくは第三者の利益を図り又は清算相互会社に損害を加える目的で、その任務に背く行為をし、当該清算相互会社に財産上の損害を加えたときも、前項と同様とする。

(2) When any of the following persons, for the purpose of promoting his/her own interest or the interest of a third party, or inflicting damage on a liquidating mutual company, engages in conduct in breach of his/her duty and causes financial loss to the liquidating mutual company, the same punishment as in the preceding paragraph shall apply:

一　清算相互会社の清算人

(i) Liquidator of a liquidating mutual company;

二　民事保全法第五十六条に規定する仮処分命令により選任された清算相互会社の清算人の職務を代行する者

(ii) Acting liquidator of a liquidating mutual company who has been appointed pursuant to the provisional disposition order prescribed in Article 56 of the Civil Provisional Relief Act;

三　第百八十条の五第四項において準用する第五十三条の十二第二項の規定又は第百八十条の九第五項において準用する会社法第三百五十一条第二項の規定により選任された清算相互会社の一時清算人又は代表清算人の職務を行うべき者

(iii) Any person who shall carry out the duties of a temporary liquidator or Representative Liquidator of a liquidating mutual company who has been appointed pursuant to the provisions of Article 53-12, paragraph (2), as applied mutatis mutandis pursuant to Article 180-5, paragraph (4), or the provisions of Article 351, paragraph (2) of the Companies Act, as applied mutatis mutandis pursuant to Article 180-9, paragraph (5);

四　清算相互会社の清算人代理

(iv) Representative for a liquidator of a liquidating mutual company;

五　清算相互会社の監督委員

(v) Supervising committee member of a liquidating mutual company; and

六　清算相互会社の調査委員

(vi) Examination committee member of a liquidating mutual company.

３　前二項の未遂は、罰する。

(3) Any person who has attempted a crime set forth in the preceding two paragraphs shall be punished.

（代表社債権者等の特別背任罪）

(Special Breach of Trust Crime of Representative Bondholder, etc.)

第三百二十三条　相互会社の代表社債権者又は決議執行者（第六十一条の八第二項において準用する会社法第七百三十七条第二項に規定する決議執行者をいう。以下同じ。）が、自己若しくは第三者の利益を図り又は社債権者に損害を加える目的で、その任務に背く行為をし、社債権者に財産上の損害を加えたときは、五年以下の懲役若しくは五百万円以下の罰金に処し、又はこれを併科する。

Article 323 (1) When a representative bondholder or resolution executor (meaning a resolution executor prescribed in Article 737, paragraph (2) of the Companies Act, as applied mutatis mutandis pursuant to Article 61-8, paragraph (2); the same shall apply hereinafter) of a Mutual Company, for the purpose of promoting his/her own interest or the interest of a third party, or inflicting damage on a bondholder, engages in conduct in breach of his/her duty and causes financial loss to the bondholder, he/she shall be punished by imprisonment with work for not more than five years or a fine of not more than five million yen, or both.

２　前項の未遂は、罰する。

(2) Any person who has attempted the crime set forth in the preceding paragraph shall be punished.

（会社財産を危うくする罪）

(Crime of Endangerment to Corporate Assets)

第三百二十四条　保険業を営む株式会社（以下この編において「株式会社」という。）の保険管理人又は保険計理人は、次の各号のいずれかに該当する場合には、五年以下の懲役若しくは五百万円以下の罰金に処し、又はこれを併科する。

Article 324 (1) In the case where an insurance administrator of a Stock Company operating in the Insurance Business (hereinafter referred to in this Part as "Stock Company") or actuary falls under any of the following items, he/she shall be punished by imprisonment with work for not more than five years or a fine of not more than five million yen, or both:

一　会社法第百九十九条第一項第三号又は第二百三十六条第一項第三号に掲げる事項について、裁判所又は株主総会若しくは種類株主総会に対して虚偽の申述を行い、又は事実を隠ぺいしたとき。

(i) When he/she, regarding particulars listed in Article 199, paragraph (1), item (iii) or Article 236, paragraph (1), item (iii) of the Companies Act, has made a false statement or has concealed any fact from the court or shareholders' meeting or class shareholders' meeting;

二　何人の名義をもってするかを問わず、株式会社の計算において不正にその株式を取得し、又は質権の目的としてこれを受けたとき。

(ii) When he/she, irrespective of whether on behalf of him/herself or on someone else's behalf, has wrongfully acquired shares or has obtained shares for the purpose of pledging them on the account of a Stock Company;

三　法令又は定款の規定に違反して、剰余金の配当をしたとき。

(iii) When he/she has made a dividend of surplus in violation of laws and regulations or articles of incorporation; and

四　株式会社の目的の範囲外において、投機取引のために株式会社の財産を処分したとき。

(iv) When he/she has disposed the property of a Stock Company for the objective of speculative trading outside the scope of the purpose of the Stock Company.

２　相互会社の保険管理人、保険計理人、第三百二十二条第一項第二号から第九号までに掲げる者又は第三十条の十一第二項若しくは第七十九条第三項において準用する会社法第九十四条第一項の規定により選任された者は、次の各号のいずれかに該当する場合には、前項と同一の刑に処する。

(2) In the case where an insurance administrator of a Mutual Company, actuary, any person listed in Article 322, paragraph (1), items (ii) to (ix) inclusive, or any person appointed pursuant to the provisions of Article 94, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to Article 30-11, paragraph (2) or Article 79, paragraph (3), falls under any of the following items, he/she shall be punished by the same punishment as that of the preceding paragraph:

一　相互会社の設立の場合において社員の数、基金の総額の引受け若しくは基金の拠出に係る払込みについて、又は第二十四条第一項各号に掲げる事項について、裁判所又は創立総会に対して虚偽の申述を行い、又は事実を隠ぺいしたとき。

(i) When he/she, regarding the number of members, acceptance of the total amount of funds, or payment pertaining to the contribution of funds, or particulars listed in the items of Article 24, paragraph (1), in the case of the incorporation of a Mutual Company, has made a false statement or has concealed any fact from the court or Organizational Meeting;

二　法令又は定款の規定に違反して、基金の償却、基金利息の支払又は剰余金の分配をしたとき。

(ii) When he/she, in violation of laws and regulations or articles of incorporation, has depreciated the funds, paid interest on the funds, or distributed the surplus; and

三　相互会社の目的の範囲外において、投機取引のために相互会社の財産を処分したとき。

(iii) When he/she has disposed the property of a Mutual Company for the objective of speculative trading outside the scope of the purpose of the Mutual Company.

３　相互会社が株式会社となる組織変更をする場合において、相互会社の保険管理人、第三百二十二条第一項第四号から第六号まで若しくは第九号に掲げる者又は株式会社の取締役、会計参与、監査役若しくは執行役となるべき者が、株式の引受け、払込み若しくは金銭以外の財産の給付について、又は第九十二条第三号に掲げる事項について、内閣総理大臣若しくは裁判所又は社員総会若しくは総代会に対して虚偽の申述を行い、又は事実を隠ぺいしたときは、三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。

(3) When an insurance administrator of a Mutual Company, any of the persons listed in Article 322, paragraph (1), items (iv) to (vi) inclusive or item (ix), or any person who shall be the director, accounting advisor, company auditor or executive officer of a Stock Company, in the case of an Entity Conversion from a Mutual Company into a Stock Company, regarding the subscription or payment of shares or delivery of non-monetary property or particulars listed in Article 92, item (iii) has made a false statement or has concealed any fact from the Prime Minister or court, or from the general members' council or General Representative Members' Council, he/she shall be punished by imprisonment with work for not more than three years or a fine of not more than three million yen, or both.

４　株式会社が相互会社となる組織変更をする場合において、株式会社の保険管理人、取締役、会計参与、監査役、執行役、民事保全法第五十六条に規定する仮処分命令により選任された株式会社の取締役、会計参与、監査役若しくは執行役の職務を代行する者、会社法第三百四十六条第二項、第三百五十一条第二項若しくは第四百一条第三項（同法第四百三条第三項及び第四百二十条第三項において準用する場合を含む。）の規定により選任された一時取締役、会計参与、監査役、代表取締役、委員、執行役若しくは代表執行役の職務を行うべき者若しくは検査役又は相互会社の取締役、会計参与、監査役若しくは執行役となるべき者が、基金の総額の引受け若しくは基金の拠出に係る払込みについて、保険契約者総会又は保険契約者総代会に対して虚偽の申述を行い、又は事実を隠ぺいしたときも、前項と同様とする。

(4) When an insurance administrator, director, accounting advisor, company auditor or executive officer of a Stock Company, an acting director, accounting advisor, company auditor or executive officer of a Stock Company who has been appointed pursuant to the provisional disposition order prescribed in Article 56 of the Civil Provisional Relief Act, any person who shall carry out the duties of a temporary director, accounting advisor, company auditor, representative director, committee member, executive officer or representative executive officer who has been appointed pursuant to the provisions of Article 346, paragraph (2), Article 351, paragraph (2), or Article 401, paragraph (3) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 403, paragraph (3) and Article 420, paragraph (3)) or inspector, or any person who shall be the director, accounting advisor, company auditor or executive officer of a Mutual Company, in the case of an Entity Conversion from a Stock Company into a Mutual Company, regarding the acceptance of the total amount of funds or payment pertaining to the contribution of funds, has made a false statement or has concealed any fact from the policyholders meeting or General Council of Representative Policyholders, the same punishment as in the preceding paragraph shall apply.

（虚偽文書行使等の罪）

(Crime of Using False Documents, etc.)

第三百二十五条　第三百二十二条第一項第一号から第八号までに掲げる者又は基金若しくは相互会社の社債（第六十一条に規定する社債をいう。）を引き受ける者の募集の委託を受けた者が、株式、基金、新株予約権、社債（第六十一条に規定する社債及び会社法第二条第二十三号に規定する社債をいう。以下この項において同じ。）又は新株予約権付社債を引き受ける者の募集をするに当たり、保険会社等の事業その他の事項に関する説明を記載した資料若しくは当該募集の広告その他の当該募集に関する文書であって重要な事項について虚偽の記載のあるものを行使し、又はこれらの書類の作成に代えて電磁的記録の作成がされている場合における当該電磁的記録であって重要な事項について虚偽の記録のあるものをその募集の事務の用に供したときは、五年以下の懲役若しくは五百万円以下の罰金に処し、又はこれを併科する。

Article 325 (1) When any of the persons listed in Article 322, paragraph (1), items (i) to (viii) inclusive or any person who has been entrusted with the solicitation of funds or subscribers to the bonds of a Mutual Company (meaning bonds prescribed in Article 61), in soliciting subscribers for the shares, funds, share options, bonds (meaning bonds prescribed in Article 61 and bonds prescribed in Article 2, item (xxiii) of the Companies Act; hereinafter the same shall apply in this paragraph), or bonds with a share option, has used materials explaining the business of an Insurance Company, etc. or other particulars or an advertisement or other documents related to said subscription which include a false detail with regard to an important particular, or has offered electromagnetic records that include a false record with regard to an important particular for carrying out affairs for said solicitation for subscription in the case where electromagnetic records have been created in lieu of said documents, he/she shall be punished by imprisonment with work for not more than five years or a fine of not more than five million yen, or both.

２　相互会社の社債（第六十一条に規定する社債をいう。）の売出しを行う者が、その売出しに関する文書であって重要な事項について虚偽の記載のあるものを行使し、又は当該文書の作成に代えて電磁的記録の作成がされている場合における当該電磁的記録であって重要な事項について虚偽の記録のあるものをその売出しの事務の用に供したときも、前項と同様とする。

(2) When any person who offers the bonds of a Mutual Company (meaning bonds prescribed in Article 61) has used documents concerning the secondary distribution which include a false detail with regard to an important particular, or has offered electromagnetic records that include a false record with regard to an important particular for carrying out affairs for said secondary distribution in the case where electromagnetic records have been created in lieu of said documents, the same punishment as in the preceding paragraph shall apply.

３　相互会社が株式会社となる組織変更をする場合において、相互会社の保険管理人又は第三百二十二条第一項第四号から第八号までに掲げる者が、第九十二条の規定による株式を引き受ける者の募集をするに当たり、組織変更後の株式会社の事業その他の事項に関する説明を記載した資料若しくは当該募集の広告その他の当該募集に関する文書であって重要な事項について虚偽の記載のあるものを行使し、又はこれらの書類の作成に代えて電磁的記録の作成がされている場合における当該電磁的記録であって重要な事項について虚偽の記録のあるものをその募集の事務の用に供したときも、第一項と同様とする。

(3) When an insurance administrator of a Mutual Company or any persons listed in Article 322, paragraph (1), items (iv) to (viii) inclusive, in the case of an Entity Conversion from a Mutual Company into a Stock Company, in soliciting subscribers for the shares prescribed in Article 92, has used materials explaining the business of the Stock Company following the Entity Conversion or other matters or an advertisement or other documents related to said subscription which include a false detail with regard to an important particular, or has offered electromagnetic records that include a false record with regard to an important particular for carrying out affairs for said solicitation for subscription in the case where electromagnetic records have been created in lieu of said documents, the same punishment as in paragraph (1) shall apply.

４　株式会社が相互会社となる組織変更をする場合において、株式会社の保険管理人、取締役、会計参与、監査役、執行役、民事保全法第五十六条に規定する仮処分命令により選任された株式会社の取締役、監査役若しくは執行役の職務を代行する者、会社法第三百四十六条第二項、第三百五十一条第二項若しくは第四百一条第三項（同法第四百三条第三項及び第四百二十条第三項において準用する場合を含む。）の規定により選任された一時取締役、会計参与、監査役、代表取締役、委員、執行役若しくは代表執行役の職務を行うべき者又は支配人その他営業に関するある種類若しくは特定の事項の委任を受けた使用人が、第七十八条第一項の規定による基金の募集に当たり、基金の募集の広告その他基金の募集に関する文書であって重要な事項について虚偽の記載のあるものを行使し、又はこれらの書類の作成に代えて電磁的記録の作成がされている場合における当該電磁的記録であって重要な事項について虚偽の記録のあるものをその募集の事務の用に供したときも、第一項と同様とする。

(4) When an insurance administrator, director, accounting advisor, company auditor or executive officer of a Stock Company, an acting director, company auditor or executive officer of a Stock Company who has been appointed pursuant to the provisional disposition order prescribed in Article 56 of the Civil Provisional Relief Act, any person who shall carry out the duties of a temporary director, accounting advisor, company auditor, representative director, committee member, executive officer or representative executive officer who has been appointed pursuant to the provisions of Article 346, paragraph (2), Article 351, paragraph (2), or Article 401, paragraph (3) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 403, paragraph (3) and Article 420, paragraph (3) of that Act) or manager or an employee who has been entrusted with a type of particular or a specific particular of its other operations, in soliciting the funds prescribed in Article 78, paragraph (1), in the case of an Entity Conversion from a Stock Company into a Mutual Company, has used an advertisement or other documents related to the subscription of funds which include a false detail with regard to an important particular, or has offered electromagnetic records that include a false detail with regard to an important particular for carrying out affairs for said solicitation for subscription in the case where electromagnetic records have been created in lieu of said documents, the same punishment as in paragraph (1) shall apply.

（預合いの罪）

(Crime of Fake Payment)

第三百二十六条　第三百二十二条第一項第一号から第八号までに掲げる者が、基金の拠出に係る払込み又は株式の払込みを仮装するため預合いを行ったときは、五年以下の懲役若しくは五百万円以下の罰金に処し、又はこれを併科する。預合いに応じた者も、同様とする。

Article 326 (1) When any of the persons listed in Article 322, paragraph (1), items (i) to (viii) inclusive has made a fake payment to give the false appearance of a payment to fund contributions or payment for shares, he/she shall be punished by imprisonment with work for not more than five years or a fine of not more than five million yen, or both. The same shall apply to any person who has acted as a party to such fake payment.

２　相互会社が株式会社となる組織変更をする場合において、前条第三項に規定する者が、第九十二条の規定による募集に係る株式の払込みを仮装するため預合いを行ったときも、前項と同様とする。預合いに応じた者も、同様とする。

(2) When any of the persons prescribed in the preceding Article, paragraph (3), in the case of an Entity Conversion from a Mutual Company into a Stock Company, has made a fake payment to give a false appearance of payment for shares pertaining to subscription under the provisions of Article 92, the same punishment as in the preceding paragraph shall apply. The same shall apply to any person who has acted as a party to such fake payment.

３　株式会社が相互会社となる組織変更をする場合において、前条第四項に規定する者が、第七十八条第三項において準用する第三十条の三第一項の払込みを仮装するため預合いを行ったときも、第一項と同様とする。預合いに応じた者も、同様とする。

(3) When any of the persons prescribed in the preceding Article, paragraph (4), in the case of an Entity Conversion from a Stock Company into a Mutual Company, has made a fake payment to give a false appearance of payment set forth in Article 30-3, paragraph (1), as applied mutatis mutandis pursuant to Article 78, paragraph (3), the same punishment as in paragraph (1) shall apply. The same shall apply to any person who has acted as a party to such fake payment.

（株式の超過発行の罪）

(Crime of Over Issuance of Shares)

第三百二十七条　株式会社の保険管理人が、株式会社が発行することができる株式の総数を超えて株式を発行したときは、五年以下の懲役又は五百万円以下の罰金に処する。

Article 327 When an insurance administrator of a Stock Company has issued an aggregate number of shares exceeding the total number of shares that a Stock Company may issue, he/she shall be punished by imprisonment with work for not more than five years or a fine of not more than five million yen.

（取締役等の贈収賄罪）

(Crime of Bribery of Director, etc.)

第三百二十八条　次に掲げる者が、その職務に関し、不正の請託を受けて、財産上の利益を収受し、又はその要求若しくは約束をしたときは、五年以下の懲役又は五百万円以下の罰金に処する。

Article 328 (1) When any of the following persons has accepted, or requested or promised a property benefit based on an unlawful request concerning his/her duties, he/she shall be punished by imprisonment with work for not more than five years or a fine of not more than five million yen:

一　第三百二十二条第一項各号又は第二項各号に掲げる者

(i) Any person listed in the items of Article 322, paragraph (1) or the items of paragraph (2);

二　第三百二十三条に規定する者

(ii) Any person prescribed in Article 323;

三　相互会社の会計監査人又は第五十三条の十二第四項の規定により選任された一時会計監査人の職務を行うべき者

(iii) Accounting auditor of a Mutual Company or any person who shall carry out the duties of a temporary accounting auditor who has been appointed pursuant to the provisions of Article 53-12, paragraph (4); and

四　保険会社の保険調査人

(iv) Insurance inspector of an Insurance Company.

２　前項の利益を供与し、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。

(2) Any person who has given, or offered or promised to give the benefit set forth in the preceding paragraph shall be punished by imprisonment with work for not more than three years or a fine of not more than three million yen.

（社員等の権利の行使に関する贈収賄罪）

(Crime of Bribery Concerning Exercise of Rights of Members, etc.)

第三百二十九条　次に掲げる事項に関し、不正の請託を受けて、財産上の利益を収受し、又はその要求若しくは約束をした者は、五年以下の懲役又は五百万円以下の罰金に処する。

Article 329 (1) Any person who, concerning the following particulars, has accepted, or requested or promised a property benefit based on an unlawful request shall be punished by imprisonment with work for not more than five years or a fine of not more than five million yen:

一　相互会社の社員総会、総代会、創立総会、社債権者集会若しくは債権者集会、株式会社が第六十八条第一項の組織変更をする場合の保険契約者総会若しくは保険契約者総代会又は外国相互会社の債権者集会における発言又は議決権の行使

(i) The making of remarks or exercise of voting rights at a general members' council meeting, General Representative Members' Council Meeting, Organizational Meeting, bondholders meeting or creditors meeting of a Mutual Company, policyholders meeting or General Council of Representative Policyholders in the case where a Stock Company shall carry out the Entity Conversion set forth in Article 68, paragraph (1), or creditors meeting of a Foreign Mutual Company;

二　第三十八条第一項若しくは第二項、第三十九条、第四十条第一項、第四十五条第一項モシクハ第二項、第四十六条、第四十七条第一項、第五十条第一項若しくは第二項、第五十三条の十五において準用する会社法第三百五十八条第一項（第二号を除く。）若しくは第三百六十条第一項、第五十三条の三十二において準用する同法第四百二十二条第一項、第五十三条の三十六において準用する同法第四百二十六条第五項、第百八十条の五第二項若しくは第百八十条の八第四項において準用する同法第三百六十条第一項に規定する社員若しくは総代の権利の行使、第百八十四条において準用する同法第五百十一条第一項若しくは第五百二十二条第一項に規定する社員若しくは債権者の権利の行使又は第百八十四条において準用する同法第五百四十七条第一項若しくは第三項に規定する債権者の権利の行使

(ii) The exercise of rights of a member or representative member prescribed in Article 38, paragraph (1) or (2), Article 39, Article 40, paragraph (1), Article 45, paragraph (1) or (2), Article 46, Article 47, paragraph (1), Article 50, paragraph (1) or (2), Article 358, paragraph (1) (except for item (ii)) or Article 360, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to Article 53-15, Article 422, paragraph (1) of the same Act, as applied mutatis mutandis pursuant to Article 53-32, Article 426, paragraph (5) of the same Act, as applied mutatis mutandis pursuant to Article 53-36, or Article 360, paragraph (1) of the same Act, as applied mutatis mutandis pursuant to Article 180-5, paragraph (2) or Article 180-8, paragraph (4); or the exercise of rights of a member or obligee prescribed in Article 511, paragraph (1) or Article 522, paragraph (1) of the same Act, as applied mutatis mutandis pursuant to Article 184; or the exercise of rights of an obligee prescribed in Article 547, paragraph (1) or (3) of the same Act, as applied mutatis mutandis pursuant to Article 184;

三　社員総数の千分の五、千分の三若しくは千分の一以上に相当する数若しくは三千名若しくは千名以上の社員（特定相互会社にあっては、第三十八条第一項、第三十九条第一項又は第五十条第一項に規定する政令で定める数以上の社員）、九名若しくは三名以上の総代又は相互会社における社債（第六十一条に規定する社債をいう。以下この号において同じ。）の総額（償還済みの額を除く。）の十分の一以上に当たる社債を有する社債権者の権利の行使

(iii) The exercise of rights of an aggregate number of members that corresponds to five thousandths, three thousandths, one thousandth or more of the total number of members or three thousand or one thousand or more members (in the case of a Specified Mutual Company, the number of members specified by Cabinet Order prescribed in Article 38, paragraph (1), Article 39, paragraph (1) or Article 50, paragraph (1) or more), nine or three or more representative members, or a bondholder who holds bonds equivalent to one-tenth or more of the total amount (excluding the amount of bonds which have been redeemed) of bonds of a Mutual Company (meaning the bonds prescribed in Article 61; hereinafter the same shall apply in this item);

四　この法律又はこの法律において準用する会社法に規定する訴えの提起（相互会社の社員又は債権者がするものに限る。）

(iv) The filing of litigation prescribed in this Act or the Companies Act, as applied mutatis mutandis pursuant to this Act (limited to those filed by a member or an obligee of a Mutual Company); and

五　この法律において準用する会社法第八百四十九条第一項の規定による社員の訴訟参加

(v) The intervention by a member under the provisions of Article 849, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to this Act.

２　前項の利益を供与し、又はその申込み若しくは約束をした者も、同項と同様とする。

(2) The same punishment as in the preceding paragraph shall apply to any person who has given, or offered or promised to give the benefit set forth in the same paragraph.

（没収及び追徴）

(Confiscation and Collection of Equivalent Value)

第三百三十条　第三百二十八条第一項又は前条第一項の場合において、犯人の収受した利益は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

Article 330 In the case referred to in Article 328, paragraph (1) or the preceding Article, paragraph (1), a benefit accepted by an offender shall be confiscated. When the whole or a part of the benefit cannot be confiscated, an equivalent sum of money shall be collected.

（株主等の権利の行使に関する利益供与の罪）

(Crime of Benefit Sharing Concerning Exercise of Rights of Shareholder, etc.)

第三百三十一条　保険会社等の保険管理人又は第三百二十二条第一項第四号から第七号までに掲げる者若しくはその他の相互会社の使用人が、株主又は社員若しくは総代の権利の行使に関し、当該保険会社等又はその子会社（会社法第二条第三号に規定する子会社（保険会社等が相互会社であるときは、その実質子会社）をいう。第三項において同じ。）の計算において財産上の利益を供与したときは、三年以下の懲役又は三百万円以下の罰金に処する。

Article 331 (1) When an insurance administrator of an Insurance Company, etc., or any of the persons listed in Article 322, paragraph (1), items (iv) to (vii) inclusive or other employee of a Mutual Company, concerning the exercise of rights of a shareholder or member or representative member, has given a property benefit with regards to the account of the Insurance Company, etc. or its Subsidiary Company (meaning the Subsidiary Company prescribed in Article 2, item (iii) of the Companies Act (its de facto Subsidiary Company in the case where the Insurance Company, etc. is a Mutual Company); the same shall apply in paragraph (3)), he/she shall be punished by imprisonment with work for not more than three years or a fine of not more than three million yen.

２　情を知って、前項の利益の供与を受け、又は第三者にこれを供与させた者も、同項と同様とする。

(2) The same punishment as in the preceding paragraph shall apply to any person who, with knowledge, has been given the benefit set forth in the same paragraph or has caused a third party to give such benefit.

３　株主又は社員若しくは総代の権利の行使に関し、保険会社等又はその子会社の計算において第一項の利益を自己又は第三者に供与することを同項に規定する者に要求した者も、同項と同様とする。

(3) The same punishment as in paragraph (1) shall apply to any person who, concerning the exercise of rights of a shareholder or member or representative member, has requested the person prescribed in the same paragraph to give the benefit set forth in the same paragraph to him/her or to a third party with regards to the account of the Insurance Company, etc. or its Subsidiary.

４　前二項の罪を犯した者が、その実行について第一項に規定する者に対し威迫の行為をしたときは、五年以下の懲役又は五百万円以下の罰金に処する。

(4) When any person who has committed a crime set forth in the preceding two paragraphs has intimidated a person prescribed in paragraph (1) regarding the execution of the crime, he/she shall be punished by imprisonment with work for not more than five years or a fine of not more than five million yen.

５　前三項の罪を犯した者には、情状により、懲役及び罰金を併科することができる。

(5) Imprisonment with work and fines may be imposed cumulatively, pursuant to the circumstances, on any person who has committed a crime set forth in the preceding three paragraphs.

６　第一項の罪を犯した者が自首したときは、その刑を減軽し、又は免除することができる。

(6) When any person who has committed a crime set forth in paragraph (1) has surrendered himself/herself to authorities, the punishment thereof may be reduced or remitted.

（国外犯）

(Crimes Committed Outside Japan)

第三百三十一条の二　第三百二十二条から第三百二十四条まで、第三百二十六条、第三百二十七条、第三百二十八条第一項、第三百二十九条第一項及び前条第一項の罪は、日本国外においてこれらの罪を犯した者にも適用する。

Article 331-2 (1) The crimes set forth in Article 322 to 324 inclusive, Article 326, Article 327, Article 328, paragraph (1), Article 329, paragraph (1) and the preceding Article, paragraph (1) shall also apply to any person who has committed these crimes outside Japan.

２　第三百二十八条第二項、第三百二十九条第二項及び前条第二項から第四項までの罪は、刑法第二条の例に従う。

(2) The crimes set forth in Article 328, paragraph (2), Article 329, paragraph (2), and the preceding Article, paragraph (2) to (4) inclusive shall be governed by Article 2 of the Penal Code.

（法人における罰則の適用）

(Application of Penal Provisions to Juridical Person)

第三百三十二条　第三百二十二条から第三百二十七条まで、第三百二十八条第一項、第三百二十九条第一項又は第三百三十一条第一項に規定する者が法人であるときは、これらの規定並びに第三百二十二条第三項及び第三百二十三条第二項の規定は、その行為をした取締役、執行役その他業務を執行する役員又は支配人に対してそれぞれ適用する。

Article 332 When a person prescribed in Article 322 to 327 inclusive, Article 328, paragraph (1), Article 329, paragraph (1), or Article 331, paragraph (1) is a juridical person, said provisions and the provisions of Article 322, paragraph (3) and Article 323, paragraph (2) shall respectively apply to the director, executive officer, other officer who executes business, or manager who has acted in the relevant way.

（虚偽届出等の罪）

(Crime of False Notification, etc.)

第三百三十二条の二　第六十七条の二又は第二百十七条第三項において準用する会社法第九百五十五条第一項の規定に違反して、調査記録簿等（同項に規定する調査記録簿等をいう。以下この条において同じ。）に同項に規定する電子公告調査に関し法務省令で定めるものを記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は同項の規定に違反して調査記録簿等を保存しなかった者は、三十万円以下の罰金に処する。

Article 332-2 Any person who, in violation of Article 955, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to Article 67-2 or Article 217, paragraph (3), has failed to detail or record what is specified by Ordinance of the Ministry of Justice concerning the Investigation of Electronic Public Notice prescribed in the same paragraph in the registry of studies, etc. (meaning the registry of studies, etc. prescribed in the same paragraph; hereinafter the same shall apply in this Article), who has included a false detail or record in the registry of studies, etc., or who has not preserved the registry of studies, etc., in violation of the same paragraph, shall be punished by a fine of not more than three hundred thousand yen.

（両罰規定）

(Dual Liability)

第三百三十二条の三　法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、同条の刑を科する。

Article 332-3 When a representative person of a juridical person, or an agent, employee or other worker of a juridical person or individual, has committed the violation set forth in the preceding Article with regard to the business of said juridical person or individual, not only the offender shall be punished but also said juridical person or individual shall be punished by the punishment prescribed in the same Article.

（過料に処すべき行為）

(Acts Which Shall be Punishable by Non-Criminal Fine)

第三百三十三条　保険会社等の発起人、設立時取締役、設立時執行役、設立時監査役、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、会計監査人若しくはその職務を行う社員、清算人、第百四十四条第一項（第二百七十二条の三十第二項において準用する場合を含む。）に規定する受託会社、保険管理人、保険調査人、会社法第五百二十五条第一項（第百八十四条において準用する場合を含む。）の清算人代理、同法第五百二十七条第一項（第百八十四条において準用する場合を含む。）の監督委員、同法第五百三十三条（第百八十四条において準用する場合を含む。）の調査委員、民事保全法第五十六条に規定する仮処分命令により選任された取締役、執行役、監査役若しくは清算人の職務を代行する者、第三百二十二条第一項第六号若しくは会社法第九百六十条第一項第五号に規定する一時取締役、会計参与、監査役、代表取締役、委員、執行役若しくは代表執行役の職務を行うべき者、第三百二十二条第二項第三号若しくは同法第九百六十条第二項第三号に規定する一時清算人若しくは代表清算人の職務を行うべき者、第三百二十八条第一項第三号若しくは同法第九百六十七条第一項第三号に規定する一時会計監査人の職務を行うべき者、検査役、株主名簿管理人、社債原簿管理人、社債管理者、事務を承継する社債管理者、代表社債権者、決議執行者若しくは支配人、外国保険会社等の日本における代表者、清算人、第二百十一条において準用する第百四十四条第一項に規定する受託会社、保険管理人、保険調査人若しくは支配人、免許特定法人及び引受社員を日本において代表する者、外国保険会社等と第百九十条第三項の契約を締結した者、免許特定法人と第二百二十三条第三項の契約を締結した者若しくは少額短期保険業者と第二百七十二条の五第三項の契約を締結した者、機構の役員、保険議決権大量保有者（保険議決権大量保有者が保険議決権大量保有者でなくなった場合における当該保険議決権大量保有者であった者を含み、保険議決権大量保有者が法人（第二条の二第一項第一号に掲げる法人でない団体を含む。第六十四号及び第七十号を除き、以下この項において同じ。）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、代表者、支配人、業務を執行する社員又は清算人）、保険主要株主若しくは少額短期保険主要株主（保険主要株主又は少額短期保険主要株主が保険主要株主又は少額短期保険主要株主でなくなった場合における当該保険主要株主又は少額短期保険主要株主であった者を含み、保険主要株主又は少額短期保険主要株主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、代表者、支配人、業務を執行する社員又は清算人）、特定主要株主若しくは特定少額短期主要株主（特定主要株主又は特定少額短期主要株主が保険会社等の主要株主基準値以上の数の議決権の保有者でなくなった場合における当該特定主要株主又は特定少額短期主要株主であった者を含み、特定主要株主又は特定少額短期主要株主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、代表者、支配人、業務を執行する社員又は清算人）、保険持株会社若しくは少額短期保険持株会社（保険持株会社又は少額短期保険持株会社が保険持株会社又は少額短期保険持株会社でなくなった場合における当該保険持株会社又は少額短期保険持株会社であった会社を含む。）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、支配人若しくは清算人又は特定持株会社若しくは特定少額短期持株会社（特定持株会社又は特定少額短期持株会社が保険会社等を子会社とする持株会社でなくなった場合における当該特定持株会社又は特定少額短期持株会社であった会社を含む。）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、支配人、業務を執行する社員若しくは清算人は、次の各号のいずれかに該当する場合には、百万円以下の過料に処する。ただし、その行為について刑を科すべきときは、この限りでない。

Article 333 (1) If the incorporator of an Insurance Company, etc., the director at the time of the incorporation of said Insurance Company, etc., its executive officer at the time of incorporation, company auditor at the time of incorporation, its director, executive officer, or accounting advisor, or the member who is to act as such; its company auditor or accounting auditor or the member who is to act as such; its liquidator; its Entrusted Company as prescribed in Article 144, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-30, paragraph (2)); its insurance administrator or insurance inspector; its liquidator representative as set forth in Article 525, paragraph (1) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 184); its supervising committee member as set forth in Article 527, paragraph (1) of the same Act (including the cases where it is applied mutatis mutandis pursuant to Article 184); its examination committee member as set forth in Article 533 of the same Act (including the cases where it is applied mutatis mutandis pursuant to Article 184); the person who is to act as its director, executive officer, company auditor, or liquidator and who has been appointed pursuant to a provisional disposition order prescribed in Article 56 of the Civil Provisional Remedies Act; the person who is to act as its temporary director, accounting advisor, company auditor, representative director, committee member, executive officer, or representative executive officer as prescribed in Article 322, paragraph (1), item (vi) or in Article 960, paragraph (1), item (v) of the Companies Act; the person who is to act as its temporary liquidator or Representative Liquidator as prescribed in Article 322, paragraph (2), item (iii) or in Article 960, paragraph (2), item (iii) of the same Act; the person who is to act as its temporary accounting auditor as prescribed in Article 328, paragraph (1), item (iii) or Article 967, paragraph (1), item (iii) of the same Act; its inspector, the administrator of its shareholder registry, the administrator of its bond registry, its bond administrator, the bond administrator succeeding to its affairs, its representative bondholder, its resolution executor, or its manager; the Representative Person in Japan of a Foreign Insurance Company, etc., the liquidator of said Foreign Insurance Company, its Entrusted Company as prescribed in Article 144, paragraph (1), as applied mutatis mutandis pursuant to Article 211, or its insurance administrator, insurance inspector, or manager; the person representing a licensed Specified Juridical Person and its subscription members in Japan; a person who has concluded a contract set forth in Article 190, paragraph (3) with a Foreign Insurance Company, etc., a person who has concluded a contract set forth in Article 223, paragraph (3) with a licensed Specified Juridical Person, or a person who has concluded a contract set forth in Article 272-5, paragraph (3) with a Low-Cost, Short-Term Insurer; the officer of a Corporation; a Large-Volume Holder of Insurance Company Voting Rights (including the person who used to be the relevant Large-Volume Holder of Insurance Company Voting Rights, if said Large-Volume Holder of Insurance Company Voting Rights has ceased to be a Large-Volume Holder of Insurance Company Voting Rights, and if the Large-Volume Holder of Insurance Company Voting Rights is a juridical person (including organizations without juridical personality which are listed in Article 2-2, paragraph (1), item (i); hereinafter the same applies in this paragraph except for items (lxiv) and (lxx)), this means its director, executive officer, or accounting advisor, or the member who is to act as such; its company auditor, representative person, or manager, the member who executes its business, or its liquidator); an Insurance Company's Major Shareholder or a Low-Cost, Short-Term Insurer's Major Shareholder (including the person who used to be the relevant Insurance Company's Major Shareholder or Low-Cost, Short-Term Insurer's Major Shareholder, if said Insurance Company's Major Shareholder or Low-Cost, Short-Term Insurer's Major Shareholder has ceased to be the Insurance Company's Major Shareholder or Low-Cost, Short-Term Insurer's Major Shareholder, and if the Insurance Company's Major Shareholder or Low-Cost, Short-Term Insurer's Major Shareholder is a juridical person, this means its director, executive officer, or accounting advisor, or the member who is to act as such, its company auditor, representative person, or manager, the member who executes its business, or its liquidator); a Specified Major Shareholder or Low-Cost, Short-Term Insurer's Specified Major Shareholder (including the person who used to be the relevant Specified Major Shareholder or Low-Cost, Short-Term Insurer's Specified Major Shareholder, if said Specified Major Shareholder or Low-Cost, Short-Term Insurer's Specified Major Shareholder has ceased to be a person that holds a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold, etc., and if the Specified Major Shareholder or Low-Cost, Short-Term Insurer's Specified Major Shareholder is a juridical person, this means its director, executive officer, or accounting advisor, or the member who is to act as such, its company auditor, representative person, or manager, the member who executes its business, or its liquidator); the director, executive officer, or accounting advisor of an Insurance Holding Company or Low-Cost, Short-Term Insurance Holding Company (including the company that used to be the relevant Insurance Holding Company or Low-Cost, Short-Term Insurance Holding Company, if said Insurance Holding Company or Low-Cost, Short-Term Insurance Holding Company has ceased to be an Insurance Holding Company or Low-Cost, Short-Term Insurance Holding Company), or the member who is to act as such; or its company auditor, its manager, or its liquidator; or the director, executive officer, or accounting advisor of a Specified Holding Company or Specified Low-Cost, Short-Term Insurance Holding Company (including the company that used to be the relevant Specified Holding Company or Specified Low-Cost, Short-Term Insurance Holding Company, if said Specified Holding Company or Specified Low-Cost, Short-Term Insurance Holding Company has ceased to have an Insurance Company, etc. as its Subsidiary), or the member who is to act as such; or its company auditor, its manager, the member who executes its business, or its liquidator falls under any of the following items, he/she shall be subject to a non-criminal fine of not more than one million yen; provided, however, that this does not apply if a criminal punishment is to be imposed for the relevant action:

一　削除

(i) (Deleted);

二　第八条第一項、第百九十二条第五項又は第二百七十二条の十第一項の規定に違反して他の会社の常務に従事したとき。

(ii) When he/she has engaged in the day-to-day business of another company, in violation of Article 8, paragraph (1), Article 192, paragraph (5) or Article 272-10, paragraph (1);

三　この法律又はこの法律において準用する会社法の規定による登記を怠ったとき。

(iii) When he/she has failed to complete his/her registration under the provisions of this Act or the Companies Act, as applied mutatis mutandis pursuant to this Act;

四　この法律若しくはこの法律において準用する会社法の規定による公告若しくは通知をすることを怠ったとき、又は不正の公告若しくは通知をしたとき。

(iv) When he/she has failed to give public notice or notice under the provisions of this Act or the Companies Act, as applied mutatis mutandis pursuant to this Act, or has given an unauthorized public notice or notice;

五　この法律又はこの法律において準用する会社法の規定による開示をすることを怠ったとき。

(v) When he/she has failed to make a disclosure under the provisions of this Act or the Companies Act, as applied mutatis mutandis pursuant to this Act;

六　この法律又はこの法律において読み替えて準用する会社法の規定に違反して、正当な理由がないのに、書類若しくは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若しくは謄写又は書類の謄本若しくは抄本の交付、電磁的記録に記録された事項を電磁的方法により提供すること若しくはその事項を記載した書面の交付を拒んだとき。

(vi) When he/she, in violation of this Act or the Companies Act, as applied mutatis mutandis pursuant to this Act after a deemed replacement, has refused, without justifiable grounds, to allow the inspection of documents or of an object that shows, by a method specified by Cabinet Office Ordinance, the particulars recorded in electromagnetic records, or has refused to issue a certified copy or extract of a document, to provide the particulars that are recorded in an electromagnetic record by electromagnetic means, or to issue a document detailing such particulars;

七　この法律又はこの法律において準用する会社法の規定による調査を拒み、妨げ、又は忌避したとき。

(vii) When he/she has refused, obstructed, or evaded an inspection under the provisions of this Act or the Companies Act, as applied mutatis mutandis pursuant to this Act;

八　この法律又はこの法律において準用する会社法に規定する事項について、官庁、社員総会、総代会、創立総会、保険契約者総会、保険契約者総代会、社債権者集会又は債権者集会に対し、虚偽の申述を行い、又は事実を隠ぺいしたとき。

(viii) When he/she, regarding particulars prescribed in this Act or the Companies Act, as applied mutatis mutandis pursuant to this Act, has made a false statement or has concealed any fact from a government agency, general members' council, General Representative Members' Council, Organizational Meeting, policyholders meeting, General Council of Representative Policyholders, bondholders meeting, or creditors meeting;

九　定款、社員総会、総代会、創立総会、取締役会、重要財産委員会、委員会、監査役会、保険契約者総会、保険契約者総代会、社債権者集会若しくは債権者集会の議事録、社員の名簿、会計帳簿、貸借対照表、損益計算書、事業報告、第五十四条の三第二項若しくは第百八十条の十七において準用する会社法第四百九十四条第一項の附属明細書、会計参与報告、監査報告、会計監査報告、決算報告、社債原簿、財産目録、事務報告又は第六十一条の五において準用する同法第六百八十二条第一項若しくは第六百九十五条第一項、第百六十五条の二第一項、第百六十五条の九第一項、第百六十五条の十三第一項、第百六十五条の十五第一項、第百六十五条の十九第一項若しくは第百六十五条の二十一第一項の書面若しくは電磁的記録に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、又は虚偽の記載若しくは記録をしたとき。

(ix) When he/she has failed to detail or record the particulars that are required to be detailed or recorded or has included a false detail or record in the articles of incorporation, minutes of general members' council meeting, General Representative Members' Council Meeting, Organizational Meeting, board of directors, committee on important property, Committees, board of company auditors, policyholders meeting, General Council of Representative Policyholders, bondholders meeting or creditors meeting, roster of members, accounting books, balance sheet, profit and loss statement, business report, annexed detailed statement of Article 494, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to Article 54-3, paragraph (2) or Article 180-17, accounting advisory report, audit report, accounting auditing report, statement of accounts, bond registry, inventory of property, business report, or document or electromagnetic record set forth in Article 682, paragraph (1) or Article 695, paragraph (1), Article 165-2, paragraph (1), Article 165-9, paragraph (1), Article 165-13, paragraph (1), Article 165-15, paragraph (1), Article 165-19, paragraph (1) or Article 165-21, paragraph (1) of the same Act, as applied mutatis mutandis pursuant to Article 61-5;

十　この法律又はこの法律において準用する会社法の規定に違反して、帳簿又は書類若しくは書面若しくは電磁的記録を備え置かなかったとき。

(x) When he/she has failed to keep books or documents or a statement or electromagnetic record in violation of this Act or the Companies Act, as applied mutatis mutandis pursuant to this Act;

十一　正当な理由がないのに、社員総会、総代会、創立総会、保険契約者総会又は保険契約者総代会において、社員になろうとする者、社員、総代又は保険契約者の求めた事項について説明をしなかったとき。

(xi) When he/she, without justifiable grounds, has failed to explain the particulars with regard to which a person who seeks to be a member or a member, representative member, or Policyholder has requested an explanation at the general members' council meeting, General Representative Members' Council Meeting, Organizational Meeting, policyholders meeting or General Council of Representative Policyholders;

十二　第十五条、第五十六条から第五十九条まで、第九十一条第四項、第百十二条第二項（第百九十九条において準用する場合を含む。）又は第百十五条（第百九十九条及び第二百七十二条の十八において準用する場合を含む。）の規定に違反して、準備金若しくは積立金を計上せず、若しくは積み立てず、又はこれらを取り崩したとき。

(xii) When he/she, in violation of Article 15, Article 56 to 59 inclusive, Article 91, paragraph (4), Article 112, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 199) or Article 115 (including the cases where it is applied mutatis mutandis pursuant to Articles 199 and 272-18), has failed to report any Reserves or reserves funds, or has failed to make Reserves, or has withdrawn from such Reserves;

十三　第十七条第二項若しくは第四項（これらの規定を第五十七条第四項において準用する場合を含む。）、第七十条第二項若しくは第四項（第百六十五条の七第四項（第百六十五条の十二において準用する場合を含む。）において準用する場合を含む。）、第七十七条第四項、第八十八条第二項若しくは第四項（第百六十五条の十七第四項（第百六十五条の二十において準用する場合を含む。）において準用する場合を含む。）、第百三十七条第一項から第三項まで（これらの規定を第二百十条第一項（第二百七十条の四第九項において準用する場合を含む。）、第二百七十条の四第九項及び第二百七十二条の二十九において準用する場合を含む。）、第百六十五条の七第二項（第百六十五条の十二において準用する場合を含む。）、第百六十五条の十七第二項（第百六十五条の二十において準用する場合を含む。）、第百六十五条の二十四第二項若しくは第四項、第百七十三条の四第二項若しくは第四項、第二百四十条の十二第一項から第三項まで、第二百五十一条第一項（第二百七十条の四第九項において準用する場合を含む。）、第二百五十五条第一項又は第二百五十五条の四第一項から第三項までの規定に違反して、資本金若しくは準備金の額の減少若しくは基金償却積立金の取崩し、組織変更、保険契約者総代会の設置、保険契約の移転、合併、会社分割、第二百四十条の二第一項に規定する契約条件の変更又は第二百五十条第一項に規定する契約条件の変更をしたとき。

(xiii) When he/she, in violation of Article 17, paragraph (2) or (4) (including the cases where the provisions are applied mutatis mutandis pursuant to Article 57, paragraph (4)), Article 70, paragraph (2) or (4) (including the cases where it is applied mutatis mutandis pursuant to Article 165-7, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 165-12)), Article 77, paragraph (4), Article 88, paragraph (2)or (4) (including the cases where it is applied mutatis mutandis pursuant to Article 165-17, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20)), Article 137, paragraphs (1) to (3) inclusive (including the cases where the provisions are applied mutatis mutandis pursuant to Article 210, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 270-4, paragraph (9)), Article 270-4, paragraph (9) and Article 272-29), Article 165-7, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 165-12), Article 165-17, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 165-20), Article 165-24, paragraph (2) or (4), Article 173-4, paragraph (2) or (4) Article 240-12, paragraphs (1) to (3) inclusive, Article 251, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 270-4, paragraph (9)), Article 255, paragraph (1), or Article 255-4, paragraphs (1) to (3) inclusive, has reduced the amount of capital or reserves or withdrawn from depreciation reserves for redemption of funds, has made an Entity Conversion, established a General Council of Representative Policyholders, transferred an insurance contract, conducted a merger, split a company, amended the contract conditions prescribed in Article 240-2, paragraph (1), or amended the contract conditions prescribed in Article 250, paragraph (1);

十四　第三十九条第一項又は第四十六条第一項の規定による請求があった場合において、その請求に係る事項を社員総会又は総代会の目的としなかったとき。

(xiv) When he/she has failed to make the particulars of a request under Article 39, paragraph (1) or Article 46, paragraph (1) the purpose of a general members' council meeting or General Representative Members' Council Meeting in the case where such a request has been made;

十五　第四十条第二項若しくは第四十七条第二項において準用する会社法第三百七条第一項第一号の規定若しくは第五十三条の十五において準用する同法第三百五十九条第一項第一号の規定による裁判所の命令又は第四十一条第一項若しくは第四十九条第一項において準用する同法第二百九十六条第一項の規定に違反して、社員総会又は総代会を招集しなかったとき。

(xv) When he/she has failed to call a general members' council meeting or General Representative Members' Council Meeting in violation of a court order under the provisions of Article 307, paragraph (1), item (i) of the Companies Act, as applied mutatis mutandis pursuant to Article 40-2, paragraph (2) or Article 47, paragraph (2) or the provisions of Article 359, paragraph (1), item (i) of the same Act, as applied mutatis mutandis pursuant to Article 53-15, or Article 296, paragraph (1) of the same Act, as applied mutatis mutandis pursuant to Article 41, paragraph (1) or Article 49, paragraph (1);

十六　第四十一条第一項において準用する会社法第三百一条若しくは第三百二条の規定、第四十八条の規定又は第五十四条の五（第五十四条の十第六項において準用する場合を含む。）の規定に違反して、社員総会又は総代会の招集の通知に際し、書類若しくは書面を交付せず、又は電磁的方法により情報を提供しなかったとき。

(xvi) When he/she, in violation of the provisions of Articles 301 or 302 of the Companies Act, as applied mutatis mutandis pursuant to Article 41, paragraph (1), or the provisions of Article 48 or the provisions of Article 54-5 (including the cases where it is applied mutatis mutandis pursuant to Article 54-10, paragraph (6)), has failed to issue a document or statement, or has failed to provide information by electromagnetic means in giving a notice of convocation for a general members' council meeting or General Representative Members' Council Meeting;

十七　取締役、会計参与、監査役、執行役又は会計監査人がこの法律又は定款で定めたその員数を欠くこととなった場合において、その選任（一時会計監査人の職務を行うべき者の選任を含む。）の手続をすることを怠ったとき。

(xvii) When he/she has failed to carry out the procedure for the appointment of a director, accounting advisor, company auditor, executive officer or accounting auditor (including the appointment of any person who shall carry out the duties of a temporary accounting auditor) in the case where his/her number shall fall short of the number specified by this Act or the articles of incorporation;

十八　第五十三条の五第三項の規定に違反して、社外監査役を監査役の半数以上に選任しなかったとき。

(xviii) When he/she has failed to appoint half or more outside company auditors as company auditors in violation of Article 53-5, paragraph (3);

十九　第五十三条の十一において準用する会社法第三百四十三条第二項又は第三百四十四条第二項の規定による請求があった場合において、その請求に係る事項を社員総会若しくは総代会の目的とせず、又はその請求に係る議案を社員総会若しくは総代会に提出しなかったとき。

(xix) When he/she has failed to make particulars of a request under Article 343, paragraph (2) or Article 344, paragraph (2) of the Companies Act, as applied mutatis mutandis pursuant to Article 53-11 the purpose of a general members' council meeting or General Representative Members' Council Meeting in the case where such a request has been made, or has failed to submit a proposal pertaining to such a request to the general members' council meeting or General Representative Members' Council Meeting;

二十　第五十三条の十五において準用する会社法第三百六十五条第二項（第五十三条の三十二において準用する同法第四百十九条第二項において準用する場合を含む。）の規定又は第百八十条の十四第九項において準用する同法第三百六十五条第二項の規定に違反して、取締役会若しくは清算人会に報告せず、又は虚偽の報告をしたとき。

(xx) When he/she, in violation of the provisions of Article 365, paragraph (2) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 419, paragraph (2) of the same Act, as applied mutatis mutandis pursuant to Article 53-32), as applied mutatis mutandis pursuant to Article 53-15, or the provisions of Article 365, paragraph (2) of the same Act, as applied mutatis mutandis pursuant to Article 180-14, paragraph (9), has failed to make a report to a board of directors or board of liquidators, or has made a false report;

二十一　第五十三条の十九第三項の規定に違反して、常勤の監査役を選定しなかったとき。

(xxi) When he/she has failed to select full-time company auditors in violation of Article 53-19, paragraph (3);

二十二　社債（第六十一条に規定する社債をいう。）の発行の日前に社債券を発行したとき。

(xxii) When he/she has issued debenture shares prior to the date of the issuance of bonds (meaning bonds prescribed in Article 61);

二十三　第六十一条の五において準用する会社法第六百九十六条の規定に違反して、遅滞なく社債券を発行しなかったとき。

(xxiii) When he/she has failed to issue debenture shares without delay in violation of Article 696 of the Companies Act, as applied mutatis mutandis pursuant to Article 61-5;

二十四　社債券に記載すべき事項を記載せず、又は虚偽の記載をしたとき。

(xxiv) When he/she has failed to detail the particulars that are required to be included on the debenture shares, or has included a false detail on the debenture shares

二十五　第六十一条の六の規定に違反して社債（第六十一条に規定する社債をいう。）を発行し、又は第六十一条の七第八項において準用する会社法第七百十四条第一項の規定に違反して事務を承継する社債管理者を定めなかったとき。

(xxv) When he/she, in violation of Article 61-6, has issued bonds (meaning bonds prescribed in Article 61), or, in violation of Article 714, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to Article 61-7, paragraph (8), has failed to prescribe a bond administrator who shall succeed to the affairs;

二十六　第六十七条の二又は第二百十七条第三項において準用する会社法第九百四十一条の規定に違反して、同条の調査を求めなかったとき。

(xxvi) When he/she, in violation of Article 941 of the Companies Act, as applied mutatis mutandis pursuant to Article 67-2 or Article 217, paragraph (3), has failed to seek the investigation set forth in the same Article;

二十七　第六十九条、第七十八条又は第八十六条の規定に違反して組織変更をしたとき。

(xxvii) When he/she has made an Entity Conversion in violation of Article 69, Article 78 or Article 86;

二十八　第九十八条第二項若しくは第九十九条第四項前段若しくは第五項（これらの規定を第百九十九条において準用する場合を含む。）の規定に違反して認可を受けないでこれらの規定に規定する業務を行ったとき、又は第二百七十二条の十一第二項ただし書の規定に違反して承認を受けないで同項ただし書に規定する業務を行ったとき。

(xxviii) When he/she, in violation of Article 98, paragraph (2) or Article 99, paragraph (4), first sentence or paragraph (5) (including the cases where the provisions are applied mutatis mutandis pursuant to Article 199), has conducted business prescribed in these provisions without obtaining authorization, or, in violation of the proviso of Article 272-11, paragraph (2), has conducted business prescribed in the proviso of the same paragraph without obtaining approval;

二十九　第九十九条第四項後段（第百九十九条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、認可を受けないで同項後段に規定する業務の内容又は方法を変更したとき。

(xxix) When he/she, in violation of Article 99, paragraph (4), second sentence (including the cases where it is applied mutatis mutandis pursuant to Article 199; hereinafter the same shall apply in this item), has changed the content or method of the business prescribed in the second sentence of the same paragraph without obtaining authorization;

三十　第百条（第百九十九条において準用する場合を含む。）、第二百七十一条の二十一第一項、第二百七十二条の十一第二項又は第二百七十二条の三十八第一項の規定に違反して他の業務を行ったとき。

(xxx) When he/she has conducted any other business in violation of Article 100 (including the cases where it is applied mutatis mutandis pursuant to Article 199), Article 271-21, paragraph (1), Article 272-11, paragraph (2) or Article 272-38, paragraph (1);

三十一　第百条の四（第二百七十二条の十三第二項において準用する場合を含む。）、第二百七十一条の十九の二第三項又は第二百七十二条の三十七の二第二項の規定に違反して、持分会社の無限責任社員又は業務を執行する社員となったとき。

(xxxi) When he/she, in violation of Article 100-4 (including the cases where it is applied mutatis mutandis pursuant to Article 272-13, paragraph (2)), Article 271-19-2, paragraph (3), or Article 272-37-2, paragraph (2), has become an unlimited partner or a partner who executes the business of a membership company;

三十二　第百六条第一項の規定に違反して同項に規定する子会社対象会社以外の会社（第百七条第一項に規定する国内の会社を除く。）を子会社としたとき、又は第二百七十二条の十四第一項の規定に違反して同項に規定する内閣府令で定める業務を専ら営む会社以外の会社を子会社としたとき。

(xxxii) When he/she, in violation of Article 106, paragraph (1), has made a company other than the a Company Eligible to Be a Subsidiary prescribed in the same paragraph (except for the Japanese company prescribed in Article 107, paragraph (1)) a Subsidiary, or, in violation of Article 272-14, paragraph (1), has made a company other than the company that exclusively operates in the business specified by Cabinet Office Ordinance prescribed in the same paragraph its Subsidiary;

三十三　第百六条第四項の規定による内閣総理大臣の認可を受けないで同項に規定する子会社対象保険会社等を子会社としたとき、若しくは同条第六項において準用する同条第四項の規定による内閣総理大臣の認可を受けないで同条第一項各号に掲げる会社を当該各号のうち他の号に掲げる会社（同条第四項に規定する子会社対象保険会社等に限る。）に該当する子会社としたとき又は第二百七十二条の十四第二項の規定による内閣総理大臣の承認を受けないで同項に規定する内閣府令で定める業務を専ら営む会社を子会社としたとき。

(xxxiii) When he/she has made an Insurance Company, etc. Eligible to Be a Subsidiary prescribed in Article 106, paragraph (4) a Subsidiary without obtaining the authorization of the Prime Minister under the provisions of the same paragraph or has made a company listed in the items of the same Article, paragraph (1) into a Subsidiary that falls under any of the companies listed in another of these items (limited to an Insurance Company, etc. Eligible to Be a Subsidiary prescribed in the same Article, paragraph (4)) without obtaining the authorization of the Prime Minister under the provisions of the same Article, paragraph (4), as applied mutatis mutandis pursuant to the same Article, paragraph (6), or has made a company that exclusively operates in the business specified by Cabinet Office Ordinance prescribed in the same paragraph a Subsidiary without obtaining the approval of the Prime Minister under the provisions of Article 272-14, paragraph (2);

三十四　第百七条第一項又は第二項ただし書の規定に違反したとき。

(xxxiv) When he/she has violated Article 107, paragraph (1) or the proviso of paragraph (2);

三十五　第百七条第三項又は第五項の規定により付した条件に違反したとき。

(xxxv) When he/she has violated the conditions imposed pursuant to the provisions of Article 107, paragraph (3) or (5);

三十六　第百十六条又は第百十七条（これらの規定を第百九十九条及び第二百七十二条の十八において準用する場合を含む。）の規定に違反して、責任準備金又は支払備金を積み立てなかったとき。

(xxxvi) When he/she, in violation of Articles 116 or 117 (including the cases where the provisions are applied mutatis mutandis pursuant to Articles 199 and 272-18), has failed to reserves policy reserves or reserves for outstanding claims;

三十七　第百十八条第二項（第百九十九条において準用する場合を含む。）の規定に違反して同項各号に掲げる行為をしたとき。

(xxxvii) When he/she has acted as listed in the items of Article 118, paragraph (2), in violation of the same paragraph (including the cases where it is applied mutatis mutandis pursuant to Article 199);

三十八　第百二十条第一項（第百九十九条及び第二百七十二条の十八において準用する場合を含む。）の規定に違反して、保険計理人の選任手続をせず、若しくは第百二十条第二項（第百九十九条及び第二百七十二条の十八において準用する場合を含む。）の内閣府令で定める要件に該当する者でない者を保険計理人に選任し、又は第百二十条第三項（第百九十九条及び第二百七十二条の十八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、同項の規定による届出をしなかったとき。

(xxxviii) When he/she, in violation of Article 120, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Articles 199 and 272-18), has failed to carry out the procedures for the appointment of an actuary or has appointed a person who fails to satisfy the requirements specified by Cabinet Office Ordinance set forth in Article 120, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Articles 199 and 272-18) to the position of actuary, or, in violation of Article 120, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Articles 199 and 272-18; hereinafter the same shall apply in this item), has failed to give the notification under the provisions of the same paragraph;

三十九　第百二十二条（第百九十九条及び第二百七十二条の十八において準用する場合を含む。）、第百九十条第四項、第二百二十三条第四項、第二百四十二条第三項、第二百五十八条第一項若しくは第二百七十二条の五第四項の規定による命令又は第百三十二条第一項、第二百四条第一項、第二百三十条第一項、第二百四十条の三、第二百四十一条第一項若しくは第二百七十二条の二十五第一項の規定による命令（業務の全部又は一部の停止の命令を除くものとし、改善計画の提出を求めることを含む。）に違反したとき。

(xxxix) When he/she has violated the order under the provisions of Article 122 (including the cases where it is applied mutatis mutandis pursuant to Articles 199 and 272-18, Article 190, paragraph (4), Article 223, paragraph (4), Article 242, paragraph (3), Article 258, paragraph (1) or Article 272-5, paragraph (4), or the order under the provisions of Article 132, paragraph (1), Article 204, paragraph (1), Article 230, paragraph (1), Article 240-3, Article 241, paragraph (1) or Article 272-25, paragraph (1) (including orders for the submission of improvement programs, except orders for the whole or partial suspension of business);

四十　第百二十三条第一項（第二百七条において準用する場合を含む。）又は第二百二十五条第一項の規定による認可を受けないで、これらの規定に規定する書類に定めた事項の変更をしたとき。

(xl) When he/she has modified the particulars prescribed in the documents prescribed in the provisions under Article 123, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 207) or Article 225, paragraph (1) without obtaining the authorization under these provisions;

四十一　第百二十三条第二項（第二百七条において準用する場合を含む。）若しくは第二百二十五条第二項の規定による届出をせず、又は第百二十五条第一項（第二百七条及び第二百二十五条第三項において準用する場合を含む。）に規定する期間（第百二十五条第二項又は第三項（これらの規定を第二百七条及び第二百二十五条第三項において準用する場合を含む。）の規定により当該期間が短縮され、又は延長された場合にあっては、当該短縮又は延長後の期間）内に第百二十三条第一項（第二百七条において準用する場合を含む。）若しくは第二百二十五条第一項の内閣府令で定める事項を変更したとき。

(xli) When he/she has failed to give the notification under the provisions of Article 123, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 207) or Article 225, paragraph (2), or has modified the particulars specified by Cabinet Office Ordinance set forth in Article 123, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 207) or Article 225, paragraph (1) within a period of time prescribed in Article 125, paragraph (1) (the shortened or extended period of time in the case where said period of time has been shortened or extended under the provisions of Article 125, paragraph (2) or (3) (including the cases where the provisions are applied mutatis mutandis pursuant to Article 207 and Article 225, paragraph (3))) (including the cases where it is applied mutatis mutandis pursuant to Article 207 and Article 225, paragraph (3));

四十二　第百二十五条第四項（第二百七条及び第二百二十五条第三項において準用する場合を含む。）又は第二百七十二条の二十第四項の規定による変更又は届出の撤回の命令に違反したとき。

(xlii) When he/she has violated the order for the revocation of change or notification under the provisions of Article 125, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 207 and Article 225, paragraph (3)) or Article 272-20, paragraph (4);

四十三　第百二十七条第一項、第二百九条、第二百十八条第一項、第二百三十四条、第二百三十九条、第二百七十一条の三十二第一項若しくは第二項、第二百七十二条の二十一第一項又は第二百七十二条の四十二第一項若しくは第二項の規定による届出をせず、又は虚偽の届出をしたとき。

(xliii) When he/she has failed to give the notification under the provisions of Article 127, paragraph (1), Article 209, Article 218, paragraph (1), Article 234, Article 239, Article 271-32, paragraph (1) or (2), Article 272-21, paragraph (1), or Article 272-42, paragraph (1) or (2), or has given a false notification;

四十四　第百三十一条、第二百三条、第二百二十九条又は第二百七十二条の二十四第一項若しくは第二項の規定による命令に違反したとき。

(xliv) When he/she has violated the order under the provisions of Article 131, Article 203, Article 229, or Article 272-24, paragraph (1) or (2);

四十五　第百三十六条（第二百十条第一項（第二百七十条の四第九項において準用する場合を含む。次号において同じ。）、第二百七十条の四第九項及び第二百七十二条の二十九において準用する場合を含む。）の規定に違反して保険契約の移転の手続をしたとき。

(xlv) When he/she, in violation of Article 136 (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 270-4, paragraph (9); the same shall apply in the following item), Article 270-4, paragraph (9) and Article 272-29), has carried out the procedure for the transfer of an insurance contract;

四十六　第百三十八条（第二百十条第一項、第二百七十条の四第九項及び第二百七十二条の二十九において準用する場合を含む。）の規定に違反して保険契約の締結をしたとき。

(xlvi) When he/she has concluded an insurance contract in violation of Article 138 (including the cases where it is applied mutatis mutandis pursuant to Article 210, paragraph (1), Article 270-4, paragraph (9) and Article 272-29);

四十七　第百七十六条の規定に違反して、書類若しくは書面若しくは電磁的記録を提出せず、又は当該書類若しくは書面若しくは電磁的記録に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をして、これらを提出したとき。

(xlvii) When he/she, in violation of Article 176, has failed to submit a document or statement or electromagnetic record, or has submitted a document or statement or electromagnetic record in which he/she has failed to detail or record the particulars that must be detailed or recorded or in which he/she has included a false detail or record;

四十八　第百八十条の十第一項の規定に違反して、破産手続開始の申立てをすることを怠り、又は第百八十四条において準用する会社法第五百十一条第二項の規定に違反して、特別清算開始の申立てをすることを怠ったとき。

(xlviii) When he/she, in violation of Article 180-10, paragraph (1), has failed to file a petition for the commencement of bankruptcy proceedings, or, in violation of Article 511, paragraph (2) of the Companies Act, as applied mutatis mutandis pursuant to Article 184, has failed to file a petition for the commencement of special liquidation;

四十九　第百八十一条の規定に違反して財産を処分したとき。

(xlix) When he/she has disposed of property in violation of Article 181;

五十　清算の結了を遅延させる目的をもって、第百八十一条の二において準用する会社法第四百九十九条第一項の期間を不当に定めたとき。

(l) When he/she has unjustifiably prescribed the period of time set forth in Article 499, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to Article 181-2, for the purpose of delaying the completion of the liquidation;

五十一　第百八十一条の二において準用する会社法第五百条第一項の規定又は第百八十四条において準用する同法第五百三十七条第一項の規定に違反して債務の弁済をしたとき。

(li) When he/she has performed obligations in violation of the provisions of Article 500, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to Article 181-2, or the provisions of Article 537, paragraph (1) of the same Act, as applied mutatis mutandis pursuant to Article 184;

五十二　第百八十一条の二において準用する会社法第五百二条の規定に違反して、清算相互会社の財産を分配したとき。

(lii) When he/she has distributed the property of a liquidating mutual company in violation of Article 502 of the Companies Act, as applied mutatis mutandis pursuant to Article 181-2;

五十三　第百八十四条において準用する会社法第五百三十五条第一項又は第五百三十六条第一項の規定に違反したとき。

(liii) When he/she has violated Article 535, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to Article 184, or Article 536, paragraph (1);

五十四　第百八十四条において準用する会社法第五百四十条第一項若しくは第二項又は第五百四十二条の規定による保全処分に違反したとき。

(liv) When he/she has violated the temporary restraining order under the provisions of Article 540, paragraph (1) or (2) of the Companies Act, as applied mutatis mutandis pursuant to Article 184, or Article 542;

五十五　第百九十七条の規定に違反して、同条に規定する合計額に相当する資産を日本において保有しないとき。

(lv) When he/she, in violation of Article 197, has failed to hold assets in Japan of an amount corresponding to the total amount prescribed in the same Article;

五十六　第二百十三条において準用する会社法第八百二十七条第一項の規定による裁判所の命令に違反したとき。

(lvi) When he/she has violated a court order under the provisions of Article 827, paragraph (1)of the Companies Act, as applied mutatis mutandis pursuant to Article 213;

五十七　第二百十八条第二項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とき。

(lvii) When he/she has failed to submit reports or materials under the provisions of Article 218, paragraph (2), or has submitted false reports or materials;

五十八　第二百四十条の八第二項の期限までに調査の結果の報告をしないとき。

(lviii) When he/she has failed to report the findings of the study by the due date set forth in Article 240-8, paragraph (2);

五十九　第二百四十一条第三項の規定に違反して、申出をせず、又は虚偽の申出をしたとき。

(lix) When he/she, in violation of Article 241, paragraph (3), has failed to make a proposal, or has made a false proposal;

六十　第二百四十二条第二項の規定により内閣総理大臣が選任した保険管理人に事務の引渡しをしないとき。

(lx) When he/she has failed to transfer tasks to an insurance administrator who has been appointed by the Prime Minister pursuant to the provisions of Article 242, paragraph (2);

六十一　第二百四十三条第二項の規定に違反して、正当な理由がないのに、保険管理人となることを拒否したとき。

(lxi) When he/she, without justifiable grounds, has refused to be an insurance administrator in violation of Article 243, paragraph (2);

六十二　第二百四十八条第一項の規定により同項に規定する管理を命ずる処分が取り消されたにもかかわらず、第二百四十二条第一項に規定する被管理会社の取締役、執行役又は清算人に事務の引渡しをしないとき。

(lxii) When he/she has failed to transfer tasks to a director, executive officer or liquidator of a Managed Company prescribed in Article 242, paragraph (1), notwithstanding the rescission of the disposition that orders the management prescribed in Article 248, paragraph (1) pursuant to the same paragraph;

六十三　第二百七十一条の三第一項、第二百七十一条の四第一項、第三項若しくは第四項、第二百七十一条の五第一項若しくは第二項、第二百七十一条の六、第二百七十一条の七、第二百七十一条の十第三項、第二百七十一条の十八第二項若しくは第四項、第二百七十二条の三十一第三項又は第二百七十二条の三十五第二項若しくは第四項の規定による提出若しくは届出をせず、又は虚偽の提出若しくは届出をしたとき。

(lxiii) When he/she has failed to make the submission or give the notification under the provisions of Article 271-3, paragraph (1), Article 271-4, paragraph (1), (3) or (4), Article 271-5, paragraph (1) or (2), Article 271-6, Article 271-7, Article 271-10, paragraph (3), Article 271-18, paragraph (2) or (4), Article 272-31, paragraph (3), or Article 272-35, paragraph (2)or (4), or has made a false submission or gave a false notification;

六十四　第二百七十一条の十第一項の規定による内閣総理大臣の認可を受けないで、同項各号に掲げる取引若しくは行為により保険会社の主要株主基準値以上の数の議決権の保有者になったとき又は保険会社の主要株主基準値以上の数の議決権の保有者である会社その他の法人を設立したとき。

(lxiv) When he/she, without obtaining authorization from the Prime Minister under Article 271-10, paragraph (1), has become the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold or has established a company or any other juridical person that is the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold through any of the transactions or actions listed in the items of that paragraph;

六十五　第二百七十一条の十第二項の規定に違反して同項に規定する猶予期限日を超えて保険会社の主要株主基準値以上の数の議決権の保有者であったとき。

(lxv) When he/she, in violation of Article 271-10, paragraph (2) was the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold beyond the Last Day of the Grace Period provided for in the same paragraph;

六十六　第二百七十一条の十第四項の規定による命令に違反して保険会社の主要株主基準値以上の数の議決権の保有者であったとき又は第二百七十一条の十六第二項の規定に違反して同項に規定する内閣総理大臣が指定する期間を超えて保険会社の主要株主基準値以上の数の議決権の保有者であったとき。

(lxvi) When he/she, in violation of the order under the provisions of Article 271-10, paragraph (4), was the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold, or, in violation of Article 271-16, paragraph (2) was the holder of a number of voting rights in an Insurance Company equal to or exceeding the Major Shareholder Threshold upon exceeding the period designated by the Prime Minister prescribed in the same paragraph;

六十七　第二百七十一条の十四（第二百七十二条の三十四第一項において準用する場合を含む。）、第二百七十一条の十五、第二百七十一条の十六第一項（第二百七十二条の三十四第一項において準用する場合を含む。）又は第二百七十一条の二十九（第二百七十二条の四十第二項において準用する場合を含む。）の規定による命令（改善計画の提出を求めることを含む。）に違反したとき。

(lxvii) When he/she has violated the order (including orders for the submission of improvement programs) under the provisions of Article 271-14 (including the cases where it is applied mutatis mutandis pursuant to Article 272-34, paragraph (1)), Article 271-15, Article 271-16, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 272-34, paragraph (1)), or Article 271-29 (including the cases where it is applied mutatis mutandis pursuant to Article 272-40, paragraph (2));

六十八　第二百七十一条の二十二第一項の規定による財務大臣の承認を受けないで、同項各号に掲げる会社以外の会社を子会社としたとき。

(lxviii) When he/she, without obtaining the approval of the Minister of Finance prescribed in Article 271-22, paragraph (1), has made a company other than the companies listed in the items of the same paragraph a Subsidiary;

六十九　第二百七十二条の十九第一項若しくは第二項の規定による届出若しくは提出をせず、又は第二百七十二条の二十第一項に規定する期間（同条第二項又は第三項の規定により当該期間が短縮され、又は延長された場合にあっては、当該短縮又は延長後の期間）内に第二百七十二条の十九第一項に規定する書類に定めた事項を変更したとき。

(lxix) When he/she has failed to give the notification or make the submission under the provisions of Article 272-19, paragraph (1) or (2) or has modified the particulars prescribed in the documents prescribed in the provisions under Article 272-19, paragraph (1) within a period of time prescribed in Article 272-20, paragraph (1) (the shortened or extended period of time in the case where said period of time has been shortened or extended under the provisions of the same Article, paragraph (2) or (3));

七十　第二百七十二条の三十一第一項の規定による内閣総理大臣の承認を受けないで、同項各号に掲げる取引若しくは行為により少額短期保険業者の主要株主基準値以上の数の議決権の保有者になったとき、又は少額短期保険業者の主要株主基準値以上の数の議決権の保有者である会社その他の法人を設立したとき。

(lxx) When he/she, without obtaining authorization from the Prime Minister under Article 272-31, paragraph (1), has, through any of the transactions or actions listed in the items of the same paragraph, become the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold , or has incorporated a company or formed another juridical person that is the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold;

七十一　第二百七十二条の三十一第二項の規定に違反して同項に規定する猶予期限日を超えて少額短期保険業者の主要株主基準値以上の数の議決権の保有者であったとき。

(lxxi) When he/she, in violation of Article 272-31, paragraph (2), was the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold beyond the Last Day of the Grace Period provided for in the same paragraph;

七十二　第二百七十二条の三十一第四項の規定による命令に違反して少額短期保険業者の主要株主基準値以上の数の議決権の保有者であったとき、又は第二百七十二条の三十四第一項において準用する第二百七十一条の十六第二項の規定に違反して同項に規定する内閣総理大臣が指定する期間を超えて少額短期保険業者の主要株主基準値以上の数の議決権の保有者であったとき。

(lxxii) When he/she, in violation of the order under the provisions of Article 272-31, paragraph (4), was the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold, or, in violation of Article 271-16, paragraph (2) as applied mutatis mutandis pursuant to Article 272-34, paragraph (1), was the holder of a number of voting rights in a Low-Cost, Short-Term Insurer equal to or exceeding the Major Shareholder Threshold upon exceeding the period designated by the Prime Minister prescribed in the same paragraph;

七十三　第二百七十二条の三十九第一項の規定による内閣総理大臣の承認を受けないで、同項各号に掲げる会社以外の会社を子会社としたとき。

(lxxiii) When he/she, without obtaining the approval of the Prime Minister under the provisions of Article 272-39, paragraph (1), has made a company other than the companies listed in the items of the same paragraph a Subsidiary; and

七十四　第三百十条第一項の規定により付した条件に違反したとき。

(lxxiv) When he/she has violated the conditions imposed pursuant to the provisions of Article 310, paragraph (1).

２　株式会社の保険管理人又は外国保険会社等の保険管理人は、会社法第九百七十六条各号のいずれかに該当する場合には、百万円以下の過料に処する。ただし、その行為について刑を科すべきときは、この限りでない。

(2) In the case where an insurance administrator of a Stock Company or an insurance administrator of a Foreign Insurance Company, etc. falls under any of the items of Article 976 of the Companies Act, he/she shall be punished by a non-criminal fine of not more than one million yen; provided, however, that this shall not apply when a punishment shall be given for the action.

第三百三十三条の二　次のいずれかに該当する者は、百万円以下の過料に処する。

Article 333-2 Any person who falls under either of the following shall be punished by a non-criminal fine of not more than one million yen:

一　第六十七条の二又は第二百十七条第三項において準用する会社法第九百四十六条第三項の規定に違反して、報告をせず、又は虚偽の報告をした者

(i) Any person who has, in violation of Article 946, paragraph (3) of the Companies Act, as applied mutatis mutandis pursuant to Article 67-2 or Article 217, paragraph (3), failed to make a report, or has made a false report; and

二　正当な理由がないのに、第六十七条の二又は第二百十七条第三項において準用する会社法第九百五十一条第二項各号又は第九百五十五条第二項各号に掲げる請求を拒んだ者

(ii) Any person who, without justifiable grounds, has refused any of the requests listed in Article 67-2, or the items of Article 951, paragraph (2) of the Companies Act, as applied mutatis mutandis pursuant to Article 217, paragraph (3), or the items of Article 955, paragraph (2).

第三百三十四条　保険金信託業務を行う生命保険会社の取締役、執行役、会計参与若しくはその職務を行うべき社員、監査役若しくは清算人、第百四十四条第一項に規定する受託会社、保険管理人、会社法第五百二十七条第一項（第百八十四条において準用する場合を含む。）の規定により選任された清算株式会社若しくは清算相互会社の監督委員、民事保全法第五十六条に規定する仮処分命令により選任された株式会社若しくは相互会社の取締役、会計参与、監査役、代表取締役、委員、執行役若しくは代表執行役の職務を代行する者、同条に規定する仮処分命令により選任された清算株式会社若しくは清算相互会社の清算人若しくは代表清算人の職務を代行する者、会社法第三百四十六条第二項（同法第四百七十九条第四項において準用する場合を含む。）の規定により選任された一時役員の職務を行うべき者若しくは一時清算人の職務を行うべき者、同法第四百一条第三項（同法第四百三条第三項において準用する場合を含む。）の規定により選任された一時委員の職務を行うべき者若しくは一時執行役の職務を行うべき者、第五十三条の十二第二項（第百八十条の五第四項において準用する場合を含む。）の規定により選任された一時役員の職務を行うべき者若しくは一時清算人の職務を行うべき者、第五十三条の二十五第二項（第五十三条の二十七第三項において準用する場合を含む。）において準用する同法第四百一条第三項の規定により選任された一時委員の職務を行うべき者若しくは一時執行役の職務を行うべき者若しくは支配人又は保険金信託業務を行う外国生命保険会社等の日本における代表者、清算人、第二百十一条において準用する第百四十四条第一項に規定する受託会社、保険管理人若しくは支配人は、次の各号のいずれかに該当する場合には、百万円以下の過料に処する。

Article 334 In the case where a director, executive officer, accounting advisor or a member who shall carry out its duties, company auditor or liquidator of a Life Insurance Company that engages in Insurance-Proceed Trust Services, Entrusted Company prescribed in Article 144, paragraph (1), insurance administrator, supervising committee member of a liquidating Stock Company or liquidating mutual company who has been appointed pursuant to the provisions of Article 527, paragraph (1) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 184), acting director, accounting advisor, company auditor, representative director, committee member, executive officer or representative executive officer of a Stock Company or Mutual Company who has been appointed pursuant to the provisional disposition order prescribed in Article 56 of the Civil Provisional Relief Act, acting liquidator or Representative Liquidator of a liquidating stock company or liquidating mutual company who has been appointed pursuant to the provisional disposition order prescribed in the same Article, any person who shall carry out the duties of a temporary officer or temporary liquidator who has been appointed pursuant to the provisions of Article 346, paragraph (2) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 479, paragraph (4) of the same Act), any person who shall carry out the duties of a temporary committee member or temporary executive officer who has been appointed pursuant to the provisions of Article 401, paragraph (3) of the same Act (including the cases where it is applied mutatis mutandis pursuant to Article 403, paragraph (3) of the same Act), any person who shall carry out the duties of a temporary officer or temporary liquidator who has been appointed pursuant to the provisions of Article 53-12, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 180-5, paragraph (4)), any person who shall carry out the duties of a temporary committee member or any person who shall carry out the duties of a temporary executive officer or manager who has been appointed pursuant to the provisions of Article 401, paragraph (3) of the same Act, as applied mutatis mutandis pursuant to Article 53-25, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 53-27, paragraph (3)), or a Representative Person in Japan of a Foreign Life Insurance Company, etc. that engages in Insurance-Proceed Trust Services, liquidator, Entrusted Company prescribed in Article 144, paragraph (1), as applied mutatis mutandis pursuant to Article 211, insurance administrator or manager, falls under any of the following items, he/she shall be punished by a non-criminal fine of not more than one million yen:

一　第九十九条第七項前段（第百九十九条において準用する場合を含む。）の規定に違反して、認可を受けないで保険金信託業務を行ったとき。

(i) When he/she, without obtaining authorization, has engaged in Insurance-Proceed Trust Services in violation of Article 99, paragraph (7), first sentence (including the cases where it is applied mutatis mutandis pursuant to Article 199);

二　第九十九条第七項後段（第百九十九条において準用する場合を含む。以下この号において同じ。）の規定による認可を受けないで同項後段に規定する保険金信託業務の方法を変更したとき。

(ii) When he/she, without obtaining the authorization under the provisions of Article 99, paragraph (7), second sentence (including the cases where it is applied mutatis mutandis pursuant to Article 199; hereinafter the same shall apply in this item), has changed the method of Insurance-Proceed Trust Services prescribed in the same paragraph, second sentence;

三　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する金融機関の信託業務の兼営等に関する法律第六条の規定に基づく命令に違反して信託につき補てん又は補足の契約を行ったとき。

(iii) When he/she, in violation of the order pursuant to Article 6 of the Act on Provision, etc. of Trust Services by Financial Institutions, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), has made a supplementary or auxiliary trust contract; and

四　信託法（平成十八年法律第百八号）第三十四条の規定に違反して、同条の規定により行うべき信託財産の管理を行わないとき。

(iv) When he/she, in violation of Article 34 of the Trust Act (Act No. 108 of 2006), has failed to carry out the management of trust property that he/she is to carry out pursuant to the provisions of the same Article.

第三百三十五条　次の各号のいずれかに該当する者は、百万円以下の過料に処する。

Article 335 Any person who falls under any of the following items shall be punished by a non-criminal fine of not more than one million yen:

一　第七条第二項の規定に違反した者

(i) Any person who has violated Article 7, paragraph (2)

二　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第十一条第四項の規定による命令に違反して、供託を行わなかった者

(ii) Any person who, in violation of the order under the provisions of Article 11, paragraph (4) of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), has failed to Make a Deposit;

三　第九十九条第八項（第百九十九条において準用する場合を含む。）において準用する信託業法第二十九条の二の規定に違反して、重要な信託の変更又は信託の併合若しくは信託の分割を行った者

(iii) Any person who, in violation of Article 29-2 of the Trust Business Act, as applied mutatis mutandis pursuant to Article 99, paragraph (8) (including the cases where it is applied mutatis mutandis pursuant to Article 199), has made changes regarding important trusts, or has consolidated or split trusts;

四　第二百七十二条の八第一項の規定に違反した者

(iv) Any person who has violated Article 272-8, paragraph (1)

五　第二百七十二条の八第二項の規定に違反して、同条第一項の規定による標識又はこれに類似する標識を掲示した者

(v) Any person who, in violation of Article 272-8, paragraph (2), has posted a sign under the provisions of the same Article, paragraph (1) or a similar sign;

六　第二百七十二条の三十二第一項の承認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

(vi) Any person who has submitted a written application for approval set forth in Article 272-32, paragraph (1) or a document set forth in the same Article, paragraph (2) in which he/she has included a false detail; and

七　第三百八条の十六の規定に違反した者

(vii) Any person who has violated the provisions of Article 308-16.

第三百三十六条　機構の役員は、次の各号のいずれかに該当する場合には、五十万円以下の過料に処する。

Article 336 In the case where an officer of an agency falls under either of the following items, he/she shall be punished by a non-criminal fine of not more than five hundred thousand yen:

一　第二百六十五条の二十二の規定に違反して、同条に規定する名簿を公衆の縦覧に供しないとき。

(i) When he/she, in violation of Article 265-22, has failed to make the registry prescribed in the same Article available for public inspection; and

二　第二百六十五条の四十五第二項又は第三項の規定による命令に違反したとき。

(ii) When he/she has violated the order under the provisions of Article 265-45, paragraph (2) or (3).

第三百三十七条　次の各号のいずれかに該当する者は、五十万円以下の過料に処する。

Article 337 Any person who falls under any of the following items shall be punished by a non-criminal fine of not more than five hundred thousand yen:

一　第百八十六条第二項の規定に違反して、許可を受けないで同項に規定する保険契約の申込みをした者

(i) Any person who, in violation of Article 186, paragraph (2) has offered an insurance contract prescribed in the same paragraph without obtaining permission;

二　第二百八十条第一項、第二百九十条第一項又は第三百二条の規定による届出をせず、又は虚偽の届出をした者

(ii) Any person who has failed to give the notification under the provisions of Article 280, paragraph (1), Article 290, paragraph (1), or Article 302, or gave a false notification; and

三　第二百九十一条第四項又は第二百九十二条第二項の規定による命令に違反して、供託しなかった者

(iii) Any person who, in violation of the order under the provisions of Article 291, paragraph (4) or Article 292, paragraph (2), has failed to Make a Deposit.

第三百三十七条の二　機構の役員は、次の各号のいずれかに該当する場合には、二十万円以下の過料に処する。

Article 337-2 In the case where an officer of an agency falls under any of the following items, he/she shall be punished by a non-criminal fine of not more than two hundred thousand yen:

一　第二編第十章第四節の規定により内閣総理大臣及び財務大臣の認可を受けなければならない場合において、その認可を受けなかったとき。

(i) When he/she, in the case where the authorization of the Prime Minister and Minister of Finance is required pursuant to the provisions of Part II, Chapter X, Section 4, has not obtained the authorization thereof;

二　第二百六十四条第一項の規定による政令に違反して登記することを怠ったとき。

(ii) When he/she has failed to complete his/her registration in violation of Cabinet Order under the provisions of Article 264, paragraph (1);

三　第二百六十五条の二第二項の規定に違反したとき。

(iii) When he/she has violated Article 265-2, paragraph (2);

四　第二百六十五条の二十八に規定する業務以外の業務を行ったとき。

(iv) When he/she has conducted business other than what is prescribed in Article 265-28;

五　第二百六十五条の三十七又は第二百六十五条の三十九第一項若しくは第二項に規定する書類を提出せず、又は虚偽の書類を提出したとき。

(v) When he/she has failed to submit a document prescribed in Article 265-37 or Article 265-39, paragraph (1) or (2), or has submitted a false document;

六　第二百六十五条の四十三の規定に違反して業務上の余裕金を運用したとき。

(vi) When he/she has invested surplus funds in the course of business in violation of Article 265-43; and

七　第二百六十八条第五項（第二百六十九条第二項、第二百七十条の三の十二第二項、第二百七十条の三の十三第四項、第二百七十条の六の三第二項及び第二百七十条の六の四第四項において準用する場合を含む。）、第二百七十条第四項又は第二百七十条の二第六項（第二百七十条の三の十二第三項において準用する場合を含む。）の規定による報告をせず、又は虚偽の報告をしたとき。

(vii) When he/she has failed to make a report under the provisions of Article 268, paragraph (5) (including the cases where it is applied mutatis mutandis pursuant to Article 269, paragraph (2), Article 270-3-12, paragraph (2), Article 270-3-13, paragraph (4), Article 270-6-3, paragraph (2), and Article 270-6-4, paragraph (4)), Article 270, paragraph (4), or Article 270-2, paragraph (6) (including the cases where it is applied mutatis mutandis pursuant to Article 270-3-12, paragraph (3)), or has made a false report.

第三百三十七条の三　第二百六十三条第二項の規定に違反した者は、百万円以下の過料に処する。

Article 337-3 Any person who has violated Article 263, paragraph (2) shall be punished by a non-criminal fine of not more than one million yen.

第三百三十八条　第二十一条において準用する会社法第八条第一項の規定に違反して、相互会社であると誤認されるおそれのある名称又は商号を使用した者は、百万円以下の過料に処する。

Article 338 Any person who, in violation of Article 8, paragraph (1) of the Companies Act, as applied mutatis mutandis pursuant to Article 21, has used a denomination or trade name that runs the risk of mistaking the entity for a Mutual Company, shall be punished by a non-criminal fine of not more than one million yen.

第三百三十九条　第三百八条の十七の規定に違反してその名称又は商号中に、指定紛争解決機関と誤認されるおそれのある文字を使用した者は、十万円以下の過料に処する。

Article 339 A person who, in violation of the provisions of Article 308-17, used any character which would indicate that the person is a Designated Dispute Resolution Organization shall be punished by a non-criminal fine of not more than one hundred thousand yen.

附　則

Supplementary Provisions

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、附則第百六条の規定は、公布の日から施行する。

Article 1 This Act shall come into effect as of the date specified by Cabinet Order within a period not exceeding one year from the day of promulgation; provided, however, that the provisions of Article 106 of these Supplementary Provisions shall come into effect as of the day of promulgation.

（特定保険会社の特定分野保険事業に係る特例）

(Special Provisions Pertaining to the Specific Insurance Undertakings of a Specified Insurance Company)

第一条の二　内閣総理大臣は、当分の間、第三条第一項の免許（同条第四項第二号又は第五項第二号に掲げる保険の引受けを行う事業を含む場合に限る。次項において同じ。）の申請があった場合においては、当該免許に、特定保険会社（保険会社又は外国保険会社等でその経営が同条第四項第二号又は第五項第二号に掲げる保険の引受けを行う事業に依存している程度が比較的大きいものをいう。以下この条において同じ。）の特定分野保険事業（第三条第四項第二号又は第五項第二号に掲げる保険の引受けを行う事業をいう。以下この条において同じ。）に係る経営環境に急激な変化をもたらし、特定保険会社の事業の健全性の確保に欠けるおそれが生ずることのないよう、第五条第二項の規定により必要な条件を付することができる。

Article 1-2 (1) In case of an application for the license set forth in Article 3, paragraph (1) (limited to the case where the business to be licensed includes insurance underwriting listed in Article 3, paragraph (4), item (ii) or Article 3, paragraph (5), item (ii); the same shall apply in the following paragraph), the Prime Minister may, until otherwise stipulated, attach any necessary condition to such license pursuant to the provisions of Article 5, paragraph (2) for ensuring that the license will neither bring a drastic change in the management environment pertaining to the specific insurance undertakings (meaning undertakings for insurance underwriting listed in Article 3, paragraph (4), item (ii) or Article 3, paragraph (5), item (ii); hereinafter the same shall apply in this Article) of a Specified Insurance Company (meaning an Insurance Company or Foreign Insurance Company, etc. the management of which depends relatively heavily on insurance underwriting listed in Article 3, paragraph (4), item (ii) or Article 3, paragraph (5), item (ii); hereinafter the same shall apply in this Article), nor pose any risk to the soundness in the business of the Specified Insurance Company.

２　内閣総理大臣は、当分の間、保険会社が第百六条第四項又は第百四十二条若しくは第百六十七条第一項の認可を受けて他の保険会社をその子会社とする場合（生命保険会社が損害保険会社をその子会社とする場合又は損害保険会社が生命保険会社をその子会社とする場合に限る。）においては、当該他の保険会社が受けている第三条第一項の免許に、特定保険会社の特定分野保険事業に係る経営環境に急激な変化をもたらし、特定保険会社の事業の健全性の確保に欠けるおそれが生ずることのないよう、必要な条件を付することができる。

(2) Where an Insurance Company makes another Insurance Company its Subsidiary with the authorization set forth in Article 106, paragraph (4), or Article 142 or Article 167, paragraph (1) (limited to the case where a Life Insurance Company makes a Non-Life Insurance Company its Subsidiary or where a Non-Life Insurance Company makes a Life Insurance Company its Subsidiary), the Prime Minister may, until otherwise stipulated, attach any necessary condition to the license granted to that other Insurance Company under Article 3, paragraph (1) for ensuring that the license will neither bring any drastic change in the management environment pertaining to the specific insurance undertakings of the Specified Insurance Company nor pose any risk to the soundness in the business of the Specified Insurance Company.

３　内閣総理大臣は、当分の間、特定分野保険事業に係る第百二十三条第一項に規定する書類に定めた事項に係る同項又は同条第二項の規定による変更の認可の申請又は変更の届出があった場合においては、第百二十四条各号に定める基準及び第百二十五条第四項に規定する基準のほか、特定保険会社の特定分野保険事業に係る経営環境に急激な変化をもたらし、特定保険会社の事業の健全性の確保に欠けるおそれが生ずることがないかどうかについても考慮して、当該申請又は当該届出に係る事項を審査するものとする。

(3) In case of an application for authorization or notification, pursuant to the provisions of Article 123, paragraph (1) or (2), of any modification of the particulars prescribed in the document set forth in Article 123, paragraph (1) pertaining to the specific insurance undertakings, the Prime Minister shall, until otherwise stipulated, consider in addition to the standards set forth in the items of Article 124 and in Article 125, paragraph (4), whether such modification will bring any drastic change in the management environment of the Specified Insurance Company pertaining to the specific insurance undertakings or pose any risk to the soundness in the business of the Specified Insurance Company, in examining the particulars of the application or notification.

（業務の特例）

(Special Provisions on Business)

第一条の二の二　保険契約者保護機構（以下「機構」という。）は、当分の間、第二百六十五条の二十八に規定する業務のほか、次条の規定による業務を行うことができる。

Article 1-2-2 A Policyholders Protection Corporation (hereinafter referred to as a "Corporation") may, until otherwise stipulated, conduct the business set forth in the following Article, in addition to business set forth in Article 265-28.

（協定銀行に係る業務の特例）

(Special Provisions on the Business of a Partner Bank)

第一条の二の三　機構は、破綻保険会社等（破綻保険会社（第二百六十条第二項に規定する破綻保険会社をいう。附則第一条の三において同じ。）、承継保険会社（第二百六十条第六項に規定する承継保険会社をいう。）又は清算保険会社（第二百六十五条の二十八第二項第三号に規定する清算保険会社をいう。附則第一条の二の五第一項第三号において同じ。）をいう。同条第四項及び附則第一条の二の七第一項において同じ。）から買い取った資産の管理及び処分を行うこと（以下「資産管理回収業務」という。）を目的の一つとする一の銀行と資産管理回収業務に関する協定（以下「協定」という。）を締結し、並びに当該協定を実施するため、次に掲げる業務を行うことができる。

Article 1-2-3 A Corporation may conclude with a bank whose purposes include the management and disposition of assets purchased from a Bankrupt Insurance Company, etc. (meaning a Bankrupt Insurance Company as set forth in Article 260, paragraph (2); the same shall apply in Article 1-3 of the Supplementary Provisions), Successor Insurance Company (meaning a Successor Insurance Company as set forth in Article 260, paragraph (6)) or Insurance Company in Liquidation (meaning an Insurance Company in Liquidation as set forth in Article 265-28, paragraph (2), item (iii); the same shall apply in Article 1-2-5, paragraph (1), item (iii) of the Supplementary Provisions); the same shall apply in Article 1-2-5, paragraph (4) and Article 1-2-7, paragraph (1) of the Supplementary Provisions) (hereinafter referred to as "Asset Management and Collection Services") an agreement regarding Asset Management and Collection Services (hereinafter referred to as "Agreement"), and conduct the following business to implement the Agreement:

一　協定を締結した銀行（以下「協定銀行」という。）に対し、附則第一条の二の六の規定による損失の補てん若しくは附則第一条の二の七第一項の規定による貸付けを行い、又は協定銀行が行う資金の借入れに係る同項の規定による債務の保証を行うこと。

(i) Provide, for the banks that have concluded the Agreement (hereinafter referred to as "Partner Banks"), compensation for losses under Article 1-2-6 of the Supplementary Provisions or loans under Article 1-2-7, paragraph (1) of the Supplementary Provisions, or the guarantee of obligations set forth in that paragraph pertaining to any debt contracted by the Partner Banks;

二　次条第一項第二号の規定に基づき協定銀行から納付される金銭の収納を行うこと。

(ii) Receive the money to be paid by the Partner Banks pursuant to the provisions of paragraph (1), item (ii) of the following Article;

三　協定銀行による資産管理回収業務の実施に必要な指導及び助言を行うこと。

(iii) Provide necessary guidance and advice for the Partner Banks to perform Asset Management and Collection Services; and

四　第一号又は前号の業務のために必要な調査を行うこと。

(iv) Conduct necessary investigations for the purpose of business set forth in item (i) or the preceding item.

（協定）

(Agreements)

第一条の二の四　協定は、次に掲げる事項を含むものでなければならない。

Article 1-2-4 (1) An Agreement shall contain the following provisions:

一　協定銀行は、機構から次条第一項の規定による資産の買取りの委託の申出を受けた場合において、機構との間でその申出に係る委託の契約を締結したときは、当該委託に係る資産を機構に代わって買い取り、その買い取った資産に係る資産管理回収業務を行うこと。

(i) That the Partner Bank shall, where it concludes a contract of entrustment with a Corporation following an offer from the latter to entrust the former with the purchase of assets under paragraph (1) of the following Article, purchase the assets pertaining to such entrustment on behalf of the Corporation and perform Asset Management and Collection Services pertaining to the assets thus purchased;

二　協定銀行は、毎事業年度、協定の定めによる業務により生じた利益の額として政令で定めるところにより計算した額があるときは、当該利益の額に相当する金額を機構に納付すること。

(ii) That the Partner Bank shall, when it has any amount calculated pursuant to the provisions of a Cabinet Order as profit from the business conducted under the Agreement, pay the amount corresponding to such profit to the Corporation for each business year;

三　協定銀行は、第一号の規定による資産の買取りに関する契約又は附則第一条の二の七第一項に規定する債務の保証の対象となる資金の借入れに関する契約の締結をしようとするときは、あらかじめ、当該締結をしようとする契約の内容について機構の承認を受けること。

(iii) That the Partner Bank shall, when it seeks to conclude a contract regarding the purchase of assets under item (i) or a contract regarding the borrowing of funds to be covered by the guarantee of obligations set forth in Article 1-2-7, paragraph (1) of the Supplementary Provisions, receive in advance the approval of the Corporation with regard to the content of the prospective contract;

四　協定銀行は、第一号の規定による資産の買取りを行ったときは、速やかに、当該資産の買取りに係る資産管理回収業務の実施計画及び資金計画を作成し、機構の承認を受けること。

(iv) That the Partner Bank shall promptly prepare, for approval by the Corporation, an implementation plan and a financial plan for Asset Management and Collection Services pertaining to any purchase of assets under item (i);

五　協定銀行は、前号の実施計画又は資金計画を変更しようとするときは、あらかじめ、機構の承認を受けること。

(v) That the Partner Bank shall, when it seeks to modify the implementation plan or financial plan set forth in the preceding item, receive in advance the approval of the Corporation; and

六　協定銀行は、銀行法第十九条第一項又は第二項（業務報告書等）の規定により中間業務報告書及び業務報告書を内閣総理大臣に提出するときは、併せて、これらを機構に提出すること。

(vi) That the Partner Bank shall submit to the Corporation the interim business report and business report when submitting these reports to the Prime Minister pursuant to the provisions of Article 19, paragraph (1) or (2) (Business Report, etc.) of the Banking Act.

２　機構は、協定を締結しようとするときは、委員会の議を経て協定の内容を定め、内閣総理大臣及び財務大臣の認可を受けなければならない。

(2) A Corporation shall, if it seeks to conclude an Agreement, determine the content of the Agreement after discussion by the Committee, and must have this authorized by the Prime Minister and the Minister of Finance.

３　内閣総理大臣及び財務大臣は、前項の認可の申請があった場合において、当該申請に係る協定の内容が法令の規定に適合するものであり、かつ、機構と協定を締結しようとする銀行が協定の定めによる資産管理回収業務を適切に行い得るものであると認めるときでなければ、当該認可をしてはならない。

(3) Whenever an application has been filed for the authorization set forth in the preceding paragraph, the Prime Minister and the Minister of Finance may not give the relevant authorization unless they find that the content of the Agreement to which the application pertains conforms to the applicable provisions of laws and regulations and that the bank seeking to conclude the Agreement with the Corporation is capable of performing Asset Management and Collection Services under the Agreement in an appropriate manner.

（資産の買取りの委託等）

(Entrustment of Purchase of Assets, etc.)

第一条の二の五　機構は、次に掲げる場合には、協定銀行に対し、機構に代わって資産の買取りを行うことを委託することができる。

Article 1-2-5 (1) The Corporation may entrust a Partner Bank with the purchase of assets on its behalf where:

一　第二百七十条の三第一項又は第二百七十条の三の二第七項の規定により資産の買取りを含む資金援助を行う旨の決定をする場合

(i) it decides to provide financial assistance including the purchase of assets pursuant to the provisions of Article 270-3, paragraph (1) or Article 270-3-2, paragraph (7);

二　第二百七十条の三の七第一項の規定により協定承継保険会社の資産の買取りを行う旨の決定をする場合

(ii) it decides to purchase the assets of a partner Successor Insurance Company pursuant to the provisions of Article 270-3-7, paragraph (1); or

三　第二百七十条の八の三第一項の規定により清算保険会社の資産の買取りを行う旨の決定をする場合

(iii) it decides to purchase the assets of an Insurance Company in Liquidation pursuant to the provisions of Article 270-8-3, paragraph (1).

２　機構は、前項の規定による委託の申出をするときは、審査会及び委員会の議を経て、同項の決定に係る資産の買取りの価格、次条に規定する損失の補てんその他の当該委託に関する条件を定め、これを協定銀行に対して提示するものとする。

(2) The Corporation shall, when it makes an offer of entrustment under the preceding paragraph, determine after discussion by the Examination Board and the Committee the purchase value of the assets covered by the decision set forth in that paragraph as well as other conditions regarding such entrustment including the compensation for losses set forth in the following Article, for presentation to the Partner Bank concerned.

３　機構は、協定銀行との間で第一項の規定による資産の買取りの委託に関する契約を締結したときは、直ちに、その契約の内容を内閣総理大臣会及び財務大臣に報告しなければならない。

(3) The Corporation shall, when it has concluded with a Partner Bank any contract for entrusting the purchase of assets under paragraph (1), immediately report to the Prime Minister and the Minister of Finance the content of such contract.

４　機構が協定銀行との間で前項の委託に関する契約を締結したときは、資産の買取りに関する契約は、第二百七十条の三第四項（第二百七十条の三の二第八項において準用する場合を含む。）、第二百七十条の三の七第三項及び第二百七十条の八の三第三項の規定にかかわらず、協定銀行が破綻保険会社等との間で締結するものとする。

(4) Where a Corporation has concluded any contract with a Partner Bank for the entrustment set forth in the preceding paragraph, the contract for the purchase of assets shall be concluded by the Partner Bank with the Bankrupt Insurance Company, etc., notwithstanding the provisions of Article 270-3, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 270-3-2, paragraph (8)), Article 270-3-7, paragraph (3) and Article 270-8-3, paragraph (3).

（損失の補てん）

(Compensation for Losses)

第一条の二の六　機構は、協定銀行に対し、協定の定めによる業務の実施により協定銀行に生じた損失の額として政令で定めるところにより計算した金額の範囲内において当該損失の補てんを行うことができる。

Article 1-2-6 The Corporation may compensate a Partner Bank for any loss within the scope of the amount accounted pursuant to what is specified by a Cabinet Order for the amount of loss accrued by the Partner Bank in the implementation of business under the specifications of the Agreement.

（資金の貸付け及び債務の保証）

(Loan of Funds and Obligation Guarantee)

第一条の二の七　機構は、協定銀行から、協定の定めによる破綻保険会社等の資産の買取りのために必要とする資金その他の協定の定めによる資産管理回収業務の円滑な実施のために必要とする資金について、その資金の貸付け又は協定銀行によるその資金の借入れに係る債務の保証の申込みを受けた場合において、必要があると認めるときは、委員会の議を経て、当該貸付け又は債務の保証を行うことができる。

Article 1-2-7 (1) The Corporation may, when it finds it necessary in the case of receiving an application from a Partner Bank for the loan of any funds required for the purchase of assets from a Bankrupt Insurance Company, etc. under the Agreement or any other funds required for the smooth implementation of Asset Management and Collection Services under the Agreement, or for an obligation guarantee pursuant to the borrowing of such funds by the Partner Bank, extend, after discussion by the Committee, the loan or obligation guarantee.

２　機構は、前項の規定により協定銀行との間で同項の貸付け又は債務の保証に係る契約を締結したときは、直ちに、その契約の内容を内閣総理大臣及び財務大臣に報告しなければならない。

(2) The Corporation shall, when it concludes a contract pertaining to the loan or obligation guarantee of the preceding paragraph with a Partner Bank pursuant to the provisions of that paragraph, immediately report to the Prime Minister and the Minister of Finance the content of the contract.

（資金の融通のあっせん）

(Financial Arrangements)

第一条の二の八　機構は、協定銀行が協定の定めによる資産管理回収業務の円滑な実施のために必要とする資金の融通のあっせんに努めるものとする。

Article 1-2-8 The Corporation shall endeavor to secure financial arrangements required by the Partner Banks for the smooth implementation of Asset Management and Collection Services under the Agreement.

（協力依頼）

(Request for Cooperation)

第一条の二の九　機構は、附則第一条の二の三各号に掲げる業務を行うため必要があるときは、官庁、公共団体その他の者に照会し、又は協力を求めることができる。

Article 1-2-9 The Corporation may, when it is necessary for conducting business listed in the items of Article 1-2-3 of the Supplementary Provisions, inquire of or request cooperation from government agencies, public entities or any other relevant persons.

（報告の徴求）

(Request for Reports)

第一条の二の十　機構は、附則第一条の二の三各号に掲げる業務を行うため必要があるときは、協定銀行に対し、協定の実施又は財務の状況に関し報告を求めることができる。

Article 1-2-10 The Corporation may, when it is necessary for conducting business listed in the items of Article 1-2-3 of the Supplementary Provisions, request a Partner Bank to report on the status of the implementation of the Agreement or finances.

（法律の適用）

(Application of this Act)

第一条の二の十一　附則第一条の二の三各号に掲げる業務が行われる場合における第二百六十五条の三十第一項の規定の適用については、同項中「第二百六十五条の二十八第一項各号及び第二項各号に掲げる業務」とあるのは、「第二百六十五条の二十八第一項各号及び第二項各号に掲げる業務（附則第一条の二の三各号に掲げる業務を含む。）」とする。

Article 1-2-11 For the purpose of applying the provisions of Article 265-30, paragraph (1) to the cases where the business listed in the items of Article 1-2-3 of the Supplementary Provisions are provided, the term "business listed in each of the items of Article 265-28, paragraph (1) and Article 265-28, paragraph (2)" in Article 265-30, paragraph (1) shall be deemed to be replaced with "business listed in each of the items of Article 265-28, paragraph (1) and Article 265-28, paragraph (2) (including business listed in the items of Article 1-2-3 of the Supplementary Provisions)."

（課税の特例）

(Special Provisions on Taxation)

第一条の二の十二　協定銀行が協定の定めにより附則第一条の二の四第一項第一号に規定する機構の委託を受けて行う資産の買取り（次項において「協定に基づく資産の買取り」という。）により不動産に関する権利の取得をした場合には、当該不動産に関する権利の移転の登記については、財務省令で定めるところにより当該取得後三年以内に登記を受けるものに限り、登録免許税を課さない。

Article 1-2-12 (1) Where a Partner Bank has acquired any right to real estate following the purchase of assets as delegated by the Corporation set forth in Article 1-2-4, paragraph (1), item (i) of the Supplementary Provisions pursuant to the provisions of the Agreement (referred to as "Purchase of Assets Pursuant to the Agreement" in the following paragraph), the registration of transfer of rights on the real estate shall not be subject to the registration and license tax, as long as such registration is made within three years from the acquisition pursuant to the provisions of the applicable Ordinance of the Ministry of Finance.

２　協定銀行が協定に基づく資産の買取りにより取得をした土地又は土地の上に存する権利の譲渡（租税特別措置法第六十二条の三第二項第一号イに規定する譲渡をいう。）は、協定銀行に係る同条並びに同法第六十三条、第六十八条の六十八及び第六十八条の六十九の規定の適用については、同法第六十二条の三第二項第一号に規定する土地の譲渡等には該当しないものとする。

(2) For the purpose of applying to a Partner Bank the provisions of Articles 62-3, 63, 68-68 and 68-69 of the Act on Special Measures concerning Taxation, the conveyance of any land acquired by a Partner Bank following the Purchase of Assets Pursuant to the Agreement or the assignment of any right over the land (meaning the conveyance set forth in Article 62-3, paragraph (2), item (i), sub-item (a) of that Act) shall not constitute the conveyance of land, etc. set forth in Article 62-3, paragraph (2), item (i) of that Act.

（特定会員又は特別会員に係る資金援助等に係る政府の補助）

(Assistance of Government Pertaining to Financial Assistance to Specified Members or Special Members, etc.)

第一条の二の十三　政府は、生命保険契約者保護機構（第二百六十五条の三十七第一項に規定する生命保険契約者保護機構をいう。以下この条、次条及び附則第一条の二の十五において同じ。）がその会員（平成十五年三月三十一日までに第二百四十二条第一項に規定する管理を命ずる処分を受けたものその他政令で定めるものに限る。附則第一条の二の十五第一項において「特定会員」という。）に係る資金援助その他の業務に要した費用を第二百六十五条の三十三第一項の規定により当該生命保険契約者保護機構の会員が納付する負担金のみで賄うとしたならば、当該生命保険契約者保護機構の会員の財務の状況を著しく悪化させることにより保険業に対する信頼性の維持が困難となり、ひいては国民生活又は金融市場に不測の混乱を生じさせるおそれがあると認める場合（当該費用の合計額が政令で定める額を超えた場合に限る。）には、予算で定める金額の範囲内において、当該生命保険契約者保護機構に対し、当該費用（政令で定める業務（次項、次条及び附則第一条の二の十五において「特定業務」という。）に要したものに限る。）の全部又は一部に相当する金額を補助することができる。

Article 1-2-13 (1) The Government may, when it finds that if the Life Insurance Policyholders Protection Corporation (meaning the Life Insurance Policyholders Protection Corporation set forth in Article 265-37, paragraph (1); the same shall apply hereafter in this Article, as well as in the following Article and Article 1-2-15 of the Supplementary Provisions) was to cover the costs of Financial Assistance and other business for its members (limited to those subject to the disposition ordering administration under Article 242, paragraph (1) by 31 March 2003 and any other members to be specified by Cabinet Order; referred to as "Specified Members" in Article 1-2-15, paragraph (1) of the Supplementary Provisions) solely with the obligatory contributions paid by the members of the Life Insurance Policyholders Protection Corporation pursuant to the provisions of Article 265-33, paragraph (1), the financial conditions of the members of the Life Insurance Policyholders Protection Corporation would deteriorate significantly, making it difficult to maintain the credibility of the insurance industry and hence posing the risk of causing unexpected disruptions in the lives of the citizenry and the financial market (limited to the cases where the total amount of such costs exceeds the amount to be specified by Cabinet Order), provide assistance to the Life Insurance Policyholders Protection Corporation in an amount corresponding to the whole or part of such costs (limited to those required for the business specified by Cabinet Order (referred to as "Specified Activities" in the following paragraph, the following Article and Article 1-2-15 of the Supplementary Provisions) within the amount prescribed by the budget.

２　政府は、生命保険契約者保護機構がその会員（平成十五年四月一日から平成十八年三月三十一日までに第二百四十二条第一項に規定する管理を命ずる処分を受けたものその他政令で定めるものに限る。附則第一条の二の十五第二項において「特別会員」という。）に係る資金援助その他の業務に要した費用を第二百六十五条の三十三第一項の規定により当該生命保険契約者保護機構の会員が納付する負担金のみで賄うとしたならば、当該生命保険契約者保護機構の会員の財務の状況を著しく悪化させることにより保険業に対する信頼性の維持が困難となり、ひいては国民生活又は金融市場に不測の混乱を生じさせるおそれがあると認める場合（当該費用の合計額が政令で定める額を超えた場合に限る。）には、予算で定める金額の範囲内において、当該生命保険契約者保護機構に対し、当該費用（特定業務に要したものに限る。）の全部又は一部に相当する金額を補助することができる。

(2) The Government may, when it finds that if the Life Insurance Policyholders Protection Corporation was to cover the costs of Financial Assistance and other business for its members (limited to those subject to the disposition ordering administration under Article 242, paragraph (1) between 1 April 2003 and 31 March 2006 and any other members to be specified by Cabinet Order; referred to as "Special Members" in Article 1-2-15, paragraph (2) of the Supplementary Provisions) solely with the obligatory contributions paid by the members of the Life Insurance Policyholders Protection Corporation pursuant to the provisions of Article 265-33, paragraph (1), the financial conditions of the members of the Life Insurance Policyholders Protection Corporation would deteriorate significantly, making it difficult to maintain the credibility of the insurance industry and hence posing the risk of causing unexpected disruptions in the lives of the citizenry and the financial market (limited to the cases where the total amount of such costs exceeds the amount to be specified by Cabinet Order), provide assistance to the Life Insurance Policyholders Protection Corporation in an amount corresponding to the whole or part of such costs (limited to those required for the Specified Activities) within the amount prescribed by the budget.

３　前項の規定の実施に関し必要な手続は、政令で定める。

(3) The necessary procedure for implementing the provisions of the preceding paragraph shall be specified by Cabinet Order.

（特例会員に係る資金援助等に係る政府の補助）

(Assistance of Government Pertaining to Financial Assistance to Members under Special Provisions, etc.)

第一条の二の十四　政府は、生命保険契約者保護機構がその会員（平成十八年四月一日から平成二十四年三月三十一日までの間に第二百四十二条第一項に規定する管理を命ずる処分を受けたものその他政令で定めるものに限る。次条第三項において「特例会員」という。）に係る資金援助その他の業務に要した費用を第二百六十五条の三十三第一項の規定により当該生命保険契約者保護機構の会員が納付する負担金のみで賄うとしたならば、当該生命保険契約者保護機構の会員の財務の状況を著しく悪化させることにより保険業に対する信頼性の維持が困難となり、ひいては国民生活又は金融市場に極めて重大な支障が生じるおそれがあると認める場合（政令で定める日における当該生命保険契約者保護機構の借入残高に、当該生命保険契約者保護機構が当該費用を借入れにより賄うとした場合の当該借入れの額として政令で定める額を加えた額が当該生命保険契約者保護機構の長期的な収支を勘案して政令で定める額を超える場合に限る。）には、予算で定める金額の範囲内において、当該生命保険契約者保護機構に対し、当該費用（特定業務に要したものに限る。）の全部又は一部に相当する金額を補助することができる。

Article 1-2-14 (1) The Government may, when it finds that if the Life Insurance Policyholders Protection Corporation were to cover the costs of Financial Assistance and other business for its members (limited to those subject to the disposition ordering administration under Article 242, paragraph (1) between 1 April 2006 and 31 March 2012 and any other members to be specified by Cabinet Order; referred to as "Members under Special Provisions" in paragraph (3) of the following Article) solely with the obligatory contributions paid by the members of the Life Insurance Policyholders Protection Corporation pursuant to the provisions of Article 265-33, paragraph (1), the financial conditions of the members of the Life Insurance Policyholders Protection Corporation would deteriorate significantly, making it difficult to maintain the credibility of the insurance industry and hence posing the risk of causing serious consequences in the lives of the citizenry and the financial market (limited to the cases where the sum total of the amount of outstanding debts of the Life Insurance Policyholders Protection Corporation as of the date specified by Cabinet Order and the amount to be specified by Cabinet Order as the amount of additional debts that would be incurred if the Life Insurance Policyholders Protection Corporation had to finance such costs through borrowings exceeds the amount to be specified by Cabinet Order taking into consideration the long-term balance of payments of the Life Insurance Policyholders Protection Corporation), provide assistance to the Life Insurance Policyholders Protection Corporation in an amount corresponding to the whole or part of such costs (limited to those required for the Specified Activities) within the amount prescribed by the budget.

２　前項の規定の実施に関し必要な手続は、政令で定める。

(2) The necessary procedure for implementing the provisions of the preceding paragraph shall be specified by Cabinet Order.

（国庫への納付）

(Payment to National Treasury)

第一条の二の十五　生命保険契約者保護機構は、毎事業年度、特定会員に係る特定業務により生じた利益金として政令で定めるところにより計算した金額があるときは、当該金額を、附則第一条の二の十三第一項の規定により既に政府の補助を受けた金額の合計額からこの項の規定により既に国庫に納付した金額を控除した金額までを限り、国庫に納付しなければならない。

Article 1-2-15 (1) For each business year, the Life Insurance Policyholders Protection Corporation shall pay to the Treasury any amount calculated pursuant to the provisions of a Cabinet Order as the profit earned by the Specified Activities pertaining to the Specified Members, to the total amount of the assistance of the Government already provided pursuant to the provisions of Article 1-2-13, paragraph (1) of the Supplementary Provisions less any amount already paid to the Treasury pursuant to the provisions of this paragraph.

２　生命保険契約者保護機構は、毎事業年度、特別会員に係る特定業務により生じた利益金として政令で定めるところにより計算した金額があるときは、当該金額を、附則第一条の二の十三第二項の規定により既に政府の補助を受けた金額の合計額からこの項の規定により既に国庫に納付した金額を控除した金額までを限り、国庫に納付しなければならない。

(2) For each business year, the Life Insurance Policyholders Protection Corporation shall pay to the Treasury any amount calculated pursuant to the provisions of a Cabinet Order as the profit earned by the Specified Activities pertaining to the Special Members, to the total amount of the assistance of the Government already provided pursuant to the provisions of Article 1-2-13, paragraph (2) of the Supplementary Provisions less any amount already paid to the Treasury pursuant to the provisions of this paragraph.

３　生命保険契約者保護機構は、毎事業年度、特例会員に係る特定業務により生じた利益金として政令で定めるところにより計算した金額があるときは、当該金額を、前条第一項の規定により既に政府の補助を受けた金額の合計額からこの項の規定により既に国庫に納付した金額を控除した金額までを限り、国庫に納付しなければならない。

(3) For each business year, the Life Insurance Policyholders Protection Corporation shall pay to the Treasury any amount calculated pursuant to the provisions of a Cabinet Order as the profit earned by the Specified Activities pertaining to the Members under Special Provisions, to the total amount of the assistance of the Government already provided pursuant to the provisions of paragraph (1) of the preceding Article less any amount already paid to the Treasury pursuant to the provisions of this paragraph.

４　前三項の規定による納付金に関し、納付の手続その他必要な事項は、政令で定める。

(4) The procedure of payment and other necessary the particulars of payments under the preceding three paragraphs shall be specified by Cabinet Order.

（資金援助等の特例）

(Special Provisions on Financial Assistance, etc.)

第一条の三　機構が平成十三年三月三十一日までに受けた第二百六十六条第一項又は第二百六十七条第三項の規定による申込みについて行う第二百六十六条第一項又は第二百六十七条第三項に規定する資金援助（金銭の贈与に限る。以下「特例期間資金援助」という。）の額は、第二百七十条の三第二項（第二百七十条の三の二第八項において準用する場合を含む。）の規定にかかわらず、当該特例期間資金援助に係る破綻保険会社につき、第一号に掲げる額から第二号に掲げる額を控除した残額に第三号及び第四号に掲げる額を加算して得られた額に相当する金額とする。

Article 1-3 (1) Notwithstanding the provisions of Article 270-3, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 270-3-2, paragraph (8)), the amount of the Financial Assistance provided by a Corporation under Article 266, paragraph (1) or Article 267, paragraph (3) for the applications received by 31 March 2001 under Article 266, paragraph (1) or Article 267, paragraph (3) (limited to the donation of money; hereinafter referred to as "Financial Assistance in the Special Provision Period") shall be, for each of the Bankrupt Insurance Companies covered by the Financial Assistance in the Special Provision Period, the amount calculated by adding the amounts listed in items (iii) and (iv) to the difference calculated by subtracting the amount listed in item (ii) from the amount listed in item (i):

一　当該破綻保険会社に係る保険契約のうち内閣府令・財務省令で定める保険契約に該当するもの（次号及び次項において「特例期間補償対象契約」という。）に係る責任準備金その他の保険金等の支払に充てるために留保されるべき負債として内閣府令・財務省令で定めるもの（同号及び同項において「特定責任準備金等」という。）の額に、内閣府令・財務省令で定める率を乗じて得た額

(i) The amount calculated by multiplying the sum total of the amount of the policy reserves pertaining to those insurance contracts of the Bankrupt Insurance Company which meet the requirements for insurance contracts to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance (referred to as "Covered Insurance Contracts in the Special Provision Period" in the following item and the following paragraph) and any other amount to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance as the liabilities to be retained for allocation to the payment of Insurance Proceeds, etc. (referred to as "Specified Policy Reserve, etc." in that item and that paragraph) by the ratio to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance;

二　当該破綻保険会社の第二百七十条の二第二項又は第五項の規定による確認がされた財産の評価（次項において「確認財産評価」という。）に基づく資産の価額のうち、特例期間補償対象契約に係る特定責任準備金等に見合うものとして内閣府令・財務省令で定めるところにより計算した額

(ii) The amount of the asset value of that Bankrupt Insurance Company, based on the evaluation of property confirmed under the provisions of Article 270-2, paragraph (2) or (5) (referred to as "Confirmed Evaluation of Property" in the following paragraph), which has been calculated as per Cabinet Office Ordinance and Ordinance of the Ministry of Finance as being the amount which corresponds to the Specified Policy Reserve, etc. pertaining to the Covered Insurance Contracts in the Special Provision Period;

三　当該破綻保険会社に係る保険契約のうち内閣府令・財務省令で定める保険契約に該当するものであって、第二百五十条、第二百五十四条又は第二百五十五条の二の規定による契約条件の変更（第二百五十条第一項に規定する契約条件の変更をいう。）又は更生手続における契約条件の変更があるものについて、平成十三年三月三十一日までに保険事故（内閣府令・財務省令で定める保険事故を除く。）が発生したときは当該契約条件の変更前の契約条件で保険金額又は給付金額を支払うものとした場合において、その変更後の契約条件とその変更前の契約条件との相違により追加的に必要となる額（補償対象保険金の支払に係る資金援助の額を除く。）として内閣府令・財務省令で定めるところにより計算した額

(iii) With regard to those insurance contracts of the Bankrupt Insurance Company which meet the requirements for insurance contracts to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance and have been subject to the Modification of Contract Conditions (meaning the modification of the contract conditions set forth in Article 250, paragraph (1)) under Article 250, 254 or 255-2, or the Modification of Contract Conditions in reorganization proceedings, the amount calculated pursuant to the provisions of a Cabinet Office Ordinance and Ordinance of the Ministry of Finance as the additional amount required due to the difference between the modified conditions of contract and the original conditions of contract where it is stipulated that insurance proceeds or benefits shall be paid in amounts as prescribed under the original conditions of contract for any insured event (other than any of the insured events to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance) that has occurred by 31 March 2001 (excluding the amount of any Financial Assistance pertaining to the payment of Covered Insurance Proceeds); and

四　当該破綻保険会社に係る保険契約の移転等（第二百六十条第一項に規定する保険契約の移転等をいう。以下この号において同じ。）又は保険契約の承継（同条第七項に規定する保険契約の承継をいう。以下この号において同じ。）に要すると見込まれる費用として内閣府令・財務省令で定めるものに該当する費用の額のうち、当該特例期間資金援助に係る保険契約の移転等又は保険契約の承継の円滑な実施のために必要であると機構が認めた額

(iv) That part of the amount of the costs meeting the requirements for expected costs of the transfer, etc. of insurance contracts (meaning the Transfer, etc., of Insurance Contracts set forth in Article 260, paragraph (1); hereinafter the same shall apply in this item) or succession of insurance contracts (meaning the succession of insurance contracts set forth in Article 260, paragraph (7); hereinafter the same shall apply in this item) pertaining to the Bankrupt Insurance Company to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance which the Corporation finds necessary for the smooth implementation of the Transfer, etc., of Insurance Contracts or succession of insurance contracts pertaining to the Financial Assistance in the Special Provision Period.

２　機構が平成十三年三月三十一日までに受けた第二百六十七条第一項の規定による申込みについて行う同項に規定する保険契約の引受け（以下「特例期間引受け」という。）については、機構が一般勘定（第二百六十五条の四十一第二項に規定する一般勘定をいう。）から当該特例期間引受けに係る破綻保険会社について設けた保険特別勘定に繰り入れる額は、第二百七十条の五第二項の規定にかかわらず、当該特例期間引受けに係る破綻保険会社につき、第一号に掲げる額から第二号に掲げる額を控除した残額に第三号に掲げる額を加算して得られた額に相当する金額とする。

(2) With regard to the underwriting of insurance contracts under Article 267, paragraph (1) for the applications under that paragraph that a Corporation has received by 31 March 2001 (hereinafter referred to as "Underwriting in the Special Provision Period"), the amount to be transferred by the Corporation from the General Account (meaning the General Account set forth in Article 265-41, paragraph (2)) to the Special Insurance Account created for the Bankrupt Insurance Company pertaining to the Underwriting in the Special Provision Period shall be, for the Bankrupt Insurance Company pertaining to the Underwriting in the Special Provision Period, the amount calculated by adding the amount listed in item (iii) to the difference calculated by subtracting the amount listed in item (ii) from the amount listed in item (i), notwithstanding the provisions of Article 270-5, paragraph (2):

一　当該破綻保険会社に係る特例期間補償対象契約に係る特定責任準備金等の額に、内閣府令・財務省令で定める率を乗じて得た額

(i) The amount calculated by multiplying the amount of the Specified Policy Reserve, etc. for the Covered Insurance Contracts in the Special Provision Period pertaining to the Bankrupt Insurance Company by the ratio to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance;

二　当該破綻保険会社の確認財産評価に基づく資産の価額のうち、特例期間補償対象契約に係る特定責任準備金等に見合うものとして内閣府令・財務省令で定めるところにより計算した額

(ii) The amount of the asset value of that Bankrupt Insurance Company, based on the Confirmed Evaluation of Property, which has been calculated as per Cabinet Office Ordinance and Ordinance of the Ministry of Finance as being the amount which corresponds to the Specified Policy Reserve, etc. pertaining to the Covered Insurance Contracts in the Special Provision Period; and

三　当該破綻保険会社に係る保険契約のうち内閣府令・財務省令で定める保険契約に該当するものであって、第二百七十条の四第九項において準用する第二百五十条の規定による契約条件の変更（同条第一項に規定する契約条件の変更をいう。）又は更生手続における契約条件の変更があるものについて、平成十三年三月三十一日までに保険事故（内閣府令・財務省令で定める保険事故を除く。）が発生したときは当該契約条件の変更前の契約条件で保険金額又は給付金額を支払うものとした場合において、その変更後の契約条件とその変更前の契約条件との相違により追加的に必要となる額（補償対象保険金の支払に係る資金援助の額を除く。）として内閣府令・財務省令で定めるところにより計算した額

(iii) With regard to those insurance contracts of the Bankrupt Insurance Company which meet the requirements for insurance contracts to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance and have been subject to the Modification of Contract Conditions (meaning the modification of the contract conditions set forth in Article 250, paragraph (1)) under Article 250 as applied mutatis mutandis pursuant to Article 270-4, paragraph (9) or the Modification of Contract Conditions in reorganization proceedings, the amount calculated pursuant to the provisions of a Cabinet Office Ordinance and Ordinance of the Ministry of Finance as the additional amount required due to the difference between the modified conditions of contract and the original conditions of contract where it is stipulated that insurance proceeds or benefits shall be paid in amounts as prescribed under the original conditions of contract for any insured event (other than any of the insured events to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance) that has occurred by 31 March 2001 (excluding the amount of any Financial Assistance for the payment of Covered Insurance Proceeds).

３　第一項第三号又は前項第三号に規定する場合における第二百四十五条の規定の適用については、同条中「支払を行う業務（」とあるのは、「支払を行う業務（附則第一条の三第一項第三号又は第二項第三号に規定する保険金額又は給付金額の支払を行う業務を含む。」とする。

(3) For the purpose of applying the provisions of Article 245 to the case set forth in item (iii) of paragraph (1) or item (iii) of the preceding paragraph, the term "(hereinafter referred to as 'Business for Paying Covered Insurance Proceeds')" in that Article shall be deemed to be replaced with "(including business for paying insurance proceeds or benefits in the amounts set forth in item (iii) of paragraph (1) or item (iii) of paragraph (2) of Article 1-3 of the Supplementary Provisions)."

４　第一項第三号又は第二項第三号に規定する場合（金融機関等の更生手続の特例等に関する法律第百七十七条の二十九第一項の場合を除く。）においては、会社更生法第百十二条（金融機関等の更生手続の特例等に関する法律第百六十条の四十において準用する場合を含む。）の規定にかかわらず、第一項第三号又は第二項第三号に規定する保険金額又は給付金額を支払うことができる。

(4) Notwithstanding the provisions of Article 112 of the Corporate Reorganization Act (including the cases where it is applied mutatis mutandis pursuant to Article 160-40 of the Act on Special Treatment, etc. of Corporate Reorganization Proceedings and Other Insolvency Proceedings by Financial Institutions, etc.), insurance proceeds or benefits may be paid in the amounts set forth in paragraph (1), item (iii) or paragraph (2), item (iii) in the case set forth in paragraph (1), item (iii) or paragraph (2), item (iii) (excluding the case of Article 177-29, paragraph (1) of the Act on Special Treatment, etc. of Corporate Reorganization Proceedings and Other Insolvency Proceedings by Financial Institutions, etc.).

（補償対象保険金の支払に係る資金援助の特例）

(Special Provisions on Financial Assistance for the Payment of Covered Insurance Proceeds)

第一条の三の二　平成十三年三月三十一日までに機構が第二百七十条の六の六第一項の規定による申込みを受けた場合における第二百四十五条及び金融機関等の更生手続の特例等に関する法律第百七十七条の二十九第一項（補償対象保険金の弁済に関する特例）の規定の適用については、第二百四十五条中「補償対象契約に係る」とあるのは「補償対象契約（附則第一条の三第一項第一号に規定する特例期間補償対象契約（以下この条において「特例期間補償対象契約」という。）を含む。）に係る」と、「当該補償対象契約」とあるのは「当該補償対象契約（特例期間補償対象契約を除く。）」と、「に限る。以下」とあるのは「に限る。）又は特例期間補償対象契約の保険金その他の給付金（当該特例期間補償対象契約の保険金その他の給付金の額に内閣府令・財務省令で定める率を乗じて得た額に限る。）（以下」と、同法第百七十七条の二十九第一項中「補償対象契約（」とあるのは「補償対象契約（保険業法附則第一条の三第一項第一号に規定する特例期間補償対象契約を含む。」とする。

Article 1-3-2 For the purpose of applying the provisions of Article 245 and the provisions of Article 177-29, paragraph (1) (Special Provisions on Payment of Covered Insurance Proceeds) of the Act on Special Treatment. etc. of Corporate Reorganization Proceedings and Other Insolvency Proceedings by Financial Institutions, etc. to the cases where a Corporation has received any application under Article 270-6-6, paragraph (1) by 31 March 2001, the terms "pertaining to a Covered Insurance Contract," and "the insurance proceeds under a Covered Insurance Contract" in Article 245 shall be deemed to be replaced with "pertaining to a Covered Insurance Contract (including the Covered Insurance Contracts in the Special Provision Period prescribed in Article 1-3, paragraph (1), item (i) of the Supplementary Provisions (hereinafter referred to as 'Covered Insurance Contracts in the Special Provision Period'))" and "insurance proceeds under a Covered Insurance Contract (excluding the Covered Insurance Contracts in the Special Provision Period," respectively; the term ") or the insurance proceeds and other benefits under the Covered Insurance Contracts in the Special Provision Period (limited to the amount calculated by multiplying the insurance proceeds and other benefits under the Covered Insurance Contracts in the Special Provision Period by the ratio to be specified by Cabinet Office Ordinance and Ordinance of the Ministry of Finance) (" shall be deemed to be inserted before the term "hereinafter referred to as 'Services for Paying Covered Insurance Proceeds' " in Article 245; and the term "Contracts Qualified for Compensation set forth in Article 270-3, paragraph (2), item (i) of the Insurance Business Act (" in Article 177-29, paragraph (1) of that Act shall be deemed to be replaced with "Contracts Qualified for Compensation set forth in Article 270-3, paragraph (2), item (i) of the Insurance Business Act (including the Covered Insurance Contracts in the Special Provision Period as defined in Article 1-3, paragraph (1), item (i) of the Supplementary Provisions of the Insurance Business Act)."

（保険金請求権等の買取りの特例）

(Special Provisions on the Purchase of Insurance Claims, etc.)

第一条の三の三　平成十三年三月三十一日までに機構が第二百七十条の六の八第一項の規定による決定をした場合における同条及び第二百七十条の六の十の規定の適用については、同項中「補償対象契約」とあるのは「補償対象契約（附則第一条の三第一項第一号に規定する特例期間補償対象契約（以下この条において「特例期間補償対象契約」という。）を含む。第二百七十条の六の十において同じ。）」と、第二百七十条の六の八第二項中「補償対象契約」とあるのは「補償対象契約（特例期間補償対象契約を除く。）」と、「得た額」とあるのは「得た額又は特例期間補償対象契約の保険金その他の給付金の額に内閣府令・財務省令で定める率を乗じて得た額」とする。

Article 1-3-3 For the purpose of applying the provisions of Articles 270-6-8 and 270-6-10 to the cases where a Corporation has made any decision under Article 270-6-8, paragraph (1) by 31 March 2001, the term "the Covered Insurance Contract" in that paragraph shall be deemed to be replaced with "the Covered Insurance Contract (including the Covered Insurance Contracts in the Special Provision Period as defined in Article 1-3, paragraph (1), item (i) of the Supplementary Provisions (hereinafter referred to as "Covered Insurance Contracts in the Special Provision Period" in this Article); the same shall apply in Article 270-6-10)"; the term "the Covered Insurance Contract" in Article 270-6-8, paragraph (2) shall be deemed to be replaced with "the Covered Insurance Contract (excluding the Covered Insurance Contracts in the Special Provision Period)"; and the term "or the amount calculated by multiplying the insurance proceeds and other benefits under the Covered Insurance Contracts in the Special Provision Period by the ratio to be specified by Cabinet Office Ordinance/Ordinance of the Ministry of Finance" shall be deemed to be inserted before the term "(hereinafter referred to as" in Article 270-6-8, paragraph (2).

（負担金の特例）

(Special Provisions on Obligatory Contributions)

第一条の四　機構の成立の日を含む事業年度から附則第一条の六第一項に規定する政令で定める日の属する事業年度までの各事業年度においては、第二百六十五条の三十四第三項の規定により機構が定める負担金率は、第二百六十二条第二項に規定する免許の種類ごとに、その免許の種類を同じくする保険会社に係る資金援助等業務に機構が要する費用の予想額及び当該保険会社の財務の状況を勘案して政令で定める率を下回ってはならないものとする。

Article 1-4 For each of the business years from the business year in which a Corporation is established to the business year to which belongs the date prescribed in Article 1-6, paragraph (1) of the Supplementary Provisions to be specified by Cabinet Order, the obligatory contribution rate to be determined by the Corporation pursuant to the provisions of Article 265-34, paragraph (3) shall not, for each type of license prescribed in Article 262, paragraph (2), be less than the rate to be specified by Cabinet Order taking into consideration the expected amount of cost required by the Corporation for Financial Assistance Services, etc. pertaining to the Insurance Companies with the same type of license and the financial conditions of such Insurance Companies.

（借入金の特例、政府による保証等）

(Special Provisions on Borrowings, Guarantee by Government, etc.)

第一条の五　機構が特例期間資金援助又は特例期間引受けを行う場合における第二百六十五条の四十二の規定の適用については、同条中「保険会社」とあるのは、「保険会社、日本銀行」とする。

Article 1-5 (1) For the purpose of applying the provisions of Article 265-42 to any Financial Assistance in the Special Provision Period or Underwriting in the Special Provision Period by a Corporation, the term "Insurance Company" in that Article shall be deemed to be replaced with "Insurance Company, the Bank of Japan."

２　前項の規定の適用がある場合には、日本銀行は、日本銀行法（平成九年法律第八十九号）第四十三条第一項の規定にかかわらず、機構に対し、資金の貸付けをすることができる。

(2) Where the provisions of the preceding paragraph applies, the Bank of Japan may provide loans of funds to a Corporation, notwithstanding the provisions of Article 43, paragraph (1) of the Bank of Japan Act (Act No. 89 of 1997).

３　政府は、機構が第一項の規定により読み替えて適用する第二百六十五条の四十二の規定により借入れをする場合において、必要があると認めるときは、法人に対する政府の財政援助の制限に関する法律第三条の規定にかかわらず、国会の議決を経た金額の範囲内において、当該借入れに係る機構の債務の保証をすることができる。

(3) Where a Corporation borrows any funds pursuant to the provisions of Article 265-42 as applied with relevant replacement of terms under paragraph (1), the Government may, when it finds necessary, provide guarantee for the obligations of the Corporation pertaining to the borrowing within the limit of the amount to be specified by way of a resolution of the Diet, notwithstanding the provisions of Article 3 of the Act on the Limitations of Government Financial Assistance to Juridical Persons.

（区分経理）

(Separate Accounting)

第一条の六　損害保険契約者保護機構（第二百六十五条の三十七第二項に規定する損害保険契約者保護機構をいう。以下同じ。）は、特例期間資金援助及び特例期間引受けに係る業務を終了した日として政令で定める日の属する事業年度終了の日において、前条第三項の規定による政府の保証に係る借入金の残額があるときは、当該借入金に係る債務の弁済に関する経理については、他の経理と区分し、特別の勘定（以下「清算勘定」という。）を設けて整理しなければならない。

Article 1-6 (1) The Non-Life Insurance Policyholders Protection Corporation (meaning the Non-Life Insurance Policyholders Protection Corporation prescribed in Article 265-37, paragraph (2); the same shall apply hereinafter) shall, at the end of the business year to which belongs the day to be specified by Cabinet Order as the date of termination of the business pertaining to the Financial Assistance in the Special Provision Period and the Underwriting in the Special Provision Period, create a Special Account (hereinafter referred to as "Liquidation Account") to arrange for the separate accounting of any outstanding borrowings guaranteed by the Government under paragraph (3) of the preceding Article, with regard to the account related to the performance obligations pertaining to such borrowings.

２　損害保険契約者保護機構は、前項に規定する事業年度終了の日において、同項の借入金に係る債務及び負担金債権（第二百六十五条の三十三第一項の規定による負担金について未納のものがある場合におけるその負担金に係る債権をいう。以下この項において同じ。）を清算勘定に帰属させるとともに、第二百六十五条の三十二第一項に規定する保険契約者保護資金から、同日におけるその残高に相当する金額を、当該借入金の額から当該負担金債権の額を控除した額に相当する金額に限り、清算勘定に繰り入れるものとする。

(2) The Non-Life Insurance Policyholders Protection Corporation shall, at the end of the business year prescribed in the preceding paragraph, impute to the Liquidation Account the obligations pertaining to the borrowings set forth in that paragraph and any claims on obligatory contributions (meaning claims on any unpaid amount of obligatory contribution to be paid under Article 265-33, paragraph (1); hereinafter the same shall apply in this paragraph), and transfer from the Insurance Policyholders Protection Funds prescribed in Article 265-32, paragraph (1) to the Liquidation Account the amount corresponding to the balance of the fund as of the end of that business year, to the limit of the amount of the borrowings less the amount of the claims on obligatory contribution.

（特別の負担金）

(Special Obligatory Contributions)

第一条の七　損害保険契約者保護損害保険契約者保護機構の会員は、前条第一項に規定する事業年度の翌事業年度から附則第一条の九の規定により損害保険契約者保護機構が清算勘定を廃止する日の属する事業年度までの各事業年度において、前条第二項の規定により清算勘定に帰属することとなった借入金に係る債務の額が清算勘定に属する資産の額を上回るときは、第二百六十五条の三十三第一項の規定による負担金のほか、損害保険契約者保護機構が当該債務の弁済に充てるための資金として、定款で定めるところにより、損害保険契約者保護機構に対し、負担金を納付しなければならない。

Article 1-7 (1) The members of the Non-Life Insurance Policyholders Protection Corporation shall, with regard to each of the business years from the business year after the business year prescribed in paragraph (1) of the preceding Article until the business year that includes the day when the Non-Life Insurance Policyholders Protection Corporation abolishes the Liquidation Account pursuant to the provisions of Article 1-9 of the Supplementary Provisions, where the amount of obligations pertaining to borrowings to be imputed to the Liquidation Account pursuant to the provisions of paragraph (2) of the preceding Article exceeds the amount of the assets belonging to the Liquidation Account, pay obligatory contributions to the Non-Life Insurance Policyholders Protection Corporation pursuant to the provisions of the articles of incorporation as funds to be allocated by the Non-Life Policyholders Protection Corporation to the performance of such obligations, in addition to the obligatory contribution set forth in Article 265-33, paragraph (1).

２　第二百六十五条の三十三第二項、第二百六十五条の三十四第一項本文、第三項及び第四項並びに第二百六十五条の三十五の規定は、前項の規定による負担金について準用する。

(2) The provisions of Article 265-33, paragraph (2), the main clause of Article 265-34, paragraphs (1), (3) and (4) and Article 265-35 shall apply mutatis mutandis to the obligatory contribution to be paid under the preceding paragraph.

３　前項において準用する第二百六十五条の三十四第三項の規定により損害保険契約者保護機構が定める負担金率は、前条第二項の規定により清算勘定に帰属することとなった借入金に係る債務の弁済に要する額及び清算勘定に属する資産の額を勘案して内閣総理大臣及び財務大臣が定める率を下回ってはならない。

(3) The obligatory contribution rate to be determined by the Non-Life Insurance Policyholders Protection Corporation under Article 265-34, paragraph (3) as applied mutatis mutandis pursuant to the preceding paragraph shall not be less than the rate to be determined by the Prime Minister and the Minister of Finance taking into consideration the amount required for the performance of obligations pertaining to borrowings imputed to the Liquidation Account pursuant to the provisions of paragraph (2) of the preceding Article and the amount of the assets belonging to the Liquidation Account.

（予算等の認可の特例）

(Special Provisions on Budget Approval, etc.)

第一条の八　損害保険契約者保護機構は、損害保険契約者保護機構の成立の日を含む事業年度から、清算勘定が設けられた場合にあっては次条の規定により清算勘定を廃止した日の属する事業年度まで、清算勘定が設けられなかった場合にあっては附則第一条の六第一項に規定する政令で定める日の属する事業年度までの各事業年度においては、第二百六十五条の三十七の規定にかかわらず、当該事業年度の開始前に（損害保険契約者保護機構の成立の日を含む事業年度にあっては、成立後遅滞なく）、同条の規定により作成する当該事業年度の予算及び資金計画について、内閣総理大臣及び財務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 1-8 (1) For each of the business years from the business year in which the Non-Life Insurance Policyholders Protection Corporation is established to the business year in which the Liquidation Account is abolished pursuant to the provisions of the following Article, where the Liquidation Account is created, or to the business year to which belongs the date prescribed in Article 1-6, paragraph (1) of the Supplementary Provisions to be specified by Cabinet Order, where the Liquidation Account is not created, the Non-Life Insurance Policyholders Protection Corporation shall, notwithstanding the provisions of Article 265-37, have its budget and financial plan for the business year approved by the Prime Minister and the Minister of Finance, prior to the start of the business year (or, for the business year in which the Non-Life Insurance Policyholders Protection Corporation is established, without delay after its establishment). The same shall apply to any amendment thereto.

２　前項の規定は、損害保険契約者保護機構の発起人が、損害保険契約者保護機構のために、損害保険契約者保護機構の成立の日を含む事業年度の開始前に、第二百六十五条の七第四項の規定により創立総会の議決を経て決定された当該事業年度の予算及び資金計画について、前項の規定による内閣総理大臣及び財務大臣の認可を申請し、当該認可を受けることを妨げない。

(2) The provisions of the preceding paragraph shall not preclude the incorporators of the Non-Life Insurance Policyholders Protection Corporation, acting on its behalf, from applying for, and receiving the approval of the Prime Minister and the Minister of Finance under the preceding paragraph for its budget and financial plan adopted by way of a resolution of the Organizational Meeting pursuant to the provisions of Article 265-7, paragraph (4), prior to the start of the business year in which the Non-Life Insurance Policyholders Protection Corporation is established.

（清算勘定の廃止）

(Abolition of Liquidation Account)

第一条の九　損害保険契約者保護機構は、附則第一条の六第二項の規定により清算勘定に帰属することとなった借入金に係る債務の弁済が完了した日において、清算勘定を廃止するものとする。

Article 1-9 The Non-Life Insurance Policyholders Protection Corporation shall abolish the Liquidation Account on the day when the performance of the obligations pertaining to the borrowings imputed to the Liquidation Account pursuant to the provisions of Article 1-6, paragraph (2) of the Supplementary Provisions is completed.

（法律の適用）

(Application of this Act)

第一条の十　附則第一条の六第一項の規定により損害保険契約者保護機構に清算勘定が設けられている場合におけるこの法律の規定の適用は、次に定めるところによる。

Article 1-10 The provisions of this Act shall apply as follows where the Liquidation Account is created in the Non-Life Insurance Policyholders Protection Corporation pursuant to the provisions of Article 1-6, paragraph (1) of the Supplementary Provisions:

一　第二百六十五条の二十八第一項第二号の規定の適用については、同号中「負担金の収納及び」とあるのは、「負担金及び附則第一条の七第一項に規定する負担金の収納並びに」とする。

(i) For the purpose of applying the provisions of Article 265-28, paragraph (1), item (ii), the term "and the obligatory contribution set forth in Article 1-7, paragraph (1) of the Supplementary Provisions" shall be deemed to be added at the end of that item; and

二　第二百六十五条の四十一第二項の規定の適用については、同項中「以外の勘定」とあるのは、「及び附則第一条の六第一項に規定する清算勘定以外の勘定」とする。

(ii) For the purpose of applying the provisions of Article 265-41, paragraph (2), the term "and the Liquidation Account prescribed in Article 1-6, paragraph (1) of the Supplementary Provisions" shall be inserted before the term "; the same shall apply in Article 270-5."

（罰則）

(Penal Provisions)

第一条の十一　機構の役員又は職員が附則第一条の二の五第三項又は第一条の二の七第二項の規定による報告をせず、又は虚偽の報告をした場合には、五十万円以下の罰金に処する。

Article 1-11 (1) Any officer or functionary who has failed to report under Article 1-2-5, paragraph (3) or Article 1-2-7, paragraph (2) of the Supplementary Provisions or made a false report shall be punished by a fine of not more than five hundred thousand yen.

２　附則第一条の二の十の規定による報告をせず、又は虚偽の報告をした者は、五十万円以下の罰金に処する。

(2) Any person who has failed to make a report under Article 1-2-10 of the Supplementary Provisions or has made a false report shall be punished by a fine of not more than five hundred thousand yen.

３　法人の代表者、代理人、使用人その他の従業者が、その法人の業務又は財産に関し、前項の違反行為をしたときは、行為者を罰するほか、その法人に対しても、同項の刑を科する。

(3) When the representative person, or any agent, employee or other worker of a juridical person has committed the violation set forth in the preceding paragraph in connection with the business or property of the juridical person, such juridical person, in addition to the perpetrator, shall be punished under that paragraph.

第一条の十二　損害保険契約者保護機構の役員が、附則第一条の八第一項の規定により内閣総理大臣及び財務大臣の認可を受けなければならない場合において、その認可を受けなかったときは、二十万円以下の過料に処する。

Article 1-12 Any officer of the Non-Life Insurance Policyholders Protection Corporation who has failed to receive the approval of the Prime Minister and the Minister of Finance pursuant to the provisions of Article 1-8, paragraph (1) of the Supplementary Provisions, where such approval is required, shall be punished by a non-criminal fine of not more than two hundred thousand yen.

（解散厚生年金基金等に係る責任準備金相当額の一部の物納に関する特例）

(Special Provisions on Partial Payment in Kind of Amount Corresponding to Policy Reserve Pertaining to Dissolved Welfare Pension Fund, etc.)

第一条の十三　確定給付企業年金法（平成十三年法律第五十号）第百十三条第一項に規定する解散厚生年金基金等（以下この条において「解散厚生年金基金等」という。）が、同法第百十四条第一項の規定により責任準備金（同法第百十三条第一項に規定する責任準備金をいう。）に相当する額の一部について物納（同法第百十四条第一項に規定する物納をいう。以下この条において同じ。）をする場合において、当該物納に充てるため、生命保険会社（外国生命保険会社等を含む。以下この条において同じ。）から当該解散厚生年金基金等が締結した生命保険の契約に係る資産の引渡しを受けるときは、当該資産の引渡しは、内閣府令で定めるところにより、当該資産の額に相当する金額の保険金、返戻金その他の給付金の支払とみなして、この法律の規定を適用する。

Article 1-13 (1) Where a dissolved welfare pension fund, etc. as defined in Article 113, paragraph (1) of the Defined-Benefit Corporation Pension Act (Act No. 50 of 2001) (hereinafter referred to as "Dissolved Welfare Pension Fund, etc." in this Article) pays in kind part of the amount corresponding to the policy reserves (meaning the policy reserves prescribed in Article 113, paragraph (1) of that Act) pursuant to the provisions of Article 114, paragraph (1) of that Act (meaning the payment in kind prescribed in Article 114, paragraph (1) of that Act; hereinafter the same shall apply in this Article), the provisions of this Act shall apply to the delivery for allocation to such payment in kind of any assets pertaining to life insurance contracts concluded by the Dissolved Welfare Pension Fund, etc. from a Life Insurance Company (including a Foreign Life Insurance Company, etc.; hereinafter the same shall apply in this Article), by deeming such delivery as the payment of insurance proceeds, refunds or other benefits in an amount corresponding to the value of the assets pursuant to the provisions of a Cabinet Office Ordinance.

２　年金積立金管理運用独立行政法人と資金の管理及び運用に関する契約を締結する生命保険会社が、確定給付企業年金法第百十四条第四項の規定により解散厚生年金基金等から物納に係る資産を移換される場合には、当該資産の移換は、内閣府令で定めるところにより、当該年金積立金管理運用独立行政法人と締結する生命保険の契約に係る当該資産の額に相当する金額の保険料の収受とみなして、この法律の規定を適用する。

(2) When a Life Insurance Company that has concluded a contract with the Government Pension Investment Fund regarding the management and investment of the funds receives from a Dissolved Welfare Pension Fund, etc. the transfer of assets pertaining to the payment in kind pursuant to the provisions of Article 114, paragraph (4) of the Defined-Benefit Corporation Pension Act, the provisions of this Act shall apply to the transfer of assets by deeming such transfer as the receipt of insurance premiums pertaining to life insurance contracts concluded with the Government Pension Investment Fund in an amount corresponding to the value of the assets, pursuant to the provisions of a Cabinet Office Ordinance.

（保険募集の取締に関する法律等の廃止）

(Repeal of Acts on the Control of Insurance Solicitation, etc.)

第二条　次に掲げる法律は、廃止する。

Article 2 The following Acts shall be repealed:

一　保険募集の取締に関する法律（昭和二十三年法律第百七十一号）

(i) The Act on the Control of Insurance Solicitation (Act No. 171 of 1948); and

二　外国保険事業者に関する法律（昭和二十四年法律第百八十四号）

(ii) The Foreign Insurance Providers Act (Act No. 184 of 1949).

（免許に関する経過措置）

(Transitional Measures for License)

第三条　この法律の施行の際現に改正前の保険業法（以下「旧法」という。）第一条第一項の主務大臣の免許を受けている者（旧法第百五十九条又は旧法以外の法律若しくはこれに基づく命令の規定（次項において「旧法第百五十九条等の規定」という。）により旧法第一条第一項の主務大臣の免許を受けたものとみなされる者を含む。）は、この法律の施行の際に改正後の保険業法（以下「新法」という。）第三条第一項の大蔵大臣の免許を受けたものとみなす。

Article 3 (1) The persons that have obtained the license of the competent minister set forth in Article 1, paragraph (1) of the Insurance Business Act before amendment (hereinafter referred to as the "Former Act") by the time when this Act enters into force (including the persons deemed to have obtained the license of the competent minister set forth in Article 1, paragraph (1) of the Former Act pursuant to the provisions of Article 159 of the Former Act, or any Act other than the Former Act or any order pursuant thereto (referred to as the "Provision of Article 159 of the Former Act, etc." in the following paragraph) shall be deemed to obtain the license of the Ministry of Finance set forth in Article 3, paragraph (1) of the Insurance Business Act as amended (hereinafter referred to as the "New Act") when this Act enters into force.

２　前項の規定により同項に規定する者（以下「旧法の免許を受けた保険会社」という。）が受けたものとみなされる新法第三条第一項の大蔵大臣の免許は、その者に係る旧法第一条第一項の免許（旧法第百五十九条等の規定により受けたものとみなされる場合における当該免許を含む。）が旧法の生命保険事業又は損害保険事業のいずれを営むことにつき受けた免許であるかの区分に応じ、それぞれ新法第三条第四項の生命保険業免許又は同条第五項の損害保険業免許とする。

(2) The license of the Financial Minister set forth in Article 3, paragraph (1) of the New Act that the persons prescribed in the preceding paragraph are deemed to have obtained (hereinafter referred to as the "Insurance Companies Licensed under the Former Act") pursuant to the provisions of that paragraph shall be the life insurance business license as defined in Article 3, paragraph (4) of the New Act or the non-life insurance business license as defined in paragraph (5) of that Article, in accordance with the category of business, i.e. the life insurance business or non-life insurance business, in which the person was allowed to operate under the license set forth in Article 1, paragraph (1) of the Former Act (including the license that the person is deemed to have obtained pursuant to the Provision of Article 159 of the Former Act, etc.).

第四条　旧法の免許を受けた保険会社に係る旧法第一条第二項第一号から第四号までに掲げる書類でこの法律の施行の際現に主務大臣に提出されているものは、新法第四条第二項各号のうちそのそれぞれに相当する号に掲げる書類（旧法第一条第二項第四号に掲げる書類にあっては、新法第四条第二項第四号に掲げる書類）とみなす。

Article 4 Those documents listed in Article 1, paragraph (2), items (i) to (iv) inclusive of the Former Act which have been submitted to the competent minister for the Insurance Companies Licensed under the Former Act by the time when this Act enters into force shall be deemed to be the corresponding documents listed in the items of Article 4, paragraph (2) of the New Act (for the document listed in Article 1, paragraph (2), item (iv) of the Former Act, as the document listed in Article 4, paragraph (2), item (iv) of the New Act).

（資本の額又は基金の総額に関する経過措置）

(Transitional Measures for Amount of Capital or Total Amount of Funds)

第五条　新法第六条第一項の規定は、旧法の免許を受けた保険会社で、この法律の施行の際現にその資本の額又は基金（旧法第六十五条の規定による積立金を含む。）の総額が同項の政令で定める額を下回っているものについては、この法律の施行の日（以下「施行日」という。）から起算して五年を経過する日（当該五年を経過する日までに当該旧法の免許を受けた保険会社が新法第七十九条第一項又は第九十三条第一項の内閣総理大臣の認可を受けたときは、当該認可に係る組織変更の日）までの間は、適用しない。

Article 5 (1) The provisions of Article 6, paragraph (1) of the New Act shall not apply to those Insurance Companies Licensed under the Former Act for which the amount of capital or the total amount of funds (including the reserves under Article 65 of the Former Act) is less than the amount set forth in that paragraph to be specified by Cabinet Order at the time when this Act enters into force, for a period of five years counting from the Effective Date of this Act (hereinafter referred to as the "Effective Date") (or, for an Insurance Company Licensed under the Former Act which has obtained the authorization of the Prime Minister set forth in Article 79, paragraph (1) or Article 93, paragraph (1) of the New Act within the five-year period, until the date of the Entity Conversion thus authorized).

２　前項の規定の適用を受ける旧法の免許を受けた保険会社が相互会社であるときは、同項の期間において、基金（新法第五十六条の基金償却積立金（次項及び附則第三十九条の規定により当該基金償却積立金として積み立てられたものとみなされるものを含む。）を含む。）の総額が新法第六条第一項の政令で定める額に達するまでは、新法第五十五条第二項に定める基金の償却又は剰余金の分配に充てることのできる金額の全部又は一部を積立金として積み立てることができる。

(2) Where the Insurance Company Licensed under the Former Act to which the provisions of the preceding paragraph is applied is a Mutual Company, for the period of time specified by the preceding paragraph, the company may set aside as a reserves all or part of the amount that may be allocated to the redemption of funds or distribution of surplus specified in Article 55, paragraph (2) of the New Act, until such time as the total amount of funds (including the reserves for redemption of funds set forth in Article 56 of the New Act (including any amount deemed to have been set aside as the reserves for redemption of funds pursuant to the provisions of the following paragraph and Article 39 of the Supplementary Provisions)) reaches the amount set forth in Article 6, paragraph (1) of the New Act to be specified by Cabinet Order.

３　前項の規定により積み立てられた積立金は、新法第五十六条の基金償却積立金として積み立てられたものとみなす。

(3) The Reserve set aside pursuant to the provisions of the preceding paragraph shall be deemed to have been set aside as the reserves for redemption of funds set forth in Article 56 of the New Act.

（商号又は名称に関する経過措置）

(Transitional Measures for Trade Name or Name)

第六条　新法第七条第二項の規定は、この法律の施行の際現に保険会社であると誤認されるおそれのある文字を用いている者については、施行日から起算して六月間は、適用しない。

Article 6 The provisions of Article 7, paragraph (2) of the New Act shall not apply for six months counting from the Effective Date to a person using any term that may be understood as indicating an Insurance Company at the time when this Act enters into force.

（株式申込証に関する経過措置）

(Transitional Measures for Share Application Certificates)

第七条　新法第九条第一項の規定は、施行日以後に発起人が株主の募集に着手する場合における商法第百七十五条第一項（株式の申込みの方式）の株式申込証について適用し、施行日前に発起人が株主の募集に着手した場合における当該株式申込証については、なお従前の例による。

Article 7 (1) The provisions of Article 9, paragraph (1) of the New Act shall apply to the share application certificate set forth in Article 175, paragraph (1) (Method of Share Application) of the Commercial Code where the incorporators start the solicitation of shareholders on or after the Effective Date; with regard to the share application certificates where the incorporators started the solicitation of shareholders before the Effective Date, the provisions then in force shall remain applicable.

２　新法第九条第二項において準用する同条第一項の規定は、施行日以後に商法第二百八十条ノ二（新株発行事項の決定）の規定による新株の発行に関する取締役会又は株主総会の決議をする場合における同法第二百八十条ノ六（株式申込証）の株式申込証又は同法第二百八十条ノ六ノ二第一項（新株引受権証書）の新株引受権証書について適用する。

(2) The provisions of Article 9, paragraph (1) of the New Act as applied mutatis mutandis pursuant to paragraph (2) of that Article shall apply to the share application certificate set forth in Article 280-6 (Share Application Certificate) of the Commercial Code or the subscription warrant set forth in Article 280-6-2, paragraph (1) (Subscription Warrant) of said Code where the board of directors or shareholders' meeting adopts any resolution on the issuance of new shares under Article 280-2 (Decision on the Particulars of the Issuance of New Shares) of said Code after the Effective Date.

（取締役の欠格事由等に関する経過措置）

(Transitional Measures for Grounds for Disqualification of Director, etc.)

第八条　新法第十二条第一項の規定により読み替えて適用する商法第二百五十四条ノ二第三号（取締役の欠格事由）（同法第二百八十条第一項（監査役）及び第四百三十条第二項（清算人）において準用する場合を含む。）の規定の適用については、旧法の規定（この附則の規定によりなお従前の例によることとされる場合における旧法の規定を含む。）により刑に処せられた者は、その処分を受けた日において、新法の規定により刑に処せられたものとみなす。

Article 8 For the purpose of applying the provisions of Article 254-2, item (iii) (Grounds for Disqualification of Director) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Article 280, paragraph (1) (Company Auditor) and Article 430, paragraph (2) (Liquidator) of said Code) as applied with relevant replacements of terms pursuant to Article 12, paragraph (1) of the New Act, a person punished pursuant to the provisions of the Former Act (including the provisions of the Former Act that are to remain applicable pursuant to these Supplementary Provisions) shall be deemed to have been punished pursuant to the provisions of the New Act on the day when the person received the original punishment.

（利益準備金に関する経過措置）

(Transitional Measures for Retained Earnings Reserve)

第九条　新法第十四条の規定は、施行日以後に開始する事業年度に係る利益準備金の積立てについて適用する。

Article 9 The provisions of Article 14 of the New Act shall apply to the accumulation of the retained earnings Reserve for the business years that start on or after the Effective Date.

（配当の制限等に関する経過措置）

(Transitional Measures for Restrictions on Dividend, etc.)

第十条　新法第十五条の規定は、施行日以後に開催される取締役会又は株主総会の決議に係る利益の配当若しくは商法第二百九十三条ノ五第一項（中間配当）の金銭の分配又は同法第二百十二条第一項ただし書若しくは第二百十二条ノ二第一項（株式の消却）の株式の消却について適用し、施行日前に開催された取締役会又は株主総会の決議に係る利益の配当又は同法第二百九十三条ノ五第一項の金銭の分配については、なお従前の例による。

Article 10 The provisions of Article 15 of the New Act shall apply to the dividend of profit or the distribution of money set forth in Article 293-5, paragraph (1) (Interim Dividend) of the Commercial Code pertaining to a resolution adopted by the board of directors or shareholders' meeting in a session held on or after the Effective Date, or to the cancellation of shares set forth in the proviso to Article 212, paragraph (1) or Article 212-2, paragraph (1) (Cancellation of Shares) of said Code; with regard to the dividend of profit or the distribution of money set forth in Article 293-5, paragraph (1) pertaining to a resolution adopted by the board of directors or shareholders' meeting in a session held before the Effective Date, the provisions then in force shall remain applicable.

（株主の帳簿閲覧権の否認に関する経過措置）

(Transitional Measures for Denial of Shareholders' Right to Inspect Books)

第十一条　新法第十六条の規定は、施行日前に株主が商法第二百九十三条ノ六第一項（株主の帳簿閲覧権）の会計の帳簿及び書類の閲覧又は謄写の請求をした場合については、適用しない。

Article 11 The provisions of Article 16 of the New Act shall not apply to any request made by shareholders before the Effective Date for the inspection or copying of accounting books and documents set forth in Article 293-6, paragraph (1) (Shareholders' Right to Inspect Books) of the Commercial Code.

（資本の減少に関する経過措置）

(Transitional Measures for Reduction of Capital)

第十二条　新法第十七条の規定は、施行日以後にされる株主総会の決議に係る資本の減少について適用し、施行日前にされた株主総会の決議に係る資本の減少については、なお従前の例による。

Article 12 The provisions of Article 17 of the New Act shall apply to the reduction of capital pertaining to a resolution of the shareholders' meeting adopted in a session held on or after the Effective Date; with regard to the reduction of capital pertaining to a resolution of the shareholders' meeting adopted in a session before the Effective Date, the provisions then in force shall remain applicable.

（保険契約者等の先取特権に関する経過措置）

(Transitional Measures for Statutory Lien for Policyholders, etc.)

第十三条　この法律の施行の際現に存する旧法第三十二条の規定による先取特権又は旧法第三十三条の規定による権利については、なお従前の例による。

Article 13 With regard to the statutory lien under Article 32 of the Former Act or the right under Article 33 of the Former Act in existence at the time when this Act enters into force, the provisions then in force shall remain applicable.

（相互会社に関する経過措置）

(Transitional Measures for Mutual Companies)

第十四条　この法律の施行の際現に存する旧法の規定による相互会社は、新法の規定による相互会社とみなす。

Article 14 The Mutual Companies under the Former Act in existence at the time when this Act enters into force shall be deemed to be Mutual Companies under the New Act.

（相互会社の取締役等の行為に関する経過措置）

(Transitional Measures for Actions by the Directors, etc. of a Mutual Company)

第十五条　この法律の施行の際現に存する旧法の規定による相互会社の発起人、取締役、代表取締役、監査役、会計監査人又は清算人が施行日前にした又はするべきであった旧法において準用する商法又は商法特例法に規定する行為については、この附則に別段の定めがあるものを除くほか、当該行為をした又はするべきであった日に、それぞれ新法の規定による相互会社の発起人、取締役、代表取締役、監査役、会計監査人又は清算人がした又はするべきであった新法において準用する商法又は商法特例法の相当の規定に規定する行為とみなす。

Article 15 The actions prescribed in the Commercial Code or the Act on Special Measures for the Commercial Code as applied mutatis mutandis pursuant to the Former Act which were taken or were required to have been taken before the Effective Date by the incorporators, directors, representative director, company auditors, accounting auditors or liquidators of a Mutual Company under the Former Act in existence at the time when this Act enters into force shall be deemed to be the actions prescribed in the relevant provisions of the Commercial Code or the Act on Special Measures for the Commercial Code as applied mutatis mutandis pursuant to the New Act which were taken or were required to have been taken by the incorporators, directors, representative director, company auditors, accounting auditors or liquidators of a Mutual Company under the New Act on the day when the original actions were taken or were required to have been taken, except when these Supplementary Provisions specify otherwise.

（相互会社の支配人等の行為等に関する経過措置）

(Transitional Measures for Actions, etc. of the Managers, etc. of Mutual Company)

第十六条　この法律の施行の際現に存する旧法の規定による相互会社が旧法第四十二条において準用する商法第三十七条（支配人の選任）の規定により選任した支配人（旧法第四十二条において準用する商法第四十二条（表見支配人）又は第四十三条（ある種類又は特定の委任を受けた使用人）に規定する使用人を含む。）の施行日前における行為その他当該支配人に係る事項については、当該事項のあった日に、新法の規定による相互会社が新法第二十一条第一項において準用する商法第三十七条の規定により選任した支配人（同項において準用する同法第四十二条又は第四十三条に規定する使用人を含む。）に係る事項があったものとみなして、同項において準用する同法第三十八条から第四十三条まで（商業使用人）の規定を適用する。

Article 16 (1) With regard to an action taken before the Effective Date by a manager that a Mutual Company under the provisions of the Former Act which still exists at the time of the enforcement of this Act, has appointed (including an employee prescribed in Article 42 of the Commercial Code (Apparent Manager) or Article 43 of the same Act (Employee Entrusted with Certain Type of Task or Specific Task) as applied mutatis mutandis pursuant to Article 42 of the Former Act) pursuant to the provisions of Article 37 of the Commercial Code (Appointment of Manager) as applied mutatis mutandis pursuant to Article 42 of the Former Act), and with regard to any other particulars that were true of such manager before the Effective Date, the day on which said particulars were true is deemed to be the day on which such particulars were true for a manager that a Mutual Company under the New Act has appointed (including an employee prescribed in Article 42 or 43 of said Code as applied mutatis mutandis pursuant to that paragraph) pursuant to the provisions of Article 37 of the Commercial Code as applied mutatis mutandis pursuant to Article 21, paragraph (1) of the New Act, and the provisions of Article 38 to 43 inclusive (Commercial Employee) of the Commercial Code as applied mutatis mutandis pursuant to Article 21, paragraph (1) of the New Act apply.

２　新法第二十一条第一項において準用する商法第四十六条から第四十八条まで、第五十条及び第五十一条（代理商）の規定の適用については、旧法の規定による相互会社についての旧法第四十二条において準用する商法第四十六条から第四十八条まで、第五十条及び第五十一条に規定する施行日前の行為その他の事項は、当該行為その他の事項のあった日における新法の規定による相互会社についての行為その他の事項とみなす。

(2) For the purpose of applying Article 46 to 48 inclusive, Article 50 and Article 51 (Commercial Agent) of the Commercial Code as applied mutatis mutandis pursuant to Article 21, paragraph (1) of the New Act, the day on which the relevant actions took place and the relevant other particulars were present prior to the Effective Date prescribed in Article 46 to 48 inclusive, Article 50 and Article 51 of the Commercial Code as applied mutatis mutandis pursuant to Article 42 of the Former Act regarding a Mutual Company under the Former Act is deemed to be the day on which said actions took place and other particulars were present for the Mutual Company under the New Act.

３　この法律の施行の際現に存する旧法の規定による相互会社の社員、債権者その他の利害関係人が旧法において準用する商法第五十八条（解散命令）その他同法の規定に基づいて施行日前にした旧法の規定による相互会社に係る裁判所への請求及び当該請求に係る施行日前の裁判所の命令は、この附則に別段の定めがある場合を除くほか、当該請求又は当該命令があった日に新法において準用する商法の相当の規定に基づいてされた新法の規定による相互会社に係る裁判所への請求又は裁判所の命令とみなす。

(3) Any claim filed with the court before the Effective Date pertaining to a Mutual Company under the Former Act in existence at the time when this Act enters into force by the members, creditors or other interested persons of the Mutual Company under the Former Act pursuant to Article 58 (Order for Dissolution) or any other provisions of the Commercial Code as applied mutatis mutandis pursuant to the Former Act, and any order issued by the court pertaining to such claim before the Effective Date shall be deemed to be a claim filed with the court or an order issued by the court on the date of the original claim or order pertaining to a Mutual Company under the New Act pursuant to the corresponding provisions of the Commercial Code as applied mutatis mutandis pursuant to the New Act, except when these Supplementary Provisions specify otherwise.

（相互会社の商業帳簿等に関する経過措置）

(Transitional Measures for Commercial Books, etc. of Mutual Company)

第十七条　この法律の施行の際現に存する旧法の規定による相互会社が旧法において準用する商法の規定に基づいて施行日前に作成した商業帳簿、計算書類その他の会計又は経理に関する書類は、その作成した日に、新法の規定による相互会社が新法において準用する商法の相当の規定に基づいて作成したものとみなす。

Article 17 The commercial books, financial statements or other accounting documents prepared before the Effective Date pursuant to the provisions of the Commercial Code as applied mutatis mutandis pursuant to the Former Act by a Mutual Company under the Former Act in existence at the time when this Act enters into force shall be deemed to have been prepared on the dates of the original preparation by a Mutual Company under the New Act pursuant to the corresponding provisions of the Commercial Code as applied mutatis mutandis pursuant to the New Act.

（相互会社の設立に関する経過措置）

(Transitional Measures for Incorporation of Mutual Company)

第十八条　新法第二編第二章第二節第二款の規定は、施行日以後に新法第二十二条第四項において準用する商法第百六十七条（定款の認証）の規定による認証を受けた定款に係る相互会社の設立の手続並びに施行日以後にする相互会社の設立の登記及びその申請について適用し、施行日前に旧法第四十二条において準用する商法第百六十七条の規定による認証を受けた定款に係る相互会社の設立（設立の登記及びその申請を除く。）については、なお従前の例による。

Article 18 The provisions of Part II, Chapter II, Section 2, Subsection 2 of the New Act shall apply to the procedure of incorporation of a Mutual Company whose articles of incorporation are certified on or after the Effective Date under Article 167 (Certification of Articles of Incorporation) of the Commercial Code as applied mutatis mutandis pursuant to Article 22, paragraph (4) of the New Act, and to the registration of incorporation of a Mutual Company and application thereof made on or after the Effective Date; with regard to the procedure of incorporation (excluding the registration of incorporation and application thereof) of a Mutual Company whose articles of incorporation were certified before the Effective Date under Article 167 of the Commercial Code as applied mutatis mutandis pursuant to Article 42 of the Former Act, the provisions then in force shall remain applicable.

（相互会社の定款に関する経過措置）

(Transitional Measures for Mutual Company's Articles of Incorporation)

第十九条　この法律の施行の際現に存する旧法の規定による相互会社及び前条の規定によりその設立についてなお従前の例によることとされる相互会社の定款の旧法第三十四条第一号から第九号までに掲げる事項の記載は、新法第二十二条第二項第一号から第八号まで及び第三項第二号のうちそのそれぞれに相当する号に掲げる事項（旧法第三十四条第一号に掲げる事項にあっては、新法第二十二条第二項第一号に掲げる事項）の記載とみなし、当該定款に旧法第三十四条第十号に掲げる事項の記載があるときは、その記載は、ないものとみなす。

Article 19 Details of the particulars listed in Article 34, items (i) to (ix) inclusive of the Former Act in the articles of incorporation of a Mutual Company under the Former Act in existence at the time when this Act enters into force and of a Mutual Company whose incorporation shall remain governed by the provisions then in force pursuant to the provisions of the preceding Article are deemed to be details of the particulars listed in the corresponding items among of Article 22, paragraph (2), items (i) to (viii) inclusive and Article 22, paragraph (3), item (ii) of the New Act (or, for the particulars listed in Article 34, item (i) of the Former Act, the particulars listed in Article 22, paragraph (2), item (i) of the New Act); any details of the particulars listed in Article 34, item (x) of the Former Act in such articles of incorporation are deemed not to exist.

（設立の登記の申請に関する経過措置）

(Transitional Measures for Application for Registration of Incorporation)

第二十条　新法第二十八条第二号の規定は、附則第十八条の規定によりその設立についてなお従前の例によることとされる相互会社が設立の登記を申請する場合については、適用しない。

Article 20 The provisions of Article 28, item (ii) of the New Act shall not apply to any application for registration of incorporation made by a Mutual Company whose incorporation shall remain governed by the provisions then in force pursuant to the provisions of Article 18 of the Supplementary Provisions.

（相互会社の発起人の責任を追及する訴えに関する経過措置）

(Transitional Measures for Actions to Hold Incorporators of a Mutual Company Accountable)

第二十一条　新法第三十条において準用する商法第百九十六条（発起人に対する責任の免除及び代表訴訟）において準用する同法第二百六十七条から第二百六十八条ノ三まで（取締役の責任を追及する訴え）の規定は、施行日以後に社員が新法第三十条において準用する商法第百九十六条において準用する同法第二百六十七条第一項の訴えの提起を請求する場合又は新法第三十条において準用する商法第百九十六条において準用する同法第二百六十七条第三項の訴えを提起する場合について適用し、施行日前に社員が旧法第四十一条において準用する旧法第五十七条第一項の訴えの提起を請求した場合又は旧法第四十一条において準用する旧法第五十七条第二項において準用する商法第二百六十七条第三項の訴えを提起した場合については、なお従前の例による。

Article 21 The provisions of Article 267 to 268-3 inclusive (Lawsuit to Hold Directors Accountable) of the Commercial Code as applied mutatis mutandis pursuant to Article 196 (Exemption from Liability of, and Representative Action against Incorporators) of said Code as applied mutatis mutandis pursuant to Article 30 of the New Act shall apply to any action filed by members on or after the Effective Date under Article 267, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Article 196 of said Code as applied mutatis mutandis pursuant to Article 30 of the New Act or under Article 267, paragraph (3) of the Commercial Code as applied mutatis mutandis pursuant to Article 196 of said Code as applied mutatis mutandis pursuant to Article 30 of the New Act; with regard to any action filed by members before the Effective Date under Article 57, paragraph (1) of the Former Act as applied mutatis mutandis pursuant to Article 41 of the Former Act or under Article 267, paragraph (3) of the Commercial Code as applied mutatis mutandis pursuant to Article 57, paragraph (2) of the Former Act as applied mutatis mutandis pursuant to Article 41 of the Former Act, the provisions then in force shall remain applicable.

（保険料の払込みに係る相殺に関する経過措置）

(Transitional Measures for Set-Offs Pertaining to Payment of Insurance Premiums)

第二十二条　社員が施行日前に払い込むべきであった旧法第四十五条に規定する保険料の払込みに係る相殺については、なお従前の例による。

Article 22 With regard to set-offs pertaining to the payment of those insurance premiums under Article 45 of the Former Act which were required to have been paid by members before the Effective Date, the provisions then in force shall remain applicable.

（通知及び催告に関する経過措置）

(Transitional Measures for Notices and Demands)

第二十三条　新法第三十二条の規定は、施行日以後に発する同条第一項本文の通知又は催告について適用し、施行日前に発した旧法第五十条本文の通知又は催告については、なお従前の例による。

Article 23 The provisions of Article 32 of the New Act shall apply to any notice or demand issued on or after the Effective Date under the main clause of paragraph (1) of that Article; with regard to any notice or demand issued before the Effective Date under the main clause of Article 50 of the Former Act, the provisions then in force shall remain applicable.

（退社員に関する経過措置）

(Transitional Measures for Withdrawing Members)

第二十四条　新法第三十五条及び第三十六条の規定は、施行日以後の退社員について適用し、施行日前の退社員については、なお従前の例による。

Article 24 The provisions of Articles 35 and 36 of the New Act shall apply to the members who withdraw on or after the Effective Date; with regard to the members who withdrew before the Effective Date, the provisions then in force shall remain applicable.

（社員及び総代の議決権に関する経過措置）

(Transitional Measures for Voting Rights of Members and Representative Members)

第二十五条　この法律の施行の際現に存する旧法の規定による相互会社の定款に、旧法第五十二条ただし書（旧法第五十一条第二項において準用する場合を含む。）に規定する別段の定めが記載されているときは、その記載はないものとみなす。

Article 25 If the exceptional specification prescribed in the proviso to Article 52 of the Former Act (including the cases where it is applied mutatis mutandis pursuant to Article 51, paragraph (2) of the Former Act) has been detailed in the articles of incorporation of a Mutual Company under the Former Act which are in existence at the time when this Act enters into force, such details are deemed not to exist.

（社員総会に関する提案権等に関する経過措置）

(Transitional Measures for the Right to Make Proposals at General Members' Councils, etc.)

第二十六条　新法第三十八条から第四十条までの規定は、施行日以後に社員がこれらの規定に規定する事項について請求する場合について適用し、施行日前に旧法第五十二条ノ二第一項、第五十三条第一項又は第五十三条ノ二第一項の規定による請求がされた場合については、なお従前の例による。

Article 26 The provisions of Article 38 to 40 inclusive of the New Act shall apply to any request made by members on or after the Effective Date for any of the particulars prescribed in those provisions; with regard to any request made before the Effective Date under Article 52-2, paragraph (1), Article 53, paragraph (1) or Article 53-2, paragraph (1) of the Former Act, the provisions then in force shall remain applicable.

（社員総会等の決議に関する経過措置）

(Transitional Measures for Resolutions of the General Members' Council, etc.)

第二十七条　この法律の施行の際現に存する旧法の規定による相互会社の社員総会（旧法第五十一条第一項に規定するこれに代わるべき機関を含む。）が旧法において準用する商法又は商法特例法の規定に基づいて施行日前にした取締役又は監査役の選任その他の事項に関する決議は、この附則に別段の定めがあるものを除き、当該決議があった日において、新法の規定による相互会社の社員総会又は附則第二十九条の規定により新法第四十二条第一項の総代会とみなされる旧法第五十一条第一項に規定する機関が新法において準用する商法の相当の規定に基づいてした決議とみなす。

Article 27 Any resolution adopted before the Effective Date, pursuant to any of the provisions of the Commercial Code or Act on Special Measures for the Commercial Code as applied mutatis mutandis pursuant to the Former Act, on the appointment of directors or company auditors, or any other matter by the general members' council (including the administrative organ established in lieu of such council under Article 51, paragraph (1) of the Former Act) of a Mutual Company under the Former Act in existence at the time when this Act enters into force, except those specified in other Article of these Supplementary Provisions, shall be deemed to be a resolution adopted pursuant to the corresponding provisions of the Commercial Code as applied mutatis mutandis pursuant to the New Act on the date of the original resolution by the general members' council of a Mutual Company under the New Act or the administrative organ established under Article 51, paragraph (1) of the Former Act that is deemed to be the General Representative Members' Council established under Article 42, paragraph (1) of the New Act pursuant to the provisions of Article 29 of the Supplementary Provisions.

（社員総会に係る商法等の準用に関する経過措置）

(Transitional Measures for the Mutatis Mutandis Application of the Commercial Code, etc. Pertaining to General Members' Councils)

第二十八条　新法第四十一条において準用する商法及び商法特例法の規定は、施行日以後に同条において準用する商法第二百三十二条第一項（招集の通知）の招集の通知が発せられる社員総会について適用し、施行日前に旧法第五十四条において準用する商法第二百三十二条第一項の招集の通知が発せられた社員総会については、なお従前の例による。

Article 28 (1) The provisions of the Commercial Code and Act on Special Measures for the Commercial Code as applied mutatis mutandis pursuant to Article 41 of the New Act shall apply to the sessions of the general members' council for which the convocation notice set forth in Article 232, paragraph (1) (Convocation Notice) of the Commercial Code as applied mutatis mutandis pursuant to Article 41 of the New Act is issued on or after the Effective Date; with regard to the sessions of general members' council for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Article 54 of the Former Act was issued before the Effective Date, the provisions then in force shall remain applicable.

２　この法律の施行の際現に存する旧法の規定による相互会社の定款に旧法第五十二条ノ二第一項ただし書、第五十三条第一項ただし書又は第五十三条ノ二第一項ただし書の規定により他の標準が定められている場合において、その定められている社員総数のうちの社員の数の割合又は社員の数がそれぞれ新法第三十八条第一項、第三十九条第一項又は第四十条第一項に規定する社員総数のうちの社員の数の割合又は社員の数を超えているときは、その記載はないものとみなす。

(2) Where the articles of incorporation of a Mutual Company under the Former Act in existence at the time when this Act enters into force specify any exceptional standard pursuant to the proviso to Article 52-2, paragraph (1), the proviso to Article 53, paragraph (1) or the proviso to Article 53-2, paragraph (1) of the Former Act, the details of such standard are deemed not to exist when the proportion of the number of members to the total number of members or the number of members thus detailed exceeds the proportion of the number of members to the total number of members or the number of members prescribed in Article 38, paragraph (1), Article 39, paragraph (1) or Article 40, paragraph (1) of the New Act, respectively.

（総代会の設置等に関する経過措置）

(Transitional Measures for the Establishment of a General Representative Members' Council, etc.)

第二十九条　この法律の施行の際現に存する旧法の規定による相互会社が旧法第五十一条第一項に規定する機関を設けている場合において、同項の定款の定めが新法第四十二条第二項及び第三項の規定に適合するときは、当該機関を同条第一項の総代会とみなす。

Article 29 (1) Where a Mutual Company under the Former Act in existence at the time when this Act enters into force has established the administrative organ prescribed in Article 51, paragraph (1) of the Former Act, such administrative organ shall be deemed to be a General Representative Members' Council as set forth in Article 42, paragraph (1) of the New Act when the specification in the articles of incorporation set forth in Article 51, paragraph (1) of the Former Act conforms to the provisions of Article 42, paragraphs (2) and (3) of the New Act.

２　この法律の施行の際現に存する旧法の規定による相互会社が旧法第五十一条第一項に規定する機関を設けている場合において、同項の定款の定めが新法第四十二条第二項及び第三項の規定に適合しないときは、施行日から起算して一年を経過する日までの間に限り、当該機関を同条第一項の総代会とみなす。

(2) Where a Mutual Company under the Former Act in existence at the time when this Act enters into force has established the administrative organ prescribed in Article 51, paragraph (1) of the Former Act, such administrative organ shall be deemed to be a General Representative Members' Council as set forth in Article 42, paragraph (1) of the New Act only for a period of one year counting from the Effective Date when the specification in the articles of incorporation set forth in Article 51, paragraph (1) of the Former Act does not conform to the provisions of Article 42, paragraphs (2) and (3) of the New Act.

３　前項の場合において、同項に規定する旧法の規定による相互会社が、同項に規定する期間内に新法第四十二条第二項及び第三項の規定に適合するようにその定款を変更したときは、当該旧法の規定による相互会社の旧法第五十一条第一項に規定する機関は、当該期間の経過後においても、新法第四十二条第一項の総代会とみなす。

(3) In the case prescribed in the preceding paragraph, when the Mutual Company under the Former Act prescribed in that paragraph modifies its articles of incorporation within the period prescribed in that paragraph so that they may conform to the provisions of Article 42, paragraphs (2) and (3)of the New Act, the administrative organ prescribed in Article 51, paragraph (1) of the Former Act of the Mutual Company under the Former Act shall be deemed to be a General Representative Members' Council as set forth in Article 42, paragraph (1) of the New Act even after the expiration of the period.

４　前三項の規定により新法第四十二条第一項の総代会とみなされた機関の構成員は、同項の総代とみなす。

(4) The members of the administrative organ deemed to be a General Representative Members' Council as set forth in Article 42, paragraph (1) of the New Act pursuant to the provisions of the preceding three paragraphs shall be deemed to be the representative members set forth in that paragraph.

（総代会の決議の方法等に関する経過措置）

(Transitional Measures for Method of Adopting Resolutions of General Council, of Representative Members etc.)

第三十条　新法第四十三条及び第四十四条の規定は、施行日以後に新法第四十九条において準用する商法第二百三十二条第一項（招集の通知）の招集の通知が発せられる新法第四十二条第一項の総代会（前条の規定により総代会とみなされる旧法第五十一条第一項に規定する機関を含む。）について適用し、施行日前に旧法第五十一条第二項において準用する旧法第五十四条において準用する商法第二百三十二条第一項の招集の通知が発せられた前条第一項又は第二項の規定により新法第四十二条第一項の総代会とみなされる旧法第五十一条第一項に規定する機関については、なお従前の例による。

Article 30 The provisions of Articles 43 and 44 of the New Act shall apply to the sessions of the General Representative Members' Council set forth in Article 42, paragraph (1) of the New Act (including the administrative organ prescribed in Article 51, paragraph (1) of the Former Act which is deemed to be a General Council pursuant to the provisions of the preceding Article) for which the convocation notice set forth in Article 232, paragraph (1) (Convocation Notice) of the Commercial Code as applied mutatis mutandis pursuant to Article 49 of the New Act is issued on or after the Effective Date; with regard to the sessions of the administrative organ prescribed in Article 51, paragraph (1) of the Former Act that is deemed to be the General Council set forth in Article 42, paragraph (1) of the New Act pursuant to the provisions of paragraph (1) or (2) of the preceding Article for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Article 54 of the Former Act as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the Former Act was issued before the Effective Date, the provisions then in force shall remain applicable.

（総代会に関する提案権等に関する経過措置）

(Transitional Measures for Right to Make Proposals at a General Representative Members' Council Meeting, etc.)

第三十一条　新法第四十五条から第四十七条までの規定は、施行日以後に社員又は新法第四十二条第一項の総代（附則第二十九条第四項の規定により新法第四十二条第一項の総代とみなされる者を含む。）が新法第四十五条第一項、第四十六条第一項又は第四十七条第一項に規定する事項について請求する場合について適用し、施行日前に旧法第五十一条第二項において準用する旧法第五十二条ノ二第一項、第五十三条第一項又は第五十三条ノ二第一項の規定による請求がされた場合については、なお従前の例による。

Article 31 (1) The provisions of Article 45 to 47 inclusive of the New Act shall apply to any request made on or after the Effective Date by members or the representative members set forth in Article 42, paragraph (1) of the New Act (including those who shall be deemed to be the representative members set forth in Article 42, paragraph (1) of the New Act pursuant to the provisions of Article 29, paragraph (4) of the Supplementary Provisions) regarding the particulars prescribed in Article 45, paragraph (1), Article 46, paragraph (1) or Article 47, paragraph (1) of the New Act; with regard to any request made before the Effective Date pursuant to the provisions of Article 52-2, paragraph (1), Article 53, paragraph (1) or Article 53-2, paragraph (1) of the Former Act as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the Former Act, the provisions then in force shall remain applicable.

２　附則第二十八条第二項の規定は、この法律の施行の際現に存する旧法の規定による相互会社の定款に旧法第五十一条第二項において準用する旧法第五十二条ノ二第一項ただし書、第五十三条第一項ただし書又は第五十三条ノ二第一項ただし書の規定により他の標準が定められている場合について準用する。

(2) The provisions of Article 28, paragraph (2) of the Supplementary Provisions shall apply mutatis mutandis to any exceptional standard specified in the articles of incorporation of a Mutual Company under the Former Act in existence at the time when this Act enters into force, pursuant to the proviso to Article 52-2, paragraph (1), the proviso to Article 53, paragraph (1) or the proviso to Article 53-2, paragraph (1) of the Former Act as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the Former Act.

３　この法律の施行の際現に存する旧法の規定による相互会社の定款に旧法第五十一条第二項において準用する旧法第五十二条ノ二第一項ただし書、第五十三条第一項ただし書又は第五十三条ノ二第一項ただし書の規定により附則第二十九条第四項の規定により新法第四十二条第一項の総代とみなされる者の数が記載されている場合において、当該記載されている数がそれぞれ新法第四十五条第一項、第四十六条第一項又は第四十七条第一項に規定する総代の数を超えているときは、その記載はないものとみなす。

(3) Where the articles of incorporation of a Mutual Company under the Former Act in existence at the time when this Act enters into force describe the number of the persons who shall be deemed to be the representative members set forth in Article 42, paragraph (1) of the New Act pursuant to the provisions of Article 29, paragraph (4) of the Supplementary Provisions pursuant to the proviso to Article 52-2, paragraph (1), the proviso to Article 53, paragraph (1) or the proviso to Article 53-2, paragraph (1) of the Former Act as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the Former Act, such details are deemed not to exist when the number thus detailed exceeds the number of representative members prescribed in Article 45, paragraph (1), Article 46, paragraph (1) or Article 47, paragraph (1) of the New Act.

（総代会における参考書類送付に関する経過措置）

(Transitional Measures for Sending of Reference Documents for General Representative Members' Council)

第三十二条　新法第四十八条の規定は、施行日以後に発せられる新法第四十九条において準用する商法第二百三十二条第一項（招集の通知）の招集の通知について適用し、施行日前に発せられた旧法第五十一条第二項において準用する旧法第五十四条において準用する商法第二百三十二条第一項の招集の通知については、なお従前の例による。

Article 32 The provisions of Article 48 of the New Act shall apply to that convocation notice set forth in Article 232, paragraph (1) (Convocation Notice) of the Commercial Code as applied mutatis mutandis pursuant to Article 49 of the New Act that is issued on or after the Effective Date; with regard to that convocation notice set forth in Article 232, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Article 54 of the Former Act as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the Former Act which was issued before the Effective Date, the provisions then in force shall remain applicable.

（総代会に係る商法の準用に関する経過措置）

(Transitional Measures for Mutatis Mutandis Application of the Commercial Code Pertaining to General Representative Members' Council)

第三十三条　新法第四十九条において準用する商法の規定は、施行日以後に同条において準用する商法第二百三十二条第一項（招集の通知）の招集の通知が発せられる新法第四十二条第一項の総代会（附則第二十九条の規定により総代会とみなされる旧法第五十一条第一項に規定する機関を含む。）について適用し、施行日前に旧法第五十一条第二項において準用する旧法第五十四条において準用する商法第二百三十二条第一項の招集の通知が発せられた附則第二十九条第一項又は第二項の規定により新法第四十二条第一項の総代会とみなされる旧法第五十一条第一項に規定する機関については、なお従前の例による。

Article 33 The provisions of the Commercial Code as applied mutatis mutandis pursuant to Article 49 of the New Act shall apply to the sessions of the General Council set forth in Article 42, paragraph (1) of the New Act (including an administrative organ prescribed in Article 51, paragraph (1) of the Former Act which is deemed to be a General Representative Members' Council pursuant to the provisions of Article 29 of the Supplementary Provisions) for which the convocation notice set forth in Article 232, paragraph (1) (Convocation Notice) of the Commercial Code as applied mutatis mutandis pursuant to Article 49 of the New Act is issued on or after the Effective Date; with regard to the sessions of an administrative organ as prescribed in Article 51, paragraph (1) of the Former Act which is deemed to be a General Council as set forth in Article 42, paragraph (1) of the New Act pursuant to the provisions of Article 29, paragraph (1) or (2) of the Supplementary Provisions for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Article 54 of the Former Act as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the Former Act was issued before the Effective Date, the provisions then in force shall remain applicable.

（相互会社の取締役会等の決議等に関する経過措置）

(Transitional Measures for Resolutions, etc. Adopted by Mutual Company's Board of Directors, etc.)

第三十四条　この法律の施行の際現に存する旧法の規定による相互会社の取締役会又は監査役会が旧法において準用する商法又は商法特例法の規定に基づいて施行日前にした決議その他の権限の行使は、当該権限の行使がされた日において、新法の規定による相互会社の取締役会又は監査役会が新法において準用する商法又は商法特例法の相当の規定に基づいてした決議その他の権限の行使とみなす。

Article 34 The resolutions adopted, and other powers used before the Effective Date pursuant to the provisions of the Commercial Code or Act on Special Measures for the Commercial Code as applied mutatis mutandis pursuant to the Former Act by the board of directors or board of company auditors of a Mutual Company under the Former Act in existence at the time when this Act enters into force shall be deemed to be the resolutions adopted, and other powers used on the dates of the original resolutions or use of powers by the board of directors or board of company auditors of a Mutual Company under the New Act pursuant to the corresponding provisions of the Commercial Code or Act on Special Measures for the Commercial Code as applied mutatis mutandis pursuant to the New Act.

（相互会社の取締役に係る商法の準用に関する経過措置）

(Transitional Measures for Mutatis Mutandis Application of Commercial Code Pertaining to Directors of Mutual Company)

第三十五条　附則第八条の規定は、新法第五十一条第二項において準用する商法第二百五十四条ノ二（取締役の欠格事由）の規定を適用する場合について準用する。

Article 35 (1) The provisions of Article 8 of the Supplementary Provisions shall apply mutatis mutandis to any application of the provisions of Article 254-2 (Grounds for Disqualification of Director) of the Commercial Code as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the New Act.

２　新法第五十一条第二項において準用する商法第二百六十七条から第二百六十八条ノ三まで（取締役の責任を追及する訴え）の規定は、施行日以後に社員が同項において準用する同法第二百六十七条第一項の訴えの提起を請求する場合又は新法第五十一条第二項において準用する商法第二百六十七条第三項の訴えを提起する場合について適用し、施行日前に社員が旧法第五十七条第一項の訴えの提起を請求した場合又は同条第二項において準用する商法第二百六十七条第三項の訴えを提起した場合については、なお従前の例による。

(2) The provisions of Article 267 to 268-3 inclusive (Lawsuit to Hold Directors Accountable) of the Commercial Code as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the New Act shall apply to any request for filing the action set forth in Article 267, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the New Act or any filing of the action set forth in Article 267, paragraph (3) of the Commercial Code as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the New Act, made by members on or after the Effective Date; with regard to any request for filing the action set forth in Article 57, paragraph (1) of the Former Act, or any filing of the action set forth in Article 267, paragraph (3) of the Commercial Code as applied mutatis mutandis pursuant to Article 57, paragraph (2) of the Former Act, made by members before the Effective Date, the provisions then in force shall remain applicable.

３　新法第五十一条第二項において準用する商法第二百六十四条（競業避止義務）の規定は、施行日以後に取締役が行う取引について適用する。

(3) The provisions of Article 264 (Duty not to Compete) of the Commercial Code as applied mutatis mutandis pursuant to Article 51, paragraph (2) of the New Act shall apply to the transactions carried out by directors on or after the Effective Date.

（社員の名簿に関する経過措置）

(Transitional Measures for Members List)

第三十六条　この法律の施行の際現に存する旧法の規定による相互会社の取締役が旧法第五十六条の規定により備え置いた社員名簿は、新法第五十二条第一項の社員の名簿とみなす。

Article 36 The members list kept pursuant to the provisions of Article 56 of the Former Act by the directors of a Mutual Company under the Former Act in existence at the time when this Act enters into force shall be deemed to be the members list set forth in Article 52, paragraph (1) of the New Act.

（相互会社の監査役に係る商法の準用に関する経過措置）

(Transitional Measures for the Mutatis Mutandis Application of the Commercial Code Pertaining to the Company Auditors of a Mutual Company)

第三十七条　附則第八条の規定は、新法第五十三条第二項において準用する商法第二百五十四条ノ二（取締役の欠格事由）の規定を適用する場合について準用する。

Article 37 (1) The provisions of Article 8 of the Supplementary Provisions shall apply mutatis mutandis to any application of the provisions of Article 254-2 (Grounds for Disqualification of Director) of the Commercial Code as applied mutatis mutandis pursuant to Article 53, paragraph (2) of the New Act.

２　新法第五十三条第二項において準用する商法第二百六十七条から第二百六十八条ノ三まで（取締役の責任を追及する訴え）の規定は、施行日以後に社員が同項において準用する同法第二百六十七条第一項の訴えの提起を請求する場合又は新法第五十三条第二項において準用する商法第二百六十七条第三項の訴えを提起する場合について適用し、施行日前に社員が旧法第六十二条において準用する旧法第五十七条第一項の訴えの提起を請求した場合又は旧法第六十二条において準用する旧法第五十七条第二項において準用する商法第二百六十七条第三項の訴えを提起した場合については、なお従前の例による。

(2) The provisions of Article 267 to 268-3 inclusive (Lawsuit to Hold Directors Accountable) of the Commercial Code as applied mutatis mutandis pursuant to Article 53, paragraph (2) of the New Act shall apply to any request for filing the action set forth in Article 267, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Article 53, paragraph (2) of the New Act or any filing of the action set forth in Article 267, paragraph (3) of the Commercial Code as applied mutatis mutandis pursuant to Article 53, paragraph (2) of the New Act, made by members on or after the Effective Date; with regard to any request for filing the action set forth in Article 57, paragraph (1) of the Former Act as applied mutatis mutandis pursuant to Article 62 of the Former Act or any filing of the action set forth in Article 267, paragraph (3) of the Commercial Code as applied mutatis mutandis pursuant to Article 57, paragraph (2) of the Former Act as applied mutatis mutandis pursuant to Article 62 of the Former Act, made by members before the Effective Date, the provisions then in force shall remain applicable.

（損失てん補準備金に関する経過措置）

(Transitional Measures for Deficiency Reserve)

第三十八条　新法第五十四条の規定は、施行日以後に開始する事業年度に係る同条の損失てん補準備金の積立てについて適用し、施行日前に開始した事業年度に係る旧法第六十三条第一項の準備金の積立てについては、なお従前の例による。

Article 38 (1) The provisions of Article 54 of the New Act shall apply to the accumulation of the deficiency reserves set forth in that Article pertaining to the business years that start on or after the Effective Date; with regard to the accumulation of the reserves set forth in Article 63, paragraph (1) of the Former Act pertaining to the business years that started before the Effective Date, the provisions then in force shall remain applicable.

２　旧法の規定による相互会社に係るこの法律の施行の際現に存する旧法第六十三条第一項の準備金及び前項の規定によりなお従前の例によることとされる場合における同条第一項の準備金は、新法第五十四条の損失てん補準備金として積み立てられたものとみなす。

(2) The reserves set forth in Article 63, paragraph (1) of the Former Act in existence at the time when this Act enters into force pertaining to a Mutual Company under the Former Act and the reserves set forth in paragraph (1) of that Article to which the provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph shall be deemed to have been set aside as the deficiency reserves set forth in Article 54 of the New Act.

３　前項の規定により新法第五十四条の損失てん補準備金として積み立てられたものとみなされる旧法第六十三条第一項の準備金の額が新法第五十四条に規定する基金（新法第五十六条の基金償却積立金を含む。）の総額又は定款で定められた額を超える場合における決算上の処理については、内閣府令で定める。

(3) The accounting practices for settlement purposes where the amount of the reserves set forth in Article 63, paragraph (1) of the Former Act that are deemed to have been set aside as the deficiency reserves set forth in Article 54 of the New Act pursuant to the provisions of the preceding paragraph exceeds the total amount of the funds prescribed in Article 54 of the New Act (including the reserves for redemption of funds set forth in Article 56 of the New Act) or the amount specified in the articles of incorporation shall be specified by Cabinet Office Ordinance.

（基金及び基金償却積立金に関する経過措置）

(Transitional Measures for Funds and Reserve for Redemption of Funds)

第三十九条　この法律の施行の際現に存する旧法の規定による相互会社に係る旧法の規定による基金及び旧法第六十五条の規定による積立金は、それぞれ新法の規定による基金又は新法第五十六条の規定により積み立てられた基金償却積立金とみなす。

Article 39 The funds under the Former Act and the reserves under Article 65 of the Former Act pertaining to a Mutual Company under the Former Act in existence at the time when this Act enters into force shall be deemed to be the funds under the New Act and the reserves for redemption of funds set aside pursuant to the provisions of Article 56 of the New Act, respectively.

（剰余金の分配に関する経過措置）

(Transitional Measures for Distribution of Surplus)

第四十条　新法第五十八条の規定は、施行日以後に開始する事業年度に係る剰余金の分配について適用し、施行日前に開始した事業年度に係る旧法第六十六条の剰余金の分配については、なお従前の例による。

Article 40 The provisions of Article 58 of the New Act shall apply to the distribution of surplus pertaining to the business years that start on or after the Effective Date; with regard to the distribution of surplus set forth in Article 66 of the Former Act pertaining to the business years that started before the Effective Date, the provisions then in force shall remain applicable.

（試験研究費等に関する経過措置）

(Transitional Measures for Research and Development Expenditure, etc.)

第四十一条　この法律の施行の際現に存する旧法の規定による相互会社が施行日前に支出した旧法第六十七条において準用する商法第二百八十六条ノ二（試験研究費及び開発費の繰延べ）に規定する金額については、当該支出をした日に、新法の規定による相互会社が支出した新法第五十九条第一項において準用する商法第二百八十六条ノ三に規定する金額とみなす。

Article 41 (1) That amount of money prescribed in Article 286-2 (Deferral of Test and Research Expenditure and Development Expenditure) of the Commercial Code as applied mutatis mutandis pursuant to Article 67 of the Former Act which was expended before the Effective Date by a Mutual Company under the Former Act in existence at the time when this Act enters into force shall be deemed to be that amount of money prescribed in Article 286-3 of the Commercial Code as applied mutatis mutandis pursuant to Article 59, paragraph (1) of the New Act which was expended on the date of the original expenditure by a Mutual Company under the New Act.

２　新法第五十九条第一項において準用する商法第二百八十六条ノ四（新株発行費用の繰延べ）の規定は、施行日以後に開始する事業年度に支出される同条に規定する基金の募集のために必要な費用の額について適用する。

(2) The provisions of Article 286-4 (Deferral of New Share Issue Cost) of the Commercial Code as applied mutatis mutandis pursuant to Article 59, paragraph (1) of the New Act shall apply to that amount of cost required for the public offering of funds prescribed in that Article that is expended in the business years that start on or after the Effective Date.

３　新法第五十九条第一項において準用する商法第二百八十六条ノ四に規定する基金の募集のために必要な費用の額で、この法律の施行の際現に存する旧法の規定による相互会社が施行日前に開始した事業年度に支出したものについては、その額から施行日以後開始する最初の事業年度の決算期前の決算期に同条の規定が適用されたならば償却すべきであった額の最少額を控除した金額を、施行日以後に開始する最初の事業年度の決算期において、貸借対照表の資産の部に計上することができる。この場合においては、同条の規定による償却期間から既に経過した期間を控除した期間内に、毎決算期に均等額以上の償却をしなければならない。

(3) That amount of cost required for the public offering of funds prescribed in Article 286-4 of the Commercial Code as applied mutatis mutandis pursuant to Article 59, paragraph (1) of the New Act which was expended in the business years that started before the Effective Date by a Mutual Company under the Former Act in existence at the time when this Act enters into force may be credited to assets on the balance sheet for the accounting period of the first business year that starts on or after the Effective Date, after deducting the minimum amount that would have been amortized if the provisions of Article 286-4 of the Commercial Code had applied to the accounting periods before the accounting period of the first business year that starts on or after the Effective Date. In this case, not less than the straight-line amount shall be amortized in each of the accounting periods that fall within the amortization period under that Article after deducting the period that has already elapsed.

４　新法第五十九条第一項において準用する商法第二百九十四条（会社の業務及び財産状況の検査）の規定は、施行日以後に同条第一項に規定する社員又は総代が同項の請求をする場合について適用する。この場合において、この法律の施行の際現に存する旧法の規定による相互会社が施行日前にした業務の執行は、当該業務の執行の日において、新法の規定による相互会社がしたものとみなす。

(4) The provisions of Article 294 (Inspection of Business and Property Condition of Company) of the Commercial Code as applied mutatis mutandis pursuant to Article 59, paragraph (1) of the New Act shall apply where the members or representative members prescribed in Article 294, paragraph (1) of the Commercial Code make the request set forth in that paragraph on or after the Effective Date. In this case, the business executed before the Effective Date by a Mutual Company under the Former Act in existence at the time when this Act enters into force shall be deemed to have been executed on the date of the original business execution by a Mutual Company under the New Act.

（基金の募集に関する経過措置）

(Transitional Measures for Public Offering of Funds)

第四十二条　新法第六十条の規定は、施行日以後に相互会社が基金の募集に着手する場合について適用する。

Article 42 The provisions of Article 60 of the New Act shall apply to any public offering of funds started by a Mutual Company on or after the Effective Date.

（登記簿に関する経過措置）

(Transitional Measures for Registry)

第四十三条　この法律の施行の際現に登記所に備えられている相互保険会社登記簿は、新法第六十四条の相互保険会社登記簿とみなす。

Article 43 The Registry of Mutual Insurance Companies kept in a registry office at the time when this Act enters into force shall be deemed to be the Registry of Mutual Insurance Companies set forth in Article 64 of the New Act.

（商業登記法の準用に関する経過措置）

(Transitional Measures for Mutatis Mutandis Application of Commercial Registration Act)

第四十四条　施行日前にした旧法第七十九条の勅令で定めるところにより準用する商業登記法の規定による処分、手続その他の行為は、新法第六十五条において準用する商業登記法の規定による相当の行為とみなす。

Article 44 The dispositions, procedures and other actions prior to the Effective Date under the Commercial Registration Act as applied mutatis mutandis pursuant to the Imperial Ordinance set forth in Article 79 of the Former Act shall be deemed to be the corresponding actions under the Commercial Registration Act as applied mutatis mutandis pursuant to Article 65 of the New Act.

（非訟事件手続法の準用に関する経過措置）

(Transitional Measures for Mutatis Mutandis Application of Act on Procedures for Non-Contentious Cases)

第四十五条　施行日前に開始した旧法第七十九条の勅令で定めるところにより準用する非訟事件手続法の規定による手続は、新法第六十六条において準用する非訟事件手続法の規定による手続とみなす。

Article 45 The procedures started before the Effective Date under the Act on Procedures for Non-Contentious Cases as applied mutatis mutandis pursuant to the Imperial Ordinance set forth in Article 79 of the Former Act shall be deemed to be the procedures under the Act on Procedures for Non-Contentious Cases as applied mutatis mutandis pursuant to Article 66 of the New Act.

（株式会社から相互会社への組織変更に関する経過措置）

(Transitional Measures for Entity Conversion from Stock Company to Mutual Company)

第四十六条　新法第二編第二章第三節第一款の規定は、施行日以後にされる新法第六十九条第一項の株主総会の決議に係る新法第六十八条第一項の組織変更について適用し、施行日前にされた旧法第二十条第一項の株主総会の決議に係る旧法第十九条第一項の組織変更については、なお従前の例による。

Article 46 The provisions of Part II, Chapter II, Section 3, Subsection 1 of the New Act shall apply to the Entity Conversion set forth in Article 68, paragraph (1) of the New Act pertaining to the resolution of the shareholders' meeting set forth in Article 69, paragraph (1) of the New Act where it is carried out on or after the Effective Date; with regard to the Entity Conversion set forth in Article 19, paragraph (1) of the Former Act pertaining to the resolution of the shareholders' meeting set forth in Article 20, paragraph (1) of the Former Act, the provisions then in force shall remain applicable where it was carried out before the Effective Date.

（業務の範囲に関する経過措置）

(Transitional Measures for Scope of Business)

第四十七条　旧法の免許を受けた保険会社で、この法律の施行の際現に旧法第五条第一項ただし書の規定により主務大臣の認可を受けて同項ただし書に規定する他の損害保険事業を営む会社のためにその損害保険事業に属する取引の代理又は媒介を行う業務を営むものは、この法律の施行の際に新法第九十八条第二項の認可を受けたものとみなす。

Article 47 (1) Those Insurance Companies Licensed under the Former Act which, at the time when this Act enters into force and with the authorization of the competent minister pursuant to the proviso to Article 5, paragraph (1) of the Former Act, conduct business for acting as an agent or intermediary, on behalf of any of the other companies conducting non-life insurance business as prescribed in the proviso to that paragraph, in transactions within the scope of the latter's non-life insurance business, shall be deemed to obtain the authorization set forth in Article 98, paragraph (2) of the New Act at the time when this Act enters into force.

２　旧法の免許を受けた保険会社で、この法律の施行の際現に新法第九十八条第一項第一号の業務（前項に規定する業務を除く。）を行っているものは、施行日から起算して六月以内に当該業務の内容を大蔵大臣に届け出なければならない。

(2) Those Insurance Companies Licensed under the Former Act which, at the time when this Act enters into force, conduct business set forth in Article 98, paragraph (1), item (i) of the New Act (excluding the business prescribed in the preceding paragraph) shall notify the Minister of Finance of the content of such business within six months from the Effective Date.

３　前項の届出をした旧法の免許を受けた保険会社は、当該届出に係る業務を行うことについて、施行日において新法第九十八条第二項の認可を受けたものとみなす。

(3) Those Insurance Companies Licensed under the Former Act which have made the notification set forth in the preceding paragraph shall be deemed to obtain the authorization set forth in Article 98, paragraph (2) of the New Act for conducting business to which the notification pertains on the Effective Date.

第四十八条　旧法の免許を受けた保険会社で、この法律の施行の際現に新法第九十九条第一項の業務を行っているものは、施行日から起算して六月以内に当該業務の内容を大蔵大臣に届け出なければならない。

Article 48 (1) Those Insurance Companies Licensed under the Former Act which, at the time when this Act enters into force, conduct business set forth in Article 99, paragraph (1) of the New Act, shall notify the Minister of Finance of the content of such business within six months from the Effective Date.

２　前項の届出をした旧法の免許を受けた保険会社は、当該届出に係る業務を行うことについて、施行日において新法第九十九条第四項の認可を受けたものとみなす。

(2) Those Insurance Companies Licensed under the Former Act which have made the notification set forth in the preceding paragraph shall be deemed to obtain the authorization set forth in Article 99, paragraph (4) of the New Act for conducing business to which the notification pertains on the Effective Date.

３　旧法の免許を受けた保険会社で、この法律の施行の際現に旧法第五条第一項ただし書の規定により主務大臣の認可を受けて同項ただし書に規定する信託の引受けを行う業務を営むものは、この法律の施行の際に新法第九十九条第七項の認可を受けたものとみなす。

(3) Those Insurance Companies Licensed under the Former Act which, at the time when this Act enters into force and with the authorization of the competent minister pursuant to the proviso to Article 5, paragraph (1) of the Former Act, conduct business for accepting trusts prescribed in the proviso to that paragraph, shall be deemed to obtain the authorization set forth in Article 99, paragraph (7) of the New Act at the time when this Act enters into force.

（独占禁止法の適用除外に関する経過措置）

(Transitional Measures for Exclusion from Application of Anti-Monopoly Act)

第四十九条　附則第三条の規定により新法第三条第五項の損害保険業免許を受けたものとみなされる旧法の免許を受けた保険会社及び附則第七十二条の規定により新法第百八十五条第五項の外国損害保険業免許を受けたものとみなされる附則第二条の規定による廃止前の外国保険事業者に関する法律（以下「旧外国保険事業者法」という。）第二条第一項に規定する外国保険事業者（以下この条において「旧法の免許を受けた損害保険会社等」という。）がこの法律の施行の際現に他の旧法の免許を受けた損害保険会社等と行っている旧法第十二条ノ三各号（旧外国保険事業者法第十九条において準用する場合を含む。）に掲げる協定、契約その他の共同行為（以下この条において「共同行為」という。）については、当該共同行為に係るすべての旧法の免許を受けた損害保険会社等が施行日から起算して三月以内に大蔵省令で定めるところにより大蔵大臣に届出をした場合に限り、施行日から起算して二年を経過する日までの間は、旧法第十二条ノ三から第十二条ノ七まで（旧外国保険事業者法第十九条において準用する場合を含む。）の規定（これらの規定に係る罰則を含む。）は、なおその効力を有する。

Article 49 (1) With regard to those Agreements, contracts and other concerted actions (hereinafter referred to as "Concerted Actions" in this Article) listed in the items of Article 12-3 of the Former Act (including the cases where it is applied mutatis mutandis pursuant to Article 19 of the Foreign Insurance Providers Act to be repealed under Article 2 of the Supplementary Provisions (hereinafter referred to as the "Former Foreign Insurance Providers Act")) which have been entered into by the time when this Act enters into force by those Insurance Companies Licensed under the Former Act that are deemed to have obtained the non-life insurance business license set forth in Article 3, paragraph (5) of the New Act pursuant to the provisions of Article 3 of the Supplementary Provisions and those foreign insurance providers prescribed in Article 2, paragraph (1) of the Former Foreign Insurance Operators Act (hereinafter referred to as "Non-Life Insurance Companies, etc. Licensed under the Former Act" in this Article) that are deemed to have obtained the foreign non-life insurance business license set forth in Article 185, paragraph (5) of the New Act pursuant to the provisions of Article 72 of the Supplementary Provisions, with other Non-Life Insurance Companies, etc. Licensed under the Former Act, the provisions of Article 12-3 to 12-7 inclusive of the Former Act (including the cases where they are applied mutatis mutandis pursuant to Article 19 of the Former Foreign Insurance Providers Act) (including the penal provisions pertaining thereto) shall remain in force for a period of two years counting from the Effective Date, provided that all of the Non-Life Insurance Companies, etc. Licensed under the Former Act involved in the Concerted Actions have notified the Minister of Finance pursuant to the provisions of the applicable Ordinance of the Ministry of Finance within three months from the Effective Date.

２　前項の規定の適用がある場合における旧法第十二条ノ五第三項（旧外国保険事業者法第十九条において準用する場合を含む。）の規定の適用については、旧法第十二条第三項及び第四項の規定は、なおその効力を有する。

(2) For the purpose of applying the provisions of Article 12-5, paragraph (3) of the Former Act (including the cases where it is applied mutatis mutandis pursuant to Article 19 of the Former Foreign Insurance Operators Act) to any application of the provisions of the preceding paragraph, the provisions of Article 12, paragraphs (3) and (4) of the Former Act shall remain in force.

３　第一項に規定する共同行為で新法第百一条第一項各号に掲げる共同行為に該当するものについては、第一項の旧法の免許を受けた損害保険会社等は、同項に規定する期間内においても、新法第百二条第一項の認可の申請をすることができる。この場合において、当該期間内に当該認可をすることとする処分があったときは、当該認可がその効力を生ずる日以後は、第一項の規定は、適用しない。

(3) With regard to those Concerted Actions prescribed in paragraph (1) that constitute the Concerted Actions listed in Article 101, paragraph (1), items (i) and (ii) of the New Act, the Non-Life Insurance Companies, etc. Licensed under the Former Act set forth in paragraph (1) may, even in the period prescribed in that paragraph, apply for the authorization set forth in Article 102, paragraph (1) of the New Act. In this case, where any disposition has been adopted to the effect that the authorization shall be given within such period, the provisions of paragraph (1) shall cease to apply on the day when the authorization takes effect.

（海外現地法人の株式等の所有に関する経過措置）

(Transitional Measures for Shareholding in Overseas Affiliated Company, etc.)

第五十条　この法律の施行の際現に旧法の免許を受けた保険会社が新法第百八条第一項各号に掲げる会社の発行済株式（議決権のあるものに限る。）の総数又は出資の総額（以下この条において「発行済株式等」という。）の百分の五十を超える数又は額の株式（議決権のあるものに限る。）又は持分（以下この条において「株式等」という。）を所有しているときは、当該旧法の免許を受けた保険会社は、施行日から起算して三月以内にその旨を大蔵大臣に届け出なければならない。

Article 50 (1) An Insurance Company Licensed under the Former Act as of the time this Act enters into force, which holds shares (limited to those with voting rights) or equity interests (hereinafter referred to as "Shares, etc." in this Article) exceeding 50 percent of the total number of issued shares (limited to those with voting rights) or total amount of contribution (hereinafter referred to as "Issued Shares, etc." in this Article) in a company listed in the items of Article 108, paragraph (1) of the New Act shall notify the Minister of Finance of this within three months from the Effective Date.

２　この法律の施行の際旧法の免許を受けた保険会社が第一号に掲げる許可を受け、又は第二号に掲げる届出をしている株式等の取得（施行日において実行していないものに限る。）が、新法第百八条第一項各号に掲げる会社の発行済株式等の百分の五十を超える株式等の取得となるときは、当該旧法の免許を受けた保険会社は、施行日から起算して三月以内にその旨を大蔵大臣に届け出なければならない。

(2) If an Insurance Company Licensed under the Former Act as of the time this Act enters into force has received the permission listed in item (i) or if the acquisition of Shares, etc. (limited an acquisition that has not been executed by the Effective Date) in the notice under item (ii) is an acquisition of Shares, etc. that constitute over 50 percent of the Issued Shares, etc. in a company listed in the items of Article 108, paragraph (1) of the New Act, the Insurance Company Licensed under the Former Act shall notify the Minister of Finance of this within three months from the Effective Date:

一　外国為替及び外国貿易管理法（昭和二十四年法律第二百二十八号）第二十一条第二項（大蔵大臣の許可を要する資本取引）の規定による許可

(i) Permission under Article 21, paragraph (2) (Capital Transactions that Require Permission of Minister of Finance) of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949); or

二　外国為替及び外国貿易管理法第二十二条第一項第四号（居住者による対外直接投資に係る届出）の規定による届出（当該届出につき、同法第二十三条第二項（資本取引に係る内容の審査及び変更勧告等）の規定による大蔵大臣の勧告を受けることなく同条第一項の規定により当該届出に係る当該株式等の取得を行ってはならない期間を経過している場合又は当該勧告を受け同条第四項の規定により当該勧告を応諾する旨の通知がされている場合に限る。）

(ii) Notification under Article 22, paragraph (1), item (iv) (Notification Pertaining to External Direct Investment by Resident) of the Foreign Exchange and Foreign Trade Act (limited to the cases where, for the relevant notification, the period during which the acquisition of the Shares, etc. pertaining to the notification is prohibited pursuant to the provisions of Article 23, paragraph (1) of that Act without the recommendation of the Minister of Finance under Article 23, paragraph (2) (Examination of Content and Recommendation of Modification Pertaining to Capital Transaction, etc.) of that Act has lapsed, or the notification of the acceptance of the recommendation has been made pursuant to the provisions of Article 23, paragraph (4) of that Act).

３　新法第百八条第二項において準用する新法第百六条第二項の規定は、前二項の場合において旧法の免許を受けた保険会社が取得し、又は所有する株式等について準用する。

(3) The provisions of Article 106, paragraph (2) of the New Act as applied mutatis mutandis pursuant to Article 108, paragraph (2) of the New Act shall apply mutatis mutandis to the Shares, etc. acquired or owned by the Insurance Company Licensed under the Former Act in the cases set forth in the preceding two paragraphs.

４　第一項又は第二項の規定により届出をした旧法の免許を受けた保険会社は、当該届出に係る株式等の取得又は所有につき、施行日において新法第百八条第一項の認可を受けたものとみなす。

(4) An Insurance Company Licensed under the Former Act that has notified pursuant to the provisions of paragraph (1) or (2) shall be deemed to have received the authorization set forth in Article 108, paragraph (1) of the New Act as of the Effective Date.

（大蔵大臣への提出書類に関する経過措置）

(Transitional Measures concerning Required Documents for the Minister of Finance)

第五十一条　新法第百十条の規定は、施行日以後に開始する事業年度に係る同条第一項に規定する業務報告書について適用し、施行日前に開始した事業年度に係る旧法第八十二条第一項の書類については、なお従前の例による。

Article 51 The provisions of Article 110 of the New Act shall apply to the business report prescribed in paragraph (1) of that Article pertaining to the business years that start on or after the Effective Date; with regard to the documents set forth in Article 82, paragraph (1) of the Former Act pertaining to the business years that started before the Effective Date, the provisions then in force shall remain applicable.

（業務及び財産の状況に関する説明書類の縦覧に関する経過措置）

(Transitional Measures for Public Inspection of Explanatory Documents on Business and Property Status)

第五十二条　新法第百十一条の規定は、施行日以後に開始する事業年度に係る同条に規定する説明書類について適用する。

Article 52 The provisions of Article 111 of the New Act shall apply to the explanatory documents prescribed in that Article pertaining to the business years that start on or after the Effective Date.

（株式の評価の特例に関する経過措置）

(Transitional Measures for Special Provisions on Valuation of Shares)

第五十三条　新法第百十二条の規定は、施行日以後に開始する事業年度に係る株式の評価について適用し、施行日前に開始した事業年度に係る株式の評価については、なお従前の例による。

Article 53 (1) The provisions of Article 112 of the New Act shall apply to the valuation of shares pertaining to the business years that start on or after the Effective Date; with regard to the valuation of shares pertaining to the business years that started before the Effective Date, the provisions then in force shall remain applicable.

２　旧法の免許を受けた保険会社に係るこの法律の施行の際現に存する旧法第八十四条第二項の準備金及び前項の規定によりなお従前の例によることとされる場合における同条第二項の準備金は、新法第百十二条第二項の大蔵省令で定める準備金として積み立てられたものとみなす。

(2) The reserves set forth in Article 84, paragraph (2) of the Former Act in existence at the time when this Act enters into force pertaining to an Insurance Company Licensed under the Former Act or the reserves set forth in paragraph (2) of that Article to which the provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph shall be deemed to have been set aside as the reserves set forth in Article 112, paragraph (2) of the New Act to be prescribed by an Ordinance of the Ministry of Finance.

（創立費及び事業費の償却に関する経過措置）

(Transitional Measures for Amortization of Incorporation Expenditures and Business Expenditures)

第五十四条　旧法の免許を受けた保険会社に係る旧法第八十五条第一項に規定する設立費用及び初めの五年度の事業費で、この法律の施行の際まだ償却されていない金額は、新法第百十三条第一項の規定により貸借対照表の資産の部に計上しているものとみなして、同項の規定を適用する。

Article 54 For the purpose of applying the provisions of Article 113, paragraph (1) of the New Act to any amount of the incorporation expenditures prescribed in Article 85, paragraph (1) of the Former Act or the business expenditures for the initial five years pertaining to an Insurance Company Licensed under the Former Act that has not been amortized by the time when this Act enters into force, such amount shall be deemed to have been credited to assets on the balance sheet pursuant to the provisions of Article 113, paragraph (1) of the New Act.

（契約者配当に関する経過措置）

(Transitional Measures for Policy Dividend)

第五十五条　新法第百十四条の規定は、施行日以後に開始する事業年度に係る同条第一項に規定する契約者配当を行う場合について適用する。

Article 55 The provisions of Article 114 of the New Act shall apply to any distribution of the policy dividend prescribed in paragraph (1) of that Article pertaining to the business years that start on or after the Effective Date.

（価格変動準備金に関する経過措置）

(Transitional Measures for Price Fluctuation Reserve)

第五十六条　新法第百十五条の規定は、施行日以後に開始する事業年度に係る同条第一項の価格変動準備金の積立てについて適用し、施行日前に開始した事業年度に係る旧法第八十六条の準備金の積立てについては、なお従前の例による。

Article 56 (1) The provisions of Article 115 of the New Act shall apply to the accumulation of the price fluctuation reserves set forth in paragraph (1) of that Article pertaining to the business years that start on or after the Effective Date; with regard to the accumulation of the reserves set forth in Article 86 of the Former Act pertaining to the business years that started before the Effective Date, the provisions then in force shall remain applicable.

２　旧法の免許を受けた保険会社に係るこの法律の施行の際現に存する旧法第八十六条の準備金及び前項の規定によりなお従前の例によることとされる場合における同条の準備金は、新法第百十五条第一項の価格変動準備金として積み立てられたものとみなす。

(2) The reserves set forth in Article 86 of the Former Act in existence at the time when this Act enters into force pertaining to an Insurance Company Licensed under the Former Act and the reserves set forth in that Article to which the provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph shall be deemed to have been set aside as the price fluctuation reserves set forth in Article 115, paragraph (1) of the New Act.

３　前項の規定により新法第百十五条第一項の価格変動準備金として積み立てられたものとみなされる旧法第八十六条の準備金の額が同項に規定する大蔵省令で定めるところにより計算した金額を超える部分の金額の決算上の処理について必要な事項は、大蔵省令で定める。

(3) Where the amount of reserves as set forth in Article 86 of the Former Act that are deemed to have been set aside as the price fluctuation reserves set forth in Article 115, paragraph (1) of the New Act pursuant to the provisions of the preceding paragraph exceeds the amount set forth in Article 115, paragraph (1) of the New Act to be calculated pursuant to the provisions of the applicable Ordinance of the Ministry of Finance, necessary particulars in accounting for such excess amount for settlement purposes shall be prescribed by the Ordinance of the Ministry of Finance.

（責任準備金に関する経過措置）

(Transitional Measures for Policy Reserve)

第五十七条　新法第百十六条の規定は、施行日以後に開始する事業年度に係る同条第一項の責任準備金の積立てについて適用し、施行日前に開始した事業年度に係る旧法第八十八条第一項の責任準備金の積立てについては、なお従前の例による。

Article 57 (1) The provisions of Article 116 of the New Act shall apply to the accumulation of the policy reserves set forth in paragraph (1) of that Article pertaining to the business years that start on or after the Effective Date; with regard to the accumulation of the policy reserves set forth in Article 88, paragraph (1) of the Former Act pertaining to the business years that started before the Effective Date, the provisions then in force shall remain applicable.

２　旧法の免許を受けた保険会社に係るこの法律の施行の際現に存する旧法第八十八条第一項の責任準備金及び前項の規定によりなお従前の例によることとされる場合における同条第一項の準備金は、新法第百十六条第一項の責任準備金として積み立てられたものとみなす。

(2) The policy reserves set forth in Article 88, paragraph (1) in existence at the time when this Act enters into force pertaining to an Insurance Company Licensed under the Former Act and the reserves set forth in that paragraph to which the provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph shall be deemed to have been set aside as the policy reserves set forth in Article 116, paragraph (1) of the New Act.

（支払備金に関する経過措置）

(Transitional Measures for Reserve for Outstanding Claims)

第五十八条　新法第百十七条の規定は、施行日以後に開始する事業年度に係る同条第一項の支払備金の積立てについて適用する。

Article 58 The provisions of Article 117 of the New Act shall apply to the accumulation of the reserves for outstanding claims set forth in paragraph (1) of that Article pertaining to the business years that start on or after the Effective Date.

（特別勘定に関する経過措置）

(Transitional Measures for Special Accounts)

第五十九条　この法律の施行の際現に旧法の免許を受けた保険会社が新法第百十八条第一項の大蔵省令で定める保険契約に係る旧法第八十八条第一項の責任準備金の金額に対応する財産をその他の財産と区別して経理するための特別の勘定を設けている場合には、当該特別の勘定は、新法第百十八条第一項の規定により設けた特別勘定とみなす。

Article 59 Where an Insurance Company Licensed under the Former Act has created, by the time when this Act enters into force, a Special Account for the assets corresponding to the amount of the policy reserves set forth in Article 88, paragraph (1) of the Former Act pertaining to the insurance contracts set forth in Article 118, paragraph (1) of the New Act to be specified by an Ordinance of the Ministry of Finance for the purpose of ensuring separate accounting from other assets, such separate account shall be deemed to be the separate account created pursuant to the provisions of Article 118, paragraph (1) of the New Act.

（保険計理人の選任等に関する経過措置）

(Transitional Measures for Appointment of Actuary, etc.)

第六十条　新法第百二十条の規定は、附則第三条の規定により新法第三条第五項の損害保険業免許を受けたものとみなされる旧法の免許を受けた保険会社については、施行日から起算して三月を経過する日までの間は、適用しない。

Article 60 (1) The provisions of Article 120 of the New Act shall not apply to an Insurance Company Licensed under the Former Act that is deemed to have obtained the non-life insurance business license set forth in Article 3, paragraph (5) of the New Act pursuant to the provisions of Article 3 of the Supplementary Provisions, for a period of three months counting from the Effective Date.

２　この法律の施行の際現に旧法第八十九条第一項の規定により選任されている保険計理人は、施行日において新法第百二十条第一項の規定により選任された保険計理人とみなす。

(2) An actuary that has been appointed by the time when this Act enters into force pursuant to the provisions of Article 89, paragraph (1) of the Former Act shall be deemed to be the actuary appointed on the Effective Date pursuant to the provisions of Article 120, paragraph (1) of the New Act.

３　新法第百二十条第二項の規定は、前項の規定により同条第一項の規定により選任されたものとみなされる保険計理人については、施行日から起算して二年を経過する日までの間は、適用しない。

(3) The provisions of Article 120, paragraph (2) of the New Act shall not apply to an actuary who is deemed to be appointed pursuant to the provisions of paragraph (1) of that Article pursuant to the provisions of the preceding paragraph, for a period of two years counting from the Effective Date.

（保険計理人の職務に関する経過措置）

(Transitional Measures for Actuary's Duties)

第六十一条　新法第百二十一条の規定は、施行日以後に開始する事業年度に係る事項に関する保険計理人の職務について適用し、附則第三条の規定により新法第三条第四項の生命保険業免許を受けたものとみなされる旧法の免許を受けた保険会社の施行日前に開始した事業年度に係る事項に関する保険計理人の職務については、なお従前の例による。この場合において、なお従前の例によることとされる旧法第九十条第二項に規定する主務大臣は、内閣総理大臣とする。

Article 61 The provisions of Article 121 of the New Act shall apply to the duties of an actuary concerning the particulars for business years that start on or after the Effective Date; with regard to the duties of an actuary concerning the particulars for business years that started before the Effective Date of an Insurance Company Licensed under the Former Act that is deemed to have obtained the life insurance business license set forth in Article 3, paragraph (4) of the New Act pursuant to the provisions of Article 3 of the Supplementary Provisions, the provisions then in force shall remain applicable. In this case, the competent minister prescribed in Article 90, paragraph (2) of the Former Act to whom the provisions then in force shall remain applicable shall be the Prime Minister.

（保険計理人の解任に関する経過措置）

(Transitional Measures for Dismissal of Actuary)

第六十二条　新法第百二十二条の規定は、施行日以後にした行為に係る保険計理人の解任について適用し、施行日前の怠る行為及び施行日前にした行為に係る保険計理人の解任については、なお従前の例による。この場合において、なお従前の例によることとされる旧法第八十九条第二項に規定する主務大臣は、内閣総理大臣とする。

Article 62 The provisions of Article 122 of the New Act shall apply to the dismissal of an actuary for any of the actions taken on or after the Effective Date; with regard to the dismissal of an actuary for any of the neglect or actions taken before the Effective Date, the provisions then in force shall remain applicable. In this case, the competent minister prescribed in Article 89, paragraph (2) of the Former Act to whom the provisions then in force shall remain applicable shall be the Prime Minister.

（事業方法書等に係る変更の認可等に関する経過措置）

(Transitional Measures for Authorization, etc. of Modification Pertaining to Statement of Business Procedures, etc.)

第六十三条　旧法の免許を受けた保険会社がこの法律の施行の際現に旧法第十条第一項の規定により旧法第一条第二項第二号から第四号までに掲げる書類に定めた事項の変更に係る主務大臣の認可を申請している場合には、当該申請を新法第百二十三条第一項の大蔵大臣の認可の申請とみなす。この場合において、当該変更に係る事項が同項の大蔵省令で定める事項に該当するときは、当該変更に係る事項は、同項の大蔵省令で定める事項に該当しないものとみなす。

Article 63 (1) Where an Insurance Company Licensed under the Former Act has applied, by the time this Act enters into force, for the authorization of the competent minister pertaining to the modification of particulars prescribed in any of the documents listed in Article 1, paragraph (2), items (ii) to (iv) inclusive of the Former Act pursuant to the provisions of Article 10, paragraph (1) of the Former Act, such application shall be deemed to be the application for the authorization of the Minister of Finance set forth in Article 123, paragraph (1) of the New Act. In this case, the particulars to be modified shall be deemed to be outside the scope of the particulars set forth in that paragraph to be prescribed by an Ordinance of the Ministry of Finance even when such particulars do fall under the particulars prescribed by the Ordinance of the Ministry of Finance set forth in that paragraph.

２　旧法の免許を受けた保険会社がこの法律の施行の際現に旧法第十条第一項の規定により旧法第一条第二項第一号に掲げる書類に定めた事項の変更に係る主務大臣の認可を申請している場合において、当該変更に係る事項が新法第百二十六条各号に掲げる事項のいずれかに該当するときは、当該申請は、同条の認可に係る申請とみなす。

(2) Where an Insurance Company Licensed under the Former Act has applied, by the time this Act enters into force, for the authorization of the competent minister pertaining to the modification of particulars prescribed in the document listed in Article 1, paragraph (2), item (i) of the Former Act pursuant to the provisions of Article 10, paragraph (1) of the Former Act, such application shall be deemed to be an application subject to the authorization set forth in Article 126 of the New Act when the particulars to be modified fall under any of the particulars listed in the items of that Article.

３　前項に規定する場合において、当該変更に係る事項が新法第百二十六条各号に掲げる事項のいずれにも該当しないときは、当該変更は、この法律の施行の際にその効力を生ずるものとし、かつ、施行日において新法第百二十七条第三号に掲げる事項に係る同条の届出がされたものとみなす。

(3) In the case prescribed in the preceding paragraph, when the particulars to be modified do not fall under any of the particulars listed in the items of Article 126 of the New Act, the modification shall take effect at the time when this Act enters into force, and the application set forth in Article 127 of the New Act shall be deemed to be filed as of the Effective Date pertaining to the particulars listed in item (iii) of that Article.

（業務の停止等に関する経過措置）

(Transitional Measures Concerning Suspension of Business, etc.)

第六十四条　施行日前にされた旧法第十二条第一項の規定による事業の停止の命令は、新法第百三十二条の規定による同条に規定する業務の全部又は一部の停止を命ずる処分とみなす。

Article 64 (1) Any order for the suspension of business under Article 12, paragraph (1) of the Former Act issued prior to the Effective Date shall be deemed to be the disposition ordering total or partial suspension of business prescribed in, and made under, Article 132 of the New Act.

２　施行日前に旧法第十二条第一項の規定による事業の停止の命令に係る同条第三項の規定による通知及び公示がされた場合においては、施行日以後も同条第二項及び第四項の規定の例により手続を続行して、新法第百三十二条の規定による同条に規定する業務の全部又は一部の停止を命ずる処分をすることができる。

(2) Where any notification and public notice were given under Article 12, paragraph (3) of the Former Act before the Effective Date pertaining to an order for the suspension of business under paragraph (1) of that Article, the disposition for ordering total or partial suspension of business prescribed in Article 132 of the New Act may be made under that Article by continuing the procedure as prescribed in Article 12, paragraphs (2) and (4) of the Former Act on and after the Effective Date.

（免許の取消し等に関する経過措置）

(Transitional Measures Concerning Rescission of License, etc.)

第六十五条　旧法の免許を受けた保険会社が施行日前にした旧法第十二条第一項に規定する行為は、新法第百三十三条第一号又は第三号に規定する行為とみなして、同条の規定を適用する。

Article 65 (1) For the purpose of applying the provisions of item (i) or (iii) of Article 133 of the New Act, any action under Article 12, paragraph (1) of the Former Act committed before the Effective Date by an Insurance Company Licensed under the Former Act shall be deemed to be the action prescribed in item (i) or (iii) of Article 133 of the New Act.

２　施行日前に旧法第十二条第一項の規定による処分に係る同条第三項の規定による通知及び公示がされた場合においては、施行日以後も同条第四項の規定の例により手続を続行して、当該処分に相当する新法第百三十三条の規定による処分をすることができる。

(2) Where any notification and public notice were given under Article 12, paragraph (3) of the Former Act before the Effective Date pertaining to a disposition under paragraph (1) of that Article, a disposition under Article 133 of the New Act that is equivalent to the original disposition may be made by continuing the procedure as prescribed in Article 12, paragraph (4) of the Former Act on and after the Effective Date.

（保険契約の包括移転に関する経過措置）

(Transitional Measures for Portfolio Transfers of Insurance Contracts)

第六十六条　新法第二編第七章第一節の規定は、施行日以後に商法第二百三十二条第一項（招集の通知）（新法第四十一条及び第四十九条において準用する場合を含む。）の招集の通知が発せられる株主総会又は社員総会若しくは新法第四十二条第一項の総代会（附則第二十九条の規定により同項の総代会とみなされる旧法第五十一条第一項に規定する機関を含む。）（以下「株主総会等」という。）の決議に係る保険契約の移転について適用し、施行日前に商法第二百三十二条第一項（旧法第五十四条（旧法第五十一条第二項において準用する場合を含む。）において準用する場合を含む。）の招集の通知が発せられた株主総会等の決議に係る保険契約の移転については、なお従前の例による。

Article 66 The provisions of Part II, Chapter VII, Section 1 of the New Act shall apply to the transfer of insurance contracts pertaining to a resolution at a shareholders' meeting, or a general members' council meeting or a General Representative Members' Council Meeting set forth in Article 42, paragraph (1) of the New Act (including an administrative organ prescribed in Article 51, paragraph (1) of the Former Act which is deemed to be a General Representative Members' Council Meeting as set forth in Article 42, paragraph (1) of the New Act pursuant to the provisions of Article 29 of the Supplementary Provisions) (hereinafter referred to as the "Shareholders' Meeting, etc."), adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) (Convocation Notice) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Articles 41 and 49 of the New Act) is given on or after the Effective Date; with regard to the transfer of insurance contracts pertaining to a resolution of the Shareholders' Meeting, etc. adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Article 54 of the Former Act (including the cases where it is applied mutatis mutandis pursuant to Article 51, paragraph (2) of the Former Act)) was given before the Effective Date, the provisions then in force shall remain applicable.

（業務及び財産の管理の委託に関する経過措置）

(Transitional Measures for Entrustment of Business and Property Administration)

第六十七条　旧法第九十三条の認可を受けた旧法第九十二条第一項の契約でこの法律の施行の際現に効力を有するものは、新法第百四十四条第一項の契約とみなして、新法第百四十六条から第百五十条までの規定を適用する。

Article 67 For the purpose of applying the provisions of Article 146 to 150 inclusive of the New Act, those contracts set forth in Article 92, paragraph (1) of the Former Act and authorized under Article 93 of the Former Act which are in force at the time when this Act enters into force shall be deemed to be the contracts set forth in Article 144, paragraph (1) of the New Act.

（整理に関する経過措置）

(Transitional Measures for Arrangement Proceedings)

第六十八条　新法第百五十一条において準用する商法の会社の整理に関する規定は、施行日以後に同法第三百八十一条（整理の開始）の申立て又は通告がされる場合について適用し、施行日前に旧法第七十八条において準用する商法第三百八十一条の申立て又は通告がされた場合については、なお従前の例による。

Article 68 The provisions of the Commercial Code on corporate arrangement as applied mutatis mutandis pursuant to Article 151 of the New Act shall apply where the application or notification set forth in Article 381 (Initiation of Arrangement Proceedings) of said Code is made on or after the Effective Date; where the application or notification set forth in Article 381 of the Commercial Code as applied mutatis mutandis pursuant to Article 78 of the Former Act was made before the Effective Date, the provisions then in force shall remain applicable.

（解散等に関する経過措置）

(Transitional Measures Concerning Dissolution, etc.)

第六十九条　新法第二編第八章第二節の規定は、施行日以後に生ずる新法第百五十二条に規定する事由に係る保険会社の解散について適用し、施行日前に生じた旧法第百八条第一項に規定する事由に係る旧法の保険会社の解散については、なお従前の例による。

Article 69 The provisions of Part II, Chapter VIII, Section 2 of the New Act shall apply to the dissolution of an Insurance Company on the grounds prescribed in Article 152 of the New Act that emerge on or after the Effective Date; with regard to the dissolution of an Insurance Company under the Former Act on the grounds prescribed in Article 108, paragraph (1) of the Former Act that emerged before the Effective Date, the provisions then in force shall remain applicable.

（合併に関する経過措置）

(Transitional Measures for Merger)

第七十条　新法第二編第八章第三節の規定は、施行日以後に商法第二百三十二条第一項（招集の通知）（新法第四十一条及び第四十九条において準用する場合を含む。）の招集の通知が発せられる株主総会等の決議に係る合併について適用し、施行日前に商法第二百三十二条第一項（旧法第五十四条（旧法第五十一条第二項において準用する場合を含む。）において準用する場合を含む。）の招集の通知が発せられた株主総会等の決議に係る合併については、なお従前の例による。

Article 70 The provisions of Part II, Chapter VIII, Section 3 of the New Act shall apply to any merger pertaining to a resolution of the Shareholders' Meeting, etc. adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) (Convocation Notice) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Articles 41 and 49 of the New Act) is given on or after the Effective Date; with regard to any merger pertaining to a resolution of the Shareholders' Meeting, etc. adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Article 54 of the Former Act (including the cases where it is applied mutatis mutandis pursuant to Article 51, paragraph (2) of the Former Act)) was given before the Effective Date, the provisions then in force shall remain applicable.

（清算手続等に関する経過措置）

(Transitional Measures for Liquidation Procedure, etc.)

第七十一条　新法第二編第八章第四節の規定は、施行日以後に生ずる新法第百五十二条に規定する事由に係る保険会社の解散に係る清算について適用し、施行日前に生じた旧法第百八条第一項に規定する事由に係る旧法の保険会社の解散に係る清算については、なお従前の例による。

Article 71 (1) The provisions of Part II, Chapter VIII, Section 4 of the New Act shall apply to any liquidation pertaining to the dissolution of an Insurance Company on the grounds prescribed in Article 152 of the New Act that emerge on or after the Effective Date; with regard to any liquidation pertaining to the dissolution of an Insurance Company under the Former Act on the grounds prescribed in Article 108, paragraph (1) of the Former Act that emerged before the Effective Date, the provisions then in force shall remain applicable.

２　新法第百八十三条第一項において準用する商法第四百三十条第二項（清算に関する準用規定）において準用する同法第二百六十七条から第二百六十八条ノ三まで（取締役の責任を追及する訴え）の規定は、施行日以後に社員が新法第百八十三条第一項において準用する商法第四百三十条第二項において準用する同法第二百六十七条第一項の訴えの提起を請求する場合又は新法第百八十三条第一項において準用する商法第四百三十条第二項において準用する同法第二百六十七条第三項の訴えを提起する場合について適用し、施行日前に社員が旧法第七十七条において準用する旧法第五十七条第一項の訴えの提起を請求した場合又は旧法第七十七条において準用する旧法第五十七条第二項において準用する商法第二百六十七条第三項の訴えを提起した場合については、なお従前の例による。

(2) The provisions of Article 267 to 268-3 inclusive (Lawsuit to Hold Directors Accountable) of the Commercial Code as applied mutatis mutandis pursuant to Article 430, paragraph (2) (Provisions for Mutatis Mutandis Application Concerning Liquidation) of said Code as applied mutatis mutandis pursuant to Article 183, paragraph (1) of the New Act shall apply to any request for filing the action set forth in Article 267, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Article 430, paragraph (2) of said Code as applied mutatis mutandis pursuant to Article 183, paragraph (1) of the New Act or any filing of the action set forth in Article 267, paragraph (3) of the Commercial Code as applied mutatis mutandis pursuant to Article 430, paragraph (2) of said Code as applied mutatis mutandis pursuant to Article 183, paragraph (1) of the New Act, made by members on or after the Effective Date; with regard to any request for filing the action set forth in Article 57, paragraph (1) of the Former Act as applied mutatis mutandis pursuant to Article 77 of the Former Act or any filing of the action set forth in Article 267, paragraph (3) of the Commercial Code as applied mutatis mutandis pursuant to Article 57, paragraph (2) of the Former Act, made by members before the Effective Date, the provisions then in force shall remain applicable.

（外国保険会社等に係る事業の免許に関する経過措置）

(Transitional Measures for Business License Pertaining to Foreign Insurance Company, etc.)

第七十二条　この法律の施行の際現に旧外国保険事業者法第三条第一項の大蔵大臣の免許を受けている者（旧外国保険事業者法附則第三項又は第五項の規定により同条第一項の大蔵大臣の免許を受けたものとみなされる者を含む。）は、この法律の施行の際に新法第百八十五条第一項の大蔵大臣の免許を受けたものとみなす。

Article 72 (1) A person that has obtained by the time when this Act enters into force the license of the Minister of Finance set forth in Article 3, paragraph (1) of the Former Foreign Insurance Providers Act (including a person who is deemed to have obtained the license of the Minister of Finance set forth in that paragraph pursuant to the provisions of paragraph (3) or (5) of the Supplementary Provisions to the Former Foreign Insurance Providers Act) shall be deemed to obtain the license of the Minister of Finance set forth in Article 185, paragraph (1) of the New Act at the time when this Act enters into force.

２　前項の規定により同項に規定する者（以下「旧外国保険事業者法の免許を受けた外国保険会社等」という。）が受けたものとみなされる新法第百八十五条第一項の大蔵大臣の免許は、その者が旧外国保険事業者法第二条第一項の外国生命保険事業者又は外国損害保険事業者のいずれであるかの区分に応じ、それぞれ新法第百八十五条第四項の外国生命保険業免許又は同条第五項の外国損害保険業免許とする。

(2) The license of the Minister of Finance set forth in Article 185, paragraph (1) of the New Act that the person prescribed in the preceding paragraph (hereinafter referred to as "Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act") shall be deemed to have received pursuant to the provisions of that paragraph shall be the foreign life insurance business license set forth in Article 185, paragraph (4) of the New Act or the foreign non-life insurance business license set forth in paragraph (5) of that Article, according to whether the person is the foreign life insurance provider or foreign non-life insurance provider set forth in Article 2, paragraph (1) of the Former Foreign Insurance Providers Act.

（免許申請書等に関する経過措置）

(Transitional Measures for Written Application for License, etc.)

第七十三条　旧外国保険事業者法の免許を受けた外国保険会社等に係る旧外国保険事業者法第四条第一項の申請書に記載された同項各号に掲げる事項（旧外国保険事業者法第七条第一項の届出がされた場合には、当該届出に係る変更後のもの）は、新法第百八十七条第一項の免許申請書に記載された同項各号のうちそのそれぞれに相当する号に掲げる事項とみなす。

Article 73 (1) The particulars listed in the items of Article 4, paragraph (1) of the Former Foreign Insurance Providers Act which are described in the written application set forth in that paragraph pertaining to a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act (or, where the notification set forth in Article 7, paragraph (1) of the Former Foreign Insurance Providers Act has been made, such particulars as modified by the notification) shall be deemed to be the particulars listed in the corresponding items of Article 187, paragraph (1) of the New Act which are described in the written application for license set forth in that paragraph.

２　旧外国保険事業者法の免許を受けた外国保険会社等に係る旧外国保険事業者法第四条第四項第一号から第五号までに掲げる書類でこの法律の施行の際現に大蔵大臣に提出されているものは、新法第百八十七条第三項各号のうちそのそれぞれに相当する号に掲げる書類（旧外国保険事業者法第四条第四項第四号又は第五号に掲げる書類にあっては、新法第百八十七条第三項第四号に掲げる書類）とみなす。

(2) Those documents listed in Article 4, paragraph (1), items (i) to (v) inclusive of the Former Foreign Insurance Providers Act pertaining to a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act which have been submitted to the Minister of Finance by the time when this Act enters into force shall be deemed to be the documents listed in the corresponding items of Article 187, paragraph (3) of the New Act (or, for the document listed in item (iv) or (v) of Article 4, paragraph (4) of the Former Foreign Insurance Providers Act, the document listed in Article 187, paragraph (3), item (iv) of the New Act).

（免許の条件に関する経過措置）

(Transitional Measures for Condition for License)

第七十四条　旧外国保険事業者法の免許を受けた外国保険会社等がこの法律の施行の際現に行っている旧外国保険事業者法第一条に規定する日本における保険事業の内容が新法第百八十八条第一項に規定する場合に該当するときは、附則第七十二条の規定によりその者がこの法律の施行の際に受けたものとみなされる新法第百八十五条第一項の大蔵大臣の免許は、新法第百八十八条第一項の条件が付されたものとする。

Article 74 Where the content of Insurance Business in Japan as prescribed in Article 1 of the Former Foreign Insurance Providers Act, conducted by a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act at the time when this Act enters into force falls under the case prescribed in Article 188, paragraph (1) of the New Act, the condition set forth in Article 188, paragraph (1) of the New Act shall be attached to that license of the Minister of Finance set forth in Article 185, paragraph (1) of the New Act which the person shall be deemed to obtain at the time when this Act enters into force pursuant to the provisions of Article 72 of the Supplementary Provisions.

（外国保険会社等の供託に関する経過措置）

(Transitional Measures for Deposit by Foreign Insurance Company, etc.)

第七十五条　旧外国保険事業者法の免許を受けた外国保険会社等がこの法律の施行の際現に旧外国保険事業者法第八条の規定により供託している供託物は、新法第百九十条第一項の規定による供託がされているものとみなす。

Article 75 (1) The things deposited by a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act pursuant to the provisions of Article 8 of the Former Foreign Insurance Providers Act by the time this Act enters into force shall be deemed to have been deposited under Article 190, paragraph (1) of the New Act.

２　前項の旧外国保険事業者法の免許を受けた外国保険会社等に対する新法第百九十条第八項の規定の適用については、施行日から起算して五年を経過する日までの間は、前項の規定により同条第一項の規定による供託がされているものとみなされる前項に規定する供託物に係る供託金額として内閣府令で定める額をもって、同条第八項に規定する同条第一項の政令で定める額とみなす。

(2) For the purpose of applying the provisions of Article 190, paragraph (8) of the New Act to the Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act set forth in the preceding paragraph, the amount to be specified by Cabinet Office Ordinance as the amount of deposits pertaining to those things deposited under the preceding paragraph that are deemed to have been deposited under paragraph (1) of that Article pursuant to the provisions of the preceding paragraph shall be deemed to be the amount set forth in paragraph (1) of that Article to be specified by Cabinet Order under paragraph (8) of that Article, for a period of five years counting from the Effective Date.

３　第一項の場合において、この法律の施行の際現に旧外国保険事業者法第八条の規定による供託物の上に存する旧外国保険事業者法第九条第一項及び第二項に規定する者の優先権は、新法第百九十条第六項に規定する権利とみなす。

(3) In the case set forth in paragraph (1), any right of priority enjoyed by a person prescribed in Article 9, paragraph (1) or (2) of the Former Foreign Insurance Providers Act on the things deposited under Article 8 of the Former Foreign Insurance Providers Act at the time this Act enters into force shall be deemed to be the right prescribed in Article 190, paragraph (6) of the New Act.

４　前項の場合において、当該旧外国保険事業者法の免許を受けた外国保険会社等が外国相互会社である場合における新法第百九十条第六項の規定の特例その他同条の規定の適用に関し必要な事項は、政令で定める。

(4) In the case referred to in the preceding paragraph, any special provisions for Article 190, paragraph (6) of the New Act and other particulars necessary for applying the provisions of that Article where the Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act is a Foreign Mutual Company shall be specified by Cabinet Order.

（日本における代表者等に関する経過措置）

(Transitional Measures for Representative Person in Japan, etc.)

第七十六条　新法第百九十二条第一項及び第二項の規定は、施行日前に生じた事項についても適用する。この場合における同項の規定の適用については、施行日前にされた旧外国保険事業者法第七条第一項の届出及び公告は、新法第百九十二条第二項の告示とみなす。

Article 76 The provisions of Article 192, paragraphs (1) and (2) of the New Act shall also apply to the particulars that arose before the Effective Date. In this case, for the purpose of applying the provisions of Article 192, paragraphs (1) and (2) of the New Act, the notification and public notice set forth in Article 7, paragraph (1) of the Former Foreign Insurance Providers Act shall be deemed to be the public notice set forth in Article 192, paragraph (2) of the New Act, provided that they be given before the Effective Date.

（外国相互会社に係る商法の外国会社の営業所に関する規定の準用に関する経過措置）

(Transitional Measures for Mutatis Mutandis Application of Provisions of Commercial Code on Business Offices of Foreign Company Pertaining to Foreign Mutual Company)

第七十七条　この法律の施行の際現に旧外国保険事業者法第三条第一項の免許を受けている外国相互会社は、新法第百九十三条において準用する商法第四百七十九条第一項（外国会社の営業所）の規定により日本において取引を継続しているものとみなし、当該外国相互会社が民法第四十九条第一項（外国法人の登記）において準用する同法第四十五条第三項（法人の設立の登記等）及び第四十六条（設立の登記の登記事項及び変更の登記等）の規定により登記している事項は、新法第百九十三条において準用する商法第四百七十九条第二項及び第三項の規定による登記がされているものとみなす。

Article 77 A Foreign Mutual Company that has obtained the license set forth in Article 3, paragraph (1) of the Former Foreign Insurance Providers Act by the time when this Act enters into force shall be deemed to continue its transactions in Japan pursuant to the provisions of Article 479, paragraph (1) (Business Offices of Foreign Company) of the Commercial Code as applied mutatis mutandis pursuant to Article 193 of the New Act; the particulars registered by the Foreign Mutual Company pursuant to the provisions of Article 45, paragraph (3) (Registration of Establishment of Juridical Person) and Article 46 (Matters to be Registered upon Registration of Formation and Registration of Change) of the Civil Code as applied mutatis mutandis pursuant to Article 49, paragraph (1) (Registration of Foreign Juridical Person) of said Code shall be deemed to have been registered pursuant to the provisions of Article 479, paragraphs (3) and (4) of the Commercial Code as applied mutatis mutandis pursuant to Article 193 of the New Act.

（本店又は主たる事務所の決算書類の提出並びに定款等の備付け及び閲覧等に関する経過措置）

(Transitional Measures for Submission of Closing Financial Statements of the Head Office or Principal Office, and Retention and Inspection, etc. of the Articles of Incorporation, etc.)

第七十八条　新法第百九十五条並びに第百九十六条第二項及び第四項（新法第百九十五条に規定する書類に係る部分に限る。）の規定は、外国保険会社等の施行日以後に終了する事業年度に係る新法第百九十五条に規定する書類について適用し、施行日前に終了した事業年度に係る旧外国保険事業者法第十二条に規定する書類については、なお従前の例による。この場合において、なお従前の例によることとされる同条の規定により同条の書類を提出しなければならない先は、内閣総理大臣とする。

Article 78 (1) The provisions of Article 195, and Article 196, paragraphs (2) and (4) (limited to the segment pertaining to the documents prescribed in Article 195 of the New Act) of the New Act shall apply to the documents prescribed in Article 195 of the New Act pertaining to the business years of a Foreign Insurance Company, etc. that end on or after the Effective Date; with regard to the documents prescribed in Article 12 of the Former Foreign Insurance Providers Act pertaining to the business years that ended before the Effective Date, the provisions then in force shall remain applicable. In this case, those documents set forth in that Article to be submitted pursuant to the provisions of that Article to which the provisions then in force shall remain applicable shall be submitted to the Prime Minister.

２　旧外国保険事業者法の免許を受けた外国保険会社等の日本における代表者がこの法律の施行の際現に旧外国保険事業者法第十七条第一項の規定により備え置いている定款又はこれに準ずる書類及び日本における社員の名簿は、新法第百九十六条第一項の規定により備え置かれているものとみなす。

(2) The articles of incorporation or any equivalent document, and the members list in Japan, kept by the Representative Person in Japan of a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act at the time when this Act enters into force, pursuant to the provisions of Article 17, paragraph (1) of the Former Foreign Insurance Providers Act, shall be deemed to be kept pursuant to the provisions of Article 196, paragraph (1) of the New Act.

３　新法第百九十六条第三項、第四項（同条第三項に係る部分に限る。）及び第五項の規定は、施行日以後に開始する日本における事業年度に係る同条第三項に規定する書類について適用し、施行日前に開始した事業年度に係る旧外国保険事業者法第十七条第一項に規定する書類（前二項に規定する書類を除く。）については、なお従前の例による。

(3) The provisions of paragraphs (3), (4) (limited to the segment pertaining to paragraph (3) of that Article) and (5) of Article 196 of the New Act shall apply to the documents prescribed in paragraph (3) of that Article pertaining to the business years in Japan that start on or after the Effective Date; with regard to the documents prescribed in Article 17, paragraph (1) of the Former Foreign Insurance Providers Act (other than the documents prescribed in the preceding two paragraphs) pertaining to the business years that started before the Effective Date, the provisions then in force shall remain applicable.

（外国保険会社等の資産の国内保有義務に関する経過措置）

(Transitional Measures for Obligation of Foreign Insurance Company, etc. to Hold Assets in Japan)

第七十九条　旧外国保険事業者法の免許を受けた外国保険会社等に対する新法第百九十七条の規定の適用については、施行日から起算して五年を経過する日までの間は、同条中「合計額」とあるのは「合計額に内閣府令で定める割合を乗じた額」とする。

Article 79 For the purpose of applying the provisions of Article 197 of the New Act to a Foreign Company, etc. Licensed under the Former Foreign Insurance Providers Act, the term "sum total" in that Article shall be deemed to be replaced with "sum total multiplied by the proportion to be specified by Cabinet Office Ordinance," for a period of five years counting from the Effective Date.

（外国相互会社の支配人等の行為等に関する経過措置）

(Transitional Measures for Acts, etc of Manager, etc of Foreign Mutual Company, etc.)

第八十条　この法律の施行の際現に旧外国保険事業者法第三条第一項の免許を受けている外国相互会社が旧外国保険事業者法第十八条において準用する商法第三十七条（支配人の選任）の規定により選任した支配人（旧外国保険事業者法第十八条において準用する商法第四十二条（表見支配人）又は第四十三条（ある種類又は特定の委任を受けた使用人）に規定する使用人を含む。）の施行日前の行為その他当該支配人に係る事項については、当該事項のあった日に、新法の外国相互会社が新法第百九十八条第一項において準用する商法第三十七条の規定により選任した支配人（同項において準用する同法第四十二条又は第四十三条に規定する使用人を含む。）に係る事項があったものとみなして同項において準用する同法第三十八条から第四十三条まで（商業使用人）の規定を適用する。

Article 80 (1) For the purpose of applying the provisions of Articles 38 to 43 inclusive (Commercial Employee) of the Commercial Code as applied mutatis mutandis pursuant to Article 198, paragraph (1) of the New Act to actions prior to the Effective Date of the manager appointed by a Foreign Mutual Company that has obtained the license set forth in Article 3, paragraph (1) of the Former Foreign Insurance Providers Act by the time this Act enters into force, pursuant to the provisions of Article 37 (Appointment of Manager) of the Commercial Code as applied mutatis mutandis pursuant to Article 18 of the Former Foreign Insurance Providers Act (including the employee prescribed in Article 42 (Apparent Manager) or Article 43 (Employee with Certain Types of Entrustment or Specific Entrustment) as applied mutatis mutandis pursuant to Article 18 of the Former Foreign Insurance Providers Act), and other particulars involving said manager, such actions and other particulars shall be deemed to be particulars involving the manager appointed by a Foreign Mutual Company under the New Act pursuant to the provisions of Article 37 of the Commercial Code as applied mutatis mutandis pursuant to Article 198, paragraph (1) of the New Act (including the employee prescribed in Article 42 or 43 of said Code as applied mutatis mutandis pursuant to that paragraph).

２　新法第百九十八条第一項において準用する商法第四十六条から第四十八条まで、第五十条及び第五十一条（代理商）の規定の適用については、旧外国保険事業者法の外国相互会社についての旧外国保険事業者法第十八条において準用する商法第四十六条から第四十八条まで、第五十条及び第五十一条に規定する施行日前の行為その他の事項は、当該行為その他の事項のあった日における新法の外国相互会社についての行為その他の事項とみなす。

(2) For the purpose of applying the provisions of Article 46 to 48 inclusive, 50 and 51 (Commercial Agent) of the Commercial Code as applied mutatis mutandis pursuant to Article 198, paragraph (1) of the New Act, those actions and other particulars prescribed in Articles 46 to 48 inclusive, 50 and 51 of the Commercial Code as applied mutatis mutandis pursuant to Article 18 of the Former Foreign Insurance Providers Act which took place before the Effective Date concerning a Foreign Mutual Company under the Former Foreign Insurance Providers Act shall be deemed to be actions and other particulars of a Foreign Mutual Company under the New Act, which took place as of the original dates.

（外国相互会社の商業帳簿等に関する経過措置）

(Transitional Measures for Commercial Books, etc of Foreign Mutual Company)

第八十一条　この法律の施行の際現に存する旧外国保険事業者法の外国相互会社が旧外国保険事業者法第十八条において準用する商法第一編第五章（商業帳簿）の規定に基づいて施行日前に作成した帳簿その他の書類は、その作成した日に、新法の外国相互会社が新法第百九十八条第一項において準用する商法第一編第五章の相当の規定に基づいて作成したものとみなす。

Article 81 The books and other documents prepared prior to the Effective Date by a Foreign Mutual Company under the Former Foreign Insurance Providers Act in existence at the time when this Act enters into force, pursuant to the provisions of Part I, Chapter V (Commercial Books) of the Commercial Code as applied mutatis mutandis pursuant to Article 18 of the Former Foreign Insurance Providers Act, shall be deemed to have been prepared by a Foreign Mutual Company under the New Act as of the dates of the original preparation, pursuant to the corresponding provisions of Part I, Chapter V of the Commercial Code as applied mutatis mutandis pursuant to Article 198 of the New Act.

（外国保険会社等に係る業務、経理等に関する規定の準用に関する経過措置）

(Transitional Measures for Mutatis Mutandis Application of Provisions on Business and Accounting, etc. Pertaining to Foreign Insurance Companies, etc.)

第八十二条　旧外国保険事業者法の免許を受けた外国保険会社等で、この法律の施行の際現に新法第百九十九条において準用する新法第九十八条第一項第一号の業務を行っているものは、施行日から起算して六月以内に当該業務の内容を大蔵大臣に届け出なければならない。

Article 82 (1) Those Foreign Insurance Companies, etc. Licensed under the Former Foreign Insurance Providers Act, that conduct business set forth in Article 98, paragraph (1), item (i) of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act at the time when this Act enters into force shall notify the Minister of Finance of the content of such business within six months from the Effective Date.

２　前項の届出をした旧外国保険事業者法の免許を受けた外国保険会社等は、当該届出に係る業務を行うことについて、施行日において新法第百九十九条において準用する新法第九十八条第二項の認可を受けたものとみなす。

(2) Those Foreign Insurance Companies, etc. Licensed under the Former Foreign Insurance Providers Act which have made the notification set forth in the preceding paragraph shall be deemed to have received as of the Effective Date the authorization set forth in Article 98, paragraph (2) of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act.

第八十三条　新法第百九十九条において準用する新法第百十条の規定は、施行日以後に開始する日本における事業年度に係る同条第一項に規定する業務報告書について適用し、施行日前に開始した日本における事業年度に係る旧外国保険事業者法第十一条第一項に規定する事業の報告書については、なお従前の例による。この場合において、なお従前の例によることとされる同項の規定により同項の事業の報告書を提出しなければならない先は、内閣総理大臣とする。

Article 83 The provisions of Article 110 of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act shall apply to the business report prescribed in Article 110, paragraph (1) of the New Act pertaining to the business years in Japan that start on or after the Effective Date; with regard to the business report prescribed in Article 11, paragraph (1) of the Former Foreign Insurance Providers Act pertaining to the business years in Japan that started before the Effective Date, the provisions then in force shall remain applicable. In the cases where the provisions then in force shall remain applicable, the business report set forth in that paragraph shall be submitted to the Prime Minister.

第八十四条　新法第百九十九条において準用する新法第百十一条の規定は、施行日以後に開始する日本における事業年度に係る同条に規定する説明書類について適用する。

Article 84 The provisions of Article 111 of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act shall apply to the explanatory documents prescribed in Article 111 of the New Act pertaining to the business years in Japan that start on or after the Effective Date.

第八十五条　新法第百九十九条において準用する新法第百十二条の規定は、施行日以後に開始する日本における事業年度に係る株式の評価について適用する。

Article 85 The provisions of Article 112 of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act shall apply to the valuation of shares pertaining to the business years in Japan that start on or after the Effective Date.

第八十六条　新法第百九十九条において準用する新法第百十四条の規定は、施行日以後に開始する日本における事業年度に係る同条第一項に規定する契約者配当を行う場合について適用する。

Article 86 The provisions of Article 114 of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act shall apply to any distribution of the policy dividend prescribed in Article 114, paragraph (1) of the New Act pertaining to the business years in Japan that start on or after the Effective Date.

第八十七条　新法第百九十九条において準用する新法第百十五条の規定は、施行日以後に開始する日本における事業年度に係る同条第一項の価格変動準備金の積立てについて適用する。

Article 87 The provisions of Article 115 of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act shall apply to the accumulation of the price fluctuation reserves set forth in Article 115, paragraph (1) of the New Act pertaining to the business years in Japan that start on or after the Effective Date.

第八十八条　新法第百九十九条において準用する新法第百十六条の規定は、施行日以後に開始する日本における事業年度に係る同条第一項の責任準備金の積立てについて適用し、施行日前に開始した日本における事業年度に係る旧外国保険事業者法第十三条の責任準備金の積立てについては、なお従前の例による。

Article 88 (1) The provisions of Article 116 of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act shall apply to the accumulation of the policy reserves set forth in Article 116, paragraph (1) of the New Act pertaining to the business years in Japan that start on or after the Effective Date; with regard to the accumulation of the policy reserves set forth in Article 13 of the Former Foreign Insurance Providers Act pertaining to the business years in Japan that started before the Effective Date, the provisions then in force shall remain applicable.

２　旧外国保険事業者法の免許を受けた外国保険会社等に係るこの法律の施行の際現に存する旧外国保険事業者法第十三条の責任準備金及び前項の規定によりなお従前の例によることとされる場合における同条の責任準備金は、新法第百九十九条において準用する新法第百十六条の規定により日本において責任準備金として積み立てられたものとみなす。

(2) The policy reserves set forth in Article 13 of the Former Foreign Insurance Providers Act in existence at the time when this Act enters into force pertaining to a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act and the policy reserves set forth in that Article to which the provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph shall be deemed to have been set aside in Japan as policy reserves pursuant to the provisions of Article 116 of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act.

第八十九条　新法第百九十九条において準用する新法第百十七条の規定は、施行日以後に開始する本における事業年度に係る同条第一項の支払備金の積立てについて適用し、施行日前に開始した日本における事業年度に係る旧外国保険事業者法第十三条の支払備金の積立てについては、なお従前の例による。

Article 89 (1) The provisions of Article 117 as applied mutatis mutandis pursuant to Article 199 of the New Act shall apply to the accumulation of the reserves for outstanding claims set forth in Article 117, paragraph (1) of the New Act pertaining to the business years in Japan that start on or after the Effective Date; with regard to the accumulation of the reserves for outstanding claims set forth in Article 13 of the Former Foreign Insurance Providers Act pertaining to the business years in Japan that started before the Effective Date, the provisions then in force shall remain applicable.

２　旧外国保険事業者法の免許を受けた外国保険会社等に係るこの法律の施行の際現に存する旧外国保険事業者法第十三条の支払備金及び前項の規定によりなお従前の例によることとされる場合における同条の支払備金は、新法第百九十九条において準用する新法第百十七条の規定により日本において支払備金として積み立てられたものとみなす。

(2) The reserves for outstanding claims set forth in Article 13 of the Former Foreign Insurance Providers Act in existence at the time when this Act enters into force pertaining to a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act and the reserves for outstanding claims set forth in that Article to which the provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph shall be deemed to have been set aside in Japan as reserves for outstanding claims pursuant to the provisions of Article 117 of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act.

第九十条　この法律の施行の際現に旧外国保険事業者法の免許を受けた外国保険会社等が新法第百九十九条において準用する新法第百十八条第一項の大蔵省令で定める保険契約に係る旧外国保険事業者法第十三条の責任準備金の金額に対応する財産をその他の財産と区別して経理するための特別の勘定を設けている場合は、当該特別の勘定は、新法第百九十九条において準用する新法第百十八条第一項の規定により設けた特別勘定とみなす。

Article 90 Where a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act in existence at the time when this Act enters into force has created a Special Account to ensure separate accounting from other property for the property corresponding to the amount of the policy reserves set forth in Article 13 of the Former Foreign Insurance Providers Act pertaining to the insurance contracts set forth in Article 118, paragraph (1) of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act to be specified by an Ordinance of the Ministry of Finance, such Special Account shall be deemed to be the Special Account created pursuant to the provisions of Article 118, paragraph (1) of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act.

第九十一条　新法第百九十九条において準用する新法第百二十条の規定は、旧外国保険事業者法の免許を受けた外国保険会社等については、施行日から起算して三月を経過する日までの間は、適用しない。

Article 91 The provisions of Article 120 of the New Act as applied mutatis mutandis pursuant to Article 199 of the New Act shall not apply to a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act for a period of three months counting from the Effective Date.

（業務の停止等に関する経過措置）

(Transitional Measures for Suspension of Business, etc.)

第九十二条　施行日前にされた旧外国保険事業者法第二十二条第一項の規定による日本における事業の停止の命令は、新法第二百四条の規定による同条に規定する業務の全部又は一部の停止を命ずる処分とみなす。

Article 92 (1) Any order for the suspension of business in Japan issued under Article 22, paragraph (1) of the Former Foreign Insurance Providers Act before the Effective Date shall be deemed to be the disposition ordering total or partial suspension of business prescribed in Article 204 of the New Act taken under that Article.

２　施行日前に旧外国保険事業者法第二十二条第一項の規定による日本における事業の停止の命令に係る同条第三項の規定による通知及び公示がされた場合においては、施行日以後も同条第二項及び第四項の規定の例により手続を続行して、新法第二百四条の規定による同条に規定する業務の全部又は一部の停止を命ずる処分をすることができる。

(2) Where any notification and public notice were given under Article 22, paragraph (3) of the Former Foreign Insurance Providers Act before the Effective Date pertaining to an order for the suspension of business under paragraph (1) of that Article, the disposition for ordering total or partial suspension of business prescribed in Article 204 of the New Act may be taken under that Article by continuing the procedure as prescribed in Article 22, paragraphs (2) and (4) of the Former Foreign Insurance Providers Act on and after the Effective Date.

（免許の取消し等に関する経過措置）

(Transitional Measures for Rescission of License, etc.)

第九十三条　旧外国保険事業者法の免許を受けた外国保険会社等が施行日前にした旧外国保険事業者法第二十二条第一項に規定する行為は、新法第二百五条第一号に規定する行為とみなして、同条の規定を適用する。

Article 93 (1) For the purpose of applying the provisions of Article 205 of the New Act, an action prescribed in Article 22, paragraph (1) of the Former Foreign Insurance Providers Act that was taken before the Effective Date by a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act shall be deemed to be the action prescribed in Article 205, item (i) of the New Act.

２　施行日前に旧外国保険事業者法第二十二条第一項の規定による処分に係る同条第三項の規定による通知及び公示がされた場合においては、施行日以後も同条第四項の規定の例により手続を続行して、当該処分に相当する新法第二百五条の規定による処分をすることができる。

(2) Where any notification and public notice were given under Article 22, paragraph (3) of the Former Foreign Insurance Providers Act before the Effective Date pertaining to a disposition under paragraph (1) of that Article, a disposition corresponding to such disposition may be taken under Article 205 of the New Act by continuing the procedure as prescribed in Article 22, paragraph (4) of the Former Foreign Insurance Providers Act on and after the Effective Date.

（事業の方法書等に係る変更の認可に関する経過措置）

(Transitional Measures Concerning Authorization of Modification Pertaining to Statement of Business Procedures, etc.)

第九十四条　旧外国保険事業者法の免許を受けた外国保険会社等がこの法律の施行の際現に旧外国保険事業者法第十九条において準用する旧法第十条第一項の規定により旧外国保険事業者法第四条第四項第二号から第五号までに掲げる書類に定めた事項の変更に係る主務大臣の認可を申請している場合は、当該申請を新法第二百七条において準用する新法第百二十三条第一項の大蔵大臣の認可の申請とみなす。この場合において当該変更に係る事項が同項の大蔵省令で定める事項に該当するときは、当該変更に係る事項は、同項の大蔵省令に定める事項に該当しないものとみなす。

Article 94 Where a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act has applied, by the time when this Act enters into force, for the authorization of the competent minister pertaining to the modification of any of the particulars prescribed in the documents listed in Article 4, paragraph (4), items (ii) to (v) inclusive of the Former Foreign Insurance Providers Act pursuant to the provisions of Article 10, paragraph (1) of the Former Act as applied mutatis mutandis pursuant to Article 19 of the Former Foreign Insurance Providers Act, such application shall be deemed to be an application for the authorization of the Minister of Finance set forth in Article 123, paragraph (1) of the New Act as applied mutatis mutandis pursuant to Article 207 of the New Act. In this case, the particulars to be modified shall be deemed to be outside the scope of the particulars set forth in that paragraph to be prescribed by an Ordinance of the Ministry of Finance even when such particulars do fall under the particulars prescribed by the Ordinance of the Ministry of Finance set forth in that paragraph.

（外国保険会社等の保険契約の包括移転に関する経過措置）

(Transitional Measures Concerning Portfolio Transfers of Insurance Contracts by Foreign Insurance Company, etc.)

第九十五条　新法第二百十条第一項において準用する新法第二編第七章第一節の規定は、施行日以後に外国保険会社等が作成する同項において準用する新法第百三十五条第一項の契約に係る契約書に係る保険契約の移転について適用し、施行日前に作成した旧外国保険事業者法第二十一条第一項の契約に係る契約書に係る保険契約の移転については、なお従前の例による。

Article 95 The provisions of Part II, Chapter VII, Section 1 of the New Act as applied mutatis mutandis pursuant to Article 210, paragraph (1) of the New Act shall apply to the transfer of insurance contracts pertaining to that written Agreement pertaining to the Agreement set forth in Article 135, paragraph (1) of the New Act as applied mutatis mutandis pursuant to Article 210, paragraph (1) of the New Act that is prepared by a Foreign Insurance Company, etc. on or after the Effective Date; with regard to the transfer of insurance contracts pertaining to that written Agreement pertaining to the Agreement set forth in Article 211, paragraph (1) of the Former Foreign Insurance Providers Act which was prepared before the Effective Date, the provisions then in force shall remain applicable.

（外国保険会社等の清算に関する経過措置）

(Transitional Measures for Liquidation of Foreign Insurance Company, etc.)

第九十六条　新法第二百十二条の規定は、施行日以後に同条第一項各号のいずれかに該当することとなる外国保険会社等について適用し、施行日前に旧外国保険事業者法第二十六条第一項に規定する場合に該当することとなった同項の外国保険事業者については、なお従前の例による。

Article 96 The provisions of Article 212 of the New Act shall apply to a Foreign Insurance Company, etc. that falls under any of the items of paragraph (1) of that Article on or after the Effective Date; with regard to the foreign insurance provider set forth in Article 26, paragraph (1) of the Former Foreign Insurance Providers Act that fell under the case prescribed in that paragraph before the Effective Date, the provisions then in force shall remain applicable.

（外国保険事業者の従たる事務所等に対する営業所閉鎖命令等に関する経過措置）

(Transitional Measures for Order to Close Business Office, etc. Issued to Secondary Office, etc. of Foreign Insurance Providers)

第九十七条　旧外国保険事業者法第二十九条の外国保険事業者が日本において従たる事務所その他の事務所を設け、又は専ら外国保険事業者のために募集をする者が営業所若しくは事務所を設けた場合において、施行日前に同条において準用する商法第四百八十四条第一項各号（営業所閉鎖命令）のいずれかに該当する事由が生じた場合については、なお従前の例による。

Article 97 Where the foreign insurance provider set forth in Article 29 of the Former Foreign Insurance Providers Act has established any secondary offices or other offices in Japan, or where a person specialized in solicitation on behalf of a foreign insurance provider has established any business offices or other offices, the provisions then in force shall remain applicable to any event before the Effective Date that fell under any of the items of Article 484, paragraph (1) (Order to Close Business Offices) of the Commercial Code as applied mutatis mutandis pursuant to Article 29 of the Former Foreign Insurance Providers Act.

（外国相互保険会社登記簿に関する経過措置）

(Transitional Measures for Registry of Foreign Mutual Insurance Companies)

第九十八条　旧外国保険事業者法第三十一条の外国相互保険会社登記簿は、新法第二百十四条に定める外国相互保険会社登記簿とみなす。

Article 98 The registry of foreign mutual insurance companies set forth in Article 31 of the Former Foreign Insurance Providers Act shall be deemed to be the registry of foreign mutual insurance companies prescribed in Article 214 of the New Act.

（外国相互会社に係る商業登記法の準用に関する経過措置）

(Transitional Measures for Mutatis Mutandis Application of Commercial Registration Act Pertaining to Foreign Mutual Company)

第九十九条　施行日前にした旧外国保険事業者法第三十三条において準用する商業登記法の規定による処分、手続その他の行為は、新法第二百十六条第一項において準用する商業登記法の規定による相当の行為とみなす。

Article 99 Any disposition, procedure or other action taken prior to the Effective Date under the provisions of the Commercial Registration Act as applied mutatis mutandis pursuant to Article 33 of the Former Foreign Insurance Providers Act shall be deemed to be the corresponding action under the provisions of the Commercial Registration Act as applied mutatis mutandis pursuant to Article 216, paragraph (1) of the New Act.

（外国相互会社に係る非訟事件手続法の準用に関する経過措置）

(Transitional Measures for Mutatis Mutandis Application of Act on Procedures for Non-Contentious Cases Pertaining to Foreign Mutual Company)

第百条　施行日前に開始した旧外国保険事業者法第三十三条において準用する非訟事件手続法の規定による手続は、新法第二百十七条において準用する非訟事件手続法の規定による手続とみなす。

Article 100 Any procedure commenced before the Effective Date under the provisions of the Act on Procedures for Non-Contentious Cases as applied mutatis mutandis pursuant to Article 33 of the Former Foreign Insurance Providers Act shall be deemed to be a procedure under the provisions of the Act on Procedures for Non-Contentious Cases as applied mutatis mutandis pursuant to Article 217 of the New Act.

（外国保険業者の駐在員事務所の設置の届出等に関する経過措置）

(Transitional Measures Concerning Notification of Establishment of Foreign Insurer's Representative Office, etc.)

第百一条　この法律の施行の際現に新法第二百十八条第一項第一号の施設に該当する施設を設置している旧外国保険事業者法第二条第一項に規定する外国保険事業者で、旧外国保険事業者法の免許を受けた外国保険会社等でないものは、施行日から起算して六月以内に、その間に新法第百八十五条第一項の免許を受け、又は当該施設を廃止し、若しくは同号イ又はロに掲げる業務を廃止した場合を除き、当該施設について同号イ又はロに掲げる業務の内容、当該業務を行う施設の所在地その他新法第二百十八条第一項の大蔵省令で定める事項を大蔵大臣に届け出なければならない。この場合において、当該届出は、同項の規定によりされた届出とみなす。

Article 101 That foreign insurer prescribed in Article 2, paragraph (1) of the Former Foreign Insurers Act which has established an office falling under Article 218, paragraph (1), item (i) of the New Act by the time this Act enters into force and that is not a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurers Act shall, within six months from the Effective Date, notify the content of the business listed in (a) or (b) of that item concerning such office, the location of the office to conduct business and other particulars set forth in Article 218, paragraph (1) of the New Act to be prescribed by an Ordinance of the Ministry of Finance, unless it obtains, in the meantime, the license set forth in Article 185, paragraph (1) of the New Act, or has abolished such office or the business listed in (a) or (b) of that item. In this case, such notification shall be deemed to be notification made under Article 218, paragraph (1) of the New Act.

（事業の停止の命令に関する経過措置）

(Transitional Measures for Order for Suspension of Business)

第百二条　施行日前にされた旧法第百条第一項の規定による事業の停止の命令及び旧外国保険事業者法第二十三条第一項の規定による日本における事業の停止の命令は、新法第二百四十一条の規定による同条に規定する業務の全部又は一部の停止を命ずる処分とみなす。

Article 102 (1) Any order for the suspension of business under Article 100, paragraph (1) of the Former Act or order for the suspension of business in Japan under Article 23, paragraph (1) of the Former Foreign Insurance Providers Act, issued before the Effective Date, shall be deemed to be the disposition ordering total or partial suspension of business prescribed in Article 241 of the New Act, issued under that Article.

２　施行日前に旧法第百条第一項の規定による事業の停止の命令に係る同条第三項において準用する旧法第十二条第三項の規定による通知及び公示又は旧外国保険事業者法第二十三条第一項の規定による日本における事業の停止の命令に係る同条第三項において準用する旧外国保険事業者法第二十二条第三項の規定による通知及び公示がされた場合においては、施行日以後も旧法第百条第二項及び同条第三項において準用する旧法第十二条第四項の規定又は旧外国保険事業者法第二十三条第二項及び同条第三項において準用する旧外国保険事業者法第二十二条第四項の規定の例により手続を続行して、新法第二百四十一条の規定による同条に規定する業務の全部又は一部の停止を命ずる処分をすることができる。

(2) Where any notification and public notice under Article 12, paragraph (3) of the Former Act as applied mutatis mutandis pursuant to Article 100, paragraph (3) of the Former Act were given before the Effective Date pertaining to an order for the suspension of business issued under paragraph (1) of that Article, or where any notification and public notice under Article 22, paragraph (3) of the Former Insurance Providers Act as applied mutatis mutandis pursuant to Article 23, paragraph (3) of the Former Foreign Insurance Providers Act were given before the Effective Date pertaining to an order for the suspension of business in Japan issued under paragraph (1) of that Article, the disposition ordering total or partial suspension of business prescribed in Article 241 of the New Act may be made under that Article by continuing the procedure as prescribed in Article 12, paragraph (4) of the Former Act as applied mutatis mutandis pursuant to Article 100, paragraphs (2) and (3) of the Former Act, or in Article 22, paragraph (4) of the Former Foreign Insurance Providers Act as applied mutatis mutandis pursuant to Article 23, paragraphs (2) and (3) of the Former Foreign Insurance Providers Act, on and after the Effective Date.

（業務及び財産の管理の命令に関する経過措置）

(Transitional Measures for Order for Administration of Business and Property)

第百三条　施行日前にされた旧法第百条第一項の規定による業務及び財産の管理の命令並びに旧外国保険事業者法第二十三条第一項の規定による日本における業務及び財産の管理の命令は、新法第二百四十一条の規定による保険管理人による同条に規定する業務及び財産の管理を命ずる処分とみなし、当該業務及び財産の管理の命令又は日本における業務及び財産の管理の命令に係る保険管理人は、当該業務及び財産の管理を命ずる処分に係る保険管理人とみなす。

Article 103 (1) Any order for the administration of business and property under Article 100, paragraph (1) of the Former Act, and order for the administration of business and property in Japan under Article 23, paragraph (1) of the Former Foreign Insurance Providers Act, issued before the Effective Date, shall be deemed to be the disposition ordering the administration of business and property by an insurance administrator prescribed in Article 241 of the New Act, made under that Article; the insurance administrator pertaining to the original order for the administration of business and property or order for the administration of business and property in Japan shall be deemed to be the insurance administrator pertaining to the disposition ordering the administration of business and property.

２　施行日前に旧法第百条第一項の規定による業務及び財産の管理の命令に係る同条第三項において準用する旧法第十二条第三項の規定による通知及び公示又は旧外国保険事業者法第二十三条第一項の規定による日本における業務及び財産の管理の命令に係る同条第三項において準用する旧外国保険事業者法第二十二条第三項の規定による通知及び公示がされた場合においては、施行日以後も旧法第百条第二項及び同条第三項において準用する旧法第十二条第四項の規定又は旧外国保険事業者法第二十三条第二項及び同条第三項において準用する旧外国保険事業者法第二十二条第四項の規定の例により手続を続行して、新法第二百四十一条の規定による保険管理人による同条に規定する業務及び財産の管理を命ずる処分をすることができる。

(2) Where any notification and public notice under Article 12, paragraph (3) of the Former Act as applied mutatis mutandis pursuant to Article 100, paragraph (3) of the Former Act were given before the Effective Date pertaining to an order for the administration of business and property issued under paragraph (1) of that Article, or where any notification and public notice under Article 22, paragraph (3) of the Former Foreign Insurance Providers Act as applied mutatis mutandis pursuant to Article 23, paragraph (3) of the Former Foreign Insurance Providers Act were given before the Effective Date pertaining to an order for the administration of business and property in Japan issued under paragraph (1) of that Article, the disposition ordering the administration of business and property by an insurance administrator prescribed in Article 241 of the New Act may be made under that Article by continuing the procedure as prescribed in Article 12, paragraph (4) of the Former Act as applied mutatis mutandis pursuant to Article 100, paragraphs (2) and (3) of the Former Act, or in Article 22, paragraph (4) of the Former Foreign Insurance Providers Act as applied mutatis mutandis pursuant to Article 23, paragraphs (2) and (3) of the Former Foreign Insurance Providers Act, on and after the Effective Date.

（保険契約の移転の命令に関する経過措置）

(Transitional Measures for Order for Transfer of Insurance Contracts)

第百四条　施行日前に旧法第百条第一項の規定による契約の移転の命令に係る同条第三項において準用する旧法第十二条第三項の規定による通知及び公示又は旧外国保険事業者法第二十三条第一項の規定による日本における保険契約の移転の命令に係る同条第三項において準用する旧外国保険事業者法第二十二条第三項の規定による通知及び公示がされた場合におけるこれらの命令に係る契約の移転又は日本における保険契約の移転については、旧法第百条及び第百二十一条から第百二十六条まで並びに旧外国保険事業者法第二十三条の規定は、新法第二百五十九条第一項の指定がされる日の前日までの間は、なおその効力を有する。

Article 104 (1) Where any notification and public notice under Article 12, paragraph (3) of the Former Act as applied mutatis mutandis pursuant to Article 100, paragraph (3) of the Former Act were given before the Effective Date pertaining to an order for the transfer of contracts issued under paragraph (1) of that Article, or where any notification and public notice under Article 22, paragraph (3) of the Former Foreign Insurance Providers Act as applied mutatis mutandis pursuant to Article 23, paragraph (3) of the Former Foreign Insurance Providers Act were given before the Effective Date pertaining to an order for the transfer of insurance contracts in Japan issued under paragraph (1) of that Article, the provisions of Article 100 and Article 121 to 126 of the Former Act, and Article 23 of the Former Foreign Insurance Providers Act shall remain in force with regard to the transfer of contracts or transfer of insurance contracts in Japan pertaining to such orders, until the day before the date of the Designation set forth in Article 259, paragraph (1) of the New Act.

２　前項の規定によりなおその効力を有するものとされる旧法第百条第三項、第百二十一条第五項、第百二十二条第二項及び第三項並びに第百二十六条並びに旧外国保険事業者法第二十三条第三項及び第四項の規定の適用については、旧法第十二条第三項及び第四項、第百三条、第百四条、第百九条、第百十一条第二項ただし書、第百十四条、第百十五条、第百十七条、第百十八条並びに第百二十条並びに旧外国保険事業者法第二十二条第三項及び第四項の規定は、なおその効力を有する。この場合において、旧法第百九条中「本法第三十九条第二項」とあるのは、「保険業法（平成七年法律第百五号）第六十二条第二項」とする。

(2) For the purpose of applying the provisions of Article 100, paragraph (3), Article 121, paragraph (5), Article 122, paragraphs (2) and (3) and Article 126 of the Former Act, and Article 23, paragraphs (3) and (4) of the Former Foreign Insurance Providers Act, which are to remain in force pursuant to the provisions of the preceding paragraph, the provisions of Article 12, paragraphs (3) and (4), Article 103, Article 104, Article 109, the proviso to Article 111, paragraph (2), Article 114, Article 115, Article 117, Article 118 and Article 120 of the Former Act, and Article 22, paragraphs (3) and (4) of the Former Foreign Insurance Providers Act shall remain in force. In this case, the term "Article 39, paragraph (2) of this Act" in Article 109 of the Former Act shall be deemed to be replaced with "Article 62, paragraph (2) of the Insurance Business Act (Act No. 105 of 1995)."

３　第一項に規定する期間の経過前にした行為に対する罰則の適用については、同項の規定によりなおその効力を有するものとされる同項に規定する規定は、同項に規定する期間の経過後も、なおその効力を有する。

(3) For the purpose of applying penal provisions to actions taken before the period prescribed in paragraph (1) lapses, the provisions prescribed in that paragraph, which are to remain in force pursuant to the provisions of that paragraph, shall remain in force even after the period prescribed in that paragraph has lapsed.

４　第一項の規定によりなおその効力を有するものとされる旧法第百条及び第百二十一条から第百二十六条まで又は旧外国保険事業者法第二十三条の規定の適用がある場合においては、附則第六十六条及び第九十五条の規定にかかわらず、新法第二編第七章第一節（新法第二百十条第一項において準用する場合を含む。）の規定は、適用しない。

(4) Where the provisions of Article 100 and Article 121 to 126 of the Former Act, or Article 23 of the Former Foreign Insurance Providers Act, which are to remain in force pursuant to the provisions of paragraph (1), apply, the provisions of Part II, Chapter VII, Section 1 of the New Act (including the cases where they are applied mutatis mutandis pursuant to Article 210, paragraph (1) of the New Act) shall not apply, notwithstanding the provisions of Articles 66 and 95 of the Supplementary Provisions.

（削除）

(Deleted)

第百五条　削除

Article 105 Deleted.

（削除）

(Deleted)

第百六条　削除

Article 106 Deleted.

（免許の失効に関する経過措置）

(Transitional Measures Concerning Lapse of License)

第百七条　新法第二百七十二条第一項第五号の規定は、施行日以後に保険会社又は外国保険会社等が受ける新法第三条第一項の内閣総理大臣の免許及び新法第百八十五条第一項の内閣総理大臣の免許について適用し、旧法の免許を受けた保険会社又は旧外国保険事業者法の免許を受けた外国保険会社等に係る施行日前の旧法第一条第一項の主務大臣の免許及び旧外国保険事業者法第三条第一項の大蔵大臣の免許については、なお従前の例による。

Article 107 The provisions of Article 272, paragraph (1), item (v) of the New Act shall apply to the license of the Prime Minister set forth in Article 3, paragraph (1) of the New Act, and the license of the Prime Minister set forth in Article 185, paragraph (1) of the New Act, obtained by an Insurance Company or a Foreign Insurance Company, etc. on or after the Effective Date; with regard to the license of the competent minister set forth in Article 1, paragraph (1) of the Former Act, and the license of the Minister of Finance set forth in Article 3, paragraph (1) of the Former Foreign Insurance Providers Act, issued before the Effective Date pertaining to an Insurance Company Licensed under the Former Act or a Foreign Insurance Company, etc. Licensed under the Former Foreign Insurance Providers Act, the provisions then in force shall remain applicable.

（生命保険募集人及び損害保険代理店の登録に関する経過措置）

(Transitional Measures for Registration of Life Insurance Agents and Non-Life Insurance Representatives)

第百八条　この法律の施行の際現に旧募集取締法第三条の登録を受けている生命保険募集人（保険募集の取締に関する法律の一部を改正する法律（昭和二十六年法律第百五十二号）附則第二項の規定により旧募集取締法第四条第二項の規定により生命保険募集人登録簿に登録されている者とみなされる者を含む。）及び損害保険代理店（以下「旧法登録の生命保険募集人等」という。）は、この法律の施行の際に新法第二百七十六条の大蔵大臣の登録を受けたものとみなす。

Article 108 Those Life Insurance Agents (including the persons who are deemed to be registered on the registry of Life Insurance Agents pursuant to the provisions of Article 4, paragraph (2) of the Former Solicitation Control Act pursuant to the provisions of paragraph (2) of the Supplementary Provisions to the Act for Partial Revision of the Act on the Control of Insurance Solicitation (Act No. 152 of 1951)) and Non-Life Insurance Representative that have obtained the registration set forth in Article 3 of the Former Solicitation Control Act by the time this Act enters into force (hereinafter referred to as "Life Insurance Agents, etc. Registered under the Former Act") shall be deemed to have obtained the registration with the Ministry of Finance set forth in Article 276 of the New Act, at the time when this Act enters into force.

（生命保険募集人登録簿等に関する経過措置）

(Transitional Measures for Registry of Life Insurance Agents, etc.)

第百九条　この法律の施行の際現に存する旧募集取締法第四条第一項の規定による生命保険募集人登録簿及び損害保険代理店登録簿は、新法第二百七十八条第一項の規定による生命保険募集人登録簿及び損害保険代理店登録簿とみなす。

Article 109 (1) The registry of Life Insurance Agents and registry of Non-Life Insurance Representatives under Article 4, paragraph (1) of the Former Solicitation Control Act in existence at the time this Act enters into force shall be deemed to be the registry of Life Insurance Agents and registry of Non-Life Insurance Representatives under Article 278, paragraph (1) of the New Act.

２　新法第二百七十八条第二項の規定は、前条の規定によりこの法律の施行の際に新法第二百七十六条の大蔵大臣の登録を受けたものとみなされた者で旧募集取締法第四条第三項の規定による通知を受けていないもの及びその所属保険会社について適用する。

(2) The provisions of Article 278, paragraph (2) of the New Act shall apply to those persons who shall be deemed to have obtained the registration with the Minister of Finance set forth in Article 276 of the New Act at the time when this Act enters into force, pursuant to the provisions of the preceding Article and who have not received the notice under Article 4, paragraph (3) of the Former Solicitation Control Act, and to their Affiliated Insurance Companies.

（生命保険募集人等に係る登録の拒否に関する経過措置）

(Transitional Measures for Refusal of Registration Pertaining to Life Insurance Agents, etc.)

第百十条　新法第二百七十九条第一項第三号の規定の適用については、旧募集取締法の規定（この附則の規定によりなお従前の例によることとされる場合における旧募集取締法の規定を含む。）により罰金の刑に処せられた者は、その処分を受けた日において、新法の規定に違反し、罰金の刑に処せられた者とみなす。

Article 110 (1) For the purpose of applying the provisions of Article 279, paragraph (1), item (iii) of the New Act, a person who was sentenced to a fine pursuant to the provisions of the Former Solicitation Control Act (including the provisions of the Former Solicitation Control Act that are to remain applicable pursuant to these Supplementary Provisions as provisions then in force) shall be deemed to have been sentenced to a fine as of the date of the original punishment for violating a provisions of the New Act.

２　新法第二百七十九条第一項第四号の規定の適用については、旧募集取締法第七条の二又は第二十条第一項の規定により旧募集取締法第三条第一項の登録を取り消された者は、その処分を受けた日において、新法第三百七条第一項の規定により新法第二百七十六条の登録を取り消された者とみなす。

(2) For the purpose of applying the provisions of Article 279, paragraph (1), item (iv) of the New Act, a person whose registration under Article 3, paragraph (1) of the Former Solicitation Control Act was canceled pursuant to the provisions of Article 7-2 or Article 20, paragraph (1) of the Former Solicitation Control Act shall be deemed to have had his/her registration under Article 276 of the New Act canceled pursuant to the provisions of Article 307, paragraph (1) of the New Act as of the date of the original punishment.

（所属保険会社の賠償責任に関する経過措置）

(Transitional Measures for Affiliated Insurance Company's Liability for Damages)

第百十一条　新法第二百八十三条の規定は、施行日以後に生命保険募集人又は損害保険募集人が保険募集につき保険契約者に加えた損害の賠償について適用し、施行日前に生命保険募集人、損害保険会社の役員若しくは使用人又は損害保険代理店が募集につき保険契約者に加えた損害の賠償については、なお従前の例による。

Article 111 The provisions of Article 283 of the New Act shall apply to any liability for the damages inflicted on or after the Effective Date by a Life Insurance Agent or Non-Life Insurance Agent upon Policyholders in connection with Insurance Solicitation; with regard to any liability for the damages inflicted before the Effective Date upon Policyholders by a Life Insurance Agent, an officer or employee of a Non-Life Insurance Company, or a Non-Life Insurance Representative in connection with solicitation, the provisions then in force shall remain applicable.

（生命保険募集人及び損害保険代理店の原簿に関する経過措置）

(Transitional Measures for Registry of Life Insurance Agents and Non-Life Insurance Representatives)

第百十二条　この法律の施行の際現に存する旧募集取締法第十三条第一項の規定による生命保険募集人又は損害保険代理店に関する原簿は、新法第二百八十五条第一項の生命保険募集人又は損害保険代理店に関する原薄とみなす。

Article 112 Any registry of Life Insurance Agents or Non-Life Insurance Representatives under Article 13, paragraph (1) of the Former Solicitation Control Act in existence at the time when this Act enters into force shall be deemed to be the registry regarding Life Insurance Agents or Non-Life Insurance Representatives set forth in Article 285, paragraph (1) of the New Act.

（保険仲立人に係る登録の拒否に関する経過措置）

(Transitional Measures for Refusal of Registration Pertaining to Insurance Broker)

第百十三条　新法第二百八十九条第一項第三号の規定の適用については、旧法、旧募集取締法又は旧外国保険事業者法の規定（この附則の規定によりなお従前の例によることとされる場合における旧法、旧募集取締法及び外国保険事業者法の規定を含む。）により罰金の刑に処せられた者は、その処分を受けた日において、新法の規定に違反し、罰金の刑に処せられた者とみなす。

Article 113 For the purpose of applying the provisions of Article 289, paragraph (1), item (iii) of the New Act, a person who was sentenced to a fine pursuant to the provisions of the Former Act, the Former Solicitation Control Act or the Former Foreign Insurance Providers Act (including the provisions of the Former Act, the Former Solicitation Control Act and the Foreign Insurance Providers Act that are to remain applicable pursuant to these Supplementary Provisions as provisions then in force) shall be deemed to have been sentenced to a fine as of the date of the original punishment for violating a provisions of the New Act.

（損害保険代理店の役員又は使用人の届出に関する経過措置）

(Transitional Measures for Notification of Officers or Employees of a Non-Life Insurance Representative)

第百十四条　施行日前にした旧募集取締法第八条の規定による損害保険代理店の役員又は使用人の届出は、新法第三百二条の規定による届出とみなす。

Article 114 Any notification of officers or employees of a Non-Life Insurance Representative under Article 8 of the Former Solicitation Control Act made before the Effective Date shall be deemed to be notification under Article 302 of the New Act.

（生命保険募集人等の変更等の届出等に関する経過措置）

(Transitional Measures for Notification, etc. of a Change, etc. in a Life Insurance Agent, etc.)

第百十五条　この法律の施行の際旧募集取締法第七条の規定による届出をしていない旧法登禄の生命保険募集人等については、同条及び旧募集取締法第二十六条の規定は、なおその効力を有する。この場合において、なおその効力を有するものとされる旧募集取締法第七条中「大蔵大臣」とあるのは、「内閣総理大臣」とする。

Article 115 (1) The provisions of Articles 7 and 26 of the Former Solicitation Control Act shall remain in force with regard to those Life Insurance Agents, etc. Registered under the Former Act who have not made the notification required under Article 7 of the Former Solicitation Control Act by the time when this Act enters into force. In this case, the term "Minister of Finance" in Article 7 of the Former Solicitation Control Act, which is to remain in force, shall be deemed to be replaced with "Prime Minister."

２　施行日以後に前項の規定によりなおその効力を有するものとされる旧募集取締法第七条第三項の規定による届出があった旧法登録の生命保険募集人等については、旧募集取締法第七条の三（第二号に係る部分に限る。）の規定は、なおその効力を有する。この場合において、なおその効力を有するものとされる旧募集取締法第七条の三各号列記以外の部分中「大蔵大臣」とあるのは、「内閣総理大臣」とする。

(2) The provisions of Article 7-3 (limited to the segment pertaining to item (ii)) of the Former Solicitation Control Act shall remain in force with regard to the Life Insurance Agents, etc. Registered under the Former Act who make, on or after the Effective Date, the notification required under Article 7, paragraph (3) of the Former Solicitation Control Act, which is to remain in force pursuant to the provisions of the preceding paragraph. In this case, the term "Minister of Finance" in Article 7-3 (limited to the segment pertaining to item (ii)), which is to remain in force, shall be deemed to be replaced with "Prime Minister."

（登録の取消し等に関する経過措置）

(Transitional Measures for Cancellation of Registration, etc.)

第百十六条　旧法登録の生命保険募集人等が施行日前にした旧募集取締法第七条の二第三号又は第二十条第一項各号のいずれかに該当する行為は、新法第三百七条第一項第二号又は第三号に規定する行為とみなして同条の規定を適用する。

Article 116 For the purpose of applying the provisions of Article 307, paragraph (1) of the New Act, any action falling under Article 7-2, item (iii) or any of the items of Article 20, paragraph (1) of the Former Solicitation Control Act that was taken before the Effective Date by a Life Insurance Agent, etc. Registered under the Former Act shall be deemed to be the action prescribed in item (ii) or (iii) of Article 307, paragraph (1) of the New Act.

（登録の抹消等に関する経過措置）

(Transitional Measures for Deletion of Registration, etc.)

第百十七条　旧法登録の生命保険募集人等のうちに施行日前に旧募集取締法第七条の三各号のいずれかに該当する事実があり、かつ、この法律の施行の際同条の規定による登録の抹消がされていない者があるときは、それらの者は新法第三百八条第一項第二号に該当する者とみなす。

Article 117 Any Life Insurance Agents, etc. Registered under the Former Act who fell under any of the items of Article 7-3 of the Former Solicitation Control Act before the Effective Date and have not had its registration deleted under that Article by the time when this Act enters into force shall be deemed to fall under Article 308, paragraph (1), item (ii) of the New Act.

（外国生命保険事業者の役員等に関する経過措置）

(Transitional Measures for Officers, etc. of Foreign Life Insurance Providers)

第百十八条　この法律の施行の際現に旧外国保険事業者法第三条第一項の大蔵大臣の免許を受けている外国生命保険事業者の役員又は使用人は、施行日から起算して六月を経過する日（当該六月を経過する日までに新法第二百七十九条第一項から第三項までの規定による登録の拒否の処分があったときは、当該処分のあった日）までの間は、新法第二百七十五条の規定にかかわらず、保険募集を行うことができる。その者が当該期間内に新法第二百七十七条の登録の申請をした場合において、当該期間を経過したときは、当該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。

Article 118 (1) The officers or employees of a foreign life insurance provider that has obtained the license of the Minister of Finance set forth in Article 3, paragraph (1) of the Former Foreign Insurance Providers Act by the time this Act enters into force may, notwithstanding the provisions of Article 275 of the New Act, carry out Insurance Solicitation for a period of six months counting from the Effective Date (or until the date, within such six months, of any disposition refusing the registration under Article 279, paragraphs (1) to (3) inclusive of the New Act). The same shall apply where said period has elapsed even though such persons have applied for the registration set forth in Article 277 of the New Act within said period, until such time as the registration or the disposition refusing the registration is made, with regard to the application.

２　大蔵大臣は、前項に規定する外国生命保険事業者の役員又は使用人が新法第三百七条第一項第一号又は第三号のいずれかに該当することとなったときは、前項に規定する期間内において、業務の廃止又は業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 Minister of Finance may, within the period prescribed in the preceding paragraph, order the abolition of business, or total or partial suspension of business when the officers or employees of a foreign life insurance provider prescribed in the preceding paragraph fall under item (i) or (iii) of Article 307, paragraph (1) of the New Act.

３　第一項に規定する外国生命保険事業者の役員又は使用人が前項の規定により保険募集の業務の廃止を命じられた場合には、新法第二百七十九条第一項の規定の適用については、当該業務の廃止の命令を新法第三百七条第一項の規定による新法第二百七十六条の登録の取消しとみなす。

(3) For the purpose of applying the provisions of Article 279, paragraph (1) of the New Act, any order for the abolition of Insurance Solicitation business issued under the preceding paragraph to the officers or employees of a foreign life insurance operator prescribed in paragraph (1) shall be deemed to be cancellation of the registration set forth in Article 276 of the New Act under Article 307, paragraph (1) of the New Act.

（保険仲立人に関する経過措置）

(Transitional Measures for Insurance Broker)

第百十九条　新法第二百八十六条の登録を受けた保険仲立人又はその役員若しくは使用人が保険期間が長期にわたる保険契約であって政令で定めるものの締結の媒介を行おうとする場合には、当該保険仲立人は、当分の間、その方法を定めて、内閣総理大臣の認可を受けなければならない。当該認可を受けた方法を変更しようとするときも、同様とする。

Article 119 (1) An Insurance Broker registered under Article 286 of the New Act shall, when it seeks to act or to cause any of its officers or employees to act as intermediary in concluding the long-term insurance contracts to be specified by Cabinet Order, determine the method by which it will do so, and shall, for the interim, obtain authorization from the Prime Minister. The same shall apply where it seeks to modify the method thus authorized.

２　内閣総理大臣は、前項の認可を受けた保険仲立人が、この法律若しくはこの法律に基づく内閣総理大臣の処分に違反したとき、又は公益を害する行為をしたときは、同項の認可を取り消すことができる。

(2) The Prime Minister may, when an Insurance Broker authorized under the preceding paragraph has violated this Act or any disposition of the Prime Minister pursuant to this Act, or has engaged in conduct that harms the public interest, cancel the authorization set forth in that paragraph.

３　第一項の認可に関し必要な事項は、内閣府令で定める。

(3) Necessary particulars for the authorization set forth in paragraph (1) shall be specified by Cabinet Office Ordinance.

（保険契約の申込みの撤回等に関する経過措置）

(Transitional Measures for Revocation, etc. of Application for Insurance Contract)

第百二十条　新法第三百九条の規定は、施行日以後に保険会社又は外国保険会社等が受ける保険契約の申込み又は施行日以後に締結される保険契約（施行日前にその申込みを受けたものを除く。）について適用する。

Article 120 The provisions of Article 309 of the New Act shall apply to the applications for insurance contracts received by an Insurance Company or Foreign Insurance Company, etc. on or after the Effective Date, or the insurance contracts concluded on or after the Effective Date (excluding those for which applications were made before the Effective Date).

（削除）

(Deleted)

第百二十一条　削除

Article 121 Deleted.

（登記事項に関する経過措置）

(Transitional Measures for Particulars Requiring Registration)

第百二十二条　旧法の免許を受けた保険会社は、施行日から起算して六月以内に、新法によって新たに登記すべきものとなった事項を登記しなければならない。

Article 122 (1) An Insurance Company Licensed under the Former Act shall, within six months from the Effective Date, register the particulars newly requiring registration under the New Act.

２　前項の登記をするまでに他の登記をするときは、その登記と同時に同項の登記をしなければならない。

(2) No other registration may be filed before the registration set forth in the preceding paragraph; any such registration must be filed at the same time as the registration set forth in that paragraph.

３　第一項の登記をするまでに同項の事項に変更を生じたときは、遅滞なく、変更前の事項につき同項の登記をしなければならない。

(3) When any change has occurred in the particulars set forth in paragraph (1) before making the registration set forth in that paragraph, the registration set forth in that paragraph shall be made without delay regarding the original particulars.

４　前三項の規定に違反したときは、当該旧法の免許を受けた保険会社の代表取締役を百万円以下の過料に処する。

(4) For any violation of the provisions of the preceding three paragraphs, the representative director of the Insurance Company Licensed under the Former Act shall be punished by a non-criminal fine of not more than one million yen.

（旧法等の規定に基づく処分又は手続の効力）

(Effect of Dispositions or Procedures Pursuant to Provisions of Former Act, etc.)

第百二十三条　施行日前に旧法、旧募集取締法若しくは旧外国保険事業者法又はこれらに基づく命令の規定によってした認可、承認その他の処分又は申請その他の手続で新法又はこれに基づく命令に相当の規定があるものは、この附則に別段の定めがあるものを除き等、新法又はこれに基づく命令の相当の規定によってした認可、承認その他の処分又は申請その他の手続とみなす。

Article 123 The authorization, approval and other dispositions, or application and other procedures made before the Effective Date under the provisions of the Former Act, the Former Solicitation Control Act or the Former Foreign Insurance Providers Act, or any of the orders pursuant thereto, which are covered by the Supplementary Provisions of the New Act or any of the orders pursuant thereto, shall be deemed to be authorization, approval and other dispositions, or application and other procedures made under the corresponding provisions of the New Act or the orders pursuant thereto.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第百二十四条　この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係るこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 124 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act, and to actions taken subsequent to the enforcement of this Act pertaining to any of the particulars to which the provisions then in force are to remain applicable pursuant to these Supplementary Provisions, the provisions then in force shall remain applicable.

（政令への委任）

(Delegation to Cabinet Order)

第百二十五条　附則第三条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 125 In addition to what is provided for in Article 3 to the preceding Article inclusive of these Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第百二十六条　政府は、この法律の施行後適当な時期において、この法律の施行状況、保険業を取り巻く社会経済情勢の変化等を勘案し、この法律に規定する保険業に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 126 At an appropriate time after the enforcement of this Act, the Government shall, taking into consideration the status of enforcement of this Act and changing socioeconomic conditions surrounding Insurance Services, among other factors, review the system prescribed in this Act pertaining to Insurance Services, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成九年五月二十一日法律第五十五号〕〔抄〕

Supplementary Provisions [Act No. 55 of May 21, 1997] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成九年六月一日から施行する。

Article 1 This Act shall come into effect as of 1 June 1997.

附　則　〔平成九年六月六日法律第七十二号〕

Supplementary Provisions [Act No. 72 of June 6, 1997]

（施行期日）

(Effective Date)

１　この法律は、商法等の一部を改正する法律（平成九年法律第七十一号）の施行の日から施行する。

(1) This Act shall come into effect as of the Effective Date of the Act for Partial Revision of the Commercial Code, etc. (Act No. 71 of 1997).

（経過措置）

(Transitional Measures)

２　この法律の施行前に締結された合併契約に係る合併に関しては、この法律の施行後も、なお従前の例による。

(2) With regard to any merger pertaining to a merger agreement concluded prior to the enforcement of this Act, the provisions then in force shall remain applicable subsequent to the enforcement of this Act.

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

３　この法律の施行前にした行為及び前項の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

(3) With regard to the application of penal provisions to actions taken prior to the enforcement of this Act, and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph, the provisions then in force shall remain applicable.

附　則　〔平成九年六月二十日法律第百二号〕〔抄〕

Supplementary Provisions [Act No. 102 of June 20, 1997] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、金融監督庁設置法（平成九年法律第百一号）の施行の日から施行する。

Article 1 This Act shall come into effect as of the Effective Date of the Act for Establishment of the Financial Supervisory Agency (Act No. 101 of 1997).

（大蔵大臣等がした処分等に関する経過措置）

(Transitional Measures for Dispositions, etc. Made by Minister of Finance, etc.)

第二条　この法律による改正前の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、中小企業等協同組合法、協同組合による金融事業に関する法律、船主相互保険組合法、証券投資信託法、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、外国為替銀行法、自動車損害賠償保障法、農業信用保証保険法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、預金保険法、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法又は銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律（以下「旧担保附社債信託法等」という。）の規定により大蔵大臣その他の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為は、この法律による改正後の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、中小企業等協同組合法、協同組合による金融事業に関する法律、船主相互保険組合法、証券投資信託法、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、外国為替銀行法、自動車損害賠償保障法、農業信用保証保険法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、預金保険法、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法又は銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律（以下「新担保附社債信託法等」という。）の相当規定に基づいて、内閣総理大臣その他の相当の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

Article 2 (1) The licensing, permission, authorization, approval, Designation and other dispositions, or notification and other actions taken by the Minister of Finance or other organs of the State pursuant to the provisions of the Secured Bond Trust Act, Trust Business Act, Norinchukin Bank Act, Mutual Loan Business Act, Act on Simplification of Banking Business Procedures, etc., Act on Provision, etc. of Trust Business by Financial Institutions, Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, Agricultural Cooperative Association Act, Securities and Exchange Act, Act on Non-Life Insurance Rating Organizations, Fisheries Cooperative Association Act, Act on the Cooperative Associations of Small and Medium Enterprises, etc., Act on Financial Businesses by Cooperative, Shipowners Mutual Insurance Association Act, Securities Investment Trust Act, Shinkin Bank Act, Long-Term Credit Bank Act, Loan Trust Act, Medium and Small Fishery Loan Guarantee Act, Credit Guarantee Companies Act, Labor Bank Act, Foreign Exchange Bank Act, Automobile Liability Security Act, Agricultural Credit Guarantee Insurance Act, Act on Financial Institutions' Merger and Conversion, Act on Foreign Securities Brokers, Deposit Insurance Act, Act on the Promotion of Introduction of Industry, etc. into Agricultural Regions, Agricultural and Fishery Cooperation Savings Insurance Act, Banking Act, Act on Controls, etc. on Money Lending, Act on Regulation, etc. on Investment Advisory Business Pertaining to Securities, Act on Regulation, etc. for Mortgage Corporations, Financial Futures Trading Act, Act on Regulation, etc. on Advanced Payment Certificate, Act on Regulations of Business Pertaining to Commodities Investment, Act on Special Provisions for the Narcotics and Psychotropics Control Act, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conduct and Other Activities Involving Controlled Substances through International Cooperation, Act on the Regulation of Business Pertaining to Specified Claims, etc., Act on Revision, etc. of Related Acts for the Reform of Financial System and Securities Exchange System, Act on Preferred Equity Investment by Cooperative Structured Financial Institution, Real Estate Specified Joint Enterprise Act, Insurance Business Act, Act on Special Treatment, etc. of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institution, Act on the Merger of the Norinchukin Bank and the Federation of Credit Agricultural Cooperatives, etc., Bank of Japan Act, or Act on Special Measures, etc. for Merger Procedures Pertaining to Banks, etc. for the Creation of Bank Holding Company (hereinafter referred to as the "Former Secured Bond Trust Act, etc."), prior to revision by this Act, shall be deemed to be licensing, permission, authorization, approval, Designation and other dispositions, or notification and other actions taken by the Prime Minister or other corresponding organs of the State pursuant to the corresponding provisions of the Secured Bond Trust Act, Trust Business Act, Norinchukin Bank Act, Mutual Loan Business Act, Act on Simplification of Banking Business Procedures, etc., Act on Provision, etc. of Trust Business by Financial Institutions, Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, Agricultural Cooperative Association Act, Securities and Exchange Act, Act on Non-Life Insurance Rating Organizations, Fisheries Cooperative Association Act, Act on the Cooperative Associations of Small and Medium Enterprises, etc., Act on Financial Businesses by Cooperative, Shipowners Mutual Insurance Association Act, Securities Investment Trust Act, Shinkin Bank Act, Long-Term Credit Bank Act, Loan Trust Act, Medium and Small Fishery Loan Guarantee Act, Credit Guarantee Companies Act, Labor Bank Act, Foreign Exchange Bank Act, Automobile Liability Security Act, Agricultural Credit Guarantee Insurance Act, Act on Financial Institutions' Merger and Conversion, Act on Foreign Securities Brokers, Deposit Insurance Act, Act on the Promotion of Introduction of Industry, etc. into Agricultural Regions, Agricultural and Fishery Cooperation Savings Insurance Act, Banking Act, Act on Controls, etc. on Money Lending, Act on Regulation, etc. on Investment Advisory Business Pertaining to Securities, Act on Regulation, etc. for Mortgage Corporations, Financial Futures Trading Act, Act on Regulation, etc. on Advanced Payment Certificate, Act on Regulations of Business Pertaining to Commodities Investment, Act on Special Provisions for the Narcotics and Psychotropics Control Act, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conduct and Other Activities Involving Controlled Substances through International Cooperation, Act on the Regulation of Business Pertaining to Specified Claims, etc., Act on Revision, etc. of Related Acts for the Reform of Financial System and Securities Exchange System, Act on Preferred Equity Investment by Cooperative Structured Financial Institution, Real Estate Specified Joint Enterprise Act, Insurance Business Act, Act on Special Treatment, etc. of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institution, Act on the Merger of the Norinchukin Bank and the Federation of Credit Agricultural Cooperatives, etc., Bank of Japan Act, or Act on Special Measures, etc. for Merger Procedures Pertaining to Banks, etc. for the Creation of Bank Holding Company, revised by this Act (hereinafter referred to as the "New Secured Bond Trust Act, etc.").

２　この法律の施行の際現に旧担保附社債信託法等の規定により大蔵大臣その他の国の機関に対してされている申請、届出その他の行為は、新担保附社債信託法等の相当規定に基づいて、内閣総理大臣その他の相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) The applications, notifications and other actions that have been addressed to the Minister of Finance or other organs of the State pursuant to the provisions of the Former Secured Bond Trust Act, etc. by the time when this Act enters into force shall be deemed to be applications, notifications and other actions addressed to the Prime Minister or other corresponding organs of the State pursuant to the corresponding provisions of the New Secured Bond Trust Act, etc.

３　旧担保附社債信託法等の規定により大蔵大臣その他の国の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、これを、新担保附社債信託法等の相当規定により内閣総理大臣その他の相当の国の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、新担保附社債信託法等の規定を適用する。

(3) For the purpose of applying the provisions of the New Secured Bond Trust Act, etc. to the particulars with regard to which a person is required to make a report to, give notice to, file a submission with, or go through any other procedures with the Minister of Finance or other organs of the State pursuant to the provisions of the Former Secured Bond Trust Act, etc., any such particulars for which the relevant procedures have not been completed by the Effective Date of this Act shall be deemed to be particulars with regard to which a person is required to make a report to, give notice to, file a submission with, or go through any other procedures with the Prime Minister or other corresponding organs of the State pursuant to the corresponding provisions of the New Secured Bond Trust Act, etc., but for which the relevant procedure has not been completed.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第五条　この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 5 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act, the provisions then in force shall remain applicable.

（政令への委任）

(Delegation to Cabinet Order)

第六条　附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 6 In addition to what is provided for in Article 2 to the preceding Article inclusive of the Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

附　則　〔平成九年十二月十日法律第百十七号〕〔抄〕

Supplementary Provisions [Act No. 117 of December 10, 1997] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して二十日を経過した日から施行する。

Article 1 This Act shall come into effect as of the day on which twenty days have elapsed from the day of promulgation.

附　則　〔平成九年十二月十二日法律第百二十号〕〔抄〕

Supplementary Provisions [Act No. 120 of December 12, 1997] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding three months from the day of promulgation.

（検討）

(Review)

第十条　政府は、この法律の施行後五年を経過した場合において、第一条の規定による改正後の銀行法（以下「新銀行法」という。）、第二条の規定による改正後の長期信用銀行法（以下「新長期信用銀行法」という。）及び第四条の規定による改正後の保険業法（以下「新保険業法」という。）の施行状況、銀行業及び保険業を取り巻く社会経済情勢の変化等を勘案し、新銀行法第二条第十三項に規定する銀行持株会社、新長期信用銀行法第十六条の四第一項に規定する長期信用銀行持株会社及び新保険業法第二条第十六項に規定する保険持株会社に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 10 Where five years have elapsed from the enforcement of this Act, the Government shall, taking into consideration the status of enforcement of the Banking Act revised by the provisions of Article 1 (hereinafter referred to as the "New Banking Act"), the Long-Term Credit Bank Act revised by the provisions of Article 2 (hereinafter referred to as the "New Long-Term Credit Bank Act") and the Insurance Business Act revised by the provisions of Article 4 (hereinafter referred to as the "New Insurance Business Act"), and changing socioeconomic conditions surrounding Banking and the Insurance Business, among other factors, review the systems pertaining to the bank holding companies prescribed in Article 2, paragraph (13) of the New Banking Act, the Long Term Credit Bank holding companies prescribed in Article 16-4, paragraph (1) of the New Long-Term Credit Bank Act and the insurance holding companies prescribed in Article 2, paragraph (16) of the New Insurance Business Act, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成九年十二月十二日法律第百二十一号〕〔抄〕

Supplementary Provisions [Act No. 121 of December 12, 1997] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、持株会社の設立等の禁止の解除に伴う金融関係法律の整備等に関する法律（平成九年法律第百二十号）の施行の日から施行する。

Article 1 This Act shall come into effect as of the Effective Date of the Act on the Revision, etc. of Finance-Related Acts Accompanying the Lifting of Prohibition on the Incorporation of Holding Companies, etc. (Act No. 120 of 1997).

附　則　〔平成十年六月十五日法律第百六号〕

Supplementary Provisions [Act No. 106 of June 15, 1998]

この法律は、特定目的会社による特定資産の流動化に関する法律（平成十年法律第百五号）の施行の日（平成十年九月一日）から施行する。ただし、第十七条中地方税法附則第五条の改正規定は、平成十一年四月一日から施行する。

This Act shall come into effect as of the Effective Date (1 September 1998) of the Act on the Liquidation of Specified Assets by Special Purpose Companies (Act No. 105 of 1998); provided, however, that the provisions revising Article 5 of the Supplementary Provisions to the Local Tax Act in Article 17 shall come into effect as of 1 April 1999.

附　則　〔平成十年六月十五日法律第百七号〕〔抄〕

Supplementary Provisions [Act No. 107 of June 15, 1998] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十年十二月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of 1 December 1998; provided, however, that the provisions listed in the following items shall come into effect as of the date specified in the relevant item:

一　第一条中証券取引法第四章の次に一章を加える改正規定（第七十九条の二十九第一項に係る部分に限る。）並びに同法第百八十九条第二項及び第四項の改正規定、第二十一条の規定、第二十二条中保険業法第二編第十章第二節第一款の改正規定（第二百六十五条の六に係る部分に限る。）、第二十三条の規定並びに第二十五条の規定並びに附則第四十条、第四十二条、第五十八条、第百三十六条、第百四十条、第百四十三条、第百四十七条、第百四十九条、第百五十八条、第百六十四条、第百八十七条（大蔵省設置法（昭和二十四年法律第百四十四号）第四条第七十九号の改正規定を除く。）及び第百八十八条から第百九十条までの規定　平成十年七月一日

(i) The provisions adding a Chapter after Chapter IV of the Securities and Exchange Act (limited to the segment pertaining to Article 79-29, paragraph (1)) and provisions revising Article 189, paragraphs (2) and (4) of that Act in Article 1, the provisions of Article 21, the provisions revising Part II, Chapter X, Section 2, Subsection 1 of the Insurance Business Act (limited to the segment pertaining to Article 265-6) in Article 22, the provisions of Article 23 and the provisions of Article 25, and the provisions of Article 40, Article 42, Article 58, Article 136, Article 140, Article 143, Article 147, Article 149, Article 158, Article 164, Article 187 (excluding the provisions revising Article 4, item (lxxix) of the Ministry of Finance Establishment Act (Act No. 144 of 1949) and Article 188 to 190 inclusive of the Supplementary Provisions: 1 July 1998

（保険業法の一部改正に伴う経過措置）

(Transitional Measures Accompanying Partial Revision to Insurance Business Act)

第百三十条　第二十二条の規定による改正後の保険業法（以下「新保険業法」という。）第九十七条の二第二項（新保険業法第百九十九条において準用する場合を含む。）の規定は、この法律の施行の際現に同一人（新保険業法第九十七条の二第二項に規定する同一人をいう。次項において同じ。）に対する同条第二項に規定する資産の運用の額が同項の規定により計算した額を超えている保険会社（新保険業法第二条第二項に規定する保険会社をいう。以下同じ。）（外国保険会社等（新保険業法第二条第七項に規定する外国保険会社等をいう。以下同じ。）及び免許特定法人（新保険業法第二百二十三条第一項に規定する免許特定法人をいう。以下同じ。）を含む。以下この項において同じ。）の当該同一人に対する当該資産の運用については、当該保険会社が施行日から起算して三月を経過する日までにその旨を金融再生委員会に届け出たときは、施行日から起算して一年を経過する日までの間は、適用しない。

Article 130 (1) The provisions of Article 97-2, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 199 of the Insurance Business Act revised by the provisions of Article 22 (hereinafter referred to as "New Insurance Business Act") of the New Insurance Business Act shall not apply, for a period of one year counting from the Effective Date, to the investment of assets on behalf of one single person (meaning the one single person prescribed in Article 97-2, paragraph (2) of the New Insurance Business Act; the same shall apply in the following paragraph) by an Insurance Company (meaning an Insurance Company as defined in Article 2, paragraph (2) of the New Insurance Business Act; the same shall apply hereinafter) (including a Foreign Insurance Company, etc. (meaning a Foreign Insurance Company, etc. as defined in Article 2, paragraph (7) of the New Insurance Business Act; the same shall apply hereinafter) or a Licensed Specified Juridical Person (meaning a Licensed Specified Juridical Person as defined in Article 223, paragraph (1) of the New Insurance Business Act; the same shall apply hereinafter); hereinafter the same shall apply in this paragraph), if the amount of assets prescribed in Article 97-2, paragraph (2) of the New Insurance Business Act which are invested by the Insurance Company on behalf of said single person exceeds, at the time when this Act enters into force, the amount calculated pursuant to the provisions of that paragraph, provided that the Insurance Company notifies the Financial Reconstruction Commission of this within three months from the Effective Date.

２　新保険業法第九十七条の二第三項の規定は、この法律の施行の際現に同一人に対する同項に規定する資産の運用の額が合算して同項の規定により計算した額を超えている保険会社及び当該保険会社の子会社等（同項に規定する子会社等をいう。以下この項において同じ。）又は当該保険会社の子会社等の当該同一人に対する当該資産の運用については、当該保険会社が施行日から起算して三月を経過する日までにその旨を金融再生委員会に届け出たときは、施行日から起算して一年を経過する日までの間は、適用しない。

(2) The provisions of Article 97-2, paragraph (3) of the New Insurance Business Act shall not apply, for a period of one year counting from the Effective Date, to an Insurance Company and its Subsidiary Companies, etc. (meaning Subsidiary Companies, etc. as defined in that paragraph; hereinafter the same shall apply in this paragraph) that have invested, at the time when this Act enters into force, the assets prescribed in that paragraph on behalf of one single person in a total amount that exceeds the amount calculated pursuant to the provisions of that paragraph, or to the investment of such assets by the Subsidiary Companies, etc. of the Insurance Company on behalf of said single person, provided that the Insurance Company notifies the Financial Reconstruction Commission of this within three months from the Effective Date.

第百三十一条　新保険業法第百条の三及び第百九十四条の規定は、保険会社又は外国保険会社等が施行日以後にする取引又は行為について適用し、保険会社又は外国保険会社等が施行日前にした取引又は行為については、なお従前の例による。

Article 131 The provisions of Articles 100-3 and 194 of the New Insurance Business Act shall apply to transactions made or actions taken on or subsequent to the Effective Date by an Insurance Company or a Foreign Insurance Company, etc.; with regard to transactions made or actions taken by an Insurance Company or a Foreign Insurance Company, etc. prior to the Effective Date, the provisions then in force shall remain applicable.

第百三十二条　新保険業法第百六条第一項の規定は、この法律の施行の際現に同項に規定する子会社対象会社以外の会社を子会社（新保険業法第二条第十三項に規定する子会社をいう。以下この条において同じ。）としている保険会社の当該会社については、当該保険会社が施行日から起算して三月を経過する日までにその旨を金融再生委員会に届け出たときは、施行日から起算して一年を経過する日までの間は、適用しない。

Article 132 (1) The provisions of Article 106, paragraph (1) of the New Insurance Business Act shall not apply, for a period of one year counting from the Effective Date, to any Subsidiary (meaning any Subsidiary as defined in Article 2, paragraph (13) of the New Insurance Business Act; hereinafter the same shall apply in this Article) of an Insurance Company that is not a Company Eligible to Be a Subsidiary as defined in Article 106, paragraph (1) of the New Insurance Business Act at the time when this Act enters into force, provided that the Insurance Company notifies the Financial Reconstruction Commission of this within three months from the Effective Date.

２　前項の保険会社は、同項の届出に係る子会社対象会社以外の会社が子会社でなくなったときは、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) If the company under the notice in the preceding paragraph that is not a Company Eligible to Be a Subsidiary has ceased to be the Subsidiary of the Insurance Company set forth in that paragraph, said Insurance Company shall notify the Prime Minister of this without delay.

３　平成十二年三月三十一日までの日で政令で定める日までの間は、新保険業法第百六条第一項第三号中「規定する銀行」とあるのは「規定する銀行のうち、預金保険法（昭和四十六年法律第三十四号）第二条第四項（定義）に規定する破綻金融機関に該当するもの」と、同項第四号中「規定する長期信用銀行」とあるのは「規定する長期信用銀行のうち、預金保険法第二条第四項（定義）に規定する破綻金融機関に該当するもの」とする。

(3) Until the date to be specified by Cabinet Order, but no later than 31 March 2000, the term "bank as defined in Article 2, paragraph (4) (Definitions, etc.) of the Banking Act" in Article 106, paragraph (1), item (iii) of the New Insurance Business Act shall be deemed to be replaced with "bank as defined in Article 2, paragraph (4) (Definitions, etc.) of the Banking Act that falls under the category of bankrupt financial institutions prescribed in Article 2, paragraph (4) (Definitions) of the Deposit Insurance Act (Act No. 34 of 1971)"; and the term "Long Term Credit Bank as defined in Article 2 (Definitions) of the Long Term Credit Bank Act" in Article 106, paragraph (1), item (iv) of the New Insurance Business Act shall be deemed to be replaced with "Long Term Credit Bank as defined in Article 2 (Definitions) of the Long Term Credit Bank Act that falls under the category of bankrupt financial institutions prescribed in Article 2, paragraph (4) (Definitions) of the Deposit Insurance Act."

４　施行日前に、第二十二条の規定による改正前の保険業法（以下「旧保険業法」という。）第百六条第一項又は第百八条第一項の規定により内閣総理大臣がしたこれらの規定に規定する認可、当該認可に付した条件又はこれらの規定に基づきされた当該認可に係る申請は、新保険業法第百六条第四項の規定により内閣総理大臣がした同項に規定する認可、当該認可に付した条件又は同項の規定に基づきされた当該認可に係る申請とみなす。

(4) Any authorization given by the Prime Minister pursuant to the provisions of Article 106, paragraph (1) or Article 108, paragraph (1) of the Insurance Business Act prior to its revision by the provisions of Article 22 (hereinafter referred to as the "Former Insurance Business Act"), conditions attached to such authorization, or applications made pursuant to those provisions pertaining to such authorization before the Effective Date shall be deemed to be the authorization prescribed in Article 106, paragraph (4) of the New Insurance Business Act given by the Prime Minister pursuant to the provisions of that paragraph, conditions attached to such authorization or applications made pursuant to the provisions of that paragraph pertaining to such authorization.

５　この法律の施行の際現に保険会社が新保険業法第百六条第四項に規定する子会社対象保険会社等（当該保険会社が旧保険業法第百六条第一項又は第百八条第一項の認可を受けて株式又は持分を所有している会社を除く。次項において同じ。）を子会社としている場合には、当該保険会社は、施行日から起算して三月を経過する日までにその旨を金融再生委員会に届け出なければならない。

(5) If an Insurance Company has made any Insurance Company, etc. That Is Eligible to Be a Subsidiary as defined in Article 106, paragraph (4) of the New Insurance Business Act (excluding any company in which the Insurance Company holds shares or equity interests with the authorization set forth in Article 106, paragraph (1) or Article 108, paragraph (1) of the Former Insurance Business Act; the same shall apply in the following paragraph) its Subsidiary by the time when this Act enters into force, the Insurance Company shall notify the Financial Reconstruction Commission of this within three months from the Effective Date.

６　前項の規定による届出をした保険会社は、当該届出に係る子会社対象保険会社等を子会社とすることにつき、施行日において新保険業法第百六条第四項の認可を受けたものとみなす。

(6) An Insurance Company that has given notice under the preceding paragraph shall be deemed to have received as of the Effective Date the authorization set forth in Article 106, paragraph (4) of the New Insurance Business Act to make the Insurance Company, etc. Eligible to Be a Subsidiary to which the notice pertains its Subsidiary.

７　新保険業法第百七条第一項の規定は、この法律の施行の際現に国内の会社（同項に規定する国内の会社をいう。以下この項において同じ。）の株式等（新保険業法第二条第十二項に規定する株式等をいう。以下この項において同じ。）を合算してその基準株式数等（新保険業法第百七条第一項に規定する基準株式数等をいう。以下この項において同じ。）を超えて所有している保険会社又はその子会社による当該国内の会社の株式等の所有については、当該保険会社が施行日から起算して三月を経過する日までにその旨を金融再生委員会に届け出たときは、施行日から起算して一年を経過する日までの間は、適用しない。この場合において、同日後は、当該国内の会社の株式等の所有については、当該保険会社又はその子会社が同日において同条第二項本文に規定する事由により当該国内の会社の株式等を合算してその基準株式数等を超えて取得したものとみなして、同条の規定を適用する。

(7) The provisions of Article 107, paragraph (1) of the New Insurance Business Act shall not apply, for a period of one year counting from the Effective Date, to the ownership of Shares, etc. (meaning Shares, etc. as defined in Article 2, paragraph (12) of the New Insurance Business Act; hereinafter the same shall apply in this paragraph) by an Insurance Company or any of its Subsidiaries in a domestic company (meaning a domestic company as defined in Article 107, paragraph (1) of the New Insurance Business Act; hereinafter the same shall apply in this paragraph), where the Insurance Company or the Subsidiary owns, at the time when this Act enters into force, Shares, etc. in the domestic company in a total number that exceeds its shareholding threshold, etc. (meaning the shareholding threshold, etc. prescribed in Article 107, paragraph (1) of the New Insurance Business Act; hereinafter the same shall apply in this paragraph), provided that the Insurance Company notify the Financial Reconstruction Commission of this within three months from the Effective Date. In this case, for the purpose of applying the provisions of that Article to the ownership of Shares, etc. in the domestic company on and subsequent to the date, the Insurance Company and its Subsidiaries shall be deemed to have acquired as of the date the Shares, etc. of the domestic company in excess of the shareholding threshold, etc. following the events prescribed in the main clause of paragraph (2) of that Article.

第百三十三条　新保険業法第百十条第二項及び第三項、第百十一条第一項から第三項まで（同条第一項及び第三項の規定を新保険業法第百九十九条において準用する場合を含む。）、第二百七十一条の八並びに第二百七十一条の九第一項及び第二項の規定は、保険会社（外国保険会社等及び免許特定法人を含む。以下この条において同じ。）又は保険持株会社（新保険業法第二条第十六項に規定する保険持株会社をいう。以下この条において同じ。）の平成十年四月一日以後に開始する事業年度又は営業年度に係るこれらの規定に規定する書類について適用し、保険会社又は保険持株会社の同日前に開始した事業年度又は営業年度に係る業務報告書その他の書類については、なお従前の例による。

Article 133 The provisions of Article 110, paragraphs (2) and (3), Article 111, paragraphs (1) to (3) inclusive (including the cases where the provisions of paragraphs (1) and (3) of that Article are applied mutatis mutandis pursuant to Article 199 of the New Insurance Business Act), Article 271-8, and Article 271-9, paragraphs (1) and (2) of the New Insurance Business Act shall apply to the documents of an Insurance Company (including a Foreign Insurance Company, etc. or a Licensed Specified Juridical Person; hereinafter the same shall apply in this Article) or Insurance Holding Company (meaning an Insurance Holding Company as defined in Article 2, paragraph (16) of the New Insurance Business Act; hereinafter the same shall apply in this Article) prescribed in those provisions pertaining to the business years or fiscal years that start on or subsequent to 1 April 1998; with regard to the business report and other documents of an Insurance Company or Insurance Holding Company pertaining to the business years or fiscal years that started prior to the date, the provisions then in force shall remain applicable.

第百三十四条　新保険業法第百三十二条第二項、第二百四条第二項及び第二百三十条第二項の規定は、それぞれ平成十一年四月一日以後に新保険業法第百三十二条第一項、第二百四条第一項及び第二百三十条第一項の規定による命令（改善計画の提出を求めることを含む。）をする場合について適用する。

Article 134 (1) The provisions of Article 132, paragraph (2), Article 204, paragraph (2) and Article 230, paragraph (2) of the New Insurance Business Act shall apply to any order (including any demand for the submission of an improvement program) issued on or subsequent to 1 April 1999 under Article 132, paragraph (1), Article 204, paragraph (1) or Article 230, paragraph (1) of the New Insurance Business Act, respectively.

２　施行日前にされた旧保険業法第百三十条第一項、第二百二条第一項及び第二百二十八条第一項の規定による改善計画の提出の要求並びに旧保険業法第百三十条第二項、第二百二条第二項及び第二百二十八条第二項の規定による変更の命令は、それぞれ新保険業法第百三十二条第一項、第二百四条第一項及び第二百三十条第一項の規定による改善計画の提出の要求及び変更の命令とみなす。

(2) Any demands for the submission of an improvement program under Article 130, paragraph (1), Article 202, paragraph (1) or Article 228, paragraph (1) of the Former Insurance Business Act, and orders for modification under Article 130, paragraph (2), Article 202, paragraph (2) or Article 228, paragraph (2) of the Former Insurance Business Act issued prior to the Effective Date shall be deemed to be demands for the submission of an improvement program, and orders for modification issued under Article 132, paragraph (1), Article 204, paragraph (1) or Article 230, paragraph (1) of the New Insurance Business Act, respectively.

第百三十五条　施行日前に、旧保険業法第百九十二条第三項において準用する旧保険業法第八条第一項の規定により内閣総理大臣がした認可、当該認可に付した条件又は同項の規定に基づきされた同項の認可に係る申請は、新保険業法第百九十二条第三項の規定により内閣総理大臣がした認可、当該認可に付した条件又は同項の規定に基づきされた同項の認可に係る申請とみなす。

Article 135 Any authorization given by the Prime Minister pursuant to the provisions of Article 8, paragraph (1) of the Former Insurance Business Act as applied mutatis mutandis pursuant to Article 192, paragraph (3) of the Former Insurance Business Act, conditions attached to such authorization, or applications made pursuant to the provisions of that paragraph pertaining to the authorization set forth in that paragraph prior to the Effective Date shall be deemed to be authorization given by the Prime Minister pursuant to the provisions of Article 192, paragraph (3) of the New Insurance Business Act, conditions attached to such authorization or applications made pursuant to the provisions of that paragraph pertaining to the authorization set forth in that paragraph.

第百三十六条　新保険業法第二百五十九条に規定する保険契約者保護機構（以下「機構」という。）の発起人及び会員になろうとする保険会社（外国保険会社等及び免許特定法人を含む。）は、施行日前においても、新保険業法第二百六十一条から第二百六十三条まで、第二百六十五条から第二百六十五条の三まで、第二百六十五条の五、第二百六十五条の七、第二百六十五条の十二、第二百六十五条の十三、第二百六十五条の十五から第二百六十五条の十七まで、第二百六十五条の三十及び第二百六十五条の三十四並びに新保険業法附則第一条の四の規定の例により、定款の作成、創立総会の開催その他機構の設立に必要な行為、機構への加入に必要な行為及び機構の設立の日を含む事業年度の業務の運営に必要な行為をすることができる。

Article 136 (1) An Insurance Company (including a Foreign Insurance Company, etc. or a Licensed Specified Juridical Person) that seeks to become an incorporator or a member of the Policyholders Protection Corporation prescribed in Article 259 of the New Insurance Business Act (hereinafter referred to as the "Corporation") may, prior to the Effective Date, proceed with the preparation of the articles of incorporation, the holding of sessions of the Organizational Meeting and other actions necessary for incorporating the Corporation, necessary actions for participating in the Corporation, and necessary actions for managing business for the business year to which belongs the date of incorporation of the Corporation, as prescribed in Article 261 to 263 inclusive, Article 265 to 265-3 inclusive, Article 265-5, Article 265-7, Article 265-12, Article 265-13, Article 265-15 to 265-17 inclusive, Article 265-30 and Article 265-34 of the New Insurance Business Act, and Article 1-4 of the Supplementary Provisions of the New Insurance Business Act.

２　機構の発起人は、施行日前においても、新保険業法第二百六十五条の八、第二百六十五条の九、第二百六十五条の十五、第二百六十五条の三十及び第二百六十五条の三十四並びに新保険業法附則第一条の八の規定の例により、機構の設立の認可及び役員の選任の認可並びに、機構のために、機構の業務規程、その成立の日を含む事業年度の予算及び資金計画並びに負担金率の認可の申請をし、大蔵大臣の認可を受けることができる。この場合において、これらの認可の効力は、施行日から生ずるものとする。

(2) The incorporators of a Corporation may, prior to the Effective Date, apply for the authorization of the incorporation of the Corporation and the authorization of the appointment of officers and, on behalf of the Corporation, the authorization of the Corporation's business procedures, the budget and financial plan for the business year to which belongs the date of its incorporation and the obligatory contribution rates, and receive the authorization from the Minister of Finance, as prescribed in Article 265-8, Article 265-9, Article 265-15, Article 265-30 and Article 265-34 of the New Insurance Business Act, and Article 1-8 of the Supplementary Provisions of the New Insurance Business Act. In this case, such authorization shall come into effect as of the Effective Date.

第百三十七条　この法律の施行の際現に保険会社（外国保険会社等を含む。以下この条及び次条において同じ。）が旧保険業法第二百四十一条の規定により内閣総理大臣から業務（外国保険会社等にあっては、日本における業務。以下この条において同じ。）の全部若しくは一部の停止、保険契約の移転若しくは合併の協議（外国保険会社等にあっては、日本における保険契約の移転の協議）の命令又は保険管理人による業務及び財産（外国保険会社等にあっては、日本に所在する財産。次項において同じ。）の管理を命ずる処分を受けている場合には、当該保険会社については、新保険業法第二百六十五条の二第二項及び第二百六十五条の三第一項の規定は、適用しない。

Article 137 (1) The provisions of Article 265-2, paragraph (2) and Article 265-3, paragraph (1) of the New Insurance Business Act shall not apply to any Insurance Company (including any Foreign Insurance Company, etc.; hereinafter the same shall apply in this Article and the following Article), in cases where the Prime Minister, pursuant to the provisions of Article 241 of the Former Insurance Business Act, has issued an order for suspension of all or part of its business (or, for a Foreign Insurance Company, etc., its business in Japan; hereinafter the same shall apply in this Article), the transfer of insurance contracts or consultation on merger (or, for a Foreign Insurance Company, etc., consultation on the transfer of insurance contracts in Japan), or has rendered a disposition ordering the administration of its business and property (or, for a Foreign Insurance Company, etc., its property located in Japan; the same shall apply in the following paragraph) by an insurance administrator, at the time when this Act enters into force.

２　前項の規定の適用を受ける保険会社のうち、この法律の施行後にその業務及び財産の状況が再び正常になったと認められるもので、内閣総理大臣が指定するものについては、その指定の日から、新保険業法第二百六十五条の二第二項及び第二百六十五条の三第一項の規定を適用する。

(2) Where the condition of the business and property of an Insurance Company to which the provisions of the preceding paragraph shall apply is found to have returned to normal after this Act enters into force, as attested by the relevant Designation by the Prime Minister, the provisions of Article 265-2, paragraph (2) and Article 265-3, paragraph (1) of the New Insurance Business Act shall apply as of the date of such Designation.

第百三十八条　この法律の施行の際現に存する旧保険業法第二百五十九条第二項に規定する保険契約者保護基金（清算中のものを含む。次条から附則第百四十一条までにおいて「保険契約者保護基金」という。）であって、この法律の施行の際現にその事業参加者（旧保険業法第二百六十条第五項第四号に規定する事業参加者をいう。）の中にその資金援助（旧保険業法第二百六十条第五項第五号に規定する資金援助をいう。）を行うことを決定していない前条第一項の規定の適用を受ける保険会社があるものについては、旧保険業法第二百五十九条から第二百七十条まで及び旧保険業法附則第百五条の規定は、この法律の施行後も、施行日から起算して政令で定める期間を経過する日までの間、なおその効力を有する。この場合において、なおその効力を有するものとされる旧保険業法第二百六十八条第一項第一号中「第二百四十一条」とあるのは、「金融システム改革のための関係法律の整備等に関する法律（平成十年法律第百七号）第二十二条の規定による改正前の保険業法第二百四十一条」とする。

Article 138 With regard to any Policyholders Protection Fund as defined in Article 259, paragraph (2) of the Former Insurance Business Act in existence at the time when this Act enters into force (including a fund in the course of liquidation; referred to as "Policyholders Protection Fund" in the following Article to Article 141 inclusive of the Supplementary Provisions) that includes among its business participants (meaning the business participants prescribed in Article 260, paragraph (5), item (iv) of the Former Insurance Business Act), at the time when this Act enters into force, any Insurance Company to which the provisions of paragraph (1) of the preceding Article shall apply but for which no decision has been made to provide Financial Assistance (meaning the Financial Assistance prescribed in Article 260, paragraph (5), item (v) of the Former Insurance Business Act), the provisions of Article 259 to 270 inclusive of the Former Insurance Business Act and Article 105 of the Supplementary Provisions to the Former Insurance Business Act shall remain in force even after this Act enters into force, for a period to be specified by Cabinet Order counting from the Effective Date. In this case, the term "Article 241" in Article 268, paragraph (1), item (i) of the Former Insurance Business Act, which is to remain in force, shall be deemed to be replaced with "Article 241 of the Insurance Business Act prior to its revision by the provisions of Article 22 of the Act on Revision, etc. of Related Acts for the Financial System Reform (Act No. 107 of 1998)."

第百三十九条　この法律の施行の際現に存する保険契約者保護基金であって、この法律の施行の際現に資金援助等事業（旧保険業法第二百五十九条第一項に規定する資金援助等事業をいう。次条において同じ。）を行っているものについては、旧保険業法は、この法律の施行後も、当該資金援助等事業が終了するまでの間、当該資金援助等事業の実施に必要な範囲内において、なおその効力を有する。この場合において、旧保険業法第二編第十章第二節（第二百六十七条第五項、第二百六十九条第二項及び第二百七十条第三項を除く。）中「大蔵大臣」とあるのは「内閣総理大臣及び財務大臣」と、「大蔵省令」とあるのは「内閣府令・財務省令」と、旧保険業法第二百五十九条第一項第三号中「禁治産者」とあるのは「成年被後見人」と、「準禁治産者」とあるのは「被保佐人」と、旧保険業法第二百六十七条第五項、第二百六十九条第二項及び第二百七十条第三項中「大蔵大臣」とあるのは「財務大臣」とするほか、必要な技術的読替えは、政令で定める。

Article 139 With regard to any Policyholders Protection Fund in existence at the time when this Act enters into force that conducts Financial Assistance Business, etc. (meaning Financial Assistance Business, etc. prescribed in Article 259, paragraph (1) of the Former Insurance Business Act; the same shall apply in the following Article) at the time when this Act enters into force, the Former Insurance Business Act shall remain in force even after this Act enters into force until Financial Assistance Business, etc. is completed, within the limit necessary for executing Financial Assistance Business, etc. In this case, the terms "Minister of Finance" and "Ordinance of the Ministry of Finance" in Part II, Chapter X, Section 2 (excluding Article 267, paragraph (5), Article 269, paragraph (2) and Article 270, paragraph (3)) of the Former Insurance Business Act shall be deemed to be replaced with "Prime Minister and the Minister of Finance" and "Cabinet Office Ordinance and Ordinance of the Ministry of Finance," respectively; and the terms "incompetent" and "quasi-incompetent" in Article 259, paragraph (1), item (iii) of the Former Insurance Business Act shall be deemed to be replaced with "adult ward" and "person under curatorship," respectively; any necessary technical change in interpretation shall be specified by Cabinet Order.

第百四十条　前条の保険契約者保護基金は、政令で定める日までの間、機構の発起人又は機構に対し、当該保険契約者保護基金が行う資金援助等事業並びにその有する資産及び負債のうち資金援助等事業の遂行に伴い当該保険契約者保護基金に属するに至ったもの（以下この条において「資金援助等事業財産」という。）を、機構において承継すべき旨を申し出ることができる。

Article 140 (1) The Policyholders Protection Fund set forth in the preceding Article may, until a date to be specified by Cabinet Order, propose to the incorporators of a Corporation or the Corporation that the Corporation should succeed to Financial Assistance Business, etc. conducted by the Policyholders Protection Fund, and those assets and liabilities which have come to belong to the Policyholders Protection Fund as a result of executing Financial Assistance Business, etc. (hereinafter referred to as the "Financial Assistance, etc. Business Property" in this Article).

２　機構の発起人又は機構は、前項の規定による申出があった場合において、当該申出を承諾しようとするときは、機構の創立総会又は総会でその承認を得なければならない。

(2) A Corporation or the incorporators of a Corporation shall, when they seek to consent to any proposal made under the preceding paragraph, receive approval at an Organizational Meeting or General Representative Members' Council Meeting of the Corporation.

３　前項の規定による創立総会又は総会の承認については、創立総会にあっては会員の資格を有する者であってその創立総会の開催日までに発起人に対して会員となる旨を書面により申し出たもの及び発起人の二分の一以上が出席してその出席者の議決権の三分の二以上の多数で、総会にあっては総会員の二分の一以上が出席してその出席者の議決権の三分の二以上の多数で決する。

(3) A decision in favor of approval under the preceding paragraph is effected at the Organizational Meeting by a two-thirds majority vote of those present at a session attended by at least half of the incorporators and the persons qualified to become members that have applied to become members of the Corporation, in writing, to the incorporators by the date of the session of the Organizational Meeting; or at General Representative Members' Council by a two-thirds majority vote of those present at a session attended by at least half of its members.

４　機構の発起人又は機構は、第二項の規定による創立総会又は総会の承認の決議があったときは、遅滞なく、大蔵大臣の認可を申請しなければならない。

(4) A Corporation or the incorporators of a Corporation shall, when the resolution for approval under paragraph (2) was adopted at an Organizational Meeting or at a General Representative Members' Council Meeting, apply without delay for the authorization of the Ministry of Finance.

５　前項の認可があったときは、第一項の保険契約者保護基金の行う資金援助等事業及び資金援助等事業財産は、当該認可の日（当該認可が機構の発起人に対して当該機構の成立の日前にあったときは、当該機構の成立の日）において機構に承継されるものとする。

(5) When the authorization set forth in the preceding paragraph was given, the Corporation shall succeed to Financial Assistance Services, etc. provided by the Policyholders Protection Fund and the Financial Assistance, etc. Business Property, set forth in paragraph (1), as of the date of such authorization (or, when the authorization was given to the incorporators of the Corporation prior to the date of establishment of the Corporation, as of the date of establishment of the Corporation).

６　機構が、前項の規定により資金援助等事業を承継したときは、当該機構については、旧保険業法は、当該資金援助等事業が終了するまでの間、当該資金援助等事業の実施に必要な範囲内において、なおその効力を有する。この場合において、旧保険業法第二編第十章第二節（第二百六十七条第五項、第二百六十九条第二項及び第二百七十条第三項を除く。）中「大蔵大臣」とあるのは「内閣総理大臣及び財務大臣」と、「大蔵省令」とあるのは「内閣府令・財務省令」と、旧保険業法第二百五十九条第一項第三号中「禁治産者」とあるのは「成年被後見人」と、「準禁治産者」とあるのは「被保佐人」と、旧保険業法第二百六十七条第五項、第二百六十九条第二項及び第二百七十条第三項中「大蔵大臣」とあるのは「財務大臣」とするほか、必要な技術的読替えは、政令で定める。

(6) Where a Corporation has succeeded to Financial Assistance Services, etc. pursuant to the provisions of the preceding paragraph, the Former Insurance Business Act shall remain in force with regard to the Corporation until Financial Assistance Services, etc. is completed, within the limit necessary for executing Financial Assistance Services, etc. In this case, the terms "Minister of Finance" and "Ordinance of the Ministry of Finance" in Part II, Chapter X, Section 2 (excluding Article 267, paragraph (5), Article 269, paragraph (2) and Article 270, paragraph (3)) of the Former Insurance Business Act shall be deemed to be replaced with "Prime Minister and the Minister of Finance" and "Cabinet Office Ordinance and Ordinance of the Ministry of Finance," respectively; and the terms "incompetent" and "quasi-incompetent" in Article 259, paragraph (1), item (iii) of the Former Insurance Business Act shall be deemed to be replaced with "adult ward" and "person under curatorship," respectively; any technical change in interpretation required shall be specified by Cabinet Order.

７　第五項の規定により資金援助等事業を承継した機構は、前項の規定によりなおその効力を有するものとされる旧保険業法の規定の適用については、これを保険契約者保護基金とみなし、新保険業法第二百六十五条の二十八の規定にかかわらず、その承継した資金援助等事業を行うことができるものとする。

(7) For the purpose of applying the provisions of the Former Insurance Business Act that shall remain in force pursuant to the provisions of the preceding paragraph, the Corporation that has succeeded to Financial Assistance Business, etc. pursuant to the provisions of paragraph (5) shall be deemed to be a Policyholders Protection Fund and may conduct Financial Assistance Business, etc. thus succeeded to, notwithstanding the provisions of Article 265-28 of the New Insurance Business Act.

８　機構は、前項の規定によりその承継した資金援助等事業を行うときは、当該資金援助等事業に係る経理を、その他の経理と区分し、特別の勘定（以下この条において「継続事業勘定」という。）を設けて整理しなければならない。この場合において、第五項の規定により承継した資金援助等事業財産は、その承継の日に継続事業勘定において受け入れるものとする。

(8) The Corporation shall, when it conducts Financial Assistance Business, etc. to which it has succeeded pursuant to the provisions of the preceding paragraph, create a Special Account (hereinafter referred to as "Ongoing Business Account") to arrange for the separate accounting of Financial Assistance Business, etc. In this case, any Financial Assistance, etc. Business Property succeeded to pursuant to the provisions of paragraph (5) shall be credited to the Ongoing Business Account as of the date of such succession.

９　前項の規定により継続事業勘定が設けられている間における新保険業法第二百六十五条の四十一第二項の規定の適用については、同項中「以外の勘定」とあるのは、「及び金融システム改革のための関係法律の整備等に関する法律（平成十年法律第百七号）附則第百三十八条第七項に規定する継続事業勘定以外の勘定」とする。

(9) For the purpose of applying the provisions of Article 265-41, paragraph (2) of the New Insurance Business Act during the period in which the Ongoing Business Account is in place pursuant to the provisions of the preceding paragraph, the term "and the Ongoing Business Account prescribed in Article 138, paragraph (7) of the Supplementary Provisions to the Act on Revision, etc. of Related Acts for the Financial System Reform (Act No. 107 of 1998)" shall be deemed to be inserted before the term "; the same shall apply in Article 270-5" in Article 265-41, paragraph (2) of the New Insurance Business Act.

１０　機構は、第五項の規定により承継した資金援助等事業の全部が終了したときは、継続事業勘定を廃止するものとし、その廃止の際、継続事業勘定に残余財産があるときは、当該残余財産を新保険業法第二百六十五条の四十一第二項に規定する一般勘定に帰属させるものとする。

(10) The Corporation shall, when Financial Assistance Services, etc. succeeded to pursuant to the provisions of paragraph (5) has been completed, abolish the Ongoing Business Account, and impute any residual assets in existence at the time of such abolishment to the General Account set forth in Article 265-41, paragraph (2) of the New Insurance Business Act.

第百四十一条　保険契約者保護基金の役員又は職員であった者に係るその職務に関して知り得た秘密を漏らしてはならない義務については、この法律の施行後も、なお従前の例による。

Article 141 With regard to the obligation for a person who has been an officer or functionary of a Policyholders Protection Fund not to reveal any secret that he/she had access to in the course of duties, the provisions then in force shall remain applicable even after this Act enters into force.

第百四十二条　この法律の施行の際現にその名称中に保険契約者保護機構という文字を用いている者については、新保険業法第二百六十三条第二項の規定は、施行日から起算して六月を経過する日までの間は、適用しない。

Article 142 The provisions of Article 263, paragraph (2) of the New Insurance Business Act shall not apply, for a period of six months counting from the Effective Date, to a person that uses the term "Hoken Keiyakusha Hogo Kiko" (which means "Policyholders Protection Corporation") in its name at the time when this Act enters into force.

（権限の委任）

(Delegation of Authorities)

第百四十七条　内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 147 (1) The Prime Minister shall delegate his/her authorities under these Supplementary Provisions (excluding the authorities to be specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

２　前項の規定により金融庁長官に委任された権限並びにこの附則の規定による農林水産大臣及び厚生労働大臣の権限については、政令で定めるところにより、その一部を財務局長若しくは財務支局長（農林水産大臣及び厚生労働大臣の権限にあっては、地方支分部局の長）に委任することができる。

(2) The authorities delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph, and the authorities of the Minister of Agriculture, Forestry and Fisheries and Minister of Health, Labour and Welfare under these Supplementary Provisions may be delegated in part to the heads of the Regional Financial Bureaus or Regional Financial Offices (or, for the authorities of the Minister of Agriculture, Forestry and Fisheries and Minister of Health, Labour and Welfare, the heads of the Regional Financial Branch Offices), pursuant to the provisions of a Cabinet Order.

（処分等の効力）

(Effect of Dispositions, etc.)

第百八十八条　この法律（附則第一条各号に掲げる規定にあっては、当該規定）の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 188 Those dispositions, procedures or other actions taken before this Act (or, for the provisions listed in the items of Article 1 of the Supplementary Provisions, such provisions) enters into force pursuant to the provisions of the respective Acts prior to its revision (including any orders pursuant thereto; hereinafter the same shall apply in this Article), which are covered by the corresponding provisions of the respective Acts as revised, shall be deemed to have been carried out pursuant to such corresponding provisions of the respective Acts as revised, unless provided otherwise in these Supplementary Provisions.

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

第百八十九条　この法律（附則第一条各号に掲げる規定にあっては、当該規定）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 189 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act (or, for the provisions listed in the items of Article 1 of the Supplementary Provisions, such provisions), and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第百九十条　附則第二条から第百四十六条まで、第百五十三条、第百六十九条及び前条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 190 In addition to what is provided for in Article 2 to 146 inclusive, Article 153 and Article 169 of the Supplementary Provisions, and the preceding Article, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第百九十一条　政府は、この法律の施行後においても、新保険業法の規定による保険契約者等の保護のための特別の措置等に係る制度の実施状況、保険会社の経営の健全性の状況等にかんがみ必要があると認めるときは、保険業に対する信頼性の維持を図るために必要な措置を講ずるものとする。

Article 191 (1) Subsequent to the enforcement of this Act, the Government shall, when it finds it necessary, take necessary measures to maintain the credibility of the insurance industry, taking into consideration the status of implementation of the system pertaining to special measures, etc. for the protection of Policyholders, etc. under the New Insurance Business Act and the condition of soundness in management of Insurance Companies, among other factors.

２　政府は、前項に定めるものを除くほか、この法律の施行後五年以内に、この法律による改正後の規定の実施状況、金融システムを取り巻く社会経済状況の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) In addition to what is provided for in the preceding paragraph, the Government shall, within five years from the enforcement of this Act, review the financial systems revised by this Act, taking into consideration the status of implementation of the provisions revised by this Act and changing socioeconomic conditions surrounding the financial sector, among other factors, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十年十月十六日法律第百三十一号〕

Supplementary Provisions [Act No. 131 of October 16, 1998]

（施行期日）

(Effective Date)

第一条　この法律は、金融再生委員会設置法（平成十年法律第百三十号）の施行の日から施行する。

Article 1 This Act shall come into effect as of the Effective Date of the Act for Establishment of the Financial Reconstruction Commission (Act No. 130 of 1998).

（経過措置）

(Transitional Measures)

第二条　この法律による改正前の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、中小企業等協同組合法、協同組合による金融事業に関する法律、船主相互保険組合法、地方税法、証券投資信託及び証券投資法人に関する法律、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、自動車損害賠償保障法、農業信用保証保険法、地震保険に関する法律、登録免許税法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関等の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法、銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律、特定目的会社による特定資産の流動化に関する法律又は金融システム改革のための関係法律の整備等に関する法律（以下「旧担保附社債信託法等」という。）の規定により内閣総理大臣その他の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為は、この法律による改正後の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、中小企業等協同組合法、協同組合による金融事業に関する法律、船主相互保険組合法、地方税法、証券投資信託及び証券投資法人に関する法律、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、自動車損害賠償保障法、農業信用保証保険法、地震保険に関する法律、登録免許税法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関等の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法、銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律、特定目的会社による特定資産の流動化に関する法律又は金融システム改革のための関係法律の整備等に関する法律（以下「新担保附社債信託法等」という。）の相当規定に基づいて、金融再生委員会その他の相当の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

Article 2 (1) The licensing, permission, authorization, approval, Designation and other dispositions, or notification and other actions taken by the Prime Minister or other organs of the State pursuant to the provisions of the Secured Bond Trust Act, Trust Business Act, Norinchukin Bank Act, Mutual Loan Business Act, Act on Simplification of Banking Business Procedures, etc., Act on Provision, etc. of Trust Business by Financial Institutions, Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, Agricultural Cooperative Association Act, Securities and Exchange Act, Act on Non-Life Insurance Rating Organizations, Fisheries Cooperative Association Act, Act on the Cooperative Associations of Small and Medium Enterprises, etc., Act on Financial Businesses by Cooperative, Shipowners Mutual Insurance Association Act, Local Tax Act, Act on Securities Investment Trust and Securities Investment Corporations, Shinkin Bank Act, Long-Term Credit Bank Act, Loan Trust Act, Medium and Small Fishery Loan Guarantee Act, Credit Guarantee Companies Act, Labor Bank Act, Automobile Liability Security Act, Agricultural Credit Guarantee Insurance Act, Act on Earthquake Insurance, Registration and License Tax Act, Act on Financial Institutions' Merger and Conversion, Act on Foreign Securities Brokers, Act on the Promotion of Introduction of Industry, etc. into Agricultural Regions, Agricultural and Fishery Cooperation Savings Insurance Act, Banking Act, Act on Controls, etc. on Money Lending, Act on Regulation, etc. on Investment Advisory Business Pertaining to Securities, Act on Regulation, etc. for Mortgage Corporations, Financial Futures Trading Act, Act on Regulation, etc. on Advanced Payment Certificate, Act on Regulations of Business Pertaining to Commodities Investment, Act on Special Provisions for the Narcotics and Psychotropics Control Act, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conduct and Other Activities Involving Controlled Substances through International Cooperation, Act on the Regulation of Business Pertaining to Specified Claims, etc., Act on Revision, etc. of Related Acts for the Reform of Financial System and Securities Exchange System, Act on Preferred Equity Investment by Cooperative Structured Financial Institution, Real Estate Specified Joint Enterprise Act, Insurance Business Act, Act on Special Treatment, etc. of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institution, Act on the Merger of the Norinchukin Bank and the Federation of Credit Agricultural Cooperatives, etc., Bank of Japan Act, Act on Special Measures, etc. for Merger Procedures Pertaining to Banks, etc. for the Creation of Bank Holding Company, Act on the Liquidation of Specified Assets by Special Purpose Companies, or Act on Revision, etc. of Related Acts for the Financial System Reform, prior to its revision by this Act (hereinafter referred to as "Former Secured Bond Trust Act, etc."), shall be deemed to be licensing, permission, authorization, approval, Designation and other dispositions, or notification and other actions taken by the Financial Reconstruction Commission or other corresponding organs of the State pursuant to the corresponding provisions of the Secured Bond Trust Act, Trust Business Act, Norinchukin Bank Act, Mutual Loan Business Act, Act on Simplification of Banking Business Procedures, etc., Act on Provision, etc. of Trust Business by Financial Institutions, Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, Agricultural Cooperative Association Act, Securities and Exchange Act, Act on Non-Life Insurance Rating Organizations, Fisheries Cooperative Association Act, Act on the Cooperative Associations of Small and Medium Enterprises, etc., Act on Financial Businesses by Cooperative, Shipowners Mutual Insurance Association Act, Local Tax Act, Act on Securities Investment Trust and Securities Investment Corporations, Shinkin Bank Act, Long-Term Credit Bank Act, Loan Trust Act, Medium and Small Fishery Loan Guarantee Act, Credit Guarantee Companies Act, Labor Bank Act, Automobile Liability Security Act, Agricultural Credit Guarantee Insurance Act, Act on Earthquake Insurance, Registration and License Tax Act, Act on Financial Institutions' Merger and Conversion, Act on Foreign Securities Brokers, Act on the Promotion of Introduction of Industry, etc. into Agricultural Regions, Agricultural and Fishery Cooperation Savings Insurance Act, Banking Act, Act on Controls, etc. on Money Lending, Act on Regulation, etc. on Investment Advisory Business Pertaining to Securities, Act on Regulation, etc. for Mortgage Corporations, Financial Futures Trading Act, Act on Regulation, etc. on Advanced Payment Certificate, Act on Regulations of Business Pertaining to Commodities Investment, Act on Special Provisions for the Narcotics and Psychotropics Control Act, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conduct and Other Activities Involving Controlled Substances through International Cooperation, Act on the Regulation of Business Pertaining to Specified Claims, etc., Act on Revision, etc. of Related Acts for the Reform of Financial System and Securities Exchange System, Act on Preferred Equity Investment by Cooperative Structured Financial Institution, Real Estate Specified Joint Enterprise Act, Insurance Business Act, Act on Special Treatment of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institution, Act on the Merger of the Norinchukin Bank and the Federation of Credit Agricultural Cooperatives, etc., Bank of Japan Act, Act on Special Measures, etc. for Merger Procedures Pertaining to Banks, etc. for the Creation of Bank Holding Company, Act on the Liquidation of Specified Assets by Special Purpose Companies, or Act on Revision, etc. of Related Acts for the Financial System Reform, revised by this Act (hereinafter referred to as "New Secured Bond Trust Act, etc.").

２　この法律の施行の際現に旧担保附社債信託法等の規定により内閣総理大臣その他の国の機関に対してされている申請、届出その他の行為は、新担保附社債信託法等の相当規定に基づいて、金融再生委員会その他の相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) Applications, notifications and other actions that have been addressed to the Prime Minister or other organs of the State pursuant to the provisions of the Former Secured Bond Trust Act, etc. by the time when this Act enters into force shall be deemed to be applications, notifications and other actions addressed to the Financial Reconstruction Commission or other corresponding organs of the State pursuant to the corresponding provisions of the New Secured Bond Trust Act, etc.

３　旧担保附社債信託法等の規定により内閣総理大臣その他の国の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、これを、新担保附社債信託法等の相当規定により金融再生委員会その他の相当の国の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、新担保附社債信託法等の規定を適用する。

(3) For the purpose of applying the provisions of the New Secured Bond Trust Act, etc. to the particulars with regard to which a person is required to make a report to, give notice to, file a submission with, or go through any other procedures with the Prime Minister or other organs of the State pursuant to the provisions of the Former Secured Bond Trust Act, etc., any such particulars for which the relevant procedures have not been completed by the Effective Date of this Act shall be deemed to be particulars with regard to which a person is required to make a report to, give notice to, file a submission with, or go through any other procedures with the Financial Reconstruction Commission or other corresponding organs of the State pursuant to the corresponding provisions of the New Secured Bond Trust Act, etc., but for which the relevant procedures have not been completed.

第三条　この法律の施行の際現に効力を有する旧担保附社債信託法等の規定に基づく命令は、新担保附社債信託法等の相当規定に基づく命令としての効力を有するものとする。

Article 3 Any orders pursuant to the provisions of the Former Secured Bond Trust Act, etc. that are effective at the time when this Act enters into force shall be effective as orders issued pursuant to the corresponding provisions of the New Secured Bond Trust Act, etc.

第四条　この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act, the provisions then in force shall remain applicable.

（政令への委任）

(Delegation to Cabinet Order)

第五条　前三条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 5 In addition to what is provided for in the preceding three Articles, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

附　則　〔平成十一年八月十三日法律第百二十五号〕〔抄〕

Supplementary Provisions [Act No. 125 of August 13, 1999] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、第一条中商法第二百八十五条ノ四、第二百八十五条ノ五第二項、第二百八十五条ノ六第二項及び第三項、第二百九十条第一項並びに第二百九十三条ノ五第三項の改正規定並びに附則第六条中農林中央金庫法（大正十二年法律第四十二号）第二十三条第三項及び第二十四条第一項の改正規定、附則第七条中商工組合中央金庫法（昭和十一年法律第十四号）第三十九条ノ三第三項及び第四十条ノ二第一項の改正規定、附則第九条中農業協同組合法（昭和二十二年法律第百三十二号）第五十二条第一項の改正規定、附則第十条中証券取引法（昭和二十三年法律第二十五号）第五十三条第三項の改正規定及び同条第四項を削る改正規定、附則第十一条中水産業協同組合法（昭和二十三年法律第二百四十二号）第五十六条第一項の改正規定、附則第十二条中協同組合による金融事業に関する法律（昭和二十四年法律第百八十三号）第五条の五の次に一条を加える改正規定及び同法第十二条第一項の改正規定、附則第十三条中船主相互保険組合法（昭和二十五年法律第百七十七号）第四十二条第一項の改正規定、附則第十六条中信用金庫法（昭和二十六年法律第二百三十八号）第五十五条の三第三項及び第五十七条第一項の改正規定、附則第十八条中労働金庫法（昭和二十八年法律第二百二十七号）第六十一条第一項の改正規定、附則第二十三条中銀行法（昭和五十六年法律第五十九号）第十七条の二第三項の改正規定及び同条第四項を削る改正規定、附則第二十六条の規定、附則第二十七条中保険業法（平成七年法律第百五号）第十五条に一項を加える改正規定、同法第五十五条第一項及び第二項、第百十二条第一項並びに第百十二条の二第三項の改正規定、同条第四項を削る改正規定、同法第百十五条第二項、第百十八条第一項、第百十九条及び第百九十九条の改正規定並びに同法附則第五十九条第二項及び附則第九十条第二項を削る改正規定、附則第二十九条中株式の消却の手続に関する商法の特例に関する法律（平成九年法律第五十五号）第七条第二項の改正規定並びに附則第三十一条中特定目的会社による特定資産の流動化に関する法律（平成十年法律第百五号）第百一条第一項及び第百二条第三項の改正規定は、平成十二年四月一日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding six months from the day of promulgation; provided, however, that the provisions revising Article 285-4, Article 285-5, paragraph (2), Article 285-6, paragraphs (2) and (3), Article 290, paragraph (1) and Article 293-5, paragraph (3) of the Commercial Code in Article 1, and the provisions revising Article 23, paragraph (3) and Article 24, paragraph (1) of the Norinchukin Bank Act (Act No. 42 of 1923) in Article 6 of the Supplementary Provisions, the provisions revising Article 39-3, paragraph (3) and Article 40-2, paragraph (1) of the Shoko Chukin Bank Act (Act No. 14 of 1936) in Article 7 of the Supplementary Provisions, the provisions revising Article 52, paragraph (1) of the Agricultural Cooperative Association Act (Act No. 132 of 1947) in Article 9 of the Supplementary Provisions, the provisions revising Article 53, paragraph (3) of the Securities and Exchange Act (Act No. 25 of 1948) and deleting paragraph (4) of that Article in Article 10 of the Supplementary Provisions, the provisions revising Article 56, paragraph (1) of the Fisheries Cooperative Association Act (Act No. 242 of 1948) in Article 11 of the Supplementary Provisions, the provisions adding an Article after Article 5-5 of the Act on Financial Businesses by Cooperative (Act No. 183 of 1949) and revising Article 12, paragraph (1) of that Act in Article 12 of the Supplementary Provisions, the provisions revising Article 42, paragraph (1) of the Shipowners Mutual Insurance Association Act (Act No. 177 of 1950) in Article 13 of the Supplementary Provisions, the provisions revising Article 55-3, paragraph (3) and Article 57, paragraph (1) of the Shinkin Bank Act (Act No. 238 of 1951) in Article 16 of the Supplementary Provisions, the provisions revising Article 61, paragraph (1) of the Labor Bank Act (Act No. 227 of 1953) in Article 18 of the Supplementary Provisions, the provisions revising Article 17-2, paragraph (3) of the Banking Act (Act No. 59 of 1981) and deleting paragraph (4) of that Article in Article 23 of the Supplementary Provisions, the provisions of Article 26 of the Supplementary Provisions, the provisions adding a paragraph to Article 15 of the Insurance Business Act (Act No. 105 of 1995), revising Article 55, paragraphs (1) and (2), Article 102, paragraph (1) and Article 112-2, paragraph (3) of that Act, deleting Article 112-2, paragraph (4) of that Act, revising Article 115, paragraph (2), Article 118, paragraph (1), Article 119 and Article 199 of that Act and deleting Article 59, paragraph (2) and Article 90, paragraph (2) of the Supplementary Provisions to that Act in Article 27 of the Supplementary Provisions, the provisions revising Article 7, paragraph (2) of the Act on Special Measures for the Commercial Code on the Procedure of Cancellation of Shares (Act No. 55 of 1997) in Article 29 of the Supplementary Provisions and the provisions revising Article 101, paragraph (1) and Article 102, paragraph (3) of the Act on the Liquidation of Specified Assets by Special Purpose Companies (Act No. 105 of 1998) in Article 31 of the Supplementary Provisions shall come into effect as of 1 April 2000.

（監査報告書に関する経過措置）

(Transitional Measures for Audit Report)

第二条　この法律の施行前に終了した営業年度について作成すべき監査報告書の記載事項に関しては、なお従前の例による。農林中央金庫、農業協同組合及び農業協同組合連合会、漁業協同組合、漁業協同組合連合会、水産加工業協同組合及び水産加工業協同組合連合会、信用協同組合及び信用協同組合連合会（中小企業等協同組合法（昭和二十四年法律第百八十一号）第九条の九第一項第一号の事業を行う協同組合連合会をいう。次条において同じ。）、信用金庫及び信用金庫連合会、労働金庫及び労働金庫連合会並びに相互会社（保険業法第二条第五項に規定する相互会社をいう。次条において同じ。）についての、この法律の施行前に終了した事業年度について作成すべき監査報告書の記載事項に関しても、同様とする。

Article 2 With regard to particulars for inclusion in audit reports to be prepared for the financial years that ended prior to the enforcement of this Act, the provisions then in force shall remain applicable. The same shall apply to particulars for inclusion in audit reports to be prepared for the business years that ended prior to the enforcement of this Act with regard to the Norinchukin Bank, Agricultural Cooperative Associations and Federations of Agricultural Cooperatives, Fisheries Cooperative Associations, Federations of Fisheries Cooperatives, Fish Processors' Cooperative Associations and Federations of Fish Processors' Cooperatives, Credit Cooperatives and Federations of Credit Cooperatives (meaning federations of cooperatives that conduct the business set forth in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949); the same shall apply in the following Article), Shinkin Banks and Federations of Shinkin Banks, Labor Banks and Federations of Labor Banks, and Mutual Companies (meaning Mutual Companies as defined in Article 2, paragraph (5) of the Insurance Business Act; the same shall apply in the following Article).

（金銭債権等の評価に関する経過措置）

(Transitional Measures for Valuation of Monetary Claims, etc.)

第三条　附則第一条ただし書に掲げる改正規定の施行前に開始した営業年度の決算期における金銭債権、社債その他の債券及び株式その他の出資による持分の評価（以下この条において「金銭債権等の評価」という。）に関しては、なお従前の例による。次の各号に掲げる金銭債権等の評価に関しても、同様とする。

Article 3 With regard to the valuation of monetary claims, company bonds and other bonds, and shares and other equity interests acquired by contribution (hereinafter referred to as "Valuation of Monetary Claims, etc." in this Article) for the accounting periods in the financial years that started prior to the enforcement of the amending provisions listed in the proviso to Article 1 of the Supplementary Provisions, the provisions then in force shall remain applicable. The same shall apply to the Valuation of Monetary Claims, etc. listed in the following items:

一　農林中央金庫、商工組合中央金庫、農業協同組合及び農業協同組合連合会、漁業協同組合、漁業協同組合連合会、水産加工業協同組合及び水産加工業協同組合連合会、信用協同組合及び信用協同組合連合会、船主相互保険組合、信用金庫及び信用金庫連合会並びに労働金庫及び労働金庫連合会についての、附則第一条ただし書に掲げる改正規定の施行前に開始した事業年度終了の日における金銭債権等の評価

(i) Valuation of Monetary Claims, etc. as of the end of the business years that started prior to the enforcement of the amending provisions listed in the proviso to Article 1 of the Supplementary Provisions with regard to the Norinchukin Bank, the Shoko Chukin Bank, Agricultural Cooperative Associations and Federations of Agricultural Cooperatives, Fisheries Cooperative Associations, Federations of Fisheries Cooperatives, Fish Processors' Cooperative Associations and Federations of Fish Processors' Cooperatives, Credit Cooperatives and Federations of Credit Cooperatives, Shipowners Mutual Insurance Cooperatives, Shinkin Banks and Federations of Shinkin Banks, and Labor Banks and Federations of Labor Banks;

二　証券投資法人（証券投資信託及び証券投資法人に関する法律（昭和二十六年法律第百九十八号）第二条第十一項に規定する証券投資法人をいう。）についての、附則第一条ただし書に掲げる改正規定の施行前に開始した営業期間（同法第百三十三条第二項に規定する営業期間をいう。）の決算期における金銭債権等の評価

(ii) Valuation of Monetary Claims, etc. for the accounting periods in the business periods (meaning the business periods prescribed in Article 133, paragraph (2) of the Act on Securities Investment Trust and Securities Investment Corporations (Act No. 198 of 1951)) that started prior to the enforcement of the amending provisions listed in the proviso to Article 1 of the Supplementary Provisions with regard to securities investment corporations (meaning securities investment corporations as defined in Article 2, paragraph (11) of that Act; and

三　相互会社についての、附則第一条ただし書に掲げる改正規定の施行前に開始した事業年度の決算期における金銭債権等の評価

(iii) Valuation of Monetary Claims, etc. for the accounting periods in the business years that started prior to the enforcement of the amending provisions listed in the proviso to Article 1 of the Supplementary Provisions with regard to Mutual Companies.

附　則　〔平成十一年十二月八日法律第百五十一号〕〔抄〕

Supplementary Provisions [Act No. 151 of December 8, 1999] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十二年四月一日から施行する。

Article 1 This Act shall come into effect as of 1 April 2000.

第四条　この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附　則　〔平成十一年十二月二十二日法律第百六十号〕〔抄〕

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

（施行期日）

(Effective Date)

第一条　この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act (excluding Articles 2 and 3) shall come into effect as of 6 January 2001; provided, however, that the provisions listed in the following items shall come into effect as of the date specified in the relevant item:

二　第三章（第三条を除く。）及び次条の規定　平成十二年七月一日

(ii) The provisions of Chapter III (excluding Article 3) and the following Article: 1 July 2000;

附　則　〔平成十一年十二月二十二日法律第二百二十五号〕〔抄〕

Supplementary Provisions [Act No. 225 of December 22, 1999] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding six months from the day of promulgation.

（民法等の一部改正に伴う経過措置）

(Transitional Measures Accompanying Partial Revision to Civil Code, etc.)

第二十五条　この法律の施行前に和議開始の申立てがあった場合又は当該申立てに基づきこの法律の施行前若しくは施行後に和議開始の決定があった場合においては、当該申立て又は決定に係る次の各号に掲げる法律の規定に定める事項に関する取扱いについては、この法律の附則の規定による改正後のこれらの規定にかかわらず、なお従前の例による。

Article 25 With regard to the treatment of the particulars specified in the legal provisions listed in the following items pertaining to any petition for the commencement of composition filed prior to the enforcement of this Act or any ruling for the commencement of composition made prior or subsequent to the enforcement of this Act based on such petition, the provisions then in force shall remain applicable, notwithstanding those provisions revised by the Supplementary Provisions to this Act:

一　民法第三百九十八条ノ三第二項

(i) Article 398-3, paragraph (2) of the Civil Code;

二　船員保険法第三十三条ノ十二ノ三第一項第一号ハ

(ii) Article 33-12-3, paragraph (1), item (i), sub-item (c) of the Mariners Insurance Act;

三　農水産業協同組合貯金保険法第五十九条第三項及び第六十八条の三第二項

(iii) Article 59, paragraph (3) and Article 68-3, paragraph (2) of the Agricultural and Fishing Cooperatives Savings Insurance Act;

四　雇用保険法第二十二条の二第一項第一号ハ

(iv) Article 22-2, paragraph (1), item (i), sub-item (c) of the Employment Insurance Act;

五　非訟事件手続法第百三十五条ノ三十六

(v) Article 135-36 of the Act on Procedures for Non-Contentious Cases;

六　商法第三百九条ノ二第一項第二号並びに第三百八十三条第一項及び第二項

(vi) Article 309-2, paragraph (1), item (ii), and Article 383, paragraphs (1) and (2) of the Commercial Code;

七　証券取引法第五十四条第一項第七号、第六十四条の十第一項及び第七十九条の五十三第一項第二号

(vii) Article 54, paragraph (1), item (vii), Article 64-10, paragraph (1) and Article 79-53, paragraph (1), item (ii) of the Securities and Exchange Act;

八　中小企業信用保険法第二条第三項第一号

(viii) Article 2, paragraph (3), item (i) of the Small and Medium-Sized Enterprise Credit Insurance Act;

九　会社更生法第二十条第二項、第二十四条、第三十七条第一項、第三十八条第四号、第六十七条第一項、第七十八条第一項第二号から第四号まで、第七十九条第二項、第八十条第一項並びに第百六十三条第二号及び第四号

(ix) Article 20, paragraph (2), Article 24, Article 37, paragraph (1), Article 38, paragraph (4), Article 67, paragraph (1), Article 78, paragraph (1), Article 79, paragraph (2), items (ii) to (iv) inclusive, Article 80, paragraph (1), and Article 163, items (ii) and (iv) of the Corporate Rehabilitation Act.

十　国の債権の管理などに関する法律第三十条

(x) Article 30 of the Act on the Management of the State's Credits, etc.;

十一　割賦販売法第二十七条第一項第五号

(xi) Article 27, paragraph (1), item (v) of the Installment Sales Act;

十二　外国証券業者に関する法律第二十二条第一項第八号及び第三十三条第一項

(xii) Article 22, paragraph (1), item (viii) and Article 33, paragraph (1) of the Act on Foreign Securities Brokers;

十三　民事訴訟費用等に関する法律別表第一の十二の項及び十七の項ニ

(xiii) Row 12 and Row 17 of sub-item (d) of Appended Table 1 to the Act on Civil Court Costs, etc.;

十四　積立式宅地建物販売業法第三十六条第一項第五号

(xiv) Article 36, paragraph (1), item (v) of the Act on the Sale of Residential Land and Buildings Reserved by Advance Installments;

十五　中小企業倒産防止共済法第二条第二項第一号

(xv) Article 2, paragraph (2), item (i) of the Act on Mutual Relief System for the Prevention of Bankruptcies of Small and Medium-sized Enterprises;

十六　銀行法第四十六条第一項

(xvi) Article 46, paragraph (1) of the Banking Act;

十七　特定目的会社による特定資産の流動化に関する法律第百十一条第四項第二号

(xvii) Article 111, paragraph (4), item (ii) of the Act on the Liquidation of Specified Assets by Special Purpose Companies;

十八　保険業法第六十六条、第百五十一条及び第二百七十一条第一項

(xviii) Article 66, Article 151 and Article 271, paragraph (1) of the Insurance Business Act;

十九　金融機関等の更生手続の特例等に関する法律第二十四条第一項、第二十六条、第二十七条、第三十一条、第四十五条、第四十八条第一項第二号から第四号まで及び第四十九条第一項

(xix) Article 24, paragraph (1), Article 26, Article 27, Article 31, Article 45, Article 48, paragraph (1), items (ii) to (iv) inclusive and Article 49, paragraph (1) of the Act on Special Treatment of Corporate Reorganization Proceedings and Other Insolvency Proceedings by Financial Institutions, etc.; and

二十　組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第四十条第一項及び第三項

(xx) Article 40, paragraphs (1) and (3) of the Act on Punishment of Organized Crimes and Control of Crime Proceeds.

（罰則の適用に関する経過措置）

(Transitional Measures on Application of Penal Provisions)

第二十六条　この法律の施行前にした行為及びこの法律の附則において従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 26 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to the Supplementary Provisions to this Act, the provisions then in force shall remain applicable.

附　則　〔平成十二年三月三十一日法律第十四号〕〔抄〕

Supplementary Provisions [Act No. 14 of March 31, 2000] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十二年四月一日から施行する。

Article 1 This Act shall come into effect as of 1 April 2000.

附　則　〔平成十二年五月三十一日法律第九十一号〕

Supplementary Provisions [Act No. 91 of May 31, 2000]

（施行期日）

(Effective Date)

１　この法律は、商法等の一部を改正する法律（平成十二年法律第九十号）の施行の日から施行する。

(1) This Act shall come into effect as of the Effective Date of the Act for Partial Revision of the Commercial Code, etc. (Act No. 90 of 2000).

（経過措置）

(Transitional Measures)

２　この法律の施行の日が独立行政法人農林水産消費技術センター法（平成十一年法律第百八十三号）附則第八条の規定の施行の日前である場合には、第三十一条のうち農林物資の規格化及び品質表示の適正化に関する法律第十九条の五の二、第十九条の六第一項第四号及び第二十七条の改正規定中「第二十七条」とあるのは、「第二十六条」とする。

(2) Where the Effective Date of this Act comes before the Effective Date of the provisions of Article 8 of the Supplementary Provisions to the Act on the Center for Food Quality, Labeling and Consumer Services (Act No. 183 of 1999), the term "Article 27" in the provisions revising Article 19-5-2, Article 19-6, paragraph (1), item (iv) and Article 27 of the Act on Standardization and Proper Quality Labeling of Agricultural and Forestry Products in Article 31 shall be deemed to be replaced with "Article 26."

附　則　〔平成十二年五月三十一日法律第九十二号〕〔抄〕

Supplementary Provisions [Act No. 92 of May 31, 2000] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、第一条中保険業法第二百六十五条の四十二の次に次の一条を加える改正規定並びに第二百七十五条及び第三百十七条の二の改正規定並びに附則第十九条の規定は、平成十三年四月一日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding three months from the day of promulgation; provided, however, that the provisions adding an Article after Article 265-42 of the Insurance Business Act and revising Articles 275 and 317-2 of that Act in Article 1, and the provisions of Article 19 of the Supplementary Provisions shall come into effect as of 1 April 2001.

（経過措置）

(Transitional Measures)

第三条　新保険業法第二編第二章第三節の規定は、施行日以後に商法第二百三十二条第一項（新保険業法第四十一条及び第四十九条において準用する場合を含む。）の招集の通知が発せられる株主総会又は社員総会（総代会を設けているときは、総代会）（以下「株主総会等」という。）の決議に係る組織変更（新保険業法第六十八条第二項又は第八十六条第一項に規定する組織変更をいう。）について適用し、施行日前に商法第二百三十二条第一項（第一条の規定による改正前の保険業法（以下「旧保険業法」という。）第四十一条及び第四十九条において準用する場合を含む。）の招集の通知が発せられた株主総会等の決議に係る組織変更（旧保険業法第六十八条第二項又は第八十六条第一項に規定する組織変更をいう。）については、なお従前の例による。

Article 3 The provisions of Part II, Chapter II, Section 3 of the New Insurance Business Act shall apply to any Entity Conversion (meaning Entity Conversion as defined in Article 68, paragraph (2) or Article 86, paragraph (1) of the New Insurance Business Act) pertaining to a resolution of the shareholders' meeting or general members' council meeting (or General Representative Members' Council Meeting, where the company has such a council) (hereinafter referred to as "Shareholders' Meeting, etc.") adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Articles 41 and 49 of the New Insurance Business Act) is issued on or subsequent to the Effective Date; with regard to any Entity Conversion (meaning Entity Conversion as defined in Article 68, paragraph (2) or Article 86, paragraph (1) of the Insurance Business Act prior to its revision by the provisions of Article 1 (hereinafter referred to as "Former Insurance Business Act")) pertaining to a resolution of the Shareholders' Meeting, etc. adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Articles 41 and 49 of the Former Insurance Business Act) was issued prior to the Effective Date, the provisions then in force shall remain applicable.

第四条　新保険業法第百十七条の二の規定は、施行日前に締結された保険契約に係る債権についても、適用する。

Article 4 The provisions of Article 117-2 of the New Insurance Business Act shall also apply to claims pertaining to the insurance contracts concluded prior to the Effective Date.

第五条　新保険業法第百三十六条の二及び第百三十七条の規定は、施行日以後に商法第二百三十二条第一項（新保険業法第四十一条及び第四十九条において準用する場合を含む。）の招集の通知が発せられる株主総会等の決議に係る保険契約の移転について適用し、施行日前に商法第二百三十二条第一項（旧保険業法第四十一条及び第四十九条において準用する場合を含む。）の招集の通知が発せられた株主総会等の決議に係る保険契約の移転については、なお従前の例による。

Article 5 The provisions of Articles 136-2 and 137 of the New Insurance Business Act shall apply to any transfer of insurance contracts pertaining to a resolution of the Shareholders' Meeting, etc. adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Articles 41 and 49 of the New Insurance Business Act) is issued on or subsequent to the Effective Date; with regard to any transfer of insurance contracts pertaining to a resolution of the Shareholders' Meeting, etc. adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Articles 41 and 49 of the Former Insurance Business Act) was issued prior to the Effective Date, the provisions then in force shall remain applicable.

第六条　新保険業法第百五十六条の二及び第百五十七条の規定は、施行日以後に新保険業法第四十一条及び第四十九条において準用する商法第二百三十二条第一項の招集の通知が発せられる社員総会（総代会を設けているときは、総代会。以下この条において同じ。）の決議に係る解散について適用し、施行日前に旧保険業法第四十一条及び第四十九条において準用する商法第二百三十二条第一項の招集の通知が発せられた社員総会の決議に係る解散については、なお従前の例による。

Article 6 The provisions of Articles 156-2 and 157 of the New Insurance Business Act shall apply to any dissolution pertaining to a resolution of the general members' council (or General Representative Members' Council, where the company has such a council; hereinafter the same shall apply in this Article) adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Articles 41 and 49 of the New Insurance Business Act is issued on or subsequent to the Effective Date; with regard to any dissolution pertaining to a resolution of the general members' council adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code as applied mutatis mutandis pursuant to Articles 41 and 49 of the Former Insurance Business Act was issued prior to the Effective Date, the provisions then in force shall remain applicable.

第七条　新保険業法第二編第八章第三節の規定は、施行日以後に商法第二百三十二条第一項（新保険業法第四十一条及び第四十九条において準用する場合を含む。）の招集の通知が発せられる株主総会等の決議に係る合併について適用し、施行日前に商法第二百三十二条第一項（旧保険業法第四十一条及び第四十九条において準用する場合を含む。）の招集の通知が発せられた株主総会等の決議に係る合併については、なお従前の例による。

Article 7 The provisions of Part II, Chapter VIII, Section 3 of the New Insurance Business Act shall apply to any merger pertaining to a resolution of the Shareholders' Meeting, etc. adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Articles 41 and 49 of the New Insurance Business Act) is issued on or subsequent to the Effective Date; with regard to any merger pertaining to a resolution of the Shareholders' Meeting, etc. adopted in a session for which the convocation notice set forth in Article 232, paragraph (1) of the Commercial Code (including the cases where it is applied mutatis mutandis pursuant to Articles 41 and 49 of the Former Insurance Business Act) was issued prior to the Effective Date, the provisions then in force shall remain applicable.

第八条　新保険業法第二百十条第一項において準用する新保険業法第百三十六条の二及び第百三十七条の規定は、施行日以後に外国保険会社等（新保険業法第二条第七項に規定する外国保険会社等をいう。）が作成する新保険業法第二百十条第一項において準用する新保険業法第百三十五条第一項の契約に係る契約書に係る保険契約の移転について適用し、施行日前に作成した旧保険業法第二百十条第一項において準用する旧保険業法第百三十五条第一項の契約に係る契約書に係る保険契約の移転については、なお従前の例による。

Article 8 The provisions of Articles 136-2 and 137 of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 210, paragraph (1) of the New Insurance Business Act shall apply to any transfer of insurance contracts pertaining to that Agreement set forth in Article 135, paragraph (1) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 210, paragraph (1) of the New Insurance Business Act that is prepared by a Foreign Insurance Company, etc. (meaning a Foreign Insurance Company, etc. as defined in Article 2, paragraph (7) of the New Insurance Business Act) on or subsequent to the Effective Date; with regard to any transfer of insurance contracts pertaining to that Agreement set forth in Article 135 of the Former Insurance Business Act as applied mutatis mutandis pursuant to Article 210, paragraph (1) of the Former Insurance Business Act which was prepared prior to the Effective Date, the provisions then in force shall remain applicable.

第九条　新保険業法第二編第十章第一節第二款の規定は、施行日以後にされる新保険業法第二百四十一条第一項の規定による保険管理人による業務及び財産の管理を命ずる処分について適用し、施行日前にされた旧保険業法第二百四十一条の規定による保険管理人による業務及び財産の管理を命ずる処分については、なお従前の例による。

Article 9 The provisions of Part II, Chapter X, Section 1, Subsection 2 of the New Insurance Business Act shall apply to any disposition ordering the administration of business and property by an insurance administrator under Article 241, paragraph (1) of the New Insurance Business Act, made on or subsequent to the Effective Date; with regard to any disposition ordering the administration of business and property by an insurance administrator under Article 241 of the Former Insurance Business Act, made prior to the Effective Date, the provisions then in force shall remain applicable.

第十条　新保険業法第二編第十章第一節第三款の規定は、施行日以後に新保険業法第二百四十一条第一項の規定による合併等の協議の命令、同項の規定による保険管理人による業務及び財産の管理を命ずる処分又は新保険業法第二百六十八条第一項の認定がされる場合における契約条件の変更について適用し、施行日前に旧保険業法第二百四十一条の規定による保険契約の移転若しくは合併の協議の命令、同条の規定による保険管理人による業務及び財産の管理を命ずる処分又は旧保険業法第二百六十八条第一項の認定がされた場合における契約条件の変更については、なお従前の例による。

Article 10 The provisions of Part II, Chapter X, Section 1, Subsection 3 of the New Insurance Business Act shall apply to any modification of the contract conditions where an order for consultation on Merger, etc. is issued under Article 241, paragraph (1) of the New Insurance Business Act, where a disposition ordering the administration of business and property by an insurance administrator is made under that paragraph, or where the certification set forth in Article 268, paragraph (1) of the New Insurance Business Act is given, on or subsequent to the Effective Date; with regard to any modification of the contract conditions where an order for the transfer of insurance contracts or for consultation on merger was issued under Article 241 of the Former Insurance Business Act, where a disposition ordering the administration of business and property by an insurance administrator was made under that Article, or where the certification set forth in Article 268, paragraph (1) of the Former Insurance Business Act was given, prior to the Effective Date, the provisions then in force shall remain applicable.

第十一条　新保険業法第二百五十七条の規定は、施行日以後にされる新保険業法第二百五十六条第一項の勧告に係るあっせんについて適用し、施行日前にされた旧保険業法第二百五十六条第一項の勧告に係るあっせんについては、なお従前の例による。

Article 11 The provisions of Article 257 of the New Insurance Business Act shall apply to any mediation conducted on or subsequent to the Effective Date pertaining to the recommendation set forth in Article 256, paragraph (1) of the New Insurance Business Act; with regard to any mediation conducted prior to the Effective Date pertaining to the recommendation set forth in Article 256, paragraph (1) of the Former Insurance Business Act, the provisions then in force shall remain applicable.

第十二条　新保険業法第二百六十五条の三十七の規定は、施行日以後に開始する事業年度に係る予算及び資金計画の認可、提出又は変更について適用し、施行日前に開始した事業年度に係る予算及び資金計画の認可、提出又は変更については、なお従前の例による。

Article 12 The provisions of Article 265-37 of the New Insurance Business Act shall apply to the approval, submission or modification of budgets and financial plans pertaining to the business years that start on or subsequent to the Effective Date; with regard to the approval, submission or modification of budgets and financial plans pertaining to the business years that started prior to the Effective Date, the provisions then in force shall remain applicable.

第十三条　新保険業法第二百六十五条の三十九第三項の規定は、施行日以後に開始する事業年度に係る同項に規定する書類について適用し、施行日前に開始した事業年度に係る同項に規定する書類については、なお従前の例による。

Article 13 The provisions of Article 265-39, paragraph (3) of the New Insurance Business Act shall apply to the documents set forth in that paragraph for the business years that start on or subsequent to the Effective Date; with regard to the documents set forth in that paragraph for the business years that started prior to the Effective Date, the provisions then in force shall remain applicable.

第十四条　新保険業法第二編第十章第二節第二款第一目の規定は、施行日以後に新保険業法第二百七十条の三第一項の資金援助を行う旨の決定をする場合における当該決定に係る資金援助について適用し、施行日前に旧保険業法第二百七十条の三第一項の資金援助を行う旨の決定をした場合における当該決定に係る資金援助については、なお従前の例による。

Article 14 The provisions of Part II, Chapter X, Section 2, Subsection 2, Division 1 of the New Insurance Business Act shall apply to Financial Assistance pertaining to any decision on the Financial Assistance set forth in Article 270-3, paragraph (1) of the New Insurance Business Act made on or subsequent to the Effective Date; with regard to Financial Assistance pertaining to any decision on the Financial Assistance set forth in Article 270-3, paragraph (1) of the Former Insurance Business Act made prior to the Effective Date, the provisions then in force shall remain applicable.

第十五条　新保険業法第二編第十章第二節第二款第三目の規定は、施行日以後に新保険業法第二百七十条の四第六項の保険契約の引受けに関する契約を締結する日の決定をする場合における当該決定に係る保険契約の引受けについて適用し、施行日前に旧保険業法第二百七十条の四第六項の保険契約の引受けに関する契約を締結する日の決定をした場合における当該決定に係る保険契約の引受けについては、なお従前の例による。

Article 15 The provisions of Part II, Chapter X, Section 2, Subsection 2, Division 3 of the New Insurance Business Act shall apply to the underwriting of insurance contracts pertaining to any decision on the date of concluding an Agreement regarding the underwriting of insurance contracts set forth in Article 270-4, paragraph (6) of the New Insurance Business Act, made on or subsequent to the Effective Date; with regard to the underwriting of insurance contracts pertaining to any decision on the date of concluding an Agreement regarding the underwriting of insurance contracts set forth in Article 270-4, paragraph (6) of the Former Insurance Business Act, made prior to the Effective Date, the provisions then in force shall remain applicable.

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

第二十九条　この法律（附則第一条ただし書に規定する規定については、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 29 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act (or, for the provisions set forth in the proviso to Article 1 of the Supplementary Provisions, such provisions), and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第三十条　附則第二条から第十七条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

Article 30 In addition to what is provided for in Article 2 to 17 inclusive of the Supplementary Provisions and the preceding Article, necessary transitional measures for the enforcement of this Act shall be specified by a Cabinet order.

（検討）

(Review)

第三十一条　政府は、この法律の施行後三年以内に、保険契約者等の保護のための特別の措置等に係る制度等の実施状況、保険会社の経営の健全性の状況等を勘案し、この法律による改正後の保険契約者等の保護のための制度について検討を加え、必要があると認めるときは、その結果に基づいて保険業に対する信頼性の維持を図るために必要な措置を講ずるものとする。

Article 31 Within three years from the enforcement of this Act, the Government shall review the system for the protection of Policyholders, etc. revised by this Act, taking into consideration the status of implementation of the system, etc. pertaining to special measures, etc. for the protection of Policyholders, etc. and the condition of soundness in management of Insurance Companies, among other factors, and when it finds it necessary, take necessary measures to maintain the credibility of the insurance industry, based on its findings.

附　則　〔平成十二年五月三十一日法律第九十六号〕〔抄〕

Supplementary Provisions [Act No. 96 of May 31, 2000] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十二年十二月一日（以下「施行日」という。）から施行する。

Article 1 This Act shall come into effect as of 1 December 2000 (hereinafter referred to as "Effective Date").

（処分等の効力）

(Effect of Dispositions, etc.)

第四十九条　この法律（附則第一条各号に掲げる規定にあっては、当該規定）の施行前に改正前のそれぞれの法律の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 49 Those dispositions, procedures or other actions taken prior to the enforcement of this Act (or, for the provisions listed in the items of Article 1 of the Supplementary Provisions, such provisions) enter into force pursuant to the provisions of the respective Acts prior to its revision which are covered by the corresponding provisions of the respective Acts as revised, shall be deemed to have been carried out pursuant to such corresponding provisions of the respective Acts as revised, unless provided otherwise in these Supplementary Provisions.

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

第五十条　この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 50 With regards to the application of penal provisions to actions taken prior to the enforcement of this Act, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第五十一条　附則第二条から第十一条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

Article 51 In addition to what is provided for in Article 2 to 11 inclusive of the Supplementary Provisions and the preceding Article, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第五十二条　政府は、この法律の施行後五年を経過した場合において、新証券取引法及び新金融先物取引法の施行状況、社会経済情勢の変化等を勘案し、新証券取引法第二条第十六項に規定する証券取引所及び新金融先物取引法第二条第六項に規定する金融先物取引所に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 52 Where five years have elapsed from the enforcement of this Act, the Government shall, taking into consideration the status of enforcement of the New Securities and Exchange Act and the New Financial Futures Trading Act and changing socioeconomic conditions, among other factors, review the systems pertaining to securities exchanges as defined in Article 2, paragraph (16) of the New Securities and Exchange Act and financial futures exchanges as defined in Article 2, paragraph (6) of the New Financial Futures Trading Act, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十二年五月三十一日法律第九十七号〕〔抄〕

Supplementary Provisions [Act No. 97 of May 31, 2000] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding six months from the day of promulgation (hereinafter referred to as "Effective Date").

（保険業法の一部改正）

(Partial Revision of the Insurance Business Act)

第五十六条　略

Article 56 (1) Omitted.

２　前項の規定による改正後の保険業法第九十八条第五項の規定の適用については、旧特定目的会社並びに旧特定目的会社に係る資産流動化計画及び特定社債は、それぞれ新資産流動化法の規定により設立された特定目的会社並びに特定目的会社に係る資産流動化計画及び特定社債とみなす。

(2) For the purpose of applying the provisions of Article 98, paragraph (5) of the Insurance Business Act revised by the provisions of the preceding paragraph, a former special purpose company and the asset securitization plan and specified bonds of the special purpose company shall be deemed to be a special purpose company incorporated pursuant to the provisions of the New Asset Liquidation Act and the asset securitization plan and specified bonds of the special purpose company, respectively.

（処分等の効力）

(Effect of Dispositions, etc.)

第六十四条　この法律（附則第一条ただし書の規定にあっては、当該規定）の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 64 Those dispositions, procedures or other actions taken before this Act (or, for the provisions set forth in the proviso to Article 1 of the Supplementary Provisions, such provisions) enters into force pursuant to the provisions of the relevant Acts prior to their revision (including any orders pursuant thereto; hereinafter the same shall apply in this Article), which are covered by the corresponding provisions of the relevant Acts as revised, shall be deemed to have been carried out pursuant to such corresponding provisions of the relevant Acts as revised, unless provided otherwise in these Supplementary Provisions.

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

第六十五条　この法律（附則第一条ただし書の規定にあっては、当該規定）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 65 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act (or, for the provisions set forth in the proviso to Article 1 of the Supplementary Provisions, such provisions), and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第六十六条　附則第六十二条の規定による改正後の組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（以下この条において「新組織的犯罪処罰法」という。）の規定（前条の規定により適用されることとなる罰則の規定を除く。）の適用については、附則第二条第一項本文の規定によりなお効力を有することとされている場合における旧資産流動化法第百七十一条、第百七十二条、第百七十四条、第百七十九条第一項並びに第百八十二条第二項及び第四項の罪は、新組織的犯罪処罰法別表第五十八号に掲げる罪とみなし、前条の規定によりなお従前の例によることとされている場合における旧投信法第二百二十八条、第二百三十条、第二百三十五条第一項並びに第二百三十六条第二項及び第四項の罪は、新組織的犯罪処罰法別表第二十三号に掲げる罪とみなす。

Article 66 For the purpose of applying the provisions (excluding the penal provisions that shall apply pursuant to the provisions of the preceding Article) of the Act on Punishment of Organized Crimes and Control, etc. of Crime Proceeds revised by the provisions of Article 62 of the Supplementary Provisions (hereinafter referred to as "New Organized Crimes Punishment Act" in this Article), the crimes set forth in Article 171, Article 172, Article 174, Article 179, paragraph (1), and Article 182, paragraphs (2) and (4) of the Former Asset Liquidation Act, which is to remain in force pursuant to the provisions of the main clause of Article 2, paragraph (1) of the Supplementary Provisions shall be deemed to be the crimes listed in Appended Table 58 to the New Organized Crimes Punishment Act; and the crimes set forth in Article 228, Article 230, Article 235, paragraph (1), and Article 236, paragraphs (2) and (4) of the Former Investment Trust Act, where the provisions then in force are to remain applicable pursuant to the provisions of the preceding Article, shall be deemed to be the crimes listed in Appended Table 23 to the New Organized Crimes Punishment Act.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第六十七条　この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 67 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第六十八条　政府は、この法律の施行後五年以内に、新資産流動化法、新投信法及び第八条の規定による改正後の宅地建物取引業法（以下この条において「新宅地建物取引業法」という。）の施行状況、社会経済情勢の変化等を勘案し、新資産流動化法及び新投信法の規定並びに新宅地建物取引業法第五十条の二第二項に規定する認可宅地建物取引業者に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 68 Within five years from the enforcement of this Act, the Government shall, taking into consideration the status of enforcement of the New Asset Liquidation Act, the New Investment Trust Act and the Building Lots and Buildings Transaction Business Act revised by Article 8 (hereinafter referred to as "New Building Lots and Buildings Transaction Business Act" in this Article) and changing socioeconomic conditions, among other factors, review the provisions of the New Asset Liquidation Act and New Investment Trust Act, and the system pertaining to the authorized building lots and buildings traders prescribed in Article 50-2, paragraph (2) of the New Building Lots and Buildings Transaction Business Act, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十二年十一月二十七日法律第百二十六号〕〔抄〕

Supplementary Provisions [Act No. 126 of November 27, 2000] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して五月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding five months from the day of promulgation.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第二条　この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 2 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附　則　〔平成十二年十一月二十九日法律第百二十九号〕〔抄〕

Supplementary Provisions [Act No. 129 of November 29, 2000] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding six months from the day of promulgation.

附　則　〔平成十三年三月三十日法律第七号〕〔抄〕

Supplementary Provisions [Act No. 7 of March 30, 2001] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十三年四月一日から施行する。

Article 1 This Act shall come into effect as of 1 April 2001.

附　則　〔平成十三年六月八日法律第四十一号〕〔抄〕

Supplementary Provisions [Act No. 41 of June 8, 2001] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十四年四月一日から施行する。

Article 1 This Act shall come into effect as of 1 April 2002.

附　則　〔平成十三年六月十五日法律第五十号〕〔抄〕

Supplementary Provisions [Act No. 50 of June 15, 2001] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十四年四月一日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of 1 April 2002; provided, however, that the provisions listed in the following items shall come into effect as of the date specified in the relevant item:

一　附則第九条の規定　公布の日

(i) The provisions of Article 9 of the Supplementary Provisions: the day of promulgation;

二　附則第七条の規定　公布の日から起算して一年を超えない範囲内において政令で定める日

(ii) The provisions of Article 7 of the Supplementary Provisions: the date to be specified by Cabinet Order within a period not exceeding one year from the day of promulgation; and

三　第百十一条から第百十四条まで及び第百十五条第二項の規定並びに附則第四条、第十条、第十六条及び第三十五条の規定　公布の日から起算して二年六月を超えない範囲内において政令で定める日

(iii) The provisions of Article 111 to 114 inclusive and Article 115, paragraph (2), and the provisions of Articles 4, 10, 16 and 35 of the Supplementary Provisions: the date to be specified by Cabinet Order within a period not exceeding two years and six months from the day of promulgation

附　則　〔平成十三年六月二十七日法律第七十五号〕〔抄〕

Supplementary Provisions [Act No. 75 of June 27, 2001] [Extract]

（施行期日等）

(Effective Date, etc.)

第一条　この法律は、平成十四年四月一日（以下「施行日」という。）から施行し、施行日以後に発行される短期社債等について適用する。

Article 1 This Act shall come into effect as of 1 April 2002 (hereinafter referred to as "Effective Date"), and apply to short-term company bonds, etc. issued on or subsequent to the Effective Date.

（罰則の適用に関する経過措置）

(Transitional Measures on Application of Penal Provisions)

第七条　施行日前にした行為及びこの附則の規定によりなおその効力を有することとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 7 With regard to the application of penal provisions to actions taken prior to the Effective Date and to actions taken on or subsequent to the Effective Date where the provisions then in force are to remain applicable pursuant to these Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第八条　この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 8 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第九条　政府は、この法律の施行後五年を経過した場合において、この法律の施行状況、社会経済情勢の変化等を勘案し、振替機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を構ずるものとする。

Article 9 Where five years have elapsed after the enforcement of this Act, the Government shall, taking into consideration the status of enforcement of this Act and changing socioeconomic conditions, among other factors, review the system pertaining to institutions for transfer, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十三年六月二十九日法律第八十号〕

Supplementary Provisions [Act No. 80 of June 29, 2001]

この法律は、商法等改正法の施行の日から施行する。

This Act shall come into effect as of the Effective Date of the Act for Partial Revision of the Commercial Code, etc.

附　則　〔平成十三年十一月九日法律第百十七号〕〔抄〕

Supplementary Provisions [Act No. 117 of November 9, 2001] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding six months from the day of promulgation; provided, however, that the provisions listed in the following items shall come into effect as of the date specified in the relevant item:

一　第一条中銀行法第十七条の二を削る改正規定及び第四十七条第二項の改正規定（「、第十七条の二」を削る部分に限る。）、第三条中保険業法第百十二条の二を削る改正規定及び第二百七十条の六第二項第一号の改正規定、第四条中第五十五条の三を削る改正規定、第八条、第九条、第十三条並びに第十四条の規定並びに次条、附則第九条及び第十三条から第十六条までの規定　公布の日から起算して一月を経過した日

(i) In Article 1, the provisions deleting Article 17-2 of the Banking Act and the provisions revising Article 47, paragraph (2) of that Act (limited to the segment deleting the term "Article 17-2"); in Article 3, the provisions deleting Article 112-2 of the Insurance Business Act and the provisions revising Article 270-6, paragraph (2), item (i) of that Act; in Article 4, the provisions deleting Article 55-3 of that Act; the provisions of Articles 8, 9, 13 and 14; and the provisions of the following Article, Article 9 and Article 13 to 16 inclusive of the Supplementary Provisions: the day on which one month has elapsed from the day of promulgation.

（保険会社の株主に関する経過措置）

(Transitional Measures for Shareholders of Insurance Company)

第五条　この法律の施行の際現に存する保険会社の株式の所有者に対する第三条の規定による改正後の保険業法（以下「新保険業法」という。）第十章の二の規定（第三節の規定を除く。）の適用については、当該株式の所有者は、施行日において新保険業法第二百七十一条の十第一項各号に掲げる取引又は行為以外の事由により当該保険会社の株式の所有者になったものとみなす。

Article 5 (1) For the purpose of applying the provisions of Chapter X-2 (excluding the provisions of Section 3) of the Insurance Business Act as revised by the provisions of Article 3 (hereinafter referred to as "New Insurance Business Act"), any owners of shares in an Insurance Company in existence at the time when this Act enters into force shall be deemed to become owners of shares in the Insurance Company as of the Effective Date following an event other than the transactions or actions listed in the items of Article 271-10, paragraph (1) of the New Insurance Business Act.

２　この法律の施行の際現に第三条の規定による改正前の保険業法第百六条第四項又は第五項ただし書の認可を受けて他の保険会社を子会社としている保険会社は、当該他の保険会社の株式の所有につき、施行日に新保険業法第二百七十一条の十第一項の認可を受けたものとみなす。

(2) Any Insurance Company that has made another Insurance Company its Subsidiary by the time when this Act enters into force, with the authorization set forth in Article 106, paragraph (4) or the proviso to Article 106, paragraph (5) of the Insurance Business Act prior to its revision by the provisions of Article 3, shall be deemed to have received as of the Effective Date the authorization set forth in Article 271-10, paragraph (1) of the New Insurance Business Act for the ownership of shares in such another Insurance Company.

（権限の委任）

(Delegation of Authorities)

第十三条　内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 13 (1) The Prime Minister shall delegate his/her authority under these Supplementary Provisions (excluding the authorities to be specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

２　前項の規定により金融庁長官に委任された権限については、政令で定めるところにより、そ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 authorities delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph may be delegated in part to the heads of the Regional Financial Bureaus or Regional Financial Offices, pursuant to the provisions of a Cabinet Order.

（処分等の効力）

(Effect of Dispositions, etc.)

第十四条　この法律の各改正規定の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 14 Those dispositions, procedures or other actions taken before the amending provisions of this Act enter into force pursuant to the provisions of the respective Acts prior to its revision (including any orders pursuant thereto; hereinafter the same shall apply in this Article), which are covered by the corresponding provisions of the respective Acts as revised, shall be deemed to have been carried out pursuant to such corresponding provisions of the respective Acts as revised, unless provided otherwise in these Supplementary Provisions.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第十五条　この法律の各改正規定の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係る各改正規定の施行後にした行為に対する罰則の適用については、それぞれなお従前の例による。

Article 15 With regard to the application of penal provisions to actions taken prior to the enforcement of the amending provisions of this Act and to actions taken subsequent to the enforcement of the amending provisions pertaining to the particulars to which the provisions then in force are to remain applicable pursuant to these Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第十六条　附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に係る経過措置を含む。）は、政令で定める。

Article 16 In addition to what is provided for in Article 2 to the preceding Article inclusive of the Supplementary Provisions, necessary transitional measures for the enforcement of this Act (including transitional measures pertaining to penal provisions) shall be specified by Cabinet Order.

（検討）

(Review)

第二十三条　政府は、この法律の施行後五年を経過した場合において、新銀行法、新長期信用銀行法及び新保険業法の施行状況、銀行業及び保険業を取り巻く社会経済情勢の変化等を勘案し、新銀行法第二条第十項に規定する銀行主要株主、新長期信用銀行法第十六条の二の二第五項に規定する長期信用銀行主要株主及び新保険業法第二条第十四項に規定する保険主要株主に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 23 Where five years have elapsed after the enforcement of this Act, the Government shall, taking into consideration the status of enforcement of the New Banking Act, the New Long-Term Credit Bank Act and the New Insurance Business Act, and changing socioeconomic conditions surrounding banking and the insurance business, among other factors, review the systems pertaining to Bank Major Shareholders as defined in Article 2, paragraph (10) of the New Banking Act, Long-Term Credit Bank Major Shareholders as defined in Article 16-2-2, paragraph (5) of the New Long-Term Credit Bank Act and Insurance Companies' Major Shareholders as defined in Article 2, paragraph (14) of the New Insurance Business Act, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十三年十一月二十八日法律第百二十九号〕〔抄〕

Supplementary Provisions [Act No. 129 of November 28, 2001] [Extract]

（施行期日）

(Effective Date)

１　この法律は、平成十四年四月一日から施行する。

(1) This Act shall come into effect as of 1 April 2002.

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

２　この法律の施行前にした行為及びこの法律の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

(2) With regard to the application of penal provisions to actions taken prior to the enforcement of this Act and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to the provisions of this Act, the provisions then in force shall remain applicable.

附　則　〔平成十三年十二月十二日法律第百五十号〕

Supplementary Provisions [Act No. 150 of December 12, 2001]

この法律は、商法及び株式会社の監査等に関する商法の特例に関する法律の一部を改正する法律の施行の日から施行する。ただし、第二十一条第五項の規定は同法附則第一条ただし書に掲げる改正規定の施行の日から、第二十四条の規定は公布の日から施行する。

This Act shall come into effect as of the Effective Date of the Act for Partial Revision of the Commercial Code and the Act on Special Measures for the Commercial Code on the Audit, etc. of Stock Company; provided, however, that the provisions of Article 21, paragraph (5) shall come into effect as of the Effective Date of the amending provisions listed in the proviso to Article 1 of the Supplementary Provisions to that Act, and the provisions of Article 24 shall come into effect as of the day of promulgation.

附　則　〔平成十四年五月二十九日法律第四十五号〕

Supplementary Provisions [Act No. 45 of May 29, 2002]

（施行期日）

(Effective Date)

１　この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

(1) This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding one year from the day of promulgation.

（経過措置）

(Transitional Measures)

２　この法律の施行の日が農業協同組合法等の一部を改正する法律（平成十三年法律第九十四号）第二条の規定の施行の日前である場合には、第九条のうち農業協同組合法第三十条第十二項の改正規定中「第三十条第十二項」とあるのは、「第三十条第十一項」とする。

(2) Where the Effective Date of this Act comes before the Effective Date of the provisions of Article 2 of the Act for Partial Revision of the Agricultural Cooperative Association Act, etc. (Act No. 94 of 2001), the term "Article 30, paragraph (12)" in the provisions revising Article 30, paragraph (12) of the Agricultural Cooperative Association Act in Article 9 shall be deemed to be replaced with "Article 30, paragraph (11)."

附　則　〔平成十四年五月二十九日法律第四十七号〕〔抄〕

Supplementary Provisions [Act No. 47 of May 29, 2002] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding six months from the day of promulgation.

附　則　〔平成十四年六月十二日法律第六十五号〕〔抄〕

Supplementary Provisions [Act No. 65 of June 12, 2002] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十五年一月六日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of 6 January 2003; provided, however, that the provisions listed in the following items shall come into effect as of the date specified in the relevant item:

二　第三条並びに附則第三条、第五十八条から第七十八条まで及び第八十二条の規定　この法律の施行の日（以下「施行日」という。）から起算して五年を超えない範囲内において政令で定める日

(ii) The provisions of Article 3, and of Article 3, Article 58 to 78 inclusive and Article 82 of the Supplementary Provisions: the date to be specified by Cabinet Order within a period not exceeding five years from the Effective Date of this Act (hereinafter referred to as "Effective Date");

（保険業法の一部改正に伴う経過措置）

(Transitional Measures Accompanying Partial Revision of Insurance Business Act)

第七十二条　附則第三条の規定によりなおその効力を有するものとされる旧社債等登録法の規定による登録社債等については、前条の規定による改正前の保険業法第六十一条の九の規定は、なおその効力を有する。

Article 72 The provisions of Article 61-9 of the Insurance Business Act prior to its revision by the provisions of the preceding Article shall remain in force with regard to registered company bonds, etc. under the Former Bond, etc. Registry Act, which is to remain in force pursuant to the provisions of Article 3 of the Supplementary Provisions.

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

第八十四条　この法律（附則第一条各号に掲げる規定にあっては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 84 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act (or, for the provisions listed in the items of Article 1 of the Supplementary Provisions, such provisions; hereinafter the same shall apply in this Article) and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to these Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第八十五条　この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 85 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第八十六条　政府は、この法律の施行後五年を経過した場合において新社債等振替法、新証券取引法及び新金融先物取引法の施行状況、社会経済情勢の変化等を勘案し、新社債等振替法第二条第十一項に規定する加入者保護信託、新証券取引法第二条第三十一項に規定する証券取引清算機関及び新金融先物取引法第二条第十五項に規定する金融先物清算機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 86 Where five years have elapsed from the enforcement of this Act, the Government shall, taking into consideration the status of enforcement of the New Act on Transfer of Bonds, etc., the New Securities and Exchange Act and the New Financial Futures Trading Act, and changing socioeconomic conditions, among other factors, review the systems pertaining to Subscriber's Protective Trusts as defined in Article 2, paragraph (11) of the New Act on Transfer of Bonds, etc., Settlement Institutions of Securities Transactions as defined in Article 2, paragraph (31) of the New Securities and Exchange Act and Settlement Institutions for Financial Futures as defined in Article 2, paragraph (15) of the New Financial Futures Trading Act, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十四年七月三日法律第七十九号〕〔抄〕

Supplementary Provisions [Act No. 79 of July 3, 2002] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十四年八月一日から施行する。

Article 1 This Act shall come into effect as of 1 August 2002.

附　則　〔平成十四年十二月十三日法律第百五十五号〕〔抄〕

Supplementary Provisions [Act No. 155 of December 13, 2002] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、会社更生法（平成十四年法律第百五十四号）の施行の日から施行する。

Article 1 This Act shall come into effect as of the Effective Date of the Corporate Rehabilitation Act (Act No. 54 of 2002).

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

第三条　この法律の施行前にした行為及びこの法律の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 3 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to the provisions of this Act, the provisions then in force shall remain applicable.

附　則　〔平成十五年五月九日法律第三十九号〕〔抄〕

Supplementary Provisions [Act No. 39 of May 9, 2003] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して一月を超えない範囲内において政令で定める日から施行する。ただし、第二百七十七条及び第三百二条の改正規定並びに附則第五条から第七条までの規定は、平成十五年九月一日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding one month from the day of promulgation; provided, however, that the provisions revising Articles 277 and 302, and the provisions of Article 5 to 7 inclusive of the Supplementary Provisions shall come into effect as of 1 September 2003.

（相互会社に係る連結計算書類等に関する経過措置）

(Transitional Measures for Consolidated Financial Statements, etc. Pertaining to Mutual Company)

第二条　相互会社（この法律による改正後の保険業法（以下「新法」という。）第二条第五項に規定する相互会社をいう。以下同じ。）については、この法律の施行後最初に招集される事業年度に関する社員総会（総代会を設けているときは、総代会。以下同じ。）の終結の時までは、次に掲げる規定は、適用しない。

Article 2 The following provisions shall not apply to a Mutual Company (meaning a Mutual Company as defined in Article 2, paragraph (5) of the Insurance Business Act revised by this Act (hereinafter referred to as "New Act"); the same shall apply hereinafter), until the conclusion of the first session of the general members' council (or General Representative Members' Council, where the company has such a council; the same shall apply hereinafter) convened for the business year subsequent to the enforcement of this Act:

一　新法第五十二条の三第二項において準用する株式会社の監査等に関する商法の特例に関する法律（昭和四十九年法律第二十二号。以下「商法特例法」という。）第二十一条の八第七項及び第二十一条の十第二項並びに新法第五十九条第一項において準用する商法特例法第四条第二項第二号、第七条第三項及び第五項（連結子会社に関する部分に限る。）

(i) Article 21-8, paragraph (7) and Article 21-10, paragraph (2) of the Act on Special Measures for the Commercial Code on the Audit, etc. of Stock Company (Act No. 22 of 1974; hereinafter referred to as "Act on Special Measures for the Commercial Code") as applied mutatis mutandis pursuant to Article 52-3, paragraph (2) of the New Act, and Article 4, paragraph (2), item (ii), Article 7, paragraph (3) and Article 7, paragraph (5) (limited to the segment regarding consolidated Subsidiaries) of the Act on Special Measures for the Commercial Code as applied mutatis mutandis pursuant to Article 59, paragraph (1) of the New Act; and

二　新法第五十二条の三第二項において準用する商法特例法第二十一条の三十二第一項から第五項まで並びに新法第五十九条第一項において準用する商法特例法第十八条第四項、第十九条の二及び第十九条の三

(ii) Article 21-32, paragraphs (1) to (5) inclusive of the Act on Special Measures for the Commercial Code as applied mutatis mutandis pursuant to Article 52-3, paragraph (2) of the New Act, and Article 18, paragraph (4), Article 19-2 and Article 19-3 of the Act on Special Measures for the Commercial Code as applied mutatis mutandis pursuant to Article 59, paragraph (1) of the New Act.

（有価証券報告書不提出相互会社の連結計算書類に関する経過措置）

(Transitional Measures for Consolidated Financial Statements of Mutual Company Not Submitting Securities Report)

第三条　証券取引法（昭和二十三年法律第二十五号）第二十四条第一項の規定による有価証券報告書を同項本文に定める期間内に内閣総理大臣に提出すべきものとされる相互会社（以下「有価証券報告書提出相互会社」という。）に該当しない相互会社に関する前条各号に掲げる規定の適用については、当分の間、前条に定めるところによるほか、次項から第四項までに定めるところによる。

Article 3 (1) For the purpose of applying the provisions listed in the items of the preceding Article to a Mutual Company that does not fall under the category of Mutual Companies required to submit to the Prime Minister the securities report prescribed in Article 24, paragraph (1) of the Securities and Exchange Act (Act No. 25 of 1948) within the period specified in the main clause of that paragraph (hereinafter referred to as "Mutual Companies Submitting the Securities Report"), the preceding Article as well as the following paragraph to paragraph (4) inclusive below shall be effective until otherwise stipulated.

２　有価証券報告書提出相互会社に該当しない相互会社については、前条各号に掲げる規定は、適用しない。

(2) The provisions listed in the items of the preceding Article shall not apply to a Mutual Company that does not fall under the category of Mutual Companies Submitting the Securities Report.

３　前項の相互会社が有価証券報告書提出相互会社に該当することとなった場合においては、当該相互会社については、その後最初に招集される事業年度に関する社員総会の終結の時までは、前条各号に掲げる規定は、適用しない。

(3) Where the Mutual Company set forth in the preceding paragraph falls under the category of Mutual Companies Submitting the Securities Report, the provisions listed in the items of the preceding Article shall not apply to the Mutual Company until the conclusion of the first session of the general members' council convened for the business year subsequent thereto.

４　事業年度終了時において有価証券報告書提出相互会社に該当する相互会社であった相互会社（前条各号に掲げる規定の適用のあるものに限る。）が、当該事業年度の終了後最初に招集される事業年度に関する社員総会の終結の時までに有価証券報告書提出相互会社に該当しないこととなった場合においては、当該相互会社については、当該該当しないこととなった時から当該社員総会の終結の時までは、第二項の規定にかかわらず、前条各号に掲げる規定を適用する。

(4) Where a Mutual Company that fell under the category of Mutual Companies Submitting the Securities Report at the end of a business year (limited to a company to which the provisions listed in the items of the preceding Article applied) ceases to fall under the category of Mutual Companies Submitting the Securities Report prior to the conclusion of the first session of the general members' council convened for the business year subsequent to the end of the business year, the provisions listed in the items of the preceding Article shall apply to the Mutual Company even after it ceases to fall under the category until the conclusion of the session of the general members' council, notwithstanding the provisions of paragraph (2).

（中間業務報告書に関する経過措置）

(Transitional Measures for Interim Business Report)

第四条　新法第百十条の規定（同条第一項及び第三項の規定を新法第百九十九条において準用する場合を含む。）は、平成十六年四月一日以後に開始する事業年度に係る新法第百十条に規定する書類について適用し、同日前に開始した事業年度に係る書類については、なお従前の例による。

Article 4 The provisions of Article 110 of the New Act (including the cases where the provisions of paragraphs (1) and (3) of that Article are applied mutatis mutandis pursuant to Article 199 of the New Act) shall apply to the documents prescribed in Article 110 of the New Act pertaining to the business years that start on or subsequent to 1 April 2004; with regard to the documents pertaining to the business years that started prior to the date, the provisions then in force shall remain applicable.

（生命保険募集人及び損害保険代理店の登録事項の変更に伴う経過措置）

(Transitional Measures Accompanying a Modification of the Registered Particulars of a Life Insurance Agent and Non-Life Insurance Representative)

第五条　第二百七十七条の改正規定の施行の際現にこの法律による改正前の保険業法（以下「旧法」という。）第二百七十六条の登録を受けている個人（第二百七十七条の改正規定の施行の際現に生命保険募集人登録簿又は損害保険代理店登録簿に生年月日が登録されている者を除く。以下「生年月日未登録者」という。）についての当該登録に関する事項の変更については、なお従前の例による。

Article 5 (1) With regard to the modification of any particulars registered for an individual that has obtained the registration set forth in Article 276 of the Insurance Business Act prior to its revision by this Act (hereinafter referred to as "Former Act") by the time when the provisions revising Article 277 enter into force (other than a person whose birth date has been registered on the registry of Life Insurance Agents or the registry of Non-Life Insurance Representatives by the time when the provisions revising Article 277 enter into force; hereinafter referred to as "Person Without a Registered Birth Date"), the provisions then in force shall remain applicable.

２　生年月日未登録者（次項の届出をした者を除く。）は、前項の規定によりなお従前の例によることとされる住所の変更があった場合の届出については、住所に代えて生年月日を内閣総理大臣に届け出なければならない。この場合においては、前項の規定にかかわらず、当該届出後の当該届出をした者についての当該登録に関する事項の変更については、新法の規定を適用する。

(2) If a Person Without a Registered Birth Date (other than a person who has made the notification set forth in the following paragraph) seeks to give notice of any change in address to which the provisions then in force are applicable pursuant to the provisions of the preceding paragraph, he/she shall notify the Prime Minister of his/her birth date in lieu of his/her address. In this case, the provisions of the New Act shall apply to the modification of any particulars registered subsequent to such notification, regarding the person who made the notification, notwithstanding the provisions of the preceding paragraph.

３　第一項の規定によりなお従前の例によることとされる住所の変更があった場合の届出を行っていない生年月日未登録者は、生年月日を内閣総理大臣に届け出ることができる。この場合においては、第一項の規定にかかわらず、当該届出後の当該届出をした者についての当該登録に関する事項の変更については、新法の規定を適用する。

(3) A Person Without a Registered Birth Date who has not given notice of any change in address to which the provisions then in force are to remain applicable pursuant to the provisions of paragraph (1) may notify the Prime Minister of his/her birth date. In this case, the provisions of the New Act shall apply to the modification of any particulars registered subsequent to such notification, regarding the person who made the notification, notwithstanding the provisions of paragraph (1).

４　生年月日未登録者は、所属保険会社（新法第二条第二十項に規定する所属保険会社をいう。以下同じ。）を代理人として、前項の届出をすることができる。

(4) A Person Without a Registered Birth Date may make the notification set forth in the preceding paragraph via his/her Affiliated Insurance Company (meaning the Affiliated Insurance Company prescribed in Article 2, paragraph (20) of the New Act; the same shall apply hereinafter) acting as his/her agent.

５　内閣総理大臣は、第三項の届出を受理したときは、当該届出に係る生年月日を生命保険募集人登録簿又は損害保険代理店登録簿に登録し、その旨を所属保険会社に通知しなければならない。

(5) Whenever the Prime Minister receives notice under paragraph (3), he/she shall register the birth date to which the notice pertains in the registry of Life Insurance Agents or the registry of Non-Life Insurance Representatives, and notify the Affiliated Insurance Company of this.

６　第三項の届出について虚偽の届出をした者は、五十万円以下の過料に処する。

(6) Any person that has made a false notification regarding the notification set forth in paragraph (3) shall be punished by a non-criminal fine of not more than five hundred thousand yen.

（損害保険代理店及び保険仲立人の役員又は使用人の届出事項の変更に伴う経過措置）

(Transitional Measures Accompanying Modification of Particulars Requiring Reporting for Officers and Employees of Non-Life Insurance Representatives and Insurance Brokers)

第六条　第三百二条の改正規定の施行の際現に旧法第三百二条の規定による役員又は使用人の届出が行われている者（第三百二条の改正規定の施行の際現に内閣総理大臣に当該者の生年月日の届出が行われている者を除く。以下「生年月日未届出者」という。）についての当該届出に関する事項の変更については、なお従前の例による。

Article 6 (1) With regard to the modification of any particulars in a notice that has been filed with regard to a person reported as an officer or employee (excluding a person of whose birth date the Prime Minister will have been notified by the time the provisions revising Article 302 enter into force; hereinafter referred to as a "Person With an Unreported Birth Date") by the time when the provisions revising Article 302 enter into force, the provisions then in force shall remain applicable.

２　損害保険代理店（新法第二条第十九項に規定する損害保険代理店をいう。以下同じ。）又は保険仲立人（新法第二条第二十一項に規定する保険仲立人をいう。以下同じ。）は、前項の規定によりなお従前の例によることとされる生年月日未届出者（当該者について次項の届出が行われた者を除く。）の住所の変更があった場合の届出については、住所に代えて当該者の生年月日を内閣総理大臣に届け出なければならない。この場合においては、前項の規定にかかわらず、当該届出後の当該届出が行われた者についての当該届出に関する事項の変更については、新法の規定を適用する。

(2) A Non-Life Insurance Representative (meaning a Non-Life Insurance Representative as defined in Article 2, paragraph (19) of the New Act; the same shall apply hereinafter) or an Insurance Broker (meaning an Insurance Broker as defined in Article 2, paragraph (21) of the New Act; the same shall apply hereinafter) shall, in notifying any change in the address of a Person With an Unreported Birth Date (excluding a person for whom the notification set forth in the following paragraph has been made) to which the provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph, notify the Prime Minister of his/her birth date in lieu of the address. In this case, the provisions of the New Act shall apply to the modification of any particulars under a notification made subsequent to the notification, regarding the person for whom the notification was made, notwithstanding the provisions of the preceding paragraph.

３　損害保険代理店又は保険仲立人は、第一項の規定によりなお従前の例によることとされる住所の変更があった場合の届出が行われていない生年月日未届出者の生年月日を内閣総理大臣に届け出ることができる。この場合においては、第一項の規定にかかわらず、当該届出後の当該届出が行われた者についての当該届出に関する事項の変更については、新法の規定を適用する。

(3) A Non-Life Insurance Representative or an Insurance Broker may notify the Prime Minister of the birth date of a Person With an Unreported Birth Date with regard to whom no notice has been filed for any change in address to which the provisions then in force are to remain applicable. In this case, the provisions of the New Act shall apply to the modification of any particulars of a notification subsequent to said notification, regarding the person for whom the notification was made, notwithstanding the provisions of paragraph (1).

４　損害保険代理店は、所属保険会社を代理人として、前項の届出をすることができる。

(4) A Non-Life Insurance Representative may make the notification set forth in the preceding paragraph via its Affiliated Insurance Company acting as its agent.

５　第三項の届出について虚偽の届出をした者は、五十万円以下の過料に処する。

(5) Any person that has made a false notification regarding the notification set forth in paragraph (3) shall be punished by a non-criminal fine of not more than five hundred thousand yen.

（権限の委任）

(Delegation of Authorities)

第七条　内閣総理大臣は、附則第五条第三項及び前条第三項の規定による権限を金融庁長官に委任する。

Article 7 (1) The Prime Minister shall delegate his/her authority under Article 5, paragraph (3) of the Supplementary Provisions and paragraph (3) of the preceding Article 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 of the Financial Services Agency may, pursuant to the provisions of a Cabinet Order, delegate part of the authority that has been delegated pursuant to the provisions of the preceding paragraph to the Director-Generals of Local Finance Bureaus or Local Finance Branch Offices.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第八条　この法律（附則第一条ただし書に規定する規定については、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 8 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act (or, for the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions, such provisions; hereinafter the same shall apply in this Article) and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to these Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第九条　この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 9 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第十一条　政府は、この法律の施行後三年以内に、保険契約者等の保護のための特別の措置等に係る制度等の実施状況、保険会社の経営の健全性の状況等を勘案し、この法律による改正後の保険契約者等の保護のための制度について検討を加え、必要があると認めるときは、その結果に基づいて保険業に対する信頼性の維持を図るために必要な措置を講ずるものとする。

Article 11 Within three years from the enforcement of this Act, the Government shall review the system for the protection of Policyholders, etc. revised by this Act, taking into consideration the status of implementation of the system, etc. pertaining to special measures, etc. for the protection of Policyholders, etc. and the condition of soundness in management of Insurance Companies, among other factors, and when it finds it necessary, take necessary measures to maintain the credibility of the insurance industry, based on its findings.

附　則　〔平成十五年五月三十日法律第五十四号〕〔抄〕

Supplementary Provisions [Act No. 54 of May 30, 2003] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十六年四月一日から施行する。

Article 1 This Act shall come into effect as of 1 April 2004.

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

第三十八条　この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 38 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第三十九条　この法律に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 39 In addition to what is provided for in this Act, necessary transitional measures to accompany the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第四十条　政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 40 Where five years have elapsed from the enforcement of this Act, the Government shall review the financial systems revised by this Act, taking into consideration the status of implementation of the provisions revised by this Act and changing socioeconomic conditions, among other factors, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十五年七月二十五日法律第百二十九号〕〔抄〕

Supplementary Provisions [Act No. 129 of July 25, 2003] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して一月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding one month from the day of promulgation.

（経過措置の政令への委任）

(Delegation of Transitional Measures to Cabinet Order)

第二条　この法律の施行に関し必要な経過措置は、政令で定める。

Article 2 Necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

附　則　〔平成十五年七月三十日法律第百三十二号〕〔抄〕

Supplementary Provisions [Act No. 132 of July 30, 2003] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、保険業法の一部を改正する法律（平成十五年法律第三十九号）の施行の日がこの法律の施行の日後となる場合には、附則第五条中保険業法（平成七年法律第百五号）第五十二条の三第二項及び第三項並びに第六十五条の改正規定は、保険業法の一部を改正する法律の施行の日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding three months from the day of promulgation; provided, however, that where the Effective Date of the Act for Partial Revision of the Insurance Business Act (Act No. 39 of 2003) comes after the Effective Date of this Act, the provisions revising Article 52-3, paragraphs (2) and (3) and Article 65 of the Insurance Business Act (Act No. 105 of 1995) in Article 5 of the Supplementary Provisions shall come into effect as of the Effective Date of the Act for Partial Revision of the Insurance Business Act.

附　則　〔平成十五年八月一日法律第百三十四号〕〔抄〕

Supplementary Provisions [Act No. 134 of August 1, 2003] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding one year from the day of promulgation.

（保険業法の一部改正に伴う経過措置）

(Transitional Measures Accompanying Partial Revision to Insurance Business Act)

第三十五条　施行日前に生じた前条の規定による改正前の保険業法第五十九条第一項において準用する旧商法第二百九十五条第一項の雇用関係に基づいて生じた債権に係る先取特権については、なお従前の例による。

Article 35 With regard to a statutory lien pertaining to any claims emerging from that employment relationship set forth in Article 295, paragraph (1) of the Former Commercial Code as applied mutatis mutandis pursuant to Article 59, paragraph (1) of the Insurance Business Act prior to its revision by the provisions of the preceding Article which started prior to the Effective Date, the provisions then in force shall remain applicable.

附　則　〔平成十六年六月二日法律第七十六号〕〔抄〕

Supplementary Provisions [Act No. 76 of June 2, 2004] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

Article 1 This Act shall come into effect as of the Effective Date of the Bankruptcy Act (Act No. 75 of 2004; referred to as "New Bankruptcy Act" in paragraph (8) of the following Article, and in Article 3, paragraph (8), Article 5, paragraph (8), (16) and (21), Article 8, paragraph (3) and Article 13 of the Supplementary Provisions).

（政令への委任）

(Delegation to Cabinet Order)

第十四条　附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 14 In addition to what is provided for in Article 2 to the preceding Article inclusive of the Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

附　則　〔平成十六年六月九日法律第八十七号〕〔抄〕

Supplementary Provisions [Act No. 87 of June 9, 2004] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding one year from the day of promulgation.

（公告等の廃止に関する経過措置）

(Transitional Measures for Repeal of Public Notice, etc.)

第二条　この法律の施行前に、第一条の規定による改正前の商法（以下この条において「旧商法」という。）第百四条第一項、第百三十六条第一項、第百四十条、第百四十一条、第二百四十七条第一項、第二百五十二条、第二百八十条ノ十五第一項、第三百六十三条第一項、第三百七十二条第一項、第三百七十四条ノ十二第一項、第三百七十四条ノ二十八第一項、第三百八十条第一項、第四百十五条第一項若しくは第四百二十八条第一項（これらの規定を旧商法又は他の法律において準用する場合を含む。）の訴えの提起があった場合、第六条の規定による改正前の農業協同組合法第七十三条の十四第一項の訴えの提起があった場合、第七条の規定による改正前の証券取引法第百一条の十五第一項の訴えの提起があった場合、第十三条の規定による改正前の投資信託及び投資法人に関する法律（次項において「旧投信法」という。）第九十四条第二項の訴えの提起があった場合、第十五条の規定による改正前の中小企業団体の組織に関する法律第百条の十六第一項の訴えの提起があった場合、第十八条の規定による改正前の金融先物取引法第三十四条の十八第一項の訴えの提起があった場合、第十九条の規定による改正前の保険業法第八十四条第一項の訴えの提起があった場合又は第二十三条の規定による改正前の中間法人法第二十二条第一項、第三十八条第二項若しくは第三項、第七十九条第一項、第九十五条第一項若しくは第百二十五条第一項の訴えの提起があった場合における公告については、なお従前の例による。

Article 2 (1) The provisions then in force shall remain applicable to public notice in the case of any action filed under Article 104, paragraph (1), Article 136, paragraph (1), Article 140, Article 141, Article 247, paragraph (1), Article 252, Article 280-15, paragraph (1), Article 363, paragraph (1), Article 372, paragraph (1), Article 374-12, paragraph (1), Article 374-28, paragraph (1), Article 380, paragraph (1), Article 415, paragraph (1) or Article 428, paragraph (1) of the Commercial Code prior to its revision by the provisions of Article 1 (hereinafter referred to as "Former Commercial Code" in this Article) (including the cases where those provisions are applied mutatis mutandis pursuant to the Former Commercial Code or any other Act), any action filed under Article 73-14, paragraph (1) of the Agricultural Cooperative Association Act prior to its revision by the provisions of Article 6, any action filed under Article 101-15, paragraph (1) of the Securities and Exchange Act prior to its revision by the provisions of Article 7, any action filed under Article 94, paragraph (2) of the Act on Securities Investment Trust and Securities Investment Corporations prior to its revision by the provisions of Article 13 (referred to as "Former Investment Trust Act" in the following paragraph), any action filed under Article 100-16, paragraph (1) of the Act on the Organization of Small and Medium-Sized Enterprise Association prior to its revision by the provisions of Article 15, any action filed under Article 34-18, paragraph (1) of the Financial Futures Trading Act prior to its revision by the provisions of Article 18, any action filed under Article 84, paragraph (1) of the Insurance Business Act prior to its revision by the provisions of Article 19, or any action filed under Article 22, paragraph (1), Article 38, paragraph (2) or (3), Article 79, paragraph (1), Article 95, paragraph (1) or Article 125, paragraph (1) of the Intermediate Companies Act prior to its revision by the provisions of Article 23, prior to the enforcement of this Act.

２　この法律の施行前に、旧商法第三百九条第一項（旧商法又は他の法律において準用する場合を含む。）の弁済がされた場合、第三条の規定による改正前の有限会社法第六十四条第一項若しくは第六十七条第一項の決議をした場合、第五条の規定による改正前の担保附社債信託法第八十二条第一項の規定により受託会社が担保権を実行した場合、旧投信法第百三十九条の五第一項の弁済がされた場合、第二十条の規定による改正前の資産の流動化に関する法律第百十一条第一項の弁済がされた場合、第二十一条の規定による改正前の新事業創出促進法第十条の十七第一項若しくは第七項の決議をした場合又は第二十四条の規定による改正前の特定目的社会による特定資産の流動化に関する法律等の一部を改正する法律附則第二条第一項の規定によりなおその効力を有するものとされる同法第一条の規定による改正前の特定目的会社による特定資産の流動化に関する法律第百十一条第一項の弁済がされた場合における公告及び通知については、なお従前の例による。

(2) The provisions then in force shall remain applicable to public notice and notification in the case of any payment made under Article 309, paragraph (1) of the Former Commercial Code (including the cases where it is applied mutatis mutandis pursuant to the Former Commercial Code or any other Act), any resolution adopted under Article 64, paragraph (1) or Article 67, paragraph (1) of the Limited Liability Companies Act prior to its revision by the provisions of Article 3, any security interest exercised by an Entrusted Company pursuant to the provisions of Article 82, paragraph (1) of the Secured Bond Trust Act prior to its revision by the provisions of Article 5, any payment made under Article 139-5, paragraph (1) of the Former Investment Trust Act, any payment made under Article 111, paragraph (1) of the Act on the Liquidation of Assets prior to its revision by the provisions of Article 20, any resolution adopted under Article 10-17, paragraph (1) or (7) of the Act to Promote the Creation of New Business Undertakings prior to its revision by the provisions of Article 21, or any payment made under Article 111, paragraph (1) of the Act on the Liquidation of Specified Assets by Special Purpose Companies prior to its revision by the provisions of Article 1 of the Act for Partial Revision of the Act on the Liquidation of Specified Assets by Special Purpose Companies, etc. prior to its revision by the provisions of Article 24, which is to remain in force pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions to that Act, prior to the enforcement of this Act.

（罰則の適用に関する経過措置）

(Transitional Measures for the Application of Penal Provisions)

第三条　この法律の施行前にした行為及び前条においてなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 3 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act and to actions taken subsequent to the enforcement of this Act where the provisions then in force shall be applicable under the preceding Article, the provisions then in force shall remain applicable.

附　則　〔平成十六年六月九日法律第八十八号〕〔抄〕

Supplementary Provisions [Act No. 88 of June 9, 2004] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して五年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、附則第三十四条第七項から第十六項までの規定は、会社法（平成十七年法律第八十六号）の施行の日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding five years from the day of promulgation (hereinafter referred to as "Effective Date"); provided, however, that the provisions of Article 34, paragraph (7) to (16) inclusive of the Supplementary Provisions shall come into effect as of the Effective Date of the Companies Act (Act No. 86 of 2005).

（保険業法の一部改正に伴う経過措置）

(Transitional Measures Accompanying Partial Revision to the Insurance Business Act)

第四十一条　保険業を営む株式会社（第六条の規定による改正前の保険業法（以下この条において「旧保険業法」という。）第九条第一項に規定する保険業を営む株式会社をいう。以下この条において「会社」という。）について、旧保険業法第十一条第一項に規定する期間（以下この条において「閉鎖期間」という。）が一部施行日前に進行を開始し、一部施行日以後に満了する場合には、一部施行日以後も、当該閉鎖期間の満了の時までは、同項の会社は、株主名簿の記載又は記録の変更を行わないことができる。

Article 41 (1) Where the period (hereinafter referred to as "Closure Period" in this Article) prescribed in Article 11, paragraph (1) of the Insurance Business Act prior to its revision by the provisions of Article 6 (hereinafter referred to as "Former Insurance Business Act" in this Article) for a Stock Company that conducts Insurance Business (meaning a Stock Company that conducts Insurance Business as defined in Article 9, paragraph (1) of the Former Insurance Business Act; hereinafter referred to as a "Company" in this Article) starts to elapse prior to the Partial Enforcement Date and expires subsequent to the Partial Enforcement Date, the Company set forth in that paragraph may choose not to change any of the details or records in the shareholders list even after the Partial Enforcement Date until the expiration of the Closure Period.

２　一部施行日において閉鎖期間に係る定款の定めがある会社（一部施行日前に定款の認証を受け、一部施行日後に成立するもの（以下この項において「設立中の会社」という。）を含む。）であって旧保険業法第十一条第二項の一定の日に係る定款の定めがないものについては、一部施行日（設立中の会社にあっては、その成立の日）において、株主又は質権者として権利を行使すべき者を定めるため、当該閉鎖期間の初日を同項の一定の日に指定する旨の定款の変更の決議があったものとみなす。この場合においては、取締役会の決議をもって、当該権利の内容を定めなければならない。

(2) With regard to a Company (including a Company that obtained certification for its articles of incorporation prior to the Partial Enforcement Date but was established subsequent to the Partial Enforcement Date (hereinafter referred to as "Company in the Course of Incorporation" in this paragraph)) whose articles of incorporation include provisions pertaining to the Closure Period as of the Partial Enforcement Date but do not include any provisions pertaining to the certain date set forth in Article 11, paragraph (2) of the Former Insurance Business Act, a resolution for an amendment in the articles of incorporation shall be deemed to be adopted as of the Partial Enforcement Date (or, for a Company in the Course of Incorporation, the date of its establishment) to designate the first day of the Closure Period as the certain date set forth in that paragraph, in order to specify the persons to exercise rights as shareholders or pledgees. In this case, a resolution of the board of directors shall determine the content of such rights.

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

第百三十五条　この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 135 With regards to the application of penal provisions to actions taken prior to the enforcement of this Act and to actions taken subsequent to the enforcement of this Act where the provisions then in force shall remain applicable or remain in force pursuant to these Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第百三十六条　この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 136 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第百三十七条　政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の株式等の取引に係る決済制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 137 Where five years have elapsed from the enforcement of this Act, the Government shall, taking into consideration the status of implementation of the provisions revised by this Act and changing socioeconomic conditions, among other factors, review the settlement system pertaining to the transactions of Shares, etc. revised by this Act, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十六年六月九日法律第九十七号〕〔抄〕

Supplementary Provisions [Act No. 97 of June 9, 2004] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十七年四月一日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of 1 April 2005 (hereinafter referred to as "Effective Date"); provided, however, that the provisions listed in the following items shall come into effect as of the date specified in the relevant item:

一　第一条中証券取引法第三十三条の三、第六十四条の二第一項第二号及び第六十四条の七第五項の改正規定、同法第六十五条の二第五項の改正規定（「及び第七号」を「、第七号及び第十二号」に改める部分に限る。）並びに同法第百四十四条、第百六十三条第二項並びに第二百七条第一項第一号及び第二項の改正規定、第二条中外国証券業者に関する法律（以下この条において「外国証券業者法」という。）第三十六条第二項の改正規定、第四条中投資信託及び投資法人に関する法律（以下この条において「投資信託法」という。）第十条の五の改正規定、第六条中有価証券に係る投資顧問業の規制等に関する法律（以下この条において「投資顧問業法」という。）第二十九条の三の改正規定、第十一条及び第十二条の規定、第十三条中中小企業等協同組合法第九条の八第六項第一号に次のように加える改正規定並びに第十四条から第十九条までの規定　この法律の公布の日

(i) In Article 1, the provisions revising Article 33-3, Article 64-2, paragraphs (1) and (2) and Article 64-7, paragraph (5) of the Securities Exchange Act, the provisions revising Article 65-2, paragraph (5) of that Act (limited to the segment replacing the term "and (vii)" with ", (vii) and (xii)") and the provisions revising Article 144, Article 163, paragraph (2) and Article 207, paragraph (1), item (i) and paragraph (2) of that Act; in Article 2, the provisions revising Article 36, paragraph (2) of the Act on Foreign Securities Brokers (hereinafter referred to as "Foreign Securities Brokers Act" in this Article); in Article 4, the provisions revising Article 10-5 of the Act on Securities Investment Trust and Securities Investment Corporations (hereinafter referred to as "Investment Trust Act" in this Article); in Article 6, the provisions revising Article 29-3 of the Act on Regulation, etc. of Securities Investment Advisory Services (hereinafter referred to as "Investment Advisory Business Act" in this Article); the provisions of Articles 11 and 12; in Article 13, the provisions adding terms to Article 9-8, paragraph (6), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act; and the provisions of Article 14 to 19 inclusive: the day of promulgation of this Act;

（罰則の適用に関する経過措置）

(Transitional Measures for Application of Penal Provisions)

第二十二条　この法律（附則第一条各号に掲げる規定については、当該規定。以下この条において同じ。）の施行前にした行為及び附則第三条の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 22 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act (or, for the provisions listed in the items of Article 1 of the Supplementary Provisions, such provisions; hereinafter the same shall apply in this Article) and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to the provisions of Article 3 of the Supplementary Provisions, the provisions then in force shall remain applicable

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第二十三条　この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 23 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第二十四条　政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 24 Where five years have elapsed from the enforcement of this Act, the Government shall, taking into consideration the status of implementation of the provisions revised by this Act and changing socioeconomic conditions, among other factors, review the financial systems revised by this Act, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十六年六月十一日法律第百五号〕〔抄〕

Supplementary Provisions [Act No. 105 of June 11, 2004] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十八年四月一日から施行する。ただし、第十七条第三項（通則法第十四条の規定を準用する部分に限る。）及び第三十条並びに次条から附則第五条まで、附則第七条及び附則第三十九条の規定は、公布の日から施行する。

Article 1 This Act shall come into effect as of 1 April 2006; provided, however, that the provisions of Article 17, paragraph (3) (limited to the segment applying mutatis mutandis the provisions of Article 14 of the Act on General Rules), Article 30, and the following Article to Article 5 inclusive of the Supplementary Provisions, Article 7 of the Supplementary Provisions and Article 39 of the Supplementary Provisions shall come into effect as of the day of promulgation.

（政令への委任）

(Delegation to Cabinet Order)

第三十九条　附則第二条から第十三条まで、附則第十五条、附則第十六条及び附則第十九条に定めるもののほか、管理運用法人の設立に伴い必要な経過措置その他この法律の施行に関し必要な経過措置は、政令で定める。

Article 39 In addition to what is provided for in Article 2 to 13 inclusive of the Supplementary Provisions, Article 15 of the Supplementary Provisions, Article 16 of the Supplementary Provisions and Article 19 of the Supplementary Provisions, necessary transitional measures accompanying the incorporation of the Government Pension Investment Fund and other necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

附　則　〔平成十六年六月十八日法律第百二十四号〕〔抄〕

Supplementary Provisions [Act No. 124 of June 18, 2004] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、新不動産登記法の施行の日から施行する。

Article 1 This Act shall come into effect as of the Effective Date of the New Act on the Registration of Immovables.

（経過措置）

(Transitional Measures)

第二条　この法律の施行の日が行政機関の保有する個人情報の保護に関する法律の施行の日後である場合には、第五十二条のうち商業登記法第百十四条の三及び第百十七条から第百十九条までの改正規定中「第百十四条の三」とあるのは、「第百十四条の四」とする。

Article 2 In the case that the Effective Date of this Act falls after the Effective Date of Act on the Protection of Personal Information Held by Administrative Organs, then in Article 52, the provisions revising Article 114-3 and Article 117 to 119 inclusive of the Commercial Registration Act, the term "Article 114-3" shall be deemed to be replaced with "Article 114-4."

附　則　〔平成十六年十二月一日法律第百四十七号〕〔抄〕

Supplementary Provisions [Act No. 147 of December 1, 2004] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding six months from the day of promulgation.

附　則　〔平成十六年十二月三日法律第百五十四号〕〔抄〕

Supplementary Provisions [Act No. 154 of December 3, 2004] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding six months from the day of promulgation (hereinafter referred to as "Effective Date").

（処分等の効力）

(Effect of Dispositions, etc.)

第百二十一条　この法律の施行前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 121 Those dispositions, procedures or other actions taken pursuant to the provisions of the respective Acts prior to the enforcement of this Act (including any orders pursuant thereto; hereinafter the same shall apply in this Article), which are covered by the corresponding provisions of the respective Acts as revised, shall be deemed to have been carried out pursuant to such corresponding provisions of the respective Acts as revised, unless provided otherwise in these Supplementary Provisions.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第百二十二条　この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 122 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act and to actions taken subsequent to the enforcement of this Act where the provisions then in force are to remain applicable pursuant to these Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第百二十三条　この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 123 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures accompanying the enforcement of this Act shall be specified by Cabinet Order.

（検討）

(Review)

第百二十四条　政府は、この法律の施行後三年以内に、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 124 The Government shall, within three years from the enforcement of this Act, review the status of enforcement of this Act, and when it finds it necessary, take required measures based on its findings.

附　則　〔平成十六年十二月八日法律第百五十九号〕〔抄〕

Supplementary Provisions [Act No. 159 of December 8, 2004] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十七年七月一日から施行する。

Article 1 This Act shall come into effect as of 1 July 2005.

附　則　〔平成十七年五月二日法律第三十八号〕〔抄〕

Supplementary Provisions [Act No. 38 of May 2, 2005] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of the date to be specified by Cabinet Order within a period not exceeding one year from the day of promulgation (hereinafter referred to as "Effective Date"); provided, however, that the provisions listed in the following items shall come into effect as of the date specified in the relevant item:

一　第一条中保険業法第五十九条第一項の改正規定（「「同法第百三十条第三項」とあるのは「保険業法第四十八条第二項」と、「法務省令」とあるのは「内閣府令」と、」を「「電子公告（同法第百六十六条第六項の電子公告をいう。以下同じ。）に準ずるものとして法務省令」とあるのは「電磁的方法（保険業法第四十八条第二項の電磁的方法をいう。）であつて内閣府令」と、」に改める部分に限る。）、同法第二百五十八条第二項の改正規定、同法第二百七十条の四第九項の改正規定（「第百五十五条第一号中「第百三十五条第一項」の下に「（第二百七十二条の二十九において準用する場合を含む。）」を加える部分及び「（第二百十条第一項」の下に「及び第二百七十二条の二十九」を加える部分を除く。）及び同法第二百七十一条の四第一項の改正規定並びに同法附則第一条の二の十三の改正規定（同条に一項を加える部分に限る。）　公布の日から起算して三月を超えない範囲内において政令で定める日

(i) In Article 1, The provisions revising Article 59, paragraph (1) of the Insurance Business Act (limited to the segment replacing the term "the term "Article 130, paragraph (3) of that Act" shall be deemed to be replaced with "Article 48, paragraph (2) of the Insurance Business Act" and the term "Ordinance of the Ministry of Justice" shall be deemed to be replaced with "Cabinet Office Ordinance"" with "the term "by an Ordinance of the Ministry of Justice as electronic public notice (meaning the electronic public notice set forth in Article 66, paragraph (6) of the Insurance Business Act; the same shall apply hereinafter)" shall be deemed to be replaced with "electromagnetic means (meaning the electromagnetic means set forth in Article 48, paragraph (2) of the Insurance Business Act) by Cabinet Office Ordinance""), the provisions revising Article 258, paragraph (2) of that Act, the provisions revising Article 270-4, paragraph (9) of that Act (excluding the segment adding the term "(including the cases where it is applied mutatis mutandis pursuant to Article 272-29)" after the term "Article 135, paragraph (1)" and adding the term "and Article 272-29" after the term "(Article 210, paragraph (1)" in Article 155, item (i)) and the provisions revising Article 271-4, paragraph (1) of that Act, and the provisions revising Article 1-2-13 of the Supplementary Provisions to that Act (limited to the segment adding a paragraph to that Article): the date to be specified by Cabinet Order within a period not exceeding three months from the day of promulgation; and

二　第一条中保険業法第百十八条の改正規定、同法第百九十九条の改正規定（「設ける」を「設けなければならない」に改める部分に限る。）、同法第二百四十五条の改正規定、同法第二百四十七条第一項の改正規定、同法第二百五十条の改正規定（同条第一項中「保険会社は」を「保険会社等又は外国保険会社等は」に改める部分及び「第二百十条第一項」の下に「及び第二百七十二条の二十九」を加える部分、同条第二項中「保険会社」を「保険会社等又は外国保険会社等」に改める部分、同条第四項中「第一項の保険会社は、外国保険会社等以外の会社であるときは」を「第一項の場合において、保険会社等にあっては」に改める部分、「第百三十六条第一項」の下に「（第二百七十二条の二十九において準用する場合を含む。）」を加える部分及び「外国保険会社等であるときは」を「外国保険会社等にあっては」に改める部分並びに同条第五項中「保険会社」を「保険会社等又は外国保険会社等」に改める部分を除く。）、同法第二百五十四条の改正規定（同条第四項中「補償対象保険金支払業務」の下に「及び特定補償対象契約解約関連業務」を加える部分に限る。）、同法第二百五十五条の二の改正規定（同条第三項中「補償対象保険金支払業務」の下に「及び特定補償対象契約解約関連業務」を加える部分に限る。）、同法第二百六十七条の改正規定、同法第二百七十条の三の改正規定、同法第二百七十条の五第二項第一号の改正規定及び同法第二百七十条の六の八第二項の改正規定並びに同法附則第一条の二の十三の改正規定（同条に一項を加える部分を除く。）、同法附則第一条の二の十四の改正規定及び同条を同法附則第一条の二の十五とし、同法附則第一条の二の十三の次に一条を加える改正規定並びに第三条中金融機関等の更生手続の特例等に関する法律第四百四十条の改正規定及び同法第四百四十五条の改正規定　平成十八年四月一日

(ii) In Article 1, the provisions revising Article 118 of the Insurance Business Act, the provisions revising Article 199 of that Act (limited to the segment replacing the term "establish" with "shall establish"), the provisions revising Article 245 of that Act, the provisions revising Article 247, paragraph (1) of that Act, the provisions revising Article 250 of that Act (limited to the segment replacing the term "Insurance Company" in paragraph (1) of that Article with "Insurance Company, etc. or Foreign Insurance Company, etc.," the segment adding the term "and Article 272-29" after the term "Article 210, paragraph (1)" in that paragraph, the segment replacing the term "Insurance Company" in paragraph (2) of that Article with "Insurance Company, etc. or Foreign Insurance Company, etc.," the segment replacing the term "the Insurance Company set forth in paragraph (1), when it is not a Foreign Insurance Company, etc." in paragraph (4) of that Article with "in the case referred to in paragraph (1), in the Insurance Company, etc.," the segment adding the term "(including the cases where it is applied mutatis mutandis pursuant to Article 272-29)" after the term "Article 136, paragraph (1)" in that paragraph, the segment replacing the term "when it is a Foreign Insurance Company, etc." in that paragraph with "in the Insurance Company, etc." and the segment replacing the term "Insurance Company" in paragraph (5) of that Article with "Insurance Company, etc. or Foreign Insurance Company, etc."), the provisions revising Article 254 of that Act (limited to the segment adding the term "and Business for Canceling Specified Covered Insurance Contracts" after the term "Business for Paying Covered Insurance Proceeds" in paragraph (4) of that Article), the provisions revising Article 255-2 of that Act (limited to the segment adding the term "and Business for Canceling Specified Covered Insurance Contracts" after the term "Business for Paying Covered Insurance Proceeds" in paragraph (3) of that Article), the provisions revising Article 267 of that Act, the provisions revising Article 270-3 of that Act, the provisions revising Article 270-5, paragraph (2), item (i) of that Act and the provisions revising Article 270-6-8, paragraph (2) of that Act, and the provisions revising Article 1-2-14 of the Supplementary Provisions to that Act and the provisions changing the number of that Article into Article 1-2-15 of the Supplementary Provisions to that Act and adding an Article after Article 1-2-13 of the Supplementary Provisions to that Act; and in Article 3, the provisions revising Article 440 of the Act on Special Treatment of Corporate Reorganization Proceedings and Other Insolvency Proceedings by Financial Institutions, etc. and the provisions revising Article 445 of that Act: 1 April 2006.

（経過措置）

(Transitional Measures)

第二条　この法律の施行の際現に特定保険業（第一条の規定による改正後の保険業法（以下「新保険業法」という。）第二条第一項に規定する保険業であって、第一条の規定による改正前の保険業法（以下「旧保険業法」という。）第二条第一項に規定する保険業に該当しないものをいう。以下同じ。）を行っている者は、次の各号に掲げる場合に応じ、当該各号に定める日までの間は、新保険業法第三条第一項の規定にかかわらず、引き続き特定保険業を行うことができる。

Article 2 (1) In the cases set forth in each of the following items, a person conducting Specified Insurance Business (meaning Insurance Business as defined in Article 2, paragraph (1) of the Insurance Business Act as revised by the provisions of Article 1 (hereinafter referred to as the "New Insurance Business Act") that does not fall under the category of Insurance Business defined in Article 2, paragraph (1) of the Insurance Business Act prior to its revision by the provisions of Article 1 (hereinafter referred to as "Former Insurance Business Act"); the same shall apply hereinafter) at the time when this Act enters into force may, notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Act, conduct Specified Insurance Business until the date specified in each of those items:

一　附則第四条第一項の規定により読み替えて適用する新保険業法第二百七十二条の二十六第一項又は第二百七十二条の二十七の規定により特定保険業の廃止を命ぜられた場合　当該廃止を命ぜられた日

(i) In the case that the abolition of the Specified Insurance Business is ordered pursuant to the provisions of Article 272-26, paragraph (1) or of Article 272-27 of the New Insurance Business Act as applied with relevant changes in interpretation pursuant to the provisions of Article 4, paragraph (1) of the Supplementary Provisions: On the date said abolition was ordered

二　施行日から起算して二年以内に新保険業法第三条第一項の免許又は新保険業法第二百七十二条第一項の登録の申請をした場合（前号に該当する場合を除く。）　当該免許又は登録の拒否の処分がある日

(ii) In the case that an application is made for a license as set forth in Article 3, paragraph (1) of the New Insurance Business Act or an application for registration is made for a license as set forth in Article 272, paragraph (1) of the New Insurance Business Act within two years of the Effective Date (except in cases that fall under the preceding item): On the date of the disposition refusing the license or registration

三　当該特定保険業を行う者から保険契約の移転を受け、又は保険契約を承継することを約する者（施行日から起算して二年以内に附則第四条第七項、第八項、第十一項又は第十二項の規定による当該保険契約の移転又は承継の認可の申請をした者に限る。）が当該二年以内に新保険業法第三条第一項の免許又は新保険業法第二百七十二条第一項の登録の申請をした場合（前二号に該当する場合を除く。）　当該免許又は登録の拒否の処分がある日

(iii) In the case that a person who has committed to receive the transfer of insurance contracts from a person conducting Specified Insurance Business or succeed to insurance contracts from a person conducting Specified Insurance Business (limited to persons who have applied for approval of the transfer or succession of said insurance contracts pursuant to the provisions of Article 4, paragraphs (7), (8), (11) and (12) of the Supplementary Provisions within two years of the Effective Date) files an application for a license set forth in Article 3, paragraph (1) of the New Insurance Business Act or registration set forth in Article 272, paragraph (1) of the New Insurance Business Act within two years of the Effective Date (except in cases that fall under the preceding two items): On the date of the disposition refusing the license or registration

四　前三号のいずれにも該当しない場合　施行日から起算して二年を経過する日

(iv) In cases that are not covered by any of the preceding three items: On the date two years after the Effective Date

２　この法律の施行の際現に特定保険業を行っている者のうち施行日前に引き受けた保険契約に係る業務及び財産の管理のみを行う者（新保険業法第三条第一項の免許及び新保険業法第二百七十二条第一項の登録の拒否の処分を受けた者を除く。）については、前項の規定にかかわらず、なお従前の例による。

(2) Among persons who are actually conducing Specified Insurance Business at the time when this Act enters into force, for persons who only manage business and property under insurance contracts that were underwritten before the Effective Date (except for persons subject to a disposition refusing the license set forth in Article 3, paragraph (1) of the of the New Insurance Business Act or the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act), notwithstanding the provisions of the preceding paragraph, the provisions then in force shall remain applicable.

３　この法律の施行の際現に特定保険業を行っている者（前項に規定する者及び附則第五条第一項各号に掲げる者並びに新保険業法第三条第一項の免許又は新保険業法第二百七十二条第一項の登録を受けている者を除く。以下「特定保険業者」という。）は、第一項各号に掲げる場合に応じ、当該各号に定める日後においては、当該各号に定める日から起算して一年を経過する日までの間に、その業務及び財産の管理を行う保険契約について、保険会社（外国保険会社等を含む。以下この項において同じ。）若しくは少額短期保険業者との契約により当該保険契約を移転し、又は保険会社若しくは少額短期保険業者との契約により当該保険契約に係る業務及び財産の管理の委託を行わなければならない。

(3) A person who is actually conducting Specified Insurance Business at the time when this Act enters into force (excluding persons who are provided for in the preceding paragraph, persons who are listed in the items of Article 5, paragraph (1) of the Supplementary Provisions, and persons who have licenses as set forth in Article 3, paragraph (1) of the of the New Insurance Business Act or who have registrations as set forth in Article 272, paragraph (1) of the New Insurance Business Act; hereinafter referred to as "Specified Insurers") shall transfer, pursuant to its contract with an Insurance Company (including a Foreign Insurance Company, etc.; hereinafter the same shall apply in this Article) or Low-Cost, Short-Term Insurer, any insurance contract under which it manages the relevant business and property, or shall entrust the management of such business and property under such insurance contracts pursuant to its contract with an Insurance Company or Low-Cost, Short-Term Insurer corresponding with cases listed in the items of paragraph (1), after the date specified by the items and until one year from the date specified by the items.

４　特定保険業者は、前項に規定する一年を経過する日までの間（同項の保険契約の移転並びに保険契約に係る業務及び財産の管理の委託を行うことができないことについて内閣総理大臣がやむを得ない事由があると認めるときは、内閣総理大臣の指定する日までの間）は、新保険業法第三条第一項の規定にかかわらず、第一項各号に掲げる場合に応じ、当該各号に定める日以前に引き受けた保険契約に係る業務及び財産の管理を行うことができる。

(4) A Specified Insurer may conduct business and property management pertaining to insurance contracts underwritten before the date specified in the items until one year from the date under the provisions of the preceding paragraph (when the Prime Minister recognizes that there are compelling reasons making it impossible to effect the transfer of the insurance contracts and the entrusting of business and property management pertaining to insurance contracts as set forth in the same paragraph, until a date designated by the Prime Minister) notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Law, corresponding to cases listed in the items of paragraph (1).

（特定保険業者の届出）

(Report by Specified Insurers)

第三条　前条第一項又は第四項の規定により引き続き特定保険業を行う特定保険業者（特定保険業者になろうとする同条第二項に規定する者を含む。）は、施行日から起算して六月を経過する日（同日後に施行日後初めて保険の引受けを行う場合には、当該引受けを行う日。以下この項において同じ。）までに、次に掲げる事項を記載した届出書を内閣総理大臣に提出しなければならない。ただし、当該六月を経過する日までに新保険業法第三条第一項の免許又は新保険業法第二百七十二条第一項の登録の申請をした者については、この限りでない。

Article 3 (1) A Specified Insurer who continues to conduct Specified Insurance Business pursuant to paragraph (1) or (4) of the preceding Article (including a person who seeks to be a Specified Insurer pursuant to the paragraph (2) of that Article) shall submit a written notice detailing the particulars listed in the following to the Prime Minister by the day when six months have passed since the Effective Date (or, if the underwriting of the insurance is performed for the first time after the Effective Date, the date of such underwriting; hereinafter the same shall apply in this Article); provided, however, that this shall not apply to a person who applies for the license set forth in Article 3, paragraph (1) of the New Insurance Business Act or for the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act by the day on which such six months have passed.

一　氏名、商号又は名称

(i) Name or trade name

二　法人であるときは、資本金若しくは出資の額又は基金の総額

(ii) When the person is a juridical person, the amount of capital or contribution or total amount of funds

三　法人（法人で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。）であるときは、その役員（法人でない社団又は財団の代表者又は管理人を含む。）の氏名

(iii) When the person is a juridical person (including an association or foundation that is not a juridical person and has provisions on representative persons or administrators), the name of the officer (including a representative persons or administrator of an association or foundation that is not a juridical person)

四　本店その他の事務所の所在地

(iv) Location of head office and other offices

２　前項の届出書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written notice in the preceding paragraph.

一　保険約款（これに相当するものを含む。）

(i) Insurance clause (including those relevant to this)

二　保険契約者に関する事項、特定保険業者のために保険契約の締結の代理又は媒介を行う者に関する事項その他の業務の内容及び方法として内閣府令で定める事項を記載した書類

(ii) Documents giving the particulars of the Policyholders, particulars of the person acting as an agent or intermediary for the conclusion of an insurance contract on behalf of a Specified Insurer, and other particulars specified by Cabinet Office Ordinance as the content and means of business.

三　財産目録、貸借対照表、収支計算書、損益計算書その他の財産及び業務の状況を明らかにする書類

(iii) Inventory of property, balance sheets, income and expenditure account statement, profit and loss statements and other documents that disclose the situation of the property and business

四　その他内閣府令で定める書類

(iv) Other documents specified by Cabinet Office Ordinance

３　前条第一項又は第四項の規定により引き続き特定保険業を行う特定保険業者が次の各号のいずれかに該当することとなったときは、当該各号に定める者は、その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。

(3) If a Specified Insurer who continues to conduct Specified Insurance Business pursuant to paragraph (1) or (4) of the preceding Article comes to fall under any of the following items, the person specified in the relevant item shall notify the Prime Minister of this within thirty days from the date in question:

一　特定保険業を廃止したとき。　その特定保険業者

(i) it has abolished its Specified Insurance Business: the Specified Insurer

二　合併により消滅したとき。　その特定保険業者を代表する役員であった者

(ii) it has extinguished due to merger: the person who was the officer representing the Specified Insurer

三　破産手続開始の決定により解散したとき。　その破産管財人

(iii) it has dissolved due to a ruling to commence bankruptcy proceedings: the bankruptcy trustee

四　合併及び破産手続開始の決定以外の理由により解散したとき。　その清算人

(iv) it has dissolved for reasons other than merger or the commencement of bankruptcy proceedings: the liquidator

五　すべての保険契約を移転し、又は事業の全部を承継させ、若しくは譲渡したとき。　その特定保険業者

(v) it has transferred all insurance contracts, or all of its business has been succeeded to or assigned: the Specified Insurer

（特定保険業者に対する新保険業法の規定の適用）

(Application of Provisions of the New Insurance Business Act to Specified Insurers)

第四条　附則第二条第一項又は第四項の規定により特定保険業者が引き続き特定保険業を行う場合においては、当該特定保険業者を少額短期保険業者とみなして、新保険業法第二百七十二条の十三第二項において準用する新保険業法第百条の二から第百条の四までの規定、新保険業法第二百七十二条の十六第一項及び第二百七十二条の二十二から第二百七十二条の二十四までの規定並びに新保険業法第二百七十二条の二十五第一項、第二百七十二条の二十六及び第二百七十二条の二十七の規定（これらの規定に係る罰則を含む。）を適用する。この場合において、新保険業法第二百七十二条の十三第二項において準用する新保険業法第百条の二中「確保するための措置」とあるのは「確保するための措置（内閣府令で定めるものに限る。）」と、新保険業法第二百七十二条の十三第二項において準用する新保険業法第百条の三中「取引又は行為をしてはならない。ただし、当該取引又は行為をすることにつき内閣府令で定めるやむを得ない理由がある場合において、内閣総理大臣の承認を受けたときは、この限りでない」とあるのは「取引又は行為（内閣府令で定めるものに限る。）をしてはならない」と、新保険業法第二百七十二条の二十四第一項中「第二百七十二条の二第二項第四号に掲げる書類に定めた事項」とあるのは「保険料の算出方法又は責任準備金の算出方法として定めた事項」と、「同号に掲げる書類に定めた事項」とあるのは「当該事項」と、同条第二項中「第二百七十二条の二第二項第二号から第四号までに掲げる書類に定めた事項」とあるのは「保険約款（これに相当するものを含む。）又は保険料の算出方法若しくは責任準備金の算出方法として定めた事項」と、新保険業法第二百七十二条の二十六第一項中「次の各号」とあるのは「第一号及び第三号から第五号まで」と、「第二百七十二条第一項の登録を取り消す」とあるのは「業務の廃止を命ずる」と、同項第一号中「第二百七十二条の四第一項第一号から第四号まで、第七号」とあるのは「第二百七十二条の四第一項第七号」と、同項第三号中「小規模事業者でなくなったとき、その他法令」とあるのは「法令」と、同項第四号中「第二百七十二条の二第二項各号に掲げる書類」とあるのは「保険約款（これに相当するものを含む。）」と、同条第二項中「取締役、執行役、会計参与又は監査役」とあるのは「役員（法人でない社団又は財団の代表者又は管理人を含む。）」と、「第二百七十二条の四第一項第十号イからヘまでのいずれかに該当することとなったとき、法令」とあるのは「法令」と、新保険業法第二百七十二条の二十七中「第二百七十二条第一項の登録を取り消す」とあるのは「業務の廃止を命ずる」と、新保険業法第三百三十三条第一項中「発起人、設立時取締役、設立時執行役、設立時監査役、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」とあるのは「発起人、役員（法人でない社団又は財団の代表者又は管理人を含む。）」とする。

Article 4 (1) When a Specified Insurer continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions, such Specified Insurer shall be deemed to be a Low-Cost, Short-Term Insurer, and the provisions of Article 100-2 to 100-4 of the New Insurance Business Act, as applied mutatis mutandis pursuant to Article 272-13, paragraph (2), Article 272-16, paragraph (1) and the provisions of Article 272-16, Article 272-22 to 272-24 of the New Insurance Business Act and the provisions of Article 272-25, paragraph (1), Article 272-26 and 272-27 of the New Insurance Business Act (including the penal provisions pertaining thereto) shall apply. In this case, the term "measures to ensure" in Article 100-2 of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-13, paragraph (2) of the New Insurance Business Act shall be deemed to be replaced with "measures (limited to those specified by Cabinet Office Ordinance) to ensure"; the term "the Specified Insurer shall not make any of the following transactions or act in any of the following ways; provided, however, that this shall not apply where the Prime Minister has approved such transaction or action for any of the compelling reasons specified by a Cabinet Office Ordinance" in Article 100-3 of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-13, paragraph (2) of the New Insurance Business Act shall be deemed to be replaced with "the Specified Insurer shall not make any of the following transactions or act in any of the following ways (limited to those specified by Cabinet Office Ordinance)," the term "particulars detailed in the documents included in Article 272-2, paragraph (2), item (iv)" in Article 272-24, paragraph (1) of the New Insurance Business Act shall be deemed to be replaced with "particulars detailed as part of the method of calculating insurance premiums or the method of calculating policy reserve," the term "particulars detailed in the documents included in that item" shall be deemed to be replaced with "such particulars," the term "particulars detailed in the documents included in Article 272-2, paragraph (2), items (ii) to (iv)" in Article 272, paragraph (2) shall be deemed to be replaced with "insurance clause (including those relevant to this) or particulars detailed as the method of calculating insurance premiums or the method of calculating policy reserve," the term "the following items" in Article 272-26, paragraph (1) of the New Insurance Business Act shall be deemed to be replaced with "items (i) and (iii) to (v)," the term "rescind the registration according to Article 272, paragraph (1)"shall be deemed to be replaced with "order for abolishing of the business," the term "from Article 272-4, paragraph (1), items (i) to (iv), (vii)" in item (i) of that paragraph shall be deemed to be replaced with "Article 272-4, paragraph (1), item (vii)," the term "in the event that the Specified Insurer is no longer a small business, other laws and regulations" in item (iii) of that paragraph shall be deemed to be replaced with "laws and regulations," the term "documents included in each of the items in Article 272-2, paragraph (2)" in item (iv) of that paragraph shall be deemed to be replaced with "insurance clause (including those relevant to this)," the term "the director, executive officer, and accounting adviser or company auditor" in paragraph (2) of that Article shall be deemed to be replaced with "the officer (including a representative persons or administrator of an association or foundation that is not a juridical person)," the term "laws and regulations in the event that it falls under any of the provisions in Article 272-4, paragraph (1), item (x), sub-items (a) to (f)" in Article 272, paragraph (2) shall be deemed to be replaced with "laws and regulations," the term "canceling registration set forth in Article 272, paragraph (1)" in Article 272-27 of the New Insurance Business Act shall be deemed to be replaced with "order for abolishing of the business"; and the term "the incorporator, director at the time of incorporation, the executive officer at the time of incorporation, the company auditor at the time of incorporation, the director, executive officer, accounting advisor or any member who is supposed to carry out such duties and the company auditor" in Article 333, paragraph (1) of the New Insurance Business Act shall be deemed to be replaced with "the incorporator, officer (including a representative person or administrator of an association or foundation that is not a juridical person)."

２　法人（法人で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。）である特定保険業者が前項の規定により読み替えて適用する新保険業法第二百七十二条の二十六第一項又は第二百七十二条の二十七の規定により特定保険業の廃止を命ぜられた場合における新保険業法第二百七十二条の四第一項、第二百七十二条の三十三第一項及び第二百七十二条の三十七第一項の規定の適用については、当該廃止を命ぜられた特定保険業者を新保険業法第二百七十二条の二十六第一項又は第二百七十二条の二十七の規定により新保険業法第二百七十二条第一項の登録を取り消された者と、当該廃止を命ぜられた日を新保険業法第二百七十二条の二十六第一項又は第二百七十二条の二十七の規定による新保険業法第二百七十二条第一項の登録の取消しの日とみなす。

(2) For the purpose of applying the provisions of Article 272-4, paragraph (1), Article 272-33, paragraph (1), and Article 272-37, paragraph (1) of the New Insurance Business Act in the event that the Specified Insurer as a juridical person (including an association or foundation that is not a juridical person and has provisions on representative persons or administrators) is ordered to abolish Specified Insurance Business pursuant to the provisions of Article 272-26, paragraph (1) or Article 272-27 of the New Insurance Business Act applied with relevant changes in interpretation pursuant to the provisions of the preceding paragraph, the Specified Insurer being ordered to execute such abolishment shall be deemed to be a person having cancellation of registration set forth in Article 272, paragraph (1) of the New Insurance Business Act pursuant to the provisions of Article 272-26, paragraph (1) or Article 272-27 of the New Insurance Business Act, and the date on which such abolishment was ordered shall be deemed to be the date of cancellation of registration set forth in Article 272, paragraph (1) of the New Insurance Business Act pursuant to the provisions of Article 272-26, paragraph (1) or Article 272-27 of the New Insurance Business Act.

３　個人である特定保険業者が第一項の規定により読み替えて適用する新保険業法第二百七十二条の二十六第一項又は第二百七十二条の二十七の規定により特定保険業の廃止を命ぜられた場合における新保険業法第二百七十二条の四第一項、第二百七十二条の三十三第一項及び第二百七十二条の三十七第一項の規定の適用については、その者が当該廃止を命ぜられた日から起算して五年を経過する日までの間は、その者を新保険業法第二百七十二条の四第一項第十号ハに該当する者とみなす。

(3) For the purpose of applying the provisions of Article 272-4, paragraph (1), Article 272-33, paragraph (1), and Article 272-37, paragraph (1) of the New Insurance Business Act in the event that the Specified Insurer as an individual is ordered to abolish Specified Insurance Business pursuant to the provisions of Article 272-26, paragraph (1) or Article 272-27 of the New Insurance Business Act applied with relevant changes in interpretation pursuant to the provisions of paragraph (1), the individual shall be deemed to be a person who is subject to Article 272-4, paragraph (1), item (x), sub-item (c) of the New Insurance Business Act until five years have passed since the day on which the individual was ordered to execute such abolishment.

４　第一項において適用する新保険業法第二百七十二条の十六第一項の業務報告書の記載事項、提出期日その他業務報告書に関し必要な事項は、内閣府令で定める。

(4) The particulars for inclusion in the business reports set forth in Article 272-16, paragraph (1) of the New Insurance Business Act applied in paragraph (1), their submission dates and other necessary particulars of those written reports shall be specified by Cabinet Office Ordinance.

５　第一項において適用する新保険業法第二百七十二条の十六第一項の規定は、施行日から起算して六月を経過する日以後に終了する事業年度から適用する。

(5) The provisions of Article 272-16, paragraph (1) of the New Insurance Business Act applied in paragraph (1) shall apply from the business year on which ends after the day on which six months have elapsed from the Effective Date.

６　内閣総理大臣は、内閣府令で定めるところにより、第一項において適用する新保険業法第二百七十二条の十六第一項の業務報告書のうち、保険契約者等の秘密を害するおそれのある事項及び第一項の規定により少額短期保険業者とみなされる特定保険業者の業務の遂行上不当な不利益を与えるおそれのある事項を除き、保険契約者等の保護に必要と認められる部分を公衆の縦覧に供しなければならない。

(6) The Prime Minister shall, pursuant to the provisions of Cabinet Office Ordinance, make portions of a business report that is referred to in Article 272-16, paragraph (1) of the New Insurance Business Act as applied pursuant to paragraph (1), available for public inspection that are recognized as necessary for protection of Policyholders, etc., with the exception of any particulars that risk causing a breach of confidence and any particulars that risk putting a Specified Insurer that is deemed to be a Low-Cost, Short-Term Insurer pursuant to Article 272-16, paragraph (1) of the New Insurance Business Act applied in paragraph (1) at an unfair disadvantage in the administration of its business.

７　附則第二条第一項又は第四項の規定により引き続き特定保険業を行う特定保険業者が保険契約の移転を行う場合においては、当該特定保険業者を少額短期保険業者とみなして、新保険業法第二百七十二条の二十九において準用する新保険業法第二編第七章第一節の規定（これらの規定に係る罰則を含む。）を適用する。この場合において、同条において準用する新保険業法第百三十六条第一項及び第三項中「移転会社及び移転先会社」とあるのは「移転先会社」と、新保険業法第二百七十二条の二十九において準用する新保険業法第百三十六条の二第一項中「取締役（委員会設置会社にあっては、執行役）」とあるのは「役員（法人でない社団又は財団の代表者又は管理人を含む。）」と、「前条第一項の株主総会等の会日の二週間前」とあるのは「第百三十五条第一項の契約に係る契約書（以下この節において「移転契約書」という。）の作成日」と、「第百三十五条第一項の契約に係る契約書その他の」とあるのは「移転契約書その他の」と、同条第二項中「移転会社の株主又は保険契約者」とあるのは「移転対象契約者」と、新保険業法第二百七十二条の二十九において準用する新保険業法第百三十八条中「第百三十六条第一項の決議があった時」とあるのは「移転契約書を作成した時」と、新保険業法第三百三十三条第一項中「発起人、設立時取締役、設立時執行役、設立時監査役、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」とあるのは「発起人、役員（法人でない社団又は財団の代表者又は管理人を含む。）」とする。

(7) When a Specified Insurer who continues to conduct Specified Insurance Business executes a transfer of insurance contracts pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions, such Specified Insurer shall be deemed to be a Low-Cost, Short-Term Insurer, and the provisions of Part II, Chapter VII, Section 1 of the New Insurance Business Act (including the penal provisions pertaining thereto) shall apply mutatis mutandis pursuant to Article 272-29 of the New Insurance Business Act. In this case, the term "Transferor Company and Transferee Company" in Article 136, paragraphs (1) and (3) of the New Insurance Business Act as applied mutatis mutandis in Article 272-29 shall be deemed to be replaced with "Transferee Company," the terms "The directors (or in a company with Committees, executive officers)" and "two weeks before of the date of Shareholders' Meeting, etc. set forth in paragraph (1) of the preceding Article" in Article 136-2, paragraph (1) of the New Insurance Business Act as applied mutatis mutandis in Article 272-29 of the New Insurance Business Act shall be deemed to be replaced with "the officers (including representative persons or administrators of an association or foundation that is not a juridical person)" and "the date of preparation of the Transfer Agreement concluded under Article 135, paragraph (1) (hereinafter referred to as "Transfer Agreement" in this Section)," respectively; the term "the Transfer Agreement concluded under Article 135, paragraph (1) and other" shall be deemed to be replaced with "Transfer Agreement and other," the term "A shareholder or Policyholder of the Transferor Company" in paragraph (2) of the same Article shall be deemed to be replaced with "Affected Policyholders," the term "the time of the adoption of the resolution under Article 136, paragraph (1)" in Article 138 of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-29 of the New Insurance Business Act shall be deemed to be replaced with "the time of the creation of Transfer Agreement," the term "the incorporator, the director at the incorporation, the executive officer at the incorporation, the company auditor at the incorporation, the director, the executive officer, the accounting advisor or the member who is supposed to carry out such duties and the company auditor" in Article 333, paragraph (1) in the New Insurance Business Act shall be deemed to be replaced with "the officer"; any technical change in interpretation required shall be specified by Cabinet Order.

８　附則第二条第一項又は第四項の規定により特定保険業者が引き続き特定保険業を行う場合においては、当該特定保険業者を少額短期保険業者とみなして、新保険業法第二百七十二条の三十第一項において準用する新保険業法第百四十二条の規定を適用する。

(8) When a Specified Insurer continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions, such Specified Insurer shall be deemed to be a Low-Cost, Short-Term Insurer, and the provisions of Article 142 of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-30, paragraph (1) of the New Insurance Business Act shall apply.

９　附則第二条第一項又は第四項の規定により引き続き特定保険業を行う特定保険業者がその業務及び財産の管理の委託を行う場合においては、当該特定保険業者を少額短期保険業者とみなして、新保険業法第二百七十二条の三十第二項において準用する新保険業法第百四十四条、第百四十五条、第百四十六条第一項及び第百四十七条から第百四十九条までの規定並びに新保険業法第百五十条第一項の規定（これらの規定に係る罰則を含む。）を適用する。この場合において、新保険業法第二百七十二条の三十第二項において準用する新保険業法第百四十四条第二項中「当該管理の委託をする保険会社（以下この節において「委託会社」という。）及び受託会社」とあるのは「受託会社」と、新保険業法第二百七十二条の三十第二項において準用する新保険業法第百四十六条第一項中「公告し、かつ、当該管理の委託をした旨並びに受託会社の商号、名称又は氏名及びその本店若しくは主たる事務所又は日本における主たる店舗（第百八十七条第一項第四号に規定する日本における主たる店舗をいう。）を登記しなければならない」とあるのは「公告しなければならない」と、新保険業法第二百七十二条の三十第二項において準用する新保険業法第百四十九条第一項中「委託会社及び受託会社」とあるのは「受託会社」とする。

(9) When a Specified Insurer who continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions entrusts business and property management, such Specified Insurer shall be deemed to be a Low-Cost, Short-Term Insurer, and the provisions of Articles 144, 145, Article 146, paragraph (1) and Articles 147 to 149 of the New Insurance Business Act as applied mutatis mutandis in Article 272-30, paragraph (2) of the New Insurance Business Act, and the provisions of Article 150, paragraph (1) of the New Insurance Business Act (including the penal provisions pertaining thereto) shall apply. In this case, the term "the Insurance Company entrusting the administration (hereinafter referred to as "Entrusting Company" in this Section) and the Entrusted Company" in Article 144, paragraph (2) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-30, paragraph (2) of the New Insurance Business Act shall be deemed to be replaced with "Entrusted Company," the term "publish the gist of the Agreement set forth in Article 146, paragraph (1) (hereinafter referred to as "Administration Entrustment Agreement" in this Section) and register the entrustment of administration, and the Entrusted Company's trade name, name and its head office or principal office, or its principal branch store in Japan (meaning the principal branch store in Japan set forth in Article 187, paragraph (1), item (iv))" in Article 146, paragraph (1) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-30, paragraph (2) of the New Insurance Business Act shall be deemed to be replaced with "publish the gist of the Agreement set forth in Article 146, paragraph (1) (hereinafter referred to as "Administration Entrustment Agreement" in this Section)"; and the term "the Entrusting Company and the Entrusted Company" in Article 149, paragraph (1) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-30, paragraph (2) of the New Insurance Business Act shall be deemed to be replaced with "Entrusted Company."

１０　新保険業法第二編第二章第一節及び第八章の規定は、附則第二条第一項又は第四項の規定により引き続き特定保険業を行う特定保険業者については、適用しない。

(10) The provisions of the Part II, Chapter II, Section 1 and Chapter VIII of the New Insurance Business Act shall not be applied to a Specified Insurer who continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions.

１１　附則第二条第一項又は第四項の規定により特定保険業者が引き続き特定保険業を行う場合においては、当該特定保険業者を少額短期保険業者とみなして、新保険業法第百六十七条第一項及び第二項の規定を適用する。

(11) When a Specified Insurer continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions, such Specified Insurer shall be deemed to be a Low-Cost, Short-Term Insurer, and the provisions of Article 167, paragraphs (1) and (2) of the New Insurance Business Act shall apply.

１２　附則第二条第一項又は第四項の規定により特定保険業者が引き続き特定保険業を行う場合においては、当該特定保険業者を少額短期保険業者とみなして、新保険業法第百七十三条の六第一項及び第二項の規定を適用する。

(12) When a Specified Insurer continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions, such Specified Insurer shall be deemed to be a Low-Cost, Short-Term Insurer, and the provisions of Article 173-6, paragraphs (1) and (2) of the New Insurance Business Act shall apply.

１３　附則第二条第一項又は第四項の規定により引き続き特定保険業を行う特定保険業者は、特定保険業を廃止しようとするときは、内閣総理大臣の承認を受けなければならない。

(13) A Specified Insurer who continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions shall receive approval from the Prime Minister when he/she seeks to abolish Specified Insurance Business.

１４　附則第二条第一項又は第四項の規定により引き続き特定保険業を行う特定保険業者が第七項又は第九項において適用する新保険業法の規定により行う公告は、時事に関する事項を掲載する日刊新聞紙に掲載しなければならない。

(14) Any public notice given by a Specified Insurer who continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions, pursuant to the provisions of the New Insurance Business Act applied in paragraph (7) or (9) shall be published in a daily newspaper that publishes the particulars of current events.

１５　附則第二条第一項又は第四項の規定により特定保険業者が引き続き特定保険業を行う場合においては、当該特定保険業者を保険会社等又は所属保険会社等と、当該特定保険業者のために保険契約の締結の代理又は媒介を行う者を保険募集人又は特定保険募集人とそれぞれみなして、新保険業法第二百八十三条、第二百九十四条、第三百条第一項（第一号から第四号まで、第六号、第七号及び第九号に係る部分に限る。）、第三百五条、第三百六条、第三百七条第一項及び第三百九条（これらの規定に係る罰則を含む。）の規定を適用する。この場合において、新保険業法第三百七条第一項中「次の各号のいずれか」とあるのは「第一号又は第三号」と、「第二百七十六条若しくは第二百八十六条の登録を取り消し」とあるのは「業務の廃止を命じ」とする。

(15) When a Specified Insurer continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions, such Specified Insurer shall be deemed to be an Insurance Company, etc., or Affiliated Insurance Company, etc., the person acting as an agent or intermediary for the conclusion of an insurance contract on behalf of such Specified Insurer shall be deemed to be an Insurance Agent or Specified Insurance Agent, and the provisions of Article 283, Article 294, Article 300, paragraph (1) (limited to the segment pertaining to items (i) to (iv), (vi), (vii), and (ix) ), Article 305, Article 306, Article 307, paragraph (1) and Article 309 (including the penal provisions pertaining thereto) shall apply. In this case, the term "any of the following items" in Article 307, paragraph (1) of the New Insurance Business Act shall be deemed to be replaced with "the item (i) or (iii)," and "cancel the registration set forth in Article 276 or 286" shall be deemed to be replaced with "order abolition of the business."

１６　前項の規定により読み替えて適用する新保険業法第三百七条第一項の規定により業務の廃止を命ぜられた場合における新保険業法第二百七十二条の四第一項及び第二百七十九条第一項の規定の適用については、当該廃止を命ぜられた者を新保険業法第二百七十六条の登録を取り消された者と、当該廃止を命ぜられた日を新保険業法第三百七条第一項の規定による新保険業法第二百七十六条の登録の取消しの日とみなす。

(16) For the purpose of applying the provisions of Article 272-4, paragraph (1) and Article 279, paragraph (1) of the New Insurance Business Act in the case where the Specified Insurer is ordered to abolish the business pursuant to the provisions of Article 307, paragraph (1) of the New Insurance Business Act applied with relevant changes in interpretation pursuant to the provisions of the preceding paragraph, the person who is ordered such abolishment shall be deemed to be a person of whom is canceled the registration set forth in Article 276 of the New Insurance Business Act, and the day of which such abolishment is ordered shall be deemed to be the day of cancellation of the registration set forth in Article 276 of the New Insurance Business Act pursuant to the provisions of Article 307, paragraph (1) of the New Insurance Business Act.

（公益法人等に関する経過措置）

(Transitional Measure regarding Public-interest Corporation, etc.)

第五条　この法律の施行の際現に特定保険業を行っている民法（明治二十九年法律第八十九号）第三十四条の規定により設立された法人（次に掲げるものを除く。）は、当分の間、新保険業法第三条第一項の規定にかかわらず、引き続き特定保険業を行うことができる。

Article 5 (1) A juridical person (excluding the following) established pursuant to the provisions of Article 34 of the Civil Code (Act No. 89 of 1896), which conducts Specified Insurance Business at the time when this Act enters into force may continue to conduct Specified Insurance Business notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Act until otherwise stipulated.

一　一般社団法人及び一般財団法人に関する法律及び公益社団法人及び公益財団法人の認定等に関する法律の施行に伴う関係法律の整備等に関する法律（平成十八年法律第五十号。以下「整備法」という。）第四十四条の認定を受けて整備法第百六条第一項の登記（第五項において「公益法人移行登記」という。）をした法人

(i) A juridical person that has completed the registration set forth in Article 106, paragraph (1) of the Act to Re-Arrange the Related Acts in Line with the Enforcement of the Act on General Incorporated Associations and General Incorporated Foundations and the Act on the Authorization, etc. of Public-Interest Incorporated Associations and Public-Interest Incorporated Foundations (Act No. 50 of 2006. Hereinafter referred to as "Revising Act") (referred to as "Public-Interest Corporation Transfer Registration" in paragraph (5)) with the authorization set forth in Article 44 of the Revising Act

二　整備法第四十五条の認可を受けて整備法第百二十一条第一項において準用する整備法第百六条第一項の登記（第五項において「一般社団法人等移行登記」という。）をした法人

(ii) A juridical person that has completed the registration set forth in Article 106, paragraph (1) of the Revising Act (referred to as "General Incorporated Association, etc., Transfer Registration" in paragraph (5)) as applied mutatis mutandis pursuant to Article 121, paragraph (1) of the Revising Act, with the approval set forth in Article 45 of the Revising Act

２　この法律の施行の際現に特定保険業を行っている商工会議所、商工会又は商工会連合会は、当分の間、新保険業法第三条第一項の規定にかかわらず、引き続き特定保険業を行うことができる。

(2) The Japan Chambers of Commerce and Industry, societies of commerce and industry or Central Federations of Societies of Commerce and Industry who conduct Specified Insurance Business at the time when this Act enters into force can continuously conduct Specified Insurance Business notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Act until otherwise stipulated.

３　前二項の規定により引き続き特定保険業を行う場合においては、その者を保険会社等又は所属保険会社等と、その者のために保険契約の締結の代理又は媒介を行う者を保険募集人又は特定保険募集人とそれぞれみなして、新保険業法第二百八十三条及び第三百条第一項（第一号から第三号までに係る部分に限る。）の規定（これらの規定に係る罰則を含む。）を適用する。

(3) When Specified Insurance Business is continuously conducted pursuant to the provisions of the preceding two paragraphs, the person conducting business shall be deemed to be an Insurance Company, etc., or Affiliated Insurance Company, etc. the person acting as an agent or intermediary for the conclusion of an insurance contract on behalf of such Specified Insurer shall be deemed to be an Insurance Agent or a Specified Insurance Agent, and the provisions (including the penal provisions pertaining thereto) of Article 283 and Article 300, paragraph (1) (limited to the segment pertaining to items (i) to (iii)) shall apply.

４　第一項の規定により引き続き特定保険業を行う場合における整備法第九十五条及び第九十六条の規定の適用については、整備法第九十五条中「特例民法法人の業務」とあるのは「特例民法法人の業務（保険業法等の一部を改正する法律（平成十七年法律第三十八号）附則第二条第一項に規定する特定保険業を含む。次項において同じ。）」と、整備法第九十六条第一項中「命令」とあるのは「命令（保険業法（平成七年法律第百五号）第三百条第一項（第一号から第三号までに係る部分に限る。）の規定を遵守させるための命令を含む。）」と、同条第二項中「による命令」とあるのは「による命令（保険業法第三百条第一項（第一号から第三号までに係る部分に限る。）の規定を遵守させるための命令を含む。）」とする。

(4) For the purpose of applying the provisions of Article 95 and Article 96 of the Revising Act in the case where the Specified Insurance Business is continuously conducted pursuant to the provisions of paragraph (1), the term "business of a special case juridical person under the Civil Code" in Article 95 of the Revising Act shall be deemed to be replaced with "business of a special case juridical person under the Civil Code (including Specified Insurance Business prescribed in Article 2, paragraph (1) of the Supplementary Provisions of the Act on Partial Revision of the Insurance Business Act, etc. (Act No. 38 of 2005); the same shall apply in the following paragraph)," the term "order" in Article 96, paragraph (1) of the Revising Act shall be deemed to be replaced with "order (including the order of which make it comply with the provisions of Article 300, paragraph (1) (limited to the segment pertaining to items (i) to (iii)) of the Insurance Business Act (Act No. 105 of 1995))," and "order by" in paragraph (2) of the same Article shall be deemed to be replaced with "order by (including the order of which make it comply with the provisions of Article 300, paragraph (1) of the New Insurance Business Act (limited to the segment pertaining to items (i) to (iii))."

５　この法律の施行の際現に特定保険業を行っていた民法第三十四条の規定により設立された法人であって第一項各号に掲げるもの（新保険業法第二百七十二条第一項の登録を受けている者を除く。以下この条において「移行法人」という。）は、公益法人移行登記又は一般社団法人等移行登記（以下この条において「移行登記」と総称する。）をした日から起算して一年を経過する日までの間（次項の保険契約の移転並びに保険契約に係る業務及び財産の管理の委託を行うことができないことについて内閣総理大臣がやむを得ない事由があると認めるときは、内閣総理大臣の指定する日までの間）は、新保険業法第三条第一項の規定にかかわらず、移行登記をした日前に引き受けた保険契約に係る業務及び財産の管理を行うことができる。

(5) A juridical person that was established pursuant to the provisions of Article 34 of the Civil Code, which is actually conducting Specified Insurance Business at the time when this Act enters into force, and which is listed in the items of paragraph (1) (excluding a person with the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act; hereinafter referred to as "Transferred Juridical Person" in this Article) can manage business and the property under an insurance contract that the person underwrote before the day of the Public-Interest Corporation Transfer Registration or General Incorporated Association etc., Transfer Registration (hereinafter, named generically as "Transfer Registration" in this Article) notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Act for a period of one year counting from the day of the Transfer Registration (or until the day that the Prime Minister designates when he/she recognizes that there are compelling reasons for the following insurance contract and the entrustment pertaining to the management of the business and property not to be transferred).

６　前項の場合において、当該移行法人は、同項に規定する一年を経過する日までの間に、その業務及び財産の管理を行う保険契約について、保険会社（外国保険会社等を含む。以下この項において同じ。）若しくは少額短期保険業者との契約により当該保険契約を移転し、又は保険会社若しくは少額短期保険業者との契約により当該保険契約に係る業務及び財産の管理の委託を行わなければならない。

(6) In the case referred to in the preceding paragraph, such Transferred Juridical Person shall, by the day on which on year has passed described in the same paragraph, and pursuant to its contract with an Insurance Company (including Foreign Insurance Company, etc; hereinafter the same shall apply in this Article) or Low-Cost, Short-Term Insurer, transfer any insurance contract under which the person manages the relevant business and property, or entrust the management of business and property under such insurance contract pursuant to the contract with an Insurance Company or Low-Cost, Short-Term Insurer.

７　第五項の規定により移行登記をした日前に引き受けた保険契約に係る業務及び財産の管理を行う移行法人は、少額短期保険業者とみなして、新保険業法第二百七十二条の二十二、第二百七十二条の二十三、第二百七十二条の二十五第一項、第二百七十二条の二十六及び第二百七十二条の二十七の規定（これらの規定に係る罰則を含む。）を適用する。この場合において、新保険業法第二百七十二条の二十六第一項中「次の各号」とあるのは「第一号及び第三号から第五号まで」と、「第二百七十二条第一項の登録を取り消す」とあるのは「業務の廃止を命ずる」と、同項第一号中「第二百七十二条の四第一項第一号から第四号まで、第七号、第八号」とあるのは「第二百七十二条の四第一項第八号」と、同項第三号中「小規模事業者でなくなったとき、その他法令」とあるのは「法令」と、同項第四号中「第二百七十二条の二第二項各号に掲げる書類」とあるのは「保険約款（これに相当するものを含む。）」と、同条第二項中「取締役、執行役、会計参与又は監査役」とあるのは「役員」と、「第二百七十二条の四第一項第十号イからヘまでのいずれかに該当することとなったとき、法令」とあるのは「法令」と、新保険業法第二百七十二条の二十七中「第二百七十二条第一項の登録を取り消す」とあるのは「業務の廃止を命ずる」と、新保険業法第三百三十三条第一項中「発起人、設立時取締役、設立時執行役、設立時監査役、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」とあるのは「役員」とするほか、必要な技術的読替えは、政令で定める。

(7) A Transferred Juridical Person that manages the business and property pertaining to an insurance contract underwritten before the day of the Transfer Registration pursuant to the provisions of paragraph (5) shall be deemed to be a Low-Cost, Short-Term Insurer, and the provisions of Article 272-22, Article 272-23, Article 272-25, paragraph (1), Article 272-26, and Article 272-27 of the New Insurance Business Act (including the penal provisions pertaining thereto) shall apply. In this case, the term "items listed in following" and the term "cancel registration set forth in Article 272, paragraph (1)" in Article 272-26, paragraph (1) of the New Insurance Business Act shall be deemed to be replaced with "items (i) and (iii) to (v)" and "order for abolishing of the business" respectively; the term "Article 272-4, paragraph (1), items (i) to (iv), items (vii) and (viii)" in item (i) of the same paragraph shall be deemed to be replaced with "Article 272-4, paragraph (1), item (viii)," the term "in the case where the Specified Insurer is no longer a small business, other laws and regulations" in item (iii) of the same paragraph shall be "laws and regulations," the term "documents included in each of the items in Article 272-2, paragraph (2)" in item (iv) of the same paragraph shall be deemed to be replaced with "insurance contract (including those relevant thereto)," the term "the director, executive officer, and accounting adviser or company auditor" and "laws and regulations in the case where it falls under any of the provisions in Article 272-4, paragraph (1), item (x), sub-items (a) to (f) inclusive" in paragraph (2) of the same Article shall be deemed to be replaced with "the officer" and "laws and regulations" respectively; the term "cancel registration set forth in Article 272, paragraph (1)" in Article 272-27 of the New Insurance Business Act shall be deemed to be replaced with "order for abolishing of the business," the term "the incorporator, the director at the incorporation, the executive officer at the incorporation, the company auditor at the incorporation, the director, the executive officer, the accounting advisor or the member who is supposed to carry out such duties and the auditor" in Article 333, paragraph (1) in the New Insurance Business Act shall be "the officer," and other necessary technical change in interpretation shall be specified by Cabinet Order.

８　第五項の規定により移行登記をした日前に引き受けた保険契約に係る業務及び財産の管理を行う移行法人は、附則第二条第一項又は第四項の規定により引き続き特定保険業を行う特定保険業者とみなして、附則第三条（第二項を除く。）、前条（第七項から第十二項まで及び第十四項に限る。）、次条（第二項及び第五項に限る。）並びに附則第八条及び第十六条の規定を適用する。この場合において、附則第三条第一項中「施行日から起算して六月を経過する日（同日後に施行日後初めて保険の引受けを行う場合には、当該引受けを行う日。以下この項において同じ。）までに」とあるのは「附則第五条第一項に規定する移行登記をした日以後遅滞なく」と、「しなければならない。ただし、当該六月を経過する日までに新保険業法第三条第一項の免許又は新保険業法第二百七十二条第一項の登録の申請をした者については、この限りでない」とあるのは「しなければならない」と、次条第二項中「施行日から起算して二年を経過する日までの間に」とあるのは「整備法の施行の日から起算して六年を経過する日までの間に前条第八項の規定により適用する」と、同項並びに附則第八条第二項及び第十六条第十八項中「施行日から起算して五年」とあるのは「整備法の施行の日から起算して八年」と、附則第八条第二項並びに第十六条第一項、第十七項及び第十八項中「施行日から起算して二年を経過する日までの間に」とあるのは「整備法の施行の日から起算して六年を経過する日までの間に附則第五条第八項の規定により適用する」と、同条第一項中「施行日から起算して七年」とあるのは「整備法の施行の日から起算して十年」とするほか、必要な技術的読替えは、政令で定める。

(8) A Transferred Juridical Person that manages business and property pertaining to an insurance contract underwritten before the day of the Transfer Registration pursuant to the provisions of paragraph (5) shall be deemed to be a Specified Insurer who continues to conduct Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) or (4) of the Supplementary Provisions, and the provisions of Article 3 of the Supplementary Provisions (excluding paragraph (2)), the preceding Article (limited to paragraph (7) to (12) and (14)), following Article (limited to paragraphs (2) and (5)), and Articles 8 and 16 of the Supplementary Provisions shall apply. In this case, the term "by the day when six months have passed since the Effective Date (or, if the underwriting of the insurance is performed for the first time after the Effective Date, the date of such underwriting; hereinafter the same shall apply in this Article)" in Article 3, paragraph (1) of the Supplementary Provisions shall be deemed to be replaced with "after the day on which the Transfer Registration provided in Article 5, paragraph (1) of the Supplementary Provisions was registered without delay" and the term ": provided, however, that this shall not apply to a person who applies for the license set forth in Article 3, paragraph (1) of the New Insurance Business Act or for the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act by the day on which such six months have passed" in the Article 3, paragraph (1) of the Supplementary Provisions shall be deemed to be deleted; the term "by the day when two years have passed since the Effective Date" in paragraph (2) of the following Article shall be deemed to be replaced with "shall apply pursuant to the provisions of paragraph (8) of the preceding Article by the day when six years have passed since the Effective Date of the Revising Act," the term "five years have passed since the Effective Date" in paragraph (8) of the preceding Article, Article 8, paragraph (2) and Article 16, paragraph (18) of the Supplementary Provisions shall be deemed to be replaced with "eight years have passed since the Effective Date of the Revising Act," the term "by the day when two years have passed since the Effective Date" in Article 8, paragraph (2) and Article 16, paragraphs (1), (17) and (18) of the Supplementary Provisions shall be deemed to be replaced with "shall apply pursuant to the provisions of Article 5, paragraph (8) of the Supplementary Provisions by the day when six years have passed since the Effective Date of the Revising Act," and the term "seven years have passed since the Effective Date" in Article 16, paragraph (1) shall be deemed to be replaced with "ten years have passed since the Effective Date of the Revising Act"; any technical change in interpretation required shall be specified by Cabinet Order.

（免許審査基準に関する経過措置等）

(Transitional Measures, etc. Concerning Examination Licensing Standards)

第六条　新保険業法第六条第一項の規定は、新保険業法第三条第一項の免許を申請した特定保険業者（当該免許の申請のときに資本金の額が五億円を上回り、新保険業法第六条第一項の政令で定める額に満たない者に限る。）については、施行日から起算して五年を経過する日までの間は、適用しない。

Article 6 (1) The provisions of Article 6, paragraph (1) of the New Insurance Business Act shall not apply to Specified Insurers who have applied for a license as set forth in Article 3, paragraph (1) of the New Insurance Business Act (limited to persons whose capital amount at the time of the application for that license exceeds five hundred million yen and is less than the amount specified by Cabinet Order as set forth in Article 6, paragraph (1) of the New Insurance Business Act) for a period of five years counting from the Effective Date.

２　新保険業法第六条第一項の規定は、特定保険業者から保険契約の移転を受け、又は保険契約を承継することを約する新保険業法第三条第一項の免許の申請者（施行日から起算して二年を経過する日までの間に附則第四条第七項、第八項、第十一項又は第十二項の規定による当該保険契約の移転又は承継の認可の申請及び当該免許の申請を行う者であって、当該免許の申請のときに資本金の額又は基金の総額が五億円を上回り、新保険業法第六条第一項の政令で定める額に満たない者に限る。）については、施行日から起算して五年を経過する日までの間は、適用しない。

(2) The provisions of Article 6, paragraph (1) of the New Insurance Business Act shall not apply to a license applicant as set forth in Article 3, paragraph (1) of the New Insurance Business Act who has committed that he/she will receive the transfer of insurance contracts from a Specified Insurer or succeed to insurance contracts from a Specified Insurer (limited to persons who have filed an application for approval of the transfer or succession of that insurance contract pursuant to the provisions of Article 4, paragraphs (7), (8), (11) and (12) of the Supplementary Provisions until the date two years after the Effective Date, and to persons whose capital amount at the time of the application for that license exceeds five hundred million yen and is less than the amount specified by Cabinet Order as set forth in Article 6, paragraph (1) of the New Insurance Business Act) for a period of five years counting from the Effective Date.

３　前項の規定の適用を受ける者が相互会社であるときは、同項の五年を経過する日までの間において、基金（新保険業法第五十六条の基金償却積立金（次項の規定により当該基金償却積立金として積み立てられたものとみなされるものを含む。）を含む。）の総額が新保険業法第六条第一項の政令で定める額に達するまでは、新保険業法第五十五条第二項に定める基金の償却又は剰余金の分配に充てることのできる金額の全部又は一部を積立金として積み立てることができる。

(3) Where the person to whom the provisions of the preceding paragraph is applied is a Mutual Company, for a period of five years set forth in the same paragraph, said person may set aside as a reserves all or part of the amount that may be allocated to the redemption of funds or distribution of surplus specified in Article 55, paragraph (2) of the New Insurance Business Act, until such time as the total amount of funds (including the reserves for redemption of funds set forth in Article 56 of the New Insurance Business Act (including any amount deemed to have been set aside as the reserves for redemption of funds pursuant to the provisions of the following paragraph)) reaches the amount set forth in Article 6, paragraph (1) of the New Insurance Business Act to be specified by Cabinet Order.

４　前項の規定により積み立てられた積立金は、新保険業法第五十六条の基金償却積立金として積み立てられたものとみなす。

(4) The reserves set aside pursuant to the provisions of the preceding paragraph shall be deemed to have been set aside as the reserves for redemption of funds set forth in Article 56 of the New Insurance Business Act.

５　内閣総理大臣は、第一項に規定する特定保険業者又は第二項に規定する免許の申請者に対する免許について、当該免許に、引受けを行う保険契約の相手方、保険契約の内容その他の事項に関し、新保険業法第五条第二項の規定により必要な条件を付すことができる。

(5) The Prime Minister may attach necessary conditions pursuant to the provisions of Article 5, paragraph (2) of the New Insurance Business Act concerning Specified Insurers as prescribed in paragraph (1) or concerning the issuance of licenses to license applicants as prescribed in paragraph (2), with regard to underwriting of insurance contracts by the other party, contents of insurance contracts, and other particulars to said licenses.

（登記簿に関する経過措置）

(Transitional Measures for Registry)

第七条　この法律の施行の際現に登記所に備えられている相互保険会社登記簿は、新保険業法第六十四条の相互会社登記簿とみなす。

Article 7 (1) The Registry of Mutual Insurance Companies kept in a registry office at the time when this Act enters into force shall be deemed to be the Registry of Mutual Insurance Companies set forth in Article 64 of the New Insurance Business Act.

２　この法律の施行の際現に登記所に備えられている外国相互保険会社登記簿は、新保険業法第二百十四条の外国相互会社登記簿とみなす。

(2) The Registry of Foreign Mutual Insurance Companies kept in a registry office at the time when this Act enters into force shall be deemed to be the Registry of Foreign Mutual Insurance Companies set forth in Article 214 of the New Insurance Business Act.

（特定保険業者であった保険会社等に関する経過措置）

(Transitional Measures for the Insurance Company, etc., which was a Specified Insurer)

第八条　保険業法第百十三条の規定は、附則第六条第二項の規定の適用を受けて新保険業法第三条第一項の免許の申請を行い、同項の免許を受けた保険会社については、適用しない。

Article 8 (1) The provisions of Article 113 of the New Insurance Business Act shall not be applied to the Insurance Company which applied for a license set forth in Article 3, paragraph (1) of the New Insurance Business Act and received the license set forth in the same paragraph following the application of the provisions of Article 6, paragraph (2) of the Supplementary Provisions.

２　特定保険業者であった保険会社又は特定保険業者から保険契約の移転を受け、若しくは保険契約を承継した保険会社（施行日から起算して二年を経過する日までの間に附則第四条第七項、第八項、第十一項又は第十二項の規定による当該保険契約の移転又は承継の認可の申請及び新保険業法第三条第一項の免許の申請をした者に限る。）は、内閣総理大臣に届け出て、施行日から起算して五年を経過する日までの間に終了する決算期において、新保険業法第百十六条第一項に規定する責任準備金のうち内閣府令で定めるものを積み立てないことができる。

(2) The Insurance Company which was a Specified Insurer or the Insurance Company which received transfer of the insurance contract from a Specified Insurer or succeeded to the insurance contract from a Specified Insurer (limited to the person who applied for the approval of transfer or succession of insurance contract pursuant to the provisions of Article 4, paragraph (7), (8), (11) or (12) of the Supplementary Provisions and applied for the license set forth in Article 3, paragraph (1) in the New Insurance Business Act by the day when two years have passed since the Effective Date) may, with giving a notification to the Prime Minister, be relieved of the requirement of accumulating of the policy reserves specified by a Cabinet Office Ordinance set forth in Article 116, paragraph (1) of the New Insurance Business Act for the accounting period that ends by the day when five years have passed since the Effective Date.

（業務の停止及び計画の承認に関する経過措置）

(Transitional Measures regarding Suspension of Business and Approval of Plan)

第九条　新保険業法第二百四十五条（新保険業法第二百五十八条第二項において準用する場合を含む。）及び第二百四十七条第一項の規定は、平成十八年四月一日以後にされる新保険業法第二百四十一条第一項の規定による保険管理人による業務及び財産の管理を命ずる処分について適用し、同日前にされた旧保険業法第二百四十一条第一項の規定による保険管理人による業務及び財産の管理を命ずる処分については、なお従前の例による。

Article 9 The provisions of Article 245 (including the cases where it is applied mutatis mutandis pursuant to Article 258, paragraph (2) of the New Insurance Business Act) and Article 247, paragraph (1) of the New Insurance Business Act shall apply to the disposition ordering the management of the business and property after 1 April 2006 by the Insurance Administrator pursuant to the provisions of Article 241, paragraph (1) of the New Insurance Business Act; with regard to a disposition ordering the management of the business and property before that day by the Insurance Administrator pursuant to the provisions of Article 241, paragraph (1) of the Former Insurance Business Act, the provisions then in force shall remain applicable.

（保険契約の移転等における契約条件の変更に関する経過措置）

(Transitional Measures regarding Modification of Contract Condition in Transfer, etc., of Insurance Contracts)

第十条　新保険業法第二百五十条（新保険業法第二百七十条の四第九項において準用する場合を含む。）、第二百五十四条又は第二百五十五条の二の規定は、平成十八年四月一日以後に新保険業法第二百四十一条第一項の規定による合併等の協議の命令若しくは保険管理人による業務及び財産の管理を命ずる処分がされる場合又は保険会社（外国保険会社等を含む。以下この条において同じ。）が新保険業法第二百六十条第二項に規定する破綻保険会社に該当することとなる場合における保険契約の移転、合併契約又は株式の取得における契約条件の変更について適用し、同日前に旧保険業法第二百四十一条第一項の規定による合併等の協議の命令若しくは保険管理人による業務及び財産の管理を命ずる処分がされた場合又は保険会社が旧保険業法第二百六十条第二項に規定する破綻保険会社に該当することとなった場合における保険契約の移転、合併契約又は株式の取得における契約条件の変更については、なお従前の例による。

Article 10 The provisions of Article 250 (including the cases where it is applied mutatis mutandis pursuant to Article 270-4, paragraph (9) of the New Insurance Business Act), Article 254 or 255-2 of the New Insurance Business Act, shall apply to the Modification of Contract Conditions in the transfer of insurance contracts, merger agreement, or acquisition of shares in the case where the order for consultation on Merger, etc. or disposition ordering the management of the business and property by the Insurance Administrator pursuant to the provisions of Article 241, paragraph (1) of the New Insurance Business Act is issued or in the case where the Insurance Company (including Foreign Insurance Companies, etc.; hereinafter the same shall apply in this Article) falls under the category of the Bankrupt Insurance Company prescribed in Article 260, paragraph (2) of the New Insurance Business Act after 1 April 2006; with regard to the Modification of Contract Conditions in the transfer of insurance contracts, merger Agreement, or acquisition of shares in the case where the order for consultation on Merger, etc. or disposition ordering the management of the business and property by the Insurance Administrator pursuant to the provisions of Article 241, paragraph (1) of the New Insurance Business Act is issued or in the case where the Insurance Company (including Foreign Insurance Companies, etc.; hereinafter the same shall apply in this Article) falls under the category of the Bankrupt Insurance Company prescribed in Article 260, paragraph (2) of the New Insurance Business Act before 1 April 2006, the provisions then in force shall remain applicable.

（資金援助等に関する経過措置）

(Transitional Measures regarding Financial Assistance, etc.)

第十一条　新保険業法第二編第十章第四節第二款の規定は、平成十八年四月一日以後に新保険業法第二百六十条第二項に規定する破綻保険会社に該当する者に係る保険契約者保護機構の行う新保険業法第二百六十五条の三十に規定する資金援助等業務について適用し、同日前に旧保険業法第二百六十条第二項に規定する破綻保険会社に該当した者に係る保険契約者保護機構の行う旧保険業法第二百六十五条の三十に規定する資金援助等業務については、なお従前の例による。

Article 11 The provisions of Part II, Chapter X, Section 4, Subsection 2 of the New Insurance Business Act shall apply to Financial Assistance Services, etc. prescribed in Article 265-30 of the New Insurance Business Act executed by the Life Insurance Policyholders Protection Corporation pertaining to the person who falls under the category of the Bankrupt Insurance Company prescribed in Article 260, paragraph (2) of the New Insurance Business Act after 1 April 2006; with regard to Financial Assistance Services, etc. prescribed in Article 265-30 of the Former Insurance Business Act executed by the Life Insurance Policyholders Protection Corporation pertaining to the person who falls under the category of the Bankrupt Insurance Company prescribed in Article 260, paragraph (2) of the Former Insurance Business Act before 1 April 2006, the provisions then in force shall be remain applicable.

（保険金請求権の買取りに関する経過措置）

(Transitional Measures regarding Purchase of Insurance Claims)

第十二条　新保険業法第二百七十条の六の八第二項の規定は、平成十八年四月一日以後に新保険業法第二百六十条第二項に規定する破綻保険会社に該当する者に係る新保険業法第二百七十条の六の八第一項に規定する保険金請求権等の買取りについて適用し、同日前に旧保険業法第二百六十条第二項に規定する破綻保険会社に該当した者に係る旧保険業法第二百七十条の六の八第一項に規定する保険金請求権等の買取りについては、なお従前の例による。

Article 12 The provisions of Article 270-6-8, paragraph (2) of the New Insurance Business Act shall apply to the purchase of Insurance Claims, etc. prescribed in Article 270-6-8, paragraph (1) of the New Insurance Business Act pertaining to the person who falls under the category of the Bankrupt Insurance Company prescribed in Article 260, paragraph (2) of the New Insurance Business Act after 1 April 2006; with regard to the purchase of Insurance Claims prescribed in Article 270-6-8, paragraph (1) of the Former Insurance Business Act pertaining to the person who falls under the category of the Bankrupt Insurance Company prescribed in Article 260, paragraph (2) of the Former Insurance Business Act before 1 April 2006, the provisions then in force shall be remain applicable.

（保険議決権保有届出書に関する変更報告書の提出に関する経過措置）

(Transitional Measures regarding Submission of a Statement of Changes for a Statement of Insurance Company Voting Right Holdings)

第十三条　新保険業法第二百七十一条の四第一項の規定は、附則第一条第一号に定める日以後に新保険業法第二百七十一条の三第一項各号に掲げる事項の変更があった場合の新保険業法第二百七十一条の四第一項に規定する変更報告書の提出について適用し、同日前に旧保険業法第二百七十一条の三第一項各号に掲げる事項の変更があった場合の旧保険業法第二百七十一条の四第一項に規定する変更報告書の提出については、なお従前の例による。

Article 13 The provisions of Article 271-4, paragraph (1) of the New Insurance Business Act shall apply to the submission of a Statement of Changes prescribed in Article 271-4, paragraph (1) of the New Insurance Business Act in the case where there are modifications to particulars listed in items of Article 271-3, paragraph (1) of the New Insurance Business Act after the day specified in Article 1, paragraph (1) of the Supplementary Provisions; with regard to the submission of a Statement of Changes prescribed in Article 271-4, paragraph (1) of the Former Insurance Business Act in the case where there are modifications to particulars listed in items of Article 271-3, paragraph (1) of the Former Insurance Business Act before that day, the provisions then in force shall be remain applicable.

（保険持株会社に係る業務報告書等に関する経過措置）

(Transitional Measures regarding Business Report, etc. pertaining to Insurance Holding Company)

第十四条　新保険業法第二百七十一条の二十四の規定は、施行日以後に開始する事業年度に係る同条第一項に規定する中間業務報告書及び業務報告書について適用し、施行日前に開始した営業年度に係る旧保険業法第二百七十一条の二十四第一項に規定する業務報告書については、なお従前の例による。

Article 14 The provisions of Article 271-24 of the New Insurance Business Act shall apply to an interim business report and business report prescribed in paragraph (1) of the same Article pertaining to the business year which starts after the Effective Date; with regard to the business report prescribed in Article 271-24, paragraph (1) of the Former Insurance Business Act pertaining to the business year which started before the Effective Date, the provisions then in force shall remain applicable.

（特定保険業を行う法人に関する経過措置）

(Transitional Measures regarding Juridical Persons That Conduct Specified Insurance Business)

第十五条　この法律の施行の際現に特定保険業を行っている法人（株式会社を除く。以下この条において同じ。）が新保険業法第二百七十二条第一項の登録の申請をした場合においては、新保険業法第二百七十二条の四第一項第一号の規定は適用しない。

Article 15 (1) In the case where the juridical person (excluding stock companies; hereinafter the same shall apply in this Article) conducting Specified Insurance Business at the time when this Act enters into force applied for the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act, the provisions of Article 272-4, paragraph (1), item (i) of the New Insurance Business Act shall not be applied.

２　前項の法人に対する新保険業法第二百七十二条の二第一項及び第二百七十二条の四第一項の規定の適用については、新保険業法第二百七十二条の二第一項第二号中「資本金の額又は基金の総額」とあるのは「出資の額又は基金の総額」と、同項第三号中「取締役及び監査役（委員会設置会社にあっては、取締役及び執行役）」とあるのは「役員」と、新保険業法第二百七十二条の四第一項第二号中「資本金の額又は基金の総額」とあるのは「出資の額又は基金の総額」と、「株式会社等」とあるのは「法人」と、同項第三号から第八号までの規定中「株式会社等」とあるのは「法人」と、同項第九号中「他に行う業務が第二百七十二条の十一第二項ただし書に規定する内閣府令で定める業務以外の業務である株式会社等又は当該他に行う」とあるのは「他に行う」と、「認められる株式会社等」とあるのは「認められる法人」と、同項第十号中「取締役、執行役、会計参与又は監査役」とあるのは「役員」と、「株式会社等」とあるのは「法人」と、同項第十一号中「株式会社等」とあるのは「法人」とする。

(2) For the purpose of applying the provisions of Article 272-2, paragraph (1) and Article 272-4, paragraph (1) of the New Insurance Business Act to the juridical person in the preceding paragraph, the term "the amount of capital or the total amount of funds" in Article 272-2, paragraph (1), item (ii) of the New Insurance Business Act shall be deemed to be replaced with "the amount of contribution or the total amount of funds," the term "directors and company auditors (or, in a company with Committees, directors and executive officers)" in item (iii) of the same paragraph shall be deemed to be replaced with "officers," the term "whose capital or total funds" in Article 272-4, paragraph (1), item (ii) of the New Insurance Business Act shall be deemed to be replaced with "whose contribution or total funds," the term "Stock Company, etc." shall be deemed to be replaced with "juridical person," the term "Stock Company, etc." in the provisions of item (iii) to (viii) inclusive of the same paragraph shall be deemed to be replaced with "juridical person," the term "any business other than what is set forth in the proviso to Article 272-11, paragraph (2) to be specified by Cabinet Office Ordinance, or." and the term "Stock Company, etc." in item (ix) of the same paragraph shall be deemed to be replaced with "any other business that" and "juridical person," respectively; the term "directors, executive officers, accounting advisers or company auditors" and "Stock Company, etc." in item (x) of the same paragraph shall be deemed to be replaced with "officers" and "juridical person," respectively, and the term "Stock Company, etc." in item (xi) of the same paragraph shall be deemed to be replaced with "juridical person."

３　第一項の法人で新保険業法第二百七十二条第一項の登録を受けた少額短期保険業者（以下この条において「特定少額短期保険業者」という。）の出資の額又は基金の総額の減少は、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。

(3) Any reduction of the amount of the contribution or total amount of the fund of the Low-Cost, Short-Term Insurer (hereinafter referred to as "Specified Low-Cost, Short-Term Insurer" in this Article) who is the juridical person under paragraph (1) and received the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act shall be null and void without the approval of the Prime Minister.

４　他の法律の規定により特定少額短期保険業者に対し会計帳簿及び会計の書類の閲覧を請求できる権利を有する者（行政庁その他政令で定める者を除く。）は、内閣総理大臣の承認を受けなければ、当該権利を行使することができない。

(4) A person (excluding administrative agencies and other persons specified by a Cabinet Order) who holds the right to request inspection of the accounting books and accounting documents of a Specified Low-Cost, Short-Term Insurer pursuant to the provisions of other Acts may not exercise such right unless receiving the approval of the Prime Minister.

５　特定少額短期保険業者に対する新保険業法第二百七十二条の十一第二項及び第二百七十二条の二十六の規定の適用については、同項中「少額短期保険業に関連する業務として内閣府令で定める業務で、当該少額短期保険業者が」とあるのは「当該少額短期保険業者が」と、新保険業法第二百七十二条の二十六第一項第一号中「第二百七十二条の四第一項第一号から第四号まで」とあるのは「保険業法等の一部を改正する法律（平成十七年法律第三十八号）附則第十五条第二項の規定により読み替えて適用する第二百七十二条の四第一項第二号から第四号まで」と、同条第二項中「取締役、執行役、会計参与又は監査役」とあるのは「役員」とする。

(5) For the purpose of applying the provisions of Article 272-11, paragraph (2) and Article 272-26 of the New Insurance Business Act to a Specified Low-Cost, Short-Term Insurer, the term "to be specified by Cabinet Office Ordinance as related to Low-Cost, Short-Term Insurance Services" in the same paragraph shall be deemed to be deleted, the term "Article 272-4, paragraph (1), items (i) to (iv) inclusive" in Article 272-26, paragraph (1), item (i) of the New Insurance Business Act shall be deemed to be replaced with "Article 272-4, paragraph (1), items (ii) to (iv) inclusive as applied with relevant changes in interpretation pursuant to the provisions of Article 15, paragraph (2) of the Supplementary Provisions of the Act on Partial Revision of the Insurance Business Act, etc. (Act No. 38 of 2005)" and the term "director, executive officer, accounting advisor or company auditor" in paragraph (2) of the same Article shall be deemed to be replaced with "officer."

６　特定少額短期保険業者は、新保険業法第二百七十二条の二十九の規定にかかわらず、同条において準用する新保険業法第百三十五条第一項に規定する移転先会社となることができない。

(6) A Specified Low-Cost, Short-Term Insurer cannot be a Transferee Company prescribed in Article 135, paragraph (1) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-29 of the New Insurance Business Act, notwithstanding of that Article.

７　特定少額短期保険業者が新保険業法第二百七十二条の二十九において準用する新保険業法第百三十五条第三項に規定する移転会社である場合においては、新保険業法第二百七十二条の二十九において準用する新保険業法第百三十六条第一項及び第三項中「移転会社及び移転先会社」とあるのは「移転先会社」と、新保険業法第二百七十二条の二十九において準用する新保険業法第百三十六条の二第一項中「取締役（委員会設置会社にあっては、執行役）」とあるのは「役員」と、「前条第一項の株主総会等の会日の二週間前」とあるのは「第百三十五条第一項の契約に係る契約書（以下この節において「移転契約書」という。）の作成日」と、「第百三十五条第一項の契約に係る契約書その他の」とあるのは「移転契約書その他の」と、同条第二項中「移転会社の株主又は保険契約者」とあるのは「移転対象契約者」と、新保険業法第二百七十二条の二十九において準用する新保険業法第百三十八条中「第百三十六条第一項の決議があった時」とあるのは「移転契約書を作成した時」とする。

(7) In the case where a Specified Low-Cost, Short-Term Insurer is a Transferor Company prescribed in Article 135, paragraph (3) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-29 of the New Insurance Business Act, the term "the Transferor Company and the Transferee Company" in Article 136, paragraphs (1) and (3) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-29 of the New Insurance Business Act shall be deemed to be replaced with "the Transferee Company," the terms "directors (or, in a company with Committees, executive officers)," "for a period ranging from two weeks before the date of the Shareholders' Meeting, etc. set forth in paragraph (1) of the preceding Article," and "the Transfer Agreement concluded under Article 135, paragraph (1) and other" in Article 136-2, paragraph (1) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-29 of the New Insurance Business Act shall be deemed to be replaced with "officers," "on the creation day of the contract pertaining to the contract set forth in Article 135, paragraph (1) (hereinafter defined as "Transfer Agreement")," and "the Transfer Agreement and other," respectively; the term "A shareholder or Policyholder of the Transferor Company" in paragraph (2) of the same Article shall be deemed to be replaced with "An Affected Policyholder,", and the term "the time of the adoption of the resolution under Article 136, paragraph (1)" in Article 138 of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-29 of the New Insurance Business Act shall be deemed to be replaced with "the time of preparation of the Transfer Agreement."

８　特定少額短期保険業者は、新保険業法第二百七十二条の三十第二項の規定にかかわらず、同項において準用する新保険業法第百四十四条第一項に規定する受託会社となることができない。

(8) A Specified Low-Cost, Short-Term Insurer cannot be an Entrusted Company prescribed in Article 144, paragraph (1) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-30, paragraph (2) of the New Insurance Business Act notwithstanding the provisions of that paragraph.

９　特定少額短期保険業者が新保険業法第二百七十二条の三十第二項において準用する新保険業法第百四十四条第二項に規定する委託会社である場合においては、同項中「当該管理の委託をする保険会社（以下この節において「委託会社」という。）及び受託会社」とあるのは「受託会社」と、新保険業法第二百七十二条の三十第二項において準用する新保険業法第百四十六条第三項中「商業登記法第十八条、第十九条（申請書の添付書面）及び第四十六条（添付書面の通則）（これらの規定を第六十七条において準用する場合を含む。）に定める書類のほか、次に掲げる書類」とあるのは「次に掲げる書類」と、新保険業法第二百七十二条の三十第二項において準用する新保険業法第百四十九条第一項中「委託会社及び受託会社」とあるのは「受託会社」とする。

(9) In the case where a Specified Low-Cost, Short-Term Insurer is an Entrusting Company prescribed in Article 144, paragraph (2) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-30, paragraph (2) of the New Insurance Business Act, the term "both the Insurance Company entrusting the administration (hereinafter referred to as "Entrusting Company" in this Section) and" in Article 144, paragraph (2) shall be deemed to be deleted; the term ", in addition to the documents set forth in Articles 18 and 19 (Documents to be attached to written application) and Article 46 (General rules on attached documents) of the Commercial Registration Act (including the cases where they are applied mutatis mutandis pursuant to Article 67)" in Article 146, paragraph (3) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-30, paragraph (2) of the New Insurance Business Act shall be deemed to be deleted; and the term "both the Entrusting Company and" in Article 149, paragraph (1) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272-30, paragraph (2) of the New Insurance Business Act shall be deemed to be deleted.

１０　特定少額短期保険業者は、他の法律の規定にかかわらず、定款に解散の事由を定めてはならない。

(10) A Specified Low-Cost, Short-Term Insurer shall not specify the reason of dissolution in the articles of incorporation notwithstanding of the provisions of other Acts.

１１　特定少額短期保険業者は、解散又は特定保険業を廃止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。

(11) A Specified Low-Cost, Short-Term Insurer shall obtain authorization from the Prime Minister when the Specified Low-Cost, Short-Term Insurer seeks to dissolve or abolish the Specified Insurance Business.

１２　新保険業法第百五十三条第二項の規定は前項の認可の申請について、同条第三項の規定は前項の認可の申請をした特定少額短期保険業者について、新保険業法第百五十四条の規定は同項の認可を受けた特定少額短期保険業者について、それぞれ準用する。

(12) The provisions of Article 153, paragraph (2) of the New Insurance Business Act shall apply mutatis mutandis to the application for approval set forth in the preceding paragraph, the provisions of Article 153, paragraph (3) shall apply mutatis mutandis to the Specified Low-Cost, Short-Term Insurer who applied for the approval set forth in the preceding paragraph, and the provisions of Article 154 of the New Insurance Business Act shall apply mutatis mutandis to the Specified Low-Cost, Short-Term Insurer who received the approval set forth in the same paragraph respectively.

１３　特定少額短期保険業者の合併は、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。

(13) The merger of a Specified Low-Cost, Short-Term Insurer shall be null and void without the approval of the Prime Minister.

１４　新保険業法第百六十七条第二項の規定は、前項の認可の申請について準用する。

(14) The provisions of Article 167, paragraph (2) of the New Insurance Business Act shall apply mutatis mutandis to the application for the approval of the preceding paragraph.

１５　第十三項の認可を受けて合併により設立される法人は、当該設立の時に、新保険業法第二百七十二条第一項の登録を受けたものとみなす。

(15) A juridical person that is established by merger upon receiving the approval set forth in paragraph (13) shall be deemed that the juridical person received the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act at such establishment.

１６　特定少額短期保険業者の会社分割は、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。

(16) A company split by a Specified Low-Cost, Short-Term Insurer shall be null and void without the approval of the Prime Minister.

１７　新保険業法第百七十三条の六第二項の規定は、前項の認可の申請について準用する。

(17) The provisions of Article 173-6, paragraph (2) of the New Insurance Business Act shall apply mutatis mutandis to the application for the approval set forth in the preceding paragraph.

１８　特定少額短期保険業者に対する新保険業法第二編第十章第二節の規定の適用については、新保険業法第二百五十条第四項中「第一項の場合において、保険会社等」とあるのは「第一項の場合において、保険会社等（保険業法等の一部を改正する法律（平成十七年法律第三十八号）附則第十五条第三項に規定する特定少額短期保険業者を除く。）」と、「外国保険会社等」とあるのは「外国保険会社等（同法附則第十五条第三項に規定する特定少額短期保険業者を含む。）」と、新保険業法第二百五十四条第三項中「第一項の保険会社等は、」とあるのは「第一項の場合において、保険会社等（特定少額短期保険業者（保険業法等の一部を改正する法律附則第十五条第三項に規定する特定少額短期保険業者をいう。以下この項において同じ。）を除く。）にあっては」と、「目的となっている旨を」とあるのは「目的となっている旨を、特定少額短期保険業者にあっては合併契約書の作成日において、当該契約条件の変更を含む合併契約書が作成された旨を、それぞれ」とする。

(18) For the purpose of applying the provisions of Part II, Chapter X, Section 2 of the New Insurance Business Act to a Specified Low-Cost, Short-Term Insurer, the term "In the case set forth in paragraph (1), an Insurance Company, etc." and the term "a Foreign Insurance Company, etc.," in Article 250, paragraph (4) of the New Insurance Business Act shall be deemed to be replaced with "In the case of paragraph (1), an Insurance Company, etc. (excluding the Specified Low-Cost, Short-Term Insurer prescribed in Article 15, paragraph (3) of the Supplementary Provisions of the Act on Partial Revision of the Insurance Business Act, etc. (Act No. 38 of 2005))" and "a Foreign Insurance Company, etc. (including the Specified Low-Cost, Short-Term Insurer prescribed in Article 15, paragraph (3) of the Supplementary Provisions of that Act)," respectively; the term "The Insurance Company, etc., set forth in paragraph (1)" and the term "the purpose of the meeting" in Article 254, paragraph (3) of the New Insurance Business Act shall be deemed to be replaced with "In the case of paragraph (1), the Insurance Company, etc. (excluding the Specified Low-Cost, Short-Term Insurer (meaning the Specified Low-Cost, Short-Term Insurer prescribed in Article 15, paragraph (3) of the Supplementary Provisions of the Act on Partial Revision of the Insurance Business Act, etc.; hereinafter the same shall apply in this paragraph))" and "the purpose of the meeting; the Specified Low-Cost, Short-Term Insurer, etc. shall, on the date the merger agreement was created, make public notice to the effect that contracts that contain said Modifications of Contract Conditions have been issued."

１９　特定少額短期保険業者に対する新保険業法第三百三十三条の規定の適用については、同条第一項中「発起人、設立時取締役、設立時執行役、設立時監査役、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」とあるのは、「発起人、役員」とする。

(19) For the purpose of applying the provisions of Article 333 of the New Insurance Business Act to a Specified Low-Cost, Short-Term Insurer, the term "the incorporator, the director at the incorporation, the executive officer at the incorporation, the company auditor at the incorporation, the director, the executive officer, the accounting advisor or the member who is supposed to carry out such duties and the company auditor" in paragraph (1) of the same Article shall be deemed to be replaced with "the incorporator, the officer."

２０　特定少額短期保険業者の公告方法は、時事に関する事項を掲載する日刊新聞紙に掲載する方法とする。

(20) The Method of Public Notice for a Specified Low-Cost, Short-Term Insurer shall be publication in a daily newspaper that publishes the particulars of current events.

（特定保険業者であった少額短期保険業者等に関する経過措置）

(Transitional Measures regarding Low-Cost, Short-Term Insurer, etc., who was a Specified Insurer)

第十六条　特定保険業者であった少額短期保険業者又は特定保険業者から保険契約の移転を受け、若しくは保険契約を承継した少額短期保険業者（施行日から起算して二年を経過する日までの間に附則第四条第七項、第八項、第十一項又は第十二項の規定による当該保険契約の移転又は承継の認可の申請及び新保険業法第二百七十二条第一項の登録の申請をした者に限る。）は、施行日から起算して七年を経過する日までの間は、新保険業法第三条第一項の規定にかかわらず、保険金額が新保険業法第二条第十七項に規定する政令で定める金額を超え、政令で定める金額以下である保険の引受けを行うことができる。

Article 16 (1) A Low-Cost, Short-Term Insurer that was a Specified Insurer or a Low-Cost, Short-Term Insurer that received the transfer of, or succeeded to, the insurance contracts from a Specified Insurer (limited to a person who applied for the approval of transfer or succession of said insurance contracts pursuant to the provisions of Article 4, paragraph (7), (8), (11) or (12) of the Supplemental Provisions by the day when two years have passed since the Effective Date and for the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act) may, notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Act, underwrite insurance with insurance proceeds of more than the amount specified by Cabinet Order set forth in Article 2, paragraph (17) of the New Insurance Business Act and less than the amount specified by Cabinet Order, until the day on which seven years have passed since the Effective Date.

２　少額短期保険業者は、前項の規定により保険金額が新保険業法第二条第十七項に規定する政令で定める金額を超える保険の引受けを行うときは、内閣府令で定めるところにより、当該超える金額以上の金額を再保険金額とする再保険を保険会社（外国保険会社等を含む。以下この条において同じ。）に付さなければならない。

(2) A Low-Cost, Short-Term Insurer shall, when underwriting insurance whose insurance proceeds exceed the amount specified by Cabinet Order set forth in Article 2, paragraph (17) of the New Insurance Business Act pursuant to the provisions of the preceding paragraph, have reinsurance whose insurance proceeds equal or exceed that excess amount with an Insurance Company (including Foreign Insurance Companies, etc.; hereinafter the same shall apply in this Article) pursuant to Cabinet Office Ordinance.

３　少額短期保険業者は、第一項の規定により保険金額が新保険業法第二条第十七項に規定する政令で定める金額を超える保険の引受けを行うときは、あらかじめ、再保険に付す保険会社の商号、名称又は氏名、再保険の内容その他の内閣府令で定める事項を記載した届出書を内閣総理大臣に届け出なければならない。

(3) When underwriting insurance whose insurance proceeds exceed the amount specified by Cabinet Order set forth in Article 2, paragraph (17) of the New Insurance Business Act pursuant to the provisions of paragraph (1), a Low-Cost, Short-Term Insurer shall, in advance, submit notice detailing the trade name and name of the Insurance Company with which the reinsurance is effected, and contents of the reinsurance as well as other particulars specified by Cabinet Office Ordinance to the Prime Minister.

４　少額短期保険業者は、第一項の規定により保険金額が新保険業法第二条第十七項に規定する政令で定める金額を超える保険の引受けを行うときは、あらかじめ、顧客に対して、次に掲げる事項を明らかにしなければならない。

(4) When underwriting insurance whose insurance proceeds exceed the amount specified by Cabinet Order set forth in Article 2, paragraph (17) of the New Insurance Business Act pursuant to the provisions of paragraph (1), a Low-Cost, Short-Term Insurer shall, in advance, disclose the particulars listed below to the customers.

一　再保険に付す保険会社の商号、名称又は氏名

(i) Trade name and name of the Insurance Company with which the reinsurance is effected

二　再保険に付す再保険金額その他の再保険の内容

(ii) Amount of reinsurance proceeds to be effected and other contents of the reinsurance.

三　その他内閣府令で定める事項

(iii) Other particulars specified by Cabinet Office Ordinance.

５　第一項の規定により保険金額が新保険業法第二条第十七項に規定する政令で定める金額を超える保険の引受けを行う場合において、その保険に係る再保険を外国保険業者に付すことが次に掲げる場合に該当するものとして内閣総理大臣の承認を受けた少額短期保険業者については、第二項の規定は適用しない。この場合において、当該少額短期保険業者は、内閣府令で定めるところにより、当該超える金額以上の金額を再保険金額とする再保険を当該外国保険業者に付さなければならない。

(5) When the underwriting of the insurance whose insurance proceeds exceed the amount specified by Cabinet Order provided in the Article 2, paragraph (17) of the New Insurance Business Act pursuant to the provisions of paragraph (1) is performed, the provisions of the paragraph (2) shall not apply to a Low-Cost, Short-Term Insurer for whom the effecting reinsurance pertaining to such insurance with a Foreign Insurer was approved by the Prime Minister as falling under any of the following cases. In this case, pursuant to the provisions of a Cabinet Office Ordinance, such Low-Cost, Short-Term Insurer shall have reinsurance whose insurance proceeds equal or exceed that excess amount with said Foreign Insurer.

一　再保険の内容が法令に違反し、又は不公正なものでないこと。

(i) The contents of the reinsurance do not violate the laws and regulations, or are not unfair.

二　当該再保険に代えて、当該再保険と同等又は有利な条件の再保険を保険会社に付すことが困難であること。

(ii) Instead of said reinsurance, effecting reinsurance with an Insurance Company on the terms equivalent to or more favorable than those of said reinsurance is difficult.

三　当該再保険を付すことにより、被保険者その他の関係者の利益が不当に侵害されるおそれがないこと。

(iii) Effecting such reinsurance poses no risk of unduly harming the interest of the insured and other relevant persons.

６　前項の規定により再保険を外国保険業者に付す場合においては、第四項第一号中「保険会社の商号、名称又は氏名」とあるのは、「外国保険業者の商号、名称又は氏名」とする。

(6) In the case the reinsurance contract is entered into with a Foreign Insurer pursuant to the provisions of the preceding paragraph, the term "trade name and name of an Insurance Company" in paragraph (4), item (i) shall be deemed to be replaced with "trade name and name of a Foreign Insurer."

７　内閣総理大臣は、第五項の承認を行う場合にいて、同項第二号に掲げる場合に該当するかどうかについて保険会社に確認することができる。

(7) When giving an approval set forth in paragraph (5), the Prime Minister may confirm with the Insurance Company whether it falls under any case of item (ii) of the same paragraph.

８　内閣総理大臣は、第五項の承認を行った場合において、再保険を当該外国保険業者に付すことが同項各号に掲げる場合に該当しなくなったときは、同項の承認を取り消すことができる。この場合において、同項の少額短期保険業者は、遅滞なく、同項後段の超える金額以上の金額を再保険金額とする再保険を他の保険会社又は外国保険業者に付さなければならない。

(8) When an approval set forth in paragraph (5) was made, the Prime Minister may rescind the approval of the same paragraph when effecting reinsurance with such Foreign Insurer does not fall under the cases listed in the items of the same paragraph. In this case, the Low-Cost, Short-Term Insurer set forth in the same paragraph shall, without delay, have reinsurance whose insurance proceeds equal or exceed the excess amount set forth in the second sentence of the same paragraph with the other Insurance Company or Foreign Insurer.

９　特定保険業者は、新保険業法第二百七十二条第一項の登録を受けた場合には、新保険業法第三条第一項の規定にかかわらず、当該登録前に引き受けた保険金額が新保険業法第二条第十七項に規定する政令で定める金額を超える保険契約に係る業務及び財産の管理を行うことができる。

(9) The Specified Insurer may, if it received the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act, manage business or properties pertaining to the insurance contract which was underwritten prior to such registration and whose insurance proceeds exceed the amount specified by Cabinet Order set forth in Article 2, paragraph (17) of the New Insurance Business Act, notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Act.

１０　少額短期保険業者は、新保険業法第三条第一項の規定にかかわらず、特定保険業者が施行日前又は附則第二条第一項の規定により特定保険業を行う間に引き受けた保険金額が新保険業法第二条第十七項に規定する政令で定める金額を超える保険契約の移転を受け、又は保険契約を承継して、当該保険契約に係る業務及び財産の管理を行うことができる。

(10) Notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Act, a Low-Cost, Short-Term Insurer may manage business or properties pertaining to the insurance contract which was underwritten prior to the Effective Date or during the period when the Specified Insurer conducted Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions and whose insurance proceeds exceed the amount specified by Cabinet Order set forth in Article 2, paragraph (17) of the New Insurance Business Act, after the Specified Insurer received the transfer of, or succeeded to, such insurance contract.

１１　第九項又は前項の場合においては、少額短期保険業者は、内閣府令で定めるところにより、第九項又は前項の超える金額以上の金額を再保険金額とする再保険を保険会社又は外国保険業者に付さなければならない。

(11) In the case of paragraph (9) or the case in the preceding paragraph, a Low-Cost, Short-Term Insurer shall effect reinsurance with an Insurance Company or a Foreign Insurer whose insurance proceeds equals or exceed the excess amount prescribed in paragraph (9) or the preceding paragraph, pursuant to the provisions of a Cabinet Office Ordinance.

１２　少額短期保険業者は、前項の規定により再保険を保険会社又は外国保険業者に付したときは、遅滞なく、当該保険会社又は外国保険業者の商号、名称又は氏名、再保険の内容その他の内閣府令で定める事項を記載した届出書を内閣総理大臣に届け出なければならない。

(12) A Low-Cost, Short-Term Insurer shall, if it effected reinsurance with an Insurance Company or a Foreign Insurer pursuant to the provisions in the preceding paragraph, submit notice detailing the trade name and name of such Insurance Company or Foreign Insurer and other particulars specified by Cabinet Office Ordinance to the Prime Minister without delay,.

１３　特定保険業者は、新保険業法第二百七十二条第一項の登録を受けた場合には、新保険業法第三条第一項の規定にかかわらず、当該登録前に引き受けた保険期間が新保険業法第二条第十七項に規定する政令で定める期間を超える保険契約に係る業務及び財産の管理を行うことができる。

(13) A Specified Insurer may, if it received the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act, manage business or properties pertaining to the insurance contract which was underwritten prior to such registration and whose term of coverage exceeds the period specified by Cabinet Order set forth in Article 2, paragraph (17) of the New Insurance Business Act, notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Act.

１４　特定保険業者から保険契約の移転を受け、若しくは保険契約を承継することを約する少額短期保険業者又は特定保険業者から保険契約の移転を受け、若しくは保険契約を承継した少額短期保険業者は、新保険業法第三条第一項の規定にかかわらず、当該保険契約の移転をし、若しくは保険契約を承継させることを約する者又は当該保険契約の移転をし、若しくは保険契約を承継させた者が施行日前又は附則第二条第一項の規定により特定保険業を行う間に引き受けた保険期間が新保険業法第二条第十七項に規定する政令で定める期間を超える保険契約の移転を受け、又は保険契約を承継して、当該保険契約に係る業務及び財産の管理を行うことができる。

(14) A Low-Cost, Short-Term Insurer who has committed that it will receive the transfer of insurance contracts from a Specified Insurer or succeed to insurance contracts from a Specified Insurer, or a Low-Cost, Short-Term Insurer who received the transfer of insurance contracts from a Specified Insurer or succeeded insurance contracts from a Specified Insurer may, notwithstanding the provisions of Article 3, paragraph (1) of the New Insurance Business Act, receive the transfer of insurance contracts which were underwritten prior to the Effective Date or during the period when the Specified Insurer conducted Specified Insurance Business pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions and whose term of coverage exceeds the period specified by Cabinet Order set forth in Article 2, paragraph (17) of the New Insurance Business Act or succeed to such insurance contracts, and manage business and properties pertaining to such insurance contracts.

１５　第一項、第五項、第九項、第十項、第十三項又は前項の場合においては、新保険業法第二条第十八項中「少額短期保険業を行う者」とあるのは「少額短期保険業（保険業法等の一部を改正する法律（平成十七年法律第三十八号）附則第十六条第一項、第九項、第十項、第十三項又は第十四項の規定により行う保険業を含む。）を行う者」と、新保険業法第二百七十二条第一項中「少額短期保険業」とあるのは「少額短期保険業（保険業法等の一部を改正する法律附則第十六条第一項、第九項、第十項、第十三項又は第十四項の規定により行う保険業を含む。次条第一項第五号、第二百七十二条の四第一項第九号及び第十一号、第二百七十二条の五第二項及び第五項、第二百七十二条の九、第二百七十二条の十一第一項及び第二項、第二百七十二条の二十一第一項第一号、第二百七十二条の二十七並びに第三百十五条第四号において同じ。）」と、新保険業法第二百七十二条の二十六第一項第一号中「第十一号」とあるのは「保険業法等の一部を改正する法律附則第十六条第十五項において読み替えて適用する第二百七十二条の四第一項第十一号」とする。

(15) In the cases of paragraphs (1), (5), (9), (10), and (13) or of the preceding paragraph, the term "conducts Low-Cost, Short-Term Insurance Business" in Article 2, paragraph (18) of the New Insurance Business Act shall be deemed to be replaced with "conducts Low-Cost, Short-Term Insurance Business (including Insurance Business conducted pursuant to the provisions of Article 16, paragraph (1), (9), (10), (13) or (14) of the Supplementary Provisions of Act on Partial Revision of Insurance Business Act etc.(Act No. 38 of 2005)," the term "Low-Cost, Short-Term Insurance Business" in Article 272, paragraph (1) of the New Insurance Business Act shall be deemed to be replaced with "Low-Cost, Short-Term Insurance Business (including Insurance Business conducted pursuant to the provisions of Article 16, paragraph (1), (9), (10), (13) or (14) of the Supplementary Provisions of Act on Partial Revision of Insurance Business Act etc.; the same shall apply in paragraph (1), item (v) of the following Article, Article 272-4, paragraph (1), items (ix) and (xi), Article 272-5, paragraphs (2) and (5), Article 272-9, Article 272-11, paragraphs (1) and (2), Article 272-21, paragraph (1), item (i), Article 272-27 and Article 315, item (iv))", and the term "(xi)" in Article 272-26, paragraph (1), item (i) of the New Insurance Business Act shall be deemed to be replaced with "(xi) of Article 272-4, paragraph (1) as applied with the change in interpretation pursuant to Article 16, paragraph (15) of the Supplementary Provisions of Act on Partial Revision of Insurance Business Act etc."

１６　第十三項又は第十四項の場合において、少額短期保険業者が行う新保険業法第二百七十二条の十八において準用する新保険業法第百十六条第一項に規定する責任準備金の積立てに関し必要な事項は、内閣府令で定める。

(16) In paragraph (13) or (14), necessary particulars regarding the accumulation of policy reserves performed by a Low-Cost, Short-Term Insurer set forth in Article 116, paragraph (1) of the New Insurance Business Act as applied mutates mutandis pursuant to Article 272-18 of the New Insurance Business Act.

１７　新保険業法第二百七十二条の十八において準用する新保険業法第百十三条の規定は、特定保険業者から保険契約の移転を受け、又は保険契約を承継した少額短期保険業者（施行日から起算して二年を経過する日までの間に附則第四条第七項、第八項、第十一項又は第十二項の規定による当該保険契約の移転又は承継の認可の申請及び新保険業法第二百七十二条第一項の登録の申請をした者に限る。）については、適用しない。

(17) The provisions of Article 113 of the New Insurance Business Act applied mutatis mutandis to Article 272-18 of the New Insurance Business Act shall not apply to a Low-Cost, Short-Term Insurer who received a transfer of insurance contracts from a Specified Insurer or succeeded insurance contracts from a Specified Insurer (limited to a person who applied for the approval of transfer or succession of said insurance contracts pursuant to the provisions of Article 4, paragraph (7), (8), (11) or (12) of the Supplemental Provisions by the day when two years have passed since the Effective Date, or a person who applied for the registration of Article 272, paragraph (1) of the New Insurance Business Act).

１８　特定保険業者であった少額短期保険業者又は特定保険業者から保険契約の移転を受け、若しくは保険契約を承継した少額短期保険業者（施行日から起算して二年を経過する日までの間に附則第四条第七項、第八項、第十一項又は第十二項の規定による当該保険契約の移転又は承継の認可の申請及び新保険業法第二百七十二条第一項の登録の申請をした者に限る。）は、内閣総理大臣に届け出て、施行日から起算して五年を経過する日までの間に終了する決算期において、新保険業法第二百七十二条の十八において準用する新保険業法第百十六条第一項に規定する責任準備金のうち内閣府令で定めるものを積み立てないことができる。

(18) The Low-Cost, Short-Term Insurer who was a Specified Insurer, or the Low-Cost, Short-Term Insurer who received the transfer of insurance contracts from a Specified Insurer or succeeded to insurance contracts from a Specified Insurer (limited to a person who applied for the approval of transfer or succession of said insurance contracts pursuant to the provisions of Article 4, paragraph (7), (8), (11) or (12) of the Supplemental Provisions or applied for the registration set forth in Article 272, paragraph (1) of the New Insurance Business Act by the day when two years have passed since the Effective Date) may, by notifying the Prime Minister, be relieved of the requirement of accumulating of the policy reserves specified by a Cabinet Office Ordinance set forth in Article 116, paragraph (1) of the New Insurance Business Act as applied mutatis mutandis pursuant to Article 272, paragraph (18) of the New Insurance Business Act for the accounting period that ends by the day when five years have passed since the Effective Date.

（標識の掲示に関する経過措置）

(Transitional Measures regarding Posting of Sign)

第十七条　新保険業法第二百七十二条の八第二項の規定は、この法律の施行の際現に同条第一項に規定する標識又はこれに類似する標識を掲示している者については、施行日から起算して六月を経過する日までの間は、適用しない。

Article 17 The provisions of Article 272-8, paragraph (2) of the New Insurance Business Act does not apply to a person who posts a sign set forth in paragraph (1) of the same Article or a sign similar to this at the time when this Act enters into force, until the day on which six months have passed from the Effective Date.

（罰則）

(Penal Provisions)

第十九条　附則第三条第一項の規定による届出書及び同条第二項の規定により添付すべき書類を提出せず、又はこれらの書類に記載すべき事項を記載せず、若しくは虚偽の記載をしてこれらの書類を提出した者は、一年以下の懲役又は三百万円以下の罰金に処する。

Article 19 (1) A person who has failed to submit notice pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions and documents that must be attached pursuant to the provisions of paragraph (2) of the same Article, or a person who has submitted such documents but failed to detail the particulars that are required to be detailed therein or included false details shall be punished by imprisonment with work for not more than five years or by a fine of not more than three million yen.

２　法人（法人で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。以下この項において同じ。）の代表者若しくは管理人又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前項の違反行為をしたときは、その行為者を罰するほか、その法人又は人に対して同項の罰金刑を科する。

(2) When a representative person or administrator of a juridical person (including an association or foundation that is not a juridical person and has provisions on representative persons or administrators; hereinafter the same shall apply in this paragraph) or any agent, employee or other worker of a juridical person or an individual has done the violation set forth in the preceding paragraph with regard to the business of said juridical person or individual, not only the offender shall be punished but also said juridical person or individual shall be punished by the fine prescribed in the respective paragraph.

（内閣府令への委任）

(Delegation to Cabinet Office Ordinance)

第三十四条　この附則に定めるもののほか、この附則の規定による認可又は承認に関する申請の手続、書類の提出その他この法律を実施するため必要な事項は、内閣府令で定める。

Article 34 In addition to what is provided for in the Supplementary Provisions, the procedures for application pertaining to the authorization or approval pursuant to the provisions of the Supplementary Provisions, submission of documents, and any other particular that is necessary in order for this Act to be implemented shall be specified by Cabinet Office Ordinance.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第三十五条　この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 35 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act and actions taken after the enforcement of this Act in the cases where the provisions then in force are to remain applicable pursuant to the provisions of the Supplementary Provisions, the provisions then in force shall remain applicable.

（権限の委任）

(Delegation of Authority)

第三十六条　内閣総理大臣は、この附則による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 36 (1) The Prime Minister shall delegate his/her authority under the Supplementary Provisions (except for authority to be specified by Cabinet Order) to the Commissioner of Financial Services Agency.

２　前項の規定により金融庁長官に委任された権限については、政令で定めるところにより、そ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) With regard to the authority delegated to the Commissioner of Financial Services Agency pursuant to the provisions in the preceding paragraph, part of it may be delegated to the Director-Generals of Local Finance Bureaus or Local Finance Branch Bureaus pursuant to the provisions of a Cabinet Order.

（政令への委任）

(Delegation to Cabinet Order)

第三十七条　この附則に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 37 In addition to what is provided for in the Supplementary Provisions, necessary transitional measures regarding the enforcement of the Act will be specified by Cabinet Order.

（検討）

(Review)

第三十八条　政府は、この法律の施行後三年以内に、生命保険契約者保護機構に対する政府の補助及び生命保険契約者保護機構による資金援助等の保険契約者等の保護のための特別の措置等に係る制度等の実施状況、生命保険契約者保護機構の財務の状況、保険会社の経営の健全性の状況等を勘案し、生命保険契約者保護機構の資金援助等に要する費用に係る負担の在り方、政府の補助に係る規定の継続の必要性等について検討を行い、適切な見直しを行うものとする。

Article 38 (1) Within three years after the enforcement of this Act, the government shall consider the implementations of systems, etc., pertaining to special measures, etc. for protection of Policyholders, etc., including government assistance for Life Insurance Policyholders Protection Corporation and Financial Assistance, etc., by Life Insurance Policyholders Protection Corporation, the financial conditions of Life Insurance Policyholders Protection Corporation, and the soundness of the management of an Insurance Company, among other factors, examine the bearing of expenses required for the Financial Assistance, etc., of Life Insurance Policyholders Protection Corporation and necessities, etc. for the continuation of the provisions pertaining to the government assistance, and conduct an appropriate review.

２　政府は、この法律の施行後五年以内に、再保険を保険会社に付して行う業務その他の少額短期保険業者の業務の状況、保険会社が引き受ける保険の多様化の状況、経済社会情勢の変化等を勘案し、この法律に規定する保険業に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) Within five years after the enforcement of the Act, the government shall consider the status of business for which reinsurance is effected with an Insurance Company and other business of a Low-Cost, Short-Term Insurer, the conditions of diversification of insurance that an Insurance Company underwrites, as well as the changes in economic and social conditions, review systems pertaining to the Insurance Business specified in this Act, and take necessary measures based on its results, when necessary.

附　則　〔平成十七年七月二十六日法律第八十七号〕〔抄〕

Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]

この法律は、会社法の施行の日から施行する。

This Act shall come into effect as of the Effective Date of the Companies Act.

附　則　〔平成十七年十月二十一日法律第百二号〕〔抄〕

Supplementary Provisions [Act No. 102 of October 21, 2005] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、郵政民営化法の施行の日から施行する。

Article 1 This Act shall come into effect as of the Effective Date of Postal Service Privatization Act.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第百十七条　この法律の施行前にした行為、この附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為、この法律の施行後附則第九条第一項の規定によりなおその効力を有するものとされる旧郵便為替法第三十八条の八（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第十三条第一項の規定によりなおその効力を有するものとされる旧郵便振替法第七十条（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第二十七条第一項の規定によりなおその効力を有するものとされる旧郵便振替預り金寄附委託法第八条（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第三十九条第二項の規定によりなおその効力を有するものとされる旧公社法第七十条（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第四十二条第一項の規定によりなおその効力を有するものとされる旧公社法第七十一条及び第七十二条（第十五号に係る部分に限る。）の規定の失効前にした行為並びに附則第二条第二項の規定の適用がある場合における郵政民営化法第百四条に規定する郵便貯金銀行に係る特定日前にした行為に対する罰則の適用については、なお従前の例による。

Article 117 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act; actions taken after the enforcement of this Act in the cases where the provisions then in force are to remain applicable pursuant to the provisions of the Supplementary Provisions; actions taken prior to the lapse of the provisions of Article 38-8 of the Former Postal Money Order Act (limited to the segment pertaining to items (ii) and (iii)) that are to remain in force pursuant to the provisions of Article 9, paragraph (1) of the Supplementary Provisions even after the enforcement of this Act; actions taken prior to the lapse of the provisions of Article 70 of the Former Postal Transfer Act (limited to the segment pertaining to items (ii) and (iii)) that are to remain in force pursuant to the provisions of Article 13, paragraph (1) of the Supplementary Provisions after the enforcement of this Act; actions taken prior to the invalidation of the provisions of Article 8 of the Former Act on the Entrustment of Postal Transfer Deposit and Contribution (limited to the segment pertaining to items (ii)) that are to remain in force pursuant to the provisions of Article 27, paragraph (1) of the Supplementary Provisions even after the enforcement of this Act; actions taken before the lapse of the provisions of Article 70 of the Former Public Companies Act (limited to the segment pertaining to items (ii)) that are to remain in force pursuant to the provisions of Article 39, paragraph (2) of the Supplementary Provisions even after the enforcement of this Act; actions taken prior to the lapse of the provisions of Article 71 and 72 of the Former Public Companies Act (limited to the segment pertaining to items (xv)) that are to remain in force pursuant to the provisions of Article 42, paragraph (1) of the Supplementary Provisions even after the enforcement of this Act; and actions taken prior to the specified day pertaining to the post savings bank prescribed in Article 104 of the Postal Service Privatization Act in the cases where the provisions of Article 2, paragraph (2) of the Supplementary Provisions is applicable, the provisions then in force are to remain applicable.

附　則　〔平成十八年三月三十一日法律第十号〕〔抄〕

Supplementary Provisions [Act No. 10 of March 31, 2006] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成十八年四月一日から施行する。

Article 1 This Act shall come into effect as of 1 April 2006.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第二百十一条　この法律（附則第一条各号に掲げる規定にあっては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 211 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, those provisions; hereinafter the same shall apply in this Article) and actions taken after the enforcement of this Act in the cases where the provisions then in force are to remain applicable pursuant to the provisions of the Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第二百十二条　この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 212 In addition to what is provided for in the Supplementary Provisions, necessary transitional measures concerning the enforcement of this Act shall be specified by Cabinet Order.

附　則　〔平成十八年六月二日法律第五十号〕〔抄〕

Supplementary Provisions [Act No. 50 of June 2, 2006] [Extract]

（施行期日）

(Effective Date)

１　この法律は、一般社団・財団法人法の施行の日から施行する。

(1) This Act shall come into effect as of the Effective Date of Act on General Incorporated Associations and General Incorporated Foundations.

（調整規定）

(Adjustment Provisions)

２　犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律（平成十八年法律第●●●号）の施行の日が施行日後となる場合には、施行日から同法の施行の日の前日までの間における組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（平成十一年法律第百三十六号。次項において「組織的犯罪処罰法」という。）別表第六十二号の規定の適用については、同号中「中間法人法（平成十三年法律第四十九号）第百五十七条（理事等の特別背任）の罪」とあるのは、「一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第三百三十四条（理事等の特別背任）の罪」とする。

(2) If the Effective Date of the Act for Partial Revision of the Penal Code, etc. to Respond to an Increase in International and Organized Crimes and Advancement of Information Processing (Act No. of 2006) is after the Effective Date, for the purpose of applying the provisions of appended table 62 of the Act for Punishment of Organized Crimes and Control of Crime Proceeds (Act No. 136 of 1999; hereinafter referred to as the "Organized Crime Punishment Act") from the Effective Date to the day before the enforcement of that Act, the term "crime set forth in Article 157 (aggravated breach of trust of director etc.) of the Intermediate Corporation Act (Act No. 49 of 2001)" in the same table shall be deemed to be replaced with "crime of Article 334 (aggravated breach of trust of director etc.) of the Act on General Incorporated Associations and General Incorporated Foundations (Act No.48 of 2006)."

３　前項に規定するもののほか、同項の場合において、犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律の施行の日の前日までの間における組織的犯罪処罰法の規定の適用については、第四百五十七条の規定によりなお従前の例によることとされている場合における旧中間法人法第百五十七条（理事等の特別背任）の罪は、組織的犯罪処罰法別表第六十二号に掲げる罪とみなす。

(3) In addition to what is provided for in the provisions in the preceding paragraph, with regard to the application of the provisions of the Organized Crime Punishment Act until the day before the Effective Date of the Act for Partial Revision of the Penal Code, etc. to Respond to an Increase in International and Organized Crimes and Advancement of Information Processing in the case referred to in the preceding paragraph, a crime set forth in Article 157 of the Former Intermediate Corporation Act(aggravated breach of trust of director, etc.) where the provisions then in force remain applicable pursuant to the provisions of Article 457 shall be deemed to be a crime listed in the appended table 62 of the Organized Crime Punishment Act.

附　則　〔平成十八年六月十四日法律第六十五号〕〔抄〕

Supplementary Provisions [Act No. 65 of June 14, 2006] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して一年六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of the date specified by Cabinet Order within a period not exceeding one year and six months from the day of promulgation (hereinafter referred to as the "Effective Date"); provided, however, that the provisions set forth in the following items shall come into effect as of the day prescribed respectively in those items.

一　第一条の規定、第八条中農業協同組合法第三十条の四第二項第二号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項、第百九十八条第一号から第十号まで、第十八号若しくは第十九号」を「第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号」に改める部分に限る。）、第九条中水産業協同組合法第三十四条の四第二項第二号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項、第百九十八条第一号から第十号まで、第十八号若しくは第十九号」を「第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号」に改める部分に限る。）、第十一条中協同組合による金融事業に関する法律第五条の四第四号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号（有価証券の無届募集等の罪）」を「第百九十七条の二第一号から第十号まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）」に改める部分に限る。）、第十三条中信用金庫法第三十四条第四号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号（有価証券の無届募集等の罪）」を「第百九十七条の二第一号から第十号まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）」に改める部分に限る。）、第十五条中労働金庫法第三十四条第四号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号（有価証券の無届募集等の罪）」を「第百九十七条の二第一号から第十号まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）」に改める部分に限る。）、第十八条中保険業法第五十三条の二第一項第三号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号（有価証券の無届募集等の罪）」を「第百九十七条の二第一号から第十号まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）」に改める部分に限る。）、第十九条中農林中央金庫法第二十四条の四第四号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項、第百九十八条第一号から第十号まで、第十八号若しくは第十九号」を「第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号」に改める部分に限る。）並びに附則第二条、第四条、第百八十二条第一項、第百八十四条第一項、第百八十七条第一項、第百九十条第一項、第百九十三条第一項、第百九十六条第一項及び第百九十八条第一項の規定　公布の日から起算して二十日を経過した日

(i) Provision of Article 1; revised provisions in Article 30-4, paragraph (2), item (ii) of the Agricultural Cooperative Association Act in Article 8 (limited to the segment which revises "Article 197, paragraph (1), items (i) to (iv) inclusive or item (vii) or paragraph (2), Article 198, items (i) to (x) inclusive, item (xviii) or (xiv)" to "Article 197, Article 197-2, items (i) to (x) or (xiii), Article 198, item (viii)"); revised provisions in Article 34-4, paragraph (2), item (ii) of the Act on Fishing Cooperatives in Article 9 (limited to the segment which revises "Article 197, paragraph (1), items (i) to (iv) inclusive or item (vii) or paragraph (2), Article 198, items (i) to (x) inclusive, item (xviii) or (xix)" to "Article 197, Article 197-2, items (i) to (x) or item (xiii), Article 198, item (viii)"); revised provisions in Article 5-4, paragraph (4), item (iv) of the Act on Financial Services by Cooperative in Article 11 (limited to the segment which revises "Article 197, paragraph (1), items (i) to (iv) inclusive or item (vii) or paragraph (2)" to "Article 197" and "Article 198, items (i) to (x) inclusive, item (xviii) or (xix) (Crime of Solicitation of Securities by Unregistered Agents etc)" to "Article 197-2, items (i) to (x) or item (xiii) (Crime of Solicitation of Securities by Unregistered Agents. etc), Article 198, item (viii) (Crime of Violating Prohibition Order or Order for Suspension by Court)"; revised provisions in Article 34, item (iv) of the Shinkin Bank Act in Article 13 (limited to the segment which revises "Article 197, paragraph (1), items (i) to (iv) inclusive or item (vii) or paragraph (2)" to "Article 197" and "Article 198, items (i) to (x) inclusive, item (xviii) or (xix) (Crime of Solicitation of Securities by Unregistered Agents etc)" to "Article 197-2, items (i) to (x) or item (xiii) (Crime of Solicitation of Securities by Unregistered Agents etc), Article 198, item (viii) (Crime of Violating Prohibition Order or Order for Suspension by Court)"; revised provisions in Article 34, item (iv) of the Labor Bank Act in Article 15 (limited to the segment which revises "Article 197, paragraph (1), items (i) to (iv) inclusive or item (vii) or paragraph (2)" to "Article 197" and "Article 198, items (i) to (x) inclusive, item (xviii) or (xix) (Crime of Solicitation of Securities by Unregistered Agents etc)" to "Article 197-2, items (i) to (x) or item (xiii) (Crime of Solicitation of Securities by Unregistered Agents etc), Article 198, item (viii) (Crime of Violating Prohibition Order or Order for Suspension by Court)"; revised provisions in Article 53-2, paragraph (1), item (iii) of the Insurance Business Act in Article 18 (limited to the segment which revises "Article 197, paragraph (1), items (i) to (iv) inclusive or item (vii) or paragraph (2)" to "Article 197" and "Article 198, items (i) to (x) inclusive, item (xviii) or (xix) (Crime of Solicitation of Securities by Unregistered Agents etc)" to "Article 197-2, items (i) to (x) or item (xiii) (Crime of Solicitation of Securities by Unregistered Agents etc), Article 198, item (viii) (Crime of Violating Prohibition Order or Order for Suspension by Court)"; revised provisions in Article 24-4, item (iv) of the Norinchukin Bank Act in Article 19 (limited to the segment which revises "Article 197, paragraph (1), items (i) to (iv) inclusive or item (vii) or paragraph (2), or Article 198, items (i) to (x) inclusive, item (xviii) or (xix)" to "Article 197, Article 197-2, items (i) to (x) or item (xiii), Article 198, item (viii)"); and Supplementary Provisions, Article 2, Article 4, Article 182, paragraph (1), Article 184, paragraph (1), Article 187, paragraph (1), Article 190, paragraph (1), Article 193, paragraph (1), Article 196, paragraph (1) and Article 198, paragraph (1): the day on which 20 days have passed from the day of promulgation.

二　附則第三条の規定　犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律（平成十八年法律第●●●号）の施行の日又は前号に掲げる規定の施行の日のいずれか遅い日

(ii) Provision of Article 3 of the Supplementary Provisions: the Effective Date of the Act for Partial Revision of the Penal Code to Respond to an Increase in International and Organized Crimes and Advancement of Information Processing (Act No. of 2006) or the Effective Date of the provisions listed in the preceding item, whichever comes later.

三　第二条の規定（証券取引法第二十七条の二十三の改正規定（「第二十七条の二十五第一項」の下に「及び第二十七条の二十六」を加える部分を除く。）、同法第二十七条の二十四の改正規定、同法第二十七条の二十五の改正規定、同法第二十七条の二十六の改正規定（「株券等の発行者である会社の事業活動を支配する」を「株券等の発行者の事業活動に重大な変更を加え、又は重大な影響を及ぼす行為として政令で定めるもの（第四項及び第五項において「重要提案行為等」という。）を行う」に改める部分及び同条に三項を加える部分を除く。）、同法第二十七条の二十七の改正規定及び同法第二十七条の三十の二の改正規定（「第二十七条の十第二項」を「第二十七条の十第八項及び第十二項」に改める部分及び「第二十七条の十第一項」の下に「若しくは第十一項」を加える部分を除く。）を除く。）並びに附則第七条、第八条及び第十二条の規定　公布の日から起算して六月を超えない範囲内において政令で定める日

(iii) Provisions of Article 2 (excluding revised provisions in Article 27-23 of the Securities and Exchange Act (excluding the segment that adds "and Article 27-26" under "Article 27-25, paragraph (1)"); revised provisions in Article 27-24 of the same Act; revised provisions in Article 27-25 of the same Act; revised provisions in Article 27-26 of the same Act (excluding the segment which revises "control business activities of a company, an issuer of share certificates etc." to "act in any way specified by Cabinet Order as making a significant change in and having a significant impact on the business activities of an issuer of share certificates, etc., (referred to as an "Important Proposed Action, etc." in paragraphs (4) and (5))" and the segment which adds paragraph (3) in the same Article); revised provisions in Article 27-27 of the same Act and revised provisions in Article 27-30, item (ii) of that Act (excluding the segment which revises "Article 27-10, paragraph (2)" to "Article 27-10, paragraphs (8) and (12)" and the segment that adds "or (11)" under "Article 27-10, paragraph (1)")); and provisions of Article 7, Article 8 and Article 12 of the Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding six months from the day of promulgation.

四　第二条中証券取引法第二十七条の二十三の改正規定（「第二十七条の二十五第一項」の下に「及び第二十七条の二十六」を加える部分を除く。）、同法第二十七条の二十四の改正規定、同法第二十七条の二十五の改正規定、同法第二十七条の二十六の改正規定（「株券等の発行者である会社の事業活動を支配する」を「株券等の発行者の事業活動に重大な変更を加え、又は重大な影響を及ぼす行為として政令で定めるもの（第四項及び第五項において「重要提案行為等」という。）を行う」に改める部分及び同条に三項を加える部分を除く。）、同法第二十七条の二十七の改正規定及び同法第二十七条の三十の二の改正規定（「第二十七条の十第二項」を「第二十七条の十第八項及び第十二項」に改める部分及び「第二十七条の十第一項」の下に「若しくは第十一項」を加える部分を除く。）並びに附則第九条から第十一条まで及び第十三条の規定　公布の日から起算して一年を超えない範囲内において政令で定める日

(iv) Revised provisions in Article 27-23 of the Securities and Exchange Act in Article 2 (excluding the segment which adds "and Article 27-26" under "Article 27-25, paragraph (1)"); revised provisions in Article 27-24 of the same Act; revised provisions in Article 27-25 of the same Act; revised provisions in Article 27-26 of the same Act (excluding the segment which revises "control business activities of a company, an issuer of share certificate etc." to "act in any way specified by Cabinet Order as making a significant change in and having a significant impact on the business activities of an issuer of share certificates etc. (referred to as an "Important Proposed Action, etc." in paragraphs (4) and (5))" and the segment which adds paragraph (3) in the same Article); revised provisions in Article 27-27 of the same Act and revised provisions in Article 27-30, item (ii) of the same Act (excluding the segment which revises "Article 27-10, paragraph (2)" to "Article 27-10, paragraphs (8) and (12)" and the segment that adds "or (11)" under "Article 27-10, paragraph (1)"); and provisions from Article 9 to Article 11 and 13 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding one year from the day of promulgation.

五　第四条の規定　一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）の施行の日

(v) The provisions of Article 4: the Effective Date of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006)

（保険業法の一部改正に伴う経過措置）

(Transitional Measures associated with Partial Revision of Insurance Business Act)

第百九十六条　第十八条の規定（第五十三条の二第一項第三号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号（有価証券の無届募集等の罪）」を「第百九十七条の二第一号から第十号まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）」に改める部分に限る。）に限る。）による改正後の保険業法（以下この項において「新保険業法」という。）第五十三条の二第一項第三号（新保険業法第五十三条の五第一項、第五十三条の二十六第四項及び第百八十条の四第三項において準用する場合を含む。）の規定の適用については、第一条の規定による改正前の証券取引法第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項又は第百九十八条第一号から第十号まで、第十八号若しくは第十九号の規定（附則第二百十八条の規定によりなお従前の例によることとされる場合におけるこれらの規定を含む。）に違反し、刑に処せられた者は、第一条の規定による改正後の証券取引法第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号又は第百九十八条第八号の規定に違反し、刑に処せられたものとみなす。

Article 196 (1) With regard to the applications of the provisions of Article 53-2, paragraph (1), item (iii) of the Revised Insurance Business Act (hereinafter referred to as the New Insurance Business Act in this paragraph) (including the cases where it is applied mutatis mutandis pursuant to the provisions of Article 53-5, paragraph (1), Article 53-26, paragraph (4), and Article 180-4, paragraph (3) of the New Insurance Business Act) pursuant to the provisions of Article 18 (limited to the revised provisions in Article 53-2, paragraph (1), item (iii) (limited to the segments that revise "Article 197, paragraph (1), items (i) to (iv) inclusive or item (vii) or paragraph (2)" to "Article 197", and "Article 198, items (i) to (x) inclusive, item (xviii) or (xix) (Crime of Solicitation of Securities by Unregistered Agents, etc)" to "Article 197-2, items (i) to (x) inclusive or item (xiii) (Crime of Solicitation of Securities by Unregistered Agents. etc), Article 198, item (viii) (Crime of Violating Prohibition Order or Order for Suspension by Court)", any person who has violated Article 197, paragraph (1), items (i) to (iv) inclusive, or item (vii), paragraph (2) or Article 198, items (i) to (x) inclusive, item (xviii) or (xix) of the pre-revision Securities and Exchange Act pursuant to the provisions of Article 1 (including these provisions where the provisions then in force remain applicable pursuant to the provisions of Article 218 of the Supplementary Provisions) and who has been punished shall be deemed to have violated Article 197, Article 197-2, items (i) to (x) inclusive or item (xiii), or Article 198, item (viii) of the revised Securities and Exchange Act pursuant to the provisions of Article 1, and to have been punished.

２　第十八条の規定（第五十三条の二第一項第三号の改正規定（「証券取引法」を「金融商品取引法」に、「第二十一号若しくは第二十二号」を「第二十号若しくは第二十一号」に、「証券会社等」を「金融商品取引業者等」に、「第十五号若しくは第十六号」を「第十九号若しくは第二十号」に改める部分に限る。）に限る。）による改正後の保険業法（以下この項において「新々保険業法」という。）第五十三条の二第一項第三号（新々保険業法第五十三条の五第一項、第五十三条の二十六第四項及び第百八十条の四第三項において準用する場合を含む。）の規定の適用については、旧証券取引法第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号、第百九十九条、第二百条第一号から第十二号まで、第二十一号若しくは第二十二号、第二百三条第三項又は第二百五条第一号から第六号まで、第十五号若しくは第十六号の規定（附則第二百十八条の規定によりなお従前の例によることとされる場合におけるこれらの規定を含む。）に違反し、刑に処せられた者は、新金融商品取引法第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号、第百九十九条、第二百条第一号から第十二号まで、第二十号若しくは第二十一号、第二百三条第三項又は第二百五条第一号から第六号まで、第十九号若しくは第二十号の規定に違反し、刑に処せられたものとみなす。

(2) With regard to the application of the provisions of Article 53-2, paragraph (1), item (iii) of the Revised Insurance Business Act (hereinafter referred to as the "Newly Revised Insurance Business Act" in this paragraph) (including the cases where it is applied mutatis mutandis pursuant to Article 53-5, paragraph (1), Article 53-26, paragraph (4) and Article 180-4, paragraph (3) of the Newly Revised Insurance Business Act), pursuant to the provisions of Article 18 (limited to the revised provisions in Article 53-2, paragraph (1), item (iii) (limited to the segments that revise "Securities and Exchange Act" to "Financial Instruments and Exchange Act", "(xxi) or (xxii)" to "(xx) or (xxi)", "securities company etc." to "Financial Instruments Transaction Business Operators, etc." and "(xv) or (xvi)" to "(xix) or (xx)"), any person who has violated the provisions of Article 197 Article 197-2, items (i) to (x) inclusive or item (xiii), Article 198, item (viii), Article 199, Article 200, items (i) to (xii) inclusive, items (xxi) or (xxii), Article 203, paragraph (3) or Article 205, items (i) to (vi) inclusive, item (xv) or (xvi) of the Former Securities and Exchange Act (including these provisions where the provisions then in force remain applicable pursuant to the provisions of Article 218 of the Supplementary Provisions) and has been punished shall be deemed to have violated the provisions of Article 197, Article 197-2, items (i) to (x) inclusive or item (xiii), Article 198, item (viii), Article 199, Article 200, items (i) to (xii) inclusive, item (xx) or (xxi), Article 203, paragraph (3) or Article 205, items (i) to (vi) inclusive, item (xix) or (xx) of the New Financial Instruments and Exchange Act and to have been punished.

第百九十七条　保険会社等（第十八条の規定による改正後の保険業法（以下「改正保険業法」という。）第二条の二第一項に規定する保険会社等をいう。）、外国保険会社等（改正保険業法第二条第七項に規定する外国保険会社等をいう。）又は保険仲立人（改正保険業法第二条第二十五項に規定する保険仲立人をいう。）は、この法律の施行後最初に特定保険契約等（改正保険業法第三百条の二において読み替えて準用する新金融商品取引法第三十四条に規定する特定保険契約等をいう。）の申込みを顧客（新金融商品取引法第二条第三十一項第四号に掲げる者に限る。）から受けた場合であって、この法律の施行前に、当該顧客に対し、この法律の施行後に当該顧客が改正保険業法第三百条の二において準用する新金融商品取引法第三十四条の二第一項の規定による申出ができる旨を改正保険業法第三百条の二において準用する新金融商品取引法第三十四条の例により告知しているときには、当該顧客に対し、改正保険業法第三百条の二において準用する新金融商品取引法第三十四条に規定する告知をしたものとみなす。

Article 197 If an Insurance Company, etc. (meaning an Insurance Company, etc. provided in Article 2-2, paragraph (1) of the Revised Insurance Business Act pursuant to the provisions of Article 18 (hereinafter meaning "Revised Insurance Business Act"), a Foreign Insurance Company, etc. (meaning a Foreign Insurance Company, etc. provided in Article 2, paragraph (7) of the Revised Insurance Business Act), or an Insurance Broker (meaning an Insurance Broker provided in Article 2, paragraph (25) of the Revised Insurance Business Act), in the case where an application for a specified insurance contract, etc. (meaning as a specified insurance contract, etc. provided in Article 34 of the New Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 300-2 of the Revised Insurance Business Act with relevant changes in interpretation) from a customer (limited to an individual listed in Article 2, paragraph (31), item (iv) of the New Financial Instruments and Exchange Act) for the first time after the enforcement of this Act is received, and has notified such customer prior to the enforcement of this Act pursuant to an example set forth in Article 34 of the New Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 300-2 of the Revised Insurance Business Act that such customer may file an application pursuant to the provisions of Article 34-2, paragraph (1) of the New Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 300-2 of the Revised Insurance Business Act after the enforcement of this Act, a notification provided in Article 34 of the New Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 300-2 of the Revised Insurance Business Act shall be deemed to have been made to such customer.

（権限の委任）

(Delegation of Authority)

第二百十六条　内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 216 (1) The Prime Minister shall delegate his/her authority under the Supplementary Provisions (except for authority to be specified by Cabinet Order) to the Commissioner of Financial Services Agency.

２　前項の規定により金融庁長官に委任された権限については、政令で定めるところにより、そ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) With regard to the authority delegated to the Commissioner of Financial Services Agency pursuant to the provisions in the preceding paragraph, part of it may, pursuant to the provisions of a Cabinet Order, be delegated to the Director-Generals of Local Finance Bureaus or the Director-General of Local Finance Branch Bureaus.

（処分等の効力）

(Effect of Dispositions, etc.)

第二百十七条　この法律の施行前にした旧証券取引法、旧投資信託法若しくは旧信託業法又はこれらに基づく命令の規定によってした処分、手続その他の行為であって、新金融商品取引法の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、新金融商品取引法の相当の規定によってしたものとみなす。

Article 217 Dispositions imposed, procedures taken or other actions taken prior to the enforcement of this Act pursuant to the provisions of the Former Securities and Exchange Act, the Former Act on Securities Investment Trust and Securities Investment Corporations, or Former Trust Business Act or orders based on those, for which the corresponding provisions exist in the provisions of the New Financial Instruments and Exchange Act shall be deemed to have been imposed, taken or committed pursuant to the corresponding provisions of the New Financial Instruments and Exchange Act, except as otherwise provided for in this Supplementary Provision.

（罰則の適用に関する経過措置）

(Transitional Measures regarding the Application of Penal Provisions)

第二百十八条　この法律（附則第一条各号に掲げる規定にあっては、当該規定。以下この条において同じ。）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 218 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act (in provisions listed in the items of Article 1 of the Supplementary Provisions, such provision. Hereinafter the same shall apply in this Article) and actions taken after the enforcement of this Act where the provisions previously in force remain applicable pursuant to the provisions of the Supplementary Provisions and remain in force, the provisions then in force shall remain applicable.

（その他の経過措置の政令等への委任）

(Delegation of Other Transitional Measures to Cabinet Order, etc.)

第二百十九条　この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 219 (1) In addition to what is prescribed in the Supplementary Provisions, transitional measures necessary for the enforcement of this Act shall be specified by Cabinet Order.

２　第三条の規定による証券取引法の一部改正に伴う登記に関する手続について必要な経過措置は、法務省令で定める。

(2) Transitional measures necessary for a procedure concerning a registration associated with a partial revision of the Securities and Exchange Act pursuant to the provisions of Article 3 shall be specified by an Ordinance of the Ministry of Justice

（検討）

(Review)

第二百二十条　政府は、この法律の施行後五年以内に、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 220 Within five years after the enforcement of this Act, the government shall review the conditions of the enforcement of this Act and take necessary measures based on its results, when necessary.

附　則　〔平成十八年十二月十五日法律第百九号〕〔抄〕

Supplementary Provisions [Act No. 109 of December 15, 2006] [Extract]

この法律は、新信託法の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

This Act shall come into effect as of the Effective Date of New Trust Act; provided, however, the provisions listed in the following items shall come into effect as of the day prescribed respectively in those items.

一　第九条（商法第七条の改正規定に限る。）、第二十五条（投資信託及び投資法人に関する法律第二百五十一条第二十四号の改正規定に限る。）、第三十七条（金融機関の合併及び転換に関する法律第七十六条第七号の改正規定に限る。）、第四十九条（保険業法第十七条の六第一項第七号、第五十三条の十二第八項、第五十三条の十五、第五十三条の二十五第二項、第五十三条の二十七第三項、第五十三条の三十二、第百八十条の五第三項及び第四項並びに第百八十条の九第五項の改正規定に限る。）、第五十五条（資産の流動化に関する法律第七十六条第六項、第八十五条、第百六十八条第五項、第百七十一条第六項及び第三百十六条第一項第二十三号の改正規定に限る。）、第五十九条、第七十五条及び第七十七条（会社法目次の改正規定、同法第百三十二条に二項を加える改正規定、同法第二編第二章第三節中第百五十四条の次に一款を加える改正規定、同法第二編第三章第四節中第二百七十二条の次に一款を加える改正規定、同法第六百九十五条の次に一条を加える改正規定及び同法第九百四十三条第一号の改正規定を除く。）の規定　公布の日

(i) Provisions of Article 9 (limited to the revised provisions in Article 7 of the Commercial Code, Article 25 (limited to the revised provisions in Article 251, item (xxiv) of Act on Securities Investment Trust and Securities Investment Corporations), Article 37 (limited to the revised provisions in Article 76, item (vii) of Act on Mergers and Conversions by Financial Institutions), Article 49 (limited to the revised provisions in Article 17-6, paragraph (1), item (vii), Article 53-12, paragraph (8), Article 53-15, Article 53-25, paragraph (2), Article 53-27, paragraph (3), Article 53-32, Article 180-5, paragraphs (3) and (4) as well as Article 180-9, paragraph (5) of the Insurance Business Act), Article 55 (limited to the revised provisions in Article 76, paragraph (6), Article 85, Article 168, paragraph (5), Article 171, paragraph (6) and Article 316, paragraph (1), item (xxiii) of the Act on Liquidation of Assets), Article 59, Article 75 and Article 77 (excluding the provisions which revises the table of contents in the Companies Act, the provisions which adds two items in Article 132 of the same Act, the provisions which adds Subsection 1 after Article 154 in the Part II Chapter II Section 3 in the same Act, the provisions which adds after the Article 272 in Part II Chapter III Section 4 of the same Act, the provisions which adds Article 1 after the Article 695 of the same Act and the revised provisions in Article 943, item (i) of the same Act: the day of promulgation.

附　則　〔平成十九年六月一日法律第七十四号〕〔抄〕

Supplementary Provisions [Act No. 74 of June 1, 2007] [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、平成二十年十月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of 1 October 2008, provided, however, that the provisions set forth in following items shall come into effect as of the day prescribed respectively in those items.

一　附則第三条から第二十二条まで、第二十五条から第三十条まで、第百一条及び第百二条の規定　公布の日から起算して六月を超えない範囲内において政令で定める日

(i) The provisions Article 3 to 22, 25 to 30, 101 and 102 of the Supplementary Provisions: the date to be specified by a Cabinet within a period no exceeding six months from the day of promulgation.

（保険業法の一部改正に伴う経過措置）

(Transitional Measures Accompanying Partial Revision to Insurance Business Act)

第七十七条　施行日前に転換前の法人が発行した短期商工債についての保険業法の規定の適用については、当該短期商工債を同法第九十八条第六項に規定する短期社債等とみなす。

Article 77 With respect to application to the provisions of Insurance Business Act about short-term commercial and industrial bonds which a juridical person prior to the conversion has published before the enforcement, the short-term commercial and industrial bonds shall be deemed to be short-term company bonds, etc. prescribed in Article 98, paragraph (6) of that Act.

（処分等に関する経過措置）

(Transitional Measures regarding the Disposition, etc.)

第百条　この法律の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 100 Those dispositions, procedures or other actions taken before this Act enters into force pursuant to the provisions of the respective Acts prior to its revision (including any orders pursuant thereto; hereinafter the same shall apply in this Article), which are covered by the corresponding provisions of the respective Acts as revised, shall be deemed to have been carried out pursuant to such corresponding provisions of the respective Acts as revised, unless provided otherwise in these Supplementary Provisions.

（罰則の適用に関する経過祖措置）

(Transitional Measures regarding the Application of Penal Provisions)

第百一条　この法律（附則第一条各号に掲げる規定にあっては、当該規定。以下この条において同じ。）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 101 With regard to the application of penal provisions to actions taken prior to the enforcement of this Act (in provisions listed in the items of Article 1 of the Supplementary Provisions, such provision. Hereinafter the same shall apply in this Article) and actions taken after the enforcement of this Act where the provisions previously in force remain applicable pursuant to the provisions of the Supplementary Provisions and remain in force pursuant to the provisions of the Supplementary Provisions, the provisions then in force shall remain applicable.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order etc.)

第百二条　この附則に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 102 In addition to what is provided for in the Supplementary Provisions, necessary transitional measures concerning the enforcement of this Act shall be specified by Cabinet Order.