

Ordinance for Enforcement of the Deposit Insurance Act

(Ordinance of the Ministry of Finance No. 28 of May 1, 1971)

The Ordinance for Enforcement of the Deposit Insurance Act is enacted as follows pursuant to the provisions of Article 36, paragraph (2), Article 41, Article 43, item (iii), Article 44 and Article 50, paragraph (1) of the Deposit Insurance Act.

(Content of Custody Agreement)

Article 1 The custody agreement to be specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance under Article 1-2 of the Order for Enforcement of the Deposit Insurance Act (Cabinet Order No. 111 of 1971; hereinafter referred to as "Order") shall include provisions to the effect that the purchaser of bonds will deposit such bonds to their issuer at the time of purchase and that the purchaser cannot request the withdrawal of such bonds except in case of redemption, transfer, deposit change, or purchase.

(Matters to be Stated in Statement of Operation Procedures)

Article 1-2 The matters to be specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance under Article 36, paragraph (2) of the Deposit Insurance Act (Act No. 34 of 1971; hereinafter referred to as "Act") shall be the following:

- (i) Matters regarding insurance;
- (ii) Matters regarding insurance claims and provisional payments;
- (iii) Matters regarding financial assistance;
- (iii)-2 Matters regarding the loan of funds pursuant to Article 69-3 of the Act;
- (iv) Matters regarding the purchase of deposits and other receivables;
- (v) Matters regarding the collection of receivables that are acquired pursuant to Article 58, paragraph (1) or (3) of the Act or purchased pursuant to Article 70, paragraph (1) of the Act;
- (vi) Matters regarding the operations of a financial administrator or an agent for a financial administrator pursuant to Article 78, paragraph (2) of the Act;
- (vii) Matters regarding business management of the Bridge Bank and other operations under the provisions of Chapter VI of the Act;
- (viii) Matters regarding the Subscription for Shares, etc. and other operations under the provisions of Chapter VII of the Act;
- (ix) Matters regarding the loan of funds under Article 69-3 of the Act as applied mutatis mutandis pursuant to Article 127 or Article 128 of the Act and the

- purchase of assets under Article 129 of the Act;
- (x) Matters regarding the submission of lists of depositors and other operations under the provisions of Section 4 of Chapter IV, Section 2 of Chapter V and Section 2 of Chapter VI of the Act on Special Treatment of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institutions (Act No. 95 of 1996);
- (xi) Matters regarding the entrustment of operations;
- (xii) The method of operations prescribed in Article 34 of the Act.

(Accounting Principle)

Article 2 The Deposit Insurance Corporation (hereinafter referred to as "Corporation") shall, in order to clarify its financial conditions and operating results, carry out accounting for increase, decrease or change in assets and profits and costs on an accrual basis.

(Establishment of Accounts)

Article 3 For the purpose of accounting of the Corporation, in addition to the general account (meaning the general account prescribed in Article 41 of the Act; the same shall apply hereinafter) and the Crisis Management Account (meaning the Crisis Management Account prescribed in Article 121, paragraph (1) of the Act; the same shall apply hereinafter), a balance sheet account and profit and loss account shall be separately established and, if necessary, an account shall be established for the purpose of clarifying the calculation process.

(Contents of Budget)

Article 4 The budget of the Corporation shall consist of general budget provisions and income and expenditure budgets.

(General Budget Provisions)

Article 5 The general budget provisions shall include comprehensive provisions regarding income and expenditure budgets and provisions regarding the following matters:

- (i) With regard to an act to assume debts prescribed in Article 9, an amount of the limit of debts for each matter, the term to satisfy the debts based on said act, and reasons for the necessity of said act;
- (ii) Expenses designated under Article 10, paragraph (2);
- (iii) In addition to the matters listed in the preceding two items, any matters necessary for the implementation of the budget.

(Income and Expenditure Budgets)

Article 6 Income and expenditure budgets shall be separated into the general account and the Crisis Management Account according to the nature of the income and the purpose of the expenditure.

(Attached Documents for Budget)

Article 7 The Corporation shall, when it seeks to obtain authorization for a budget under Article 39 of the Act, attach the following documents to the budget and submit them to the Commissioner of the Financial Services Agency and the Minister of Finance; provided, however, that the documents prescribed in item (i) shall not be required in order to obtain the authorization to amend a budget under the second sentence of Article 39 of the Act:

- (i) A projected balance sheet and projected income statement for the previous business year;
- (ii) A projected balance sheet and projected income statement for the business year concerned;
- (iii) In addition to those listed in the preceding two items, documents that serve as a reference for such budget.

(Contingency Funds)

Article 8 Contingency funds may be included in income and expenditure budgets in order to compensate for a shortfall in an expenditure budget because of unpredictability.

(Act to Assume Debts)

Article 9 The Corporation may, when it is necessary for carrying out its operations, perform an act to assume debts within the scope of the amount of the budget authorized for each business year by the Commissioner of the Financial Services Agency and the Minister of Finance, in addition to those within the scope of the expenditure budget.

(Diversion of Funds in Budget, etc.)

Article 10 (1) The Corporation shall not use funds in the expenditure budget for any purpose other than those specified in such budget; provided, however, that when it is appropriate and necessary for the implementation of the budget, the funds can be diverted between the categories prescribed in Article 6 notwithstanding such categories.

(2) The Corporation shall not, except with the approval of the Commissioner of the Financial Services Agency and the Minister of Finance, divert funds designated for expenses in general budget provisions between different categories of such expenses or to any other expenses, or use contingency funds to cover such expenses.

- (3) The Corporation shall, when it seeks to obtain the approval prescribed in the preceding paragraph, submit documents setting forth reasons and amounts of such diversion and basis of estimate therefor to the Commissioner of the Financial Services Agency and the Minister of Finance.

(Funding Plan)

Article 11 (1) A funding plan prescribed in Article 39 of the Act shall specify plans regarding the following matters:

- (i) The method of procurement of funds;
 - (ii) The purpose of use of funds;
 - (iii) Other necessary matters.
- (2) The Corporation shall, when it seeks to obtain authorization to amend a funding plan under the second sentence of Article 39 of the Act, submit a written application stating the matters to be amended and reasons therefor to the Commissioner of the Financial Services Agency and the Minister of Finance.

(Report of Income and Expenditure, etc.)

Article 12 The Corporation shall submit a quarterly report to the Commissioner of the Financial Services Agency and the Minister of Finance containing the total trial balance for income and expenditure and stating an amount for each matter with regard to debts that the Corporation has assumed pursuant to the provisions of Article 9 within one month after the end of each quarter.

(Business Report)

Article 12-2 A business report prescribed in Article 40, paragraph (2) of the Act shall set forth the following matters:

- (i) Outline of the Corporation;
 - (a) Details of operations
 - (b) Location of offices (including secondary offices)
 - (c) Amount of stated capital and amount of contribution by the government (including the increase and decrease for each amount from the end of the previous business year);
 - (d) Fixed number, names, positions, terms, and background of officers
 - (e) Fixed number of staff members (including the increase or decrease from the end of the previous business year)
 - (f) History of the Corporation (including the fact that the Corporation is established based on an Act)
 - (g) The fact that the competent ministers are the Prime Minister and the Minister of Finance
 - (h) Matters regarding the Policy Board and the outline of the Corporation
- (ii) The status of implementation of operations in the business year concerned

- and up to and including the previous business year;
- (iii) The results of implementation of a funding plan;
- (iv) Lenders, the purposes and amounts of borrowings made in the relevant business year and up to and including the previous business year;
- (v) Names, purposes, and amounts of subsidies from the national treasury and other monies equivalent thereto received in the relevant business year and up to and including the previous business year (hereinafter referred to as "National Treasury Subsidies, etc.");
- (vi) Matters regarding a company in which the Corporation substantially holds a majority of the voting rights (hereinafter referred to as "Subsidiary Company" in this Article. A company in which the Corporation and the Subsidiary Company hold a substantial majority of the voting rights or a company in which the Subsidiary Company holds a substantial majority of the voting rights shall also be deemed to be a Subsidiary Company of the Corporation.) and a company in which the Corporation (including the Subsidiary Company if the Corporation owns a Subsidiary Company) substantially holds at least 20 percent and no more than 50 percent of the voting rights and may materially influence the financial and business policies through its relationships based on capital, personnel, funding, technology, transactions, etc. (hereinafter referred to as "Associated Company" in this Article);
 - (a) The outline of the Subsidiary Companies and Associated Companies (hereinafter referred to as "Affiliated Companies") (including a chart systematically showing their relationship with the Corporation)
 - (b) Matters regarding the Affiliated Companies
 - 1. Name
 - 2. Details of business
 - 3. Location of offices (including secondary offices)
 - 4. Amount of stated capital
 - 5. Name of representative
 - 6. Number of officers
 - 7. Number of employees
 - 8. Shareholding ratio of the Corporation and other details of relationship with the Corporation
- (vii) Issues that the Corporation should address.

(Statement of Accounts)

- Article 13 (1) The statement of accounts prescribed in Article 40, paragraph (2) of the Act shall consist of a statement of accounts for income and expenditure and a statement of debts.
- (2) The statement of accounts prescribed in the preceding paragraph shall set

forth the results of the implementation of the budget pertaining to matters prescribed in general budget provisions under Article 5.

(Statement of Accounts for Income and Expenditure, etc.)

Article 14 (1) The statement of accounts for income and expenditure prescribed in paragraph (1) of the preceding Article shall be prepared using the same classification as income and expenditure budgets and shall set forth the following matters:

(i) Income;

- (a) The amount of budgeted income
- (b) The determined amount of income
- (c) A difference between the amount of budgeted income and the determined amount of income

(ii) Expenditure;

- (a) The amount of budgeted expenditure
- (b) The amount of contingency funds that have been used and reasons for such use
- (c) The amount of diversion and reasons for such diversion
- (d) The actual expenditure budget
- (e) The determined amount of expenditure
- (f) An unused amount

(2) The statement of debts prescribed in paragraph (1) in the preceding Article shall set forth the amount of debts assumed for each matter under Article 9.

(Supplementary Schedules)

Article 14-2 The supplementary schedules prescribed in Article 40, paragraph (3) of the Act shall set forth the following matters:

(i) Matters regarding capital contributions to the Corporation;

- (a) Details of the providers and amounts of capital contributions (including increase and decrease in such amount by each person from the end of the previous business year)
- (b) Laws and regulations on which capital contributions are based
- (c) Accounting categories of the national government for its capital contributions

(ii) Matters regarding the details of principal assets and liabilities;

- (a) Details of long-term borrowings (including lenders and increase and decrease in borrowings from each lender from the end of the previous business year)
- (b) Details of the Corporation Bonds (including a description of issues (and if government guaranteed bonds have been issued, a statement to that effect) and the increase and decrease for each issue from the end of the previous

- business year)
- (c) Details of reserves (including the increase and decrease in each type of reserves from the end of the previous business year)
- (d) Details of the amount of capital contributions by the Corporation
- (e) Details of cash and deposits, accrued income, and other principal assets and liabilities
- (iii) Details of acquisition and disposal of fixed assets and depreciation expense;
- (iv) Details of shares of the Affiliated Companies;
 - (a) Names of the Affiliated Companies
 - (b) Price per share
 - (c) Number of shares held
 - (d) Acquisition value
 - (e) Amount recorded in the balance sheet (including increase and decrease from the end of the previous business year)
- (v) Details of capital contributions to other entities;
- (vi) Details of claims and debts to the Affiliated Companies;
- (vii) Matters regarding principal costs and profits;
 - (a) Details of the National Government Subsidies, etc. (including the names of the National Government Subsidies, etc. received in the business year concerned, accounting categories of the national government, and explanation on the National Government Subsidies, etc. and their related items in the balance sheet and profit and loss statement)
 - (b) Details of salaries paid to officers and staff members
 - (c) Details of other costs and profits that are deemed material in light of the characteristics of the operations of the Corporation.

(Period of Public Inspection)

Article 14-3 The period specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 40, paragraph (3) of the Act shall be five years.

(Separate Accounting)

Article 14-4 When matters are to be recorded in both the Crisis Management Account and the general account and it is difficult to keep separate accounting of portions pertaining to the Crisis Management Account, the Corporation may record said matters in a unified account during a business year in accordance with standards established by the Corporation with the approval of the Commissioner of the Financial Services Agency and the Minister of Finance, and apportion said matters to each account on the last day of said business year.

(Amount of Liability Reserve, etc.)

Article 15 (1) The amount of liability reserve that the Corporation is required to set aside each business year shall be an amount obtained by deducting from the amount of profit in such business year the total amount of costs (excluding any transfer to liability reserve) and the loss carried forward prescribed in paragraph (4).

(2) In the case where the amount of profit (excluding any reversal of liability reserve) for a business year is below the amount of costs of such business year, the Corporation shall reduce the liability reserve by and up to said amount below the amount of costs (hereinafter referred to as "Amount of Loss" in this Article) to compensate for the Amount of Loss.

(3) The liability reserve prescribed in paragraph (1) shall not be reduced except to compensate for the Amount of Loss under the preceding paragraph.

(4) When there is any Amount of Loss that cannot be compensated under paragraph (2), the Corporation shall record it as loss carried forward.

(Application for Authorization for Borrowing)

Article 16 (1) The Corporation shall, when it seeks to obtain the authorization for the borrowing of funds from a financial institution prescribed in Article 2, paragraph (1) of the Act (hereinafter referred to as "Financial Institution") and any other person (excluding the Bank of Japan) under Article 42, paragraph (1) or Article 126, paragraph (1) of the Act, submit to the Commissioner of the Financial Services Agency and the Minister of Finance a written application stating the names of said Financial Institution and other person as well as the following matters:

(i) Reasons for necessity for the borrowing;

(ii) The amount of the borrowing;

(iii) The interest rate for the borrowing;

(iv) The method and due date of redemption for the borrowing;

(v) The method and due date of payment of interest;

(vi) Other necessary matters.

(2) The Corporation shall, when it seeks to obtain the authorization for the borrowing of funds from the Bank of Japan under Article 42, paragraph (2) or Article 126, paragraph (1) of the Act, submit to Commissioner of the Financial Services Agency and the Minister of Finance a written application stating the matters listed in each item of the preceding paragraph.

(Method of Investment of Surplus Funds)

Article 17 The methods specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 43, item (iii) of the

Act shall be the following:

- (i) Money trusts (limited to those for which there is a contract to compensate for a loss of principal);
- (ii) Lending of call funds (limited to those secured on national government bonds).

(Accounting Rules)

Article 18 (1) The Corporation shall establish accounting rules with regard to its finances and accounting.

- (2) The Corporation shall, when it intends to establish the accounting rules prescribed in the preceding paragraph, obtain the approval of the Commissioner of the Financial Services Agency and the Minister of Finance. The same shall apply when the Corporation intends to amend such accounting rules.

(Documents to Be Submitted at Time of Payment of Insurance Premiums)

Article 19 The documents specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 50, paragraph (1) of the Act shall be a statement of insurance premiums set forth appended Form 1.

(Amount, etc. of Interest, etc.)

Article 20 (1) Amount to be specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance under Article 6-2, paragraph (1), item (v) of the Order shall be the amount invested in a money trust for which an agreement to compensate for the loss of principal is entered into, with the principal being the profits arising from the investment of trust property under a trust agreement provided in Article 6-2, paragraph (1), item (v) of the Order before the distribution of the profits under the said trust agreement, which shall be equivalent to the amount of principal of said money trust.

- (2) The amounts specified in each item of Article 6-2, paragraph (1) of the Order provided in Article 6-2, paragraph (2) of the Order shall be the amounts equivalent to the amounts specified in each of the following items according to the categories specified in each of the items:

- (i) Among the interest specified in Article 6-2, paragraph (1), item (i) of the Order, those pertaining to ordinary deposits, saving deposits, savings association deposits for tax payments, reserve deposit for tax payments, and separate deposits; among the interest calculated based on the relevant deposit agreement, an amount corresponding to the period from the most recent interest payment date (if no interest has been paid, the deposit date) to the day of the occurrence of the insured event.
- (ii) The interest prescribed in Article 6-2, paragraph (1), item (i) of the Order

- those pertaining to deposits other than those specified in the preceding item; among the interest calculated using a rate applicable in the case where deposits are held until maturity under a relevant deposit contract, an amount calculated in proportion to the number of days from the day of deposit to the day of occurrence of an insurable contingency.
- (iii) Compensation money for benefits prescribed in Article 6-2, paragraph (1), item (ii) of the Order; among compensation money for benefits calculated using an interest rate applicable in the case where deposits are held until maturity under an installment savings contract, an amount calculated in proportion to the number of days from the day of initial payment to the day of occurrence of an insurable contingency.
 - (iv) Compensation money for benefits prescribed in Article 6-2, paragraph (1), item (iii) of the Order; among the compensation money for benefits calculated using an interest rate applicable in the case where deposits are held until maturity under an installment deposit contract, an amount calculated in proportion to the number of days from the day of payment of first installment to the day of occurrence of an insurable contingency.
 - (v) Distribution of profits prescribed in Article 6-2, paragraph (1), item (iv) of the Order; among the profits calculated under a contract to make up for profits prescribed in Article 6-2, paragraph (1), item (iv) of the Order, an amount calculated in proportion to the number of days from the day of said contract to the day of occurrence of an insurable contingency.
 - (vi) Those prescribed in Article 6-2, paragraph (1), item (v) of the Order; among the amount prescribed in the preceding paragraph, an amount corresponding to the amount of principal prescribed in Article 54, paragraph (1) of the Act as of the day of occurrence of an insurable contingency.
 - (vii) The interest prescribed in Article 6-2, paragraph (1), item (vi) of the Order; among the interest calculated based on the issuing guidelines of the Long-Term Credit Bank Bonds, etc. , an amount calculated in proportion to the number of days from the initial date of calculation of the interest to the day of occurrence of an insurable contingency.
 - (viii) Those prescribed in Article 6-2, paragraph (1), item (vii) of the Order; among the amount prescribed in Article 6-2, paragraph (1), item (vii) of the Order, an amount calculated in proportion to the number of days from the day of the purchase of the Long-Term Credit Bank Bonds, etc. to the day of occurrence of an insurable contingency.

(Information on Deposits, etc.)

Article 21 (1) The matters specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 55-2, paragraph (2) of the Act (including the cases where the provisions of Article 69-2, paragraph

(1) of the Act are applied by deeming claims pertaining to the Specified Settlement Obligations (meaning the Specified Settlement Obligations prescribed in Article 69-2, paragraph (1) of the Act; hereinafter the same shall apply in this Article) as claims pertaining to the Covered Deposits for Settlement; the same shall apply in the following paragraph) shall be specified in each of the following items according to the category of database prescribed in Article 55-2, paragraph (4) of the Act (including the cases where it is applied by replacing the term pursuant to Article 69-2, paragraph (1) of the Act) specified in such item:

- (i) Customer files for name-based aggregation; all or part of names, dates of birth or dates of establishment, customer numbers, telephone numbers, and other matters that are deemed necessary by the Corporation in order to promptly identify depositors, etc. prescribed in Article 2, paragraph (3) of the Act (hereinafter referred to as "Depositors, etc." in this Article) using an electronic data processing system.
- (ii) Customer files; the name, address, residence, location of business office or office, postal code, customer number of the Depositors, etc. and other matters that are deemed necessary by the Corporation in order to contact the Depositors, etc. smoothly and matters regarding the application of the Income Tax Act (Act No. 33 of 1965) and other laws and regulations relating to income tax, etc. on interest, etc. prescribed in Article 54, paragraph (1) of the Act pertaining to the Depositors, etc.
- (iii) Depositor files; customer number, matters regarding accounts (meaning account number, date of establishment of accounts, etc.; the same shall apply in item (iii) of the following paragraph) for deposits, etc. prescribed in Article 2, paragraph (2) of the Act (hereinafter referred to as "Deposits, etc." in this Article), and matters regarding the details of claims pertaining to the Deposits, etc. (meaning the type of the Deposits, etc., amount of principal, interest rate, date of deposit, maturity date, etc.; the same shall apply in said item), the establishment of a security interest in said claims pertaining to the Deposits, etc. , and the application of the Income Tax Act and other laws and regulations relating to income tax, etc. on interest, etc. prescribed in Article 54, paragraph (1) of the Act pertaining to the Deposits, etc. , and other matters that are deemed necessary by the Corporation in order to ascertain the details of claims pertaining to the Deposits, etc.
- (iv) Files for general and current deposit with security for overdraft; the type and account number of the Deposits, etc. and secured Deposits, etc. (meaning claims pertaining to the Deposits, etc. that are the subject matter of a security interest; the same shall apply in item (vi) and items (iv) and (vi) of the following paragraph) and other matters that are deemed necessary by the Corporation in order to specify accounts for the Deposits, etc. with overdraft

- and accounts for the Deposits, etc. that are the subject matter of a security interest for said overdraft;
- (v) Obligation files; customer number, outstanding loans, the amount of accrued interest, and other matters that are deemed necessary by the Corporation in order to specify obligors pertaining to loans secured by deposits (meaning loans for which claims pertaining to the Deposits, etc. are the subject matter of a security interest therein; the same shall apply in item (v) of the following paragraph) and calculate the amount of obligations of said obligors;
 - (vi) Files for obligations secured by deposits; customer number, type and account number of secured Deposits, etc. and other matters that are deemed necessary by the Corporation in order to specify accounts for secured Deposits, etc. held by the obligor prescribed in the preceding item;
 - (vii) Files for the Specified Settlement Obligations; the amount of claims pertaining to the Specified Settlement Obligations and other matters that are deemed necessary by the Corporation in order to ascertain the details of such claims;
 - (viii) In addition to those listed in the preceding items, files that are separately prescribed by the Corporation as being necessary in order to promptly ascertain the amount of claims pertaining to the Deposits, etc. and the amount of claims pertaining to the Specified Settlement Obligations; matters that are deemed necessary by the Corporation for the purpose of such files, etc.
- (2) In the case where a Financial Institution prescribed Article 55-2, paragraph (2) of the Act is a post savings bank (meaning the post savings bank prescribed in Article 94 of the Postal Service Privatization Act (Act No. 97 of 2005); hereinafter the same shall apply in this paragraph and paragraph (2) of the following Article), the matters specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 55-2, paragraph (2) of the Act may, notwithstanding the provisions of the preceding paragraph, be prescribed in each of the following items according to the category of information specified in such item:
- (i) Information on the management of deposit limit; among the matters used by a post savings bank to manage deposit limits (meaning the amounts prescribed in each item of Article 107 of the Postal Service Privatization Act), all or part of names, dates of birth or dates of establishment, customer numbers, telephone numbers of the Depositors, etc. and other matters that are deemed necessary by the Corporation in order to promptly specify the Depositors, etc.
 - (ii) Information on customers; the name, address or residence or location of business office or office, postal code, and customer number of Depositors, etc.

- and other matters that are deemed necessary by the Corporation in order to contact the Depositors, etc. smoothly;
- (iii) Information on the Deposits, etc.; customer number, matters regarding accounts for the Deposits, etc. , details of claims pertaining to the Deposits, etc. , establishment of security interest whose subject matter is claims pertaining to the Deposits, etc. , and the application of the Income Tax Act and other laws and regulations relating to income tax, etc. on interest, etc. prescribed in Article 54, paragraph (1) of the Act pertaining to the Depositors, etc. and other matters that are deemed necessary by the Corporation in order to ascertain the details of claims pertaining to the Deposits, etc.
 - (iv) Information on general and current deposit with security for overdraft; the type and account number of the Deposits, etc. and secured Deposits, etc. and other matters that are deemed necessary by the Corporation in order to specify accounts for the Deposits, etc. with overdraft and accounts for the Deposits, etc. that are the subject matter of a security interest for said overdraft.
 - (v) Information on obligations; customer number, outstanding loans and other matters that are deemed necessary by the Corporation in order to specify obligors pertaining to loans secured by deposits and calculate the amount of obligations of said obligor.
 - (vi) Information on obligations secured by deposits; customer number, type and account number of secured Deposits, etc. and other matters that are deemed necessary by the Corporation in order to specify accounts for secured Deposits, etc. pertaining to obligations owed by the obligor prescribed in the preceding item.
 - (vii) Information on the Specified Settlement Obligations; the amount of claims pertaining to the Specified Settlement Obligations and other matters that are deemed necessary by the Corporation in order to ascertain the details of claims pertaining to the Specified Settlement Obligations;
 - (viii) Information on the purchase of deposits and other claims; in the case where a post savings bank has selected deposits and other claims subject to the purchase prescribed in Article 70, paragraph (1) of the Act (limited to an amount that is held not to be included in the amount of insurance claims for the Covered General Deposits, etc. under Article 54, paragraph (2) or Article 54-3, paragraph (2) of the Act on the ground that, among claims pertaining to the Covered General Deposits, etc. (meaning the Covered General Deposits, etc., prescribed in Article 54, paragraph (1) of the Act; hereinafter the same shall apply in this item) held by the Depositors, etc. (including, among claims that are deemed under Article 54-3, paragraph (1), item (i) of the Act to be claims pertaining to the covered Deposits, etc. of subscribers, etc. prescribed therein, claims pertaining to the Covered General Deposits, etc.), the amount

of principal (when there are two or more such amounts for one person, the total amount thereof) has exceeded the Base Insurance Amount (meaning the amount prescribed in Article 6-3 of the Order)), the name of the Depositors, etc. pertaining to said Deposits, etc. and other matters that are deemed necessary by the Corporation in order to specify said Depositors, etc. and claims pertaining to the details of said Deposits, etc.

- (ix) In addition to the matters listed in each of the preceding items, information that is separately specified by the Corporation as being necessary in order to promptly ascertain the amount of receivables pertaining to the Deposits, etc. , the receivables pertaining to the Specified Settlement Obligations, and the deposits and other receivables subject to the purchase provided in Article 70, paragraph (1) of the Act; matters that are deemed necessary by the Corporation for the purpose of such information, etc.

(Method of Submission of Information on Deposits, etc.)

- Article 22 (1) A Financial Institution that is requested to submit materials pursuant to Article 55-2, paragraph (2) of the Act shall prepare a database recording the matters specified in each item of paragraph (1) of the preceding Article in accordance with the form indicated by the Corporation using magnetic tapes designated by the Corporation (including other medium in which certain matters can be securely recorded by equivalent means) or submit said database using an electronic data processing system.
- (2) For the purpose of applying the provisions of the preceding paragraph in the case where the Financial Institution requested to submit materials pursuant to Article 55-2, paragraph (2) of the Act is a post savings bank, the term "each item of paragraph (1) of the preceding Article" in said paragraph shall be deemed to be "each item of paragraph (1) of the preceding Article or item (vii) through item (ix) of paragraph (2)."

(Application for Authorization of Eligibility)

- Article 23 (1) A Financial Institution or Bank Holding Company, etc. (meaning the Bank Holding Company, etc. prescribed in Article 2, paragraph (5) of the Act; the same shall apply hereinafter) shall, when it seeks to obtain the authorization prescribed in Article 61, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 101, paragraph (5) of the Act and Article 118, paragraph (2) of the Act) for a merger, etc. prescribed in Article 59, paragraph (2) of the Act, submit a written application for authorization to the Commissioner of the Financial Services Agency, attaching the following documents:
- (i) A statement of reasons;
- (ii) The latest balance sheet (including related notes; the same shall apply

- hereinafter), profit and loss statement (including related notes; the same shall apply hereinafter) and statement of changes in net assets (including related notes; the same shall apply hereinafter) and a recent daily trial balance sheet;
- (iii) Other documents stating matters to be referred for the purpose of granting the authorization under Article 61, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 101, paragraph (5) of the Act and Article 118, paragraph (2) of the Act).
- (2) The statement of changes in net assets prescribed in item (ii) of the preceding paragraph shall be a surplus appropriation statement or loss disposition statement in the case of the Shinkin Bank, etc. prescribed in Article 37, paragraph (3) of the Act (the same shall apply in Article 25, item (ii) and Article 29-3, item (iii)).

(Electromagnetic Record)

- Article 23-2 (1) The electromagnetic record specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 66, paragraph (1) of the Act shall be a magnetic disk with a structure being that of a 90 millimeter flexible disk cartridge that complies with Japanese Industrial Standards (hereinafter referred to as JIS in this Article) X 6223 and complying with the Industrial Standardization Act (Act No. 185 of 1949).
- (2) Recording by the electromagnetic record prescribed in the preceding paragraph shall be made in accordance with the following:
- (i) The format prescribed in JIS X 6225 shall be used with regard to track format;
- (ii) The format prescribed in JIS X 0605 shall be used with regard to volume and file configuration.
- (3) Documents stating the following shall be attached to the label area prescribed in JIS X 6223 of the electromagnetic record prescribed in paragraph (1):
- (i) Trade name or name of the person submitting the record;
- (ii) The date of submission.

(Documents to Be Attached to Written Application for Approval for Continuation of Business)

- Article 24 The documents specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 14, item (iv) of the Order shall be documents stating the status of transactions pertaining to business prescribed in Article 67, paragraph (2) of the Act and other matters that are deemed necessary by the Commissioner of the Financial Services Agency (in the case of a labor bank or The Rokinren Bank, the Commissioner of the Financial Services Agency and the Minister of Health, Labour and Welfare,

and in the case of The Shoko Chukin Bank, Ltd., the Commissioner of the Financial Services Agency, the Minister of Finance and the Minister of Economy, Trade and Industry; the same shall apply in the following Article and Article 27).

(Notification by Financial Institution)

Article 25 A Financial Institution shall, when giving notification under Article 74, paragraphs (2) and (5) of the Act, submit a written notification to the Commissioner of the Financial Services Agency, attaching the following documents:

- (i) A statement of reasons;
- (ii) The latest balance sheet, profit and loss statement, and statement of changes in net assets, and recent daily trial balance sheet;
- (iii) With respect to securities and other assets of said Financial Institution that can be measured at market value, documents stating their value and profit or loss from valuation as of immediately prior to the day of said notification;
- (iv) Documents stating matters for reference;

(Public Notice of Prohibition of Name Change of Shareholders)

Article 26 When an entry of name change of shareholders is prohibited under Article 76, paragraph (1) of the Act, public notice thereof shall be given in the official gazette by the Commissioner of the Financial Services Agency if a Financial Institution pertaining to such disposition is a bank or the Long-Term Credit Bank, and by the Commissioner of the Financial Services Agency, the Minister of Finance and the Minister of Economy, Trade and Industry if such Financial Institution is The Shoko Chukin Bank, Ltd.

(Designation of Person to Perform Duties of Financial Administrator, etc.)

Article 27 In the case where an Disposition Ordering Management prescribed in Article 74, paragraph (1) of the Act has been issued, when a person who is appointed as financial administrator is a juridical person, it shall designate from its officers and employees a person who is to perform the duties of a financial administrator and report such fact to the Commissioner of the Financial Services Agency and give notice thereof to the Financial Institution that is subject to the Disposition Ordering Management.

(Creditors to Whom Individual Notice for Objection Need Not Be Given
Concerning Reduction in Amount of Stated Capital, etc.)

Article 28 The creditors prescribed in Article 23, item (v) and Article 30 of the Order as specified by a Cabinet Office Ordinance and an Ordinance of the

Ministry of Finance shall be creditors pertaining to a custody agreement.

(Amount of Loss Caused to Contracted Bridge Bank)

Article 29 (1) An amount specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance as current loss resulting from the settlement of profits and losses prescribed in Article 24, item (ii) of the Order shall be the amount remaining after deducting from the amount of expense, etc. specified in item (i) the amount of profit, etc. specified in item (ii) and the amount of accumulated profit carried forward specified in item (iii).

(i) Amount of ordinary expense and extraordinary loss;

(ii) Amount of ordinary profit and extraordinary profit (when the Corporation has made any payment to the Contracted Bridge Bank (meaning the Contracted Bridge Bank prescribed in Article 97, paragraph (1), item (i) of the Act) in a business year as compensation for loss that arose in the previous business year, the amount remaining after deducting the amount of such compensation);

(iii) Amount of accumulated profit carried forward (if net profit for the current period has been carried over, the amount remaining after deducting such carried-over amount therefrom, and if net loss for the current period has been carried over, the amount obtained by adding such carried-over amount thereto);

(2) The terms "ordinary expenses," "extraordinary loss," "ordinary profit," "extraordinary profit," "accumulated profit carried forward," "net profit for the current period" and "net loss for the current period" prescribed in the preceding paragraph shall be, respectively, ordinary expenses, extraordinary loss, ordinary profit, extraordinary profit, accumulated profit carried forward, net profit for the current period, and net loss for the current period stated respectively in the profit and loss statement or balance sheet set forth in appended form 3 or 3-2 under Article 18, paragraph (2) of the Ordinance for Enforcement of the Banking Act (Ordinance of the Ministry of Finance No. 10 of 1982).

(Authorization for Share Exchange, etc. Pertaining to Measures under Item (i))

Article 29-2 An Issuing Financial Institution, etc. (meaning the Issuing Financial Institution, etc. prescribed in Article 108-2, paragraph (1) of the Act including a Succeeding Financial Institution (meaning the Succeeding Financial Institution prescribed in Article 108-3, paragraph (2), item (i) of the Act; hereinafter the same shall apply in this Article and the following Article) that is an issuer of acquired Shares, etc. actually held by the Corporation (meaning the acquired Shares, etc. prescribed in Article 108, paragraph (2) of the Act; hereinafter the same shall apply in this Article) and an Issuing Bank

Holding Company, etc. after Corporate Reorganization (meaning the Issuing Bank Holding Company, etc. after Corporate Reorganization prescribed in Article 108-3, paragraph (5) of the Act)) that seeks to obtain the authorization for the Share Exchange, etc. (meaning the Share Exchange, etc. prescribed in Article 108-2, paragraph (1) of the Act; hereinafter the same shall apply in this Article) under Article 108-2, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act; hereinafter the same shall apply in this Article) shall submit a written application for authorization to the Commissioner of the Financial Services Agency, attaching the following documents:

- (i) A statement of reasons;
- (ii) The minutes of shareholders meeting the Share Exchange, etc. (in the case where a resolution of shareholders meeting is deemed to have been adopted pursuant to the provisions of Article 319, paragraph (1) of the Companies Act (Act No. 86 of 2005), a document certifying that the case provided for therein is applicable and that other necessary procedures have been taken;
- (iii) A document containing details of share exchange contract or share transfer plan;
- (iv) The latest balance sheet, profit and loss statement and statement of changes in net assets, recent daily trial balance sheet, and other documents containing information on the status of recent business, assets, profits and losses;
- (v) A document certifying that the requirements prescribed in Article 108-2, paragraph (2), item (i) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act; the same shall apply in the following item) are satisfied;
- (vi) A document stating the ratio of voting rights pertaining to acquired Shares, etc. held by the Corporation prior to the Share Exchange, etc. to the voting rights of all shareholders of the Issuing Financial Institution, etc. and the ratio of voting rights pertaining to acquired Shares, etc. held by the Corporation after the Share Exchange, etc. to the voting rights of all shareholders of the company specified in Article 108-2, paragraph (2), item (i) of the Act;
- (vii) A document stating the outline of the measures provided in Article 25-4, item (iii) of the Order that are to be taken by the company provided in the preceding item and are stated in the management strengthening plan (meaning the management strengthening plan provided in Article 105, paragraph (3) of the Act; and the same shall apply hereinafter) which is expected to be submitted pursuant to Article 108-2, paragraph (3) of the Act (including cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act) by the Subject Subsidiary Company, etc.

- (meaning the Subject Subsidiary Company, etc. as defined in Article 108-3, paragraph (4) of the Act; the same shall apply hereinafter) pertaining to the Issuing Financial Institution, etc. after obtaining the permission provided in Article 108-2, paragraph (1) of the Act, and other documents certifying that the requirements provided in Article 108-2, paragraph (2), item (iii) of the Act (including cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act) are satisfied;
- (viii) Any other document to be referenced in the review pertaining to the granting of the permission provided in Article 108-2, paragraph (1) of the Act.

(Authorization for Corporate Reorganization Pertaining to Measures under Item (i))

Article 29-3 A Subject Financial Institution (meaning the Subject Financial Institution prescribed in Article 108-3, paragraph (1) of the Act; hereinafter the same shall apply in this Article) or Subject Subsidiary Company, etc. that seeks to obtain the authorization for the Corporate Reorganization (meaning the Corporate Reorganization prescribed in Article 108-3, paragraph (1) of the Act; the same shall apply hereinafter) under Article 108-3, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act; hereinafter the same shall apply in this Article) shall submit a written application for authorization to the Commissioner of the Financial Services Agency, attaching the following documents:

- (i) A statement of reasons;
- (ii) The documents prescribed in each of the following items according to the category of the Corporate Reorganization specified therein:
 - (a) A merger; documents containing details of a merger contract and documents listed in Article 22, item (ii) of the Ordinance for Enforcement of the Banking Act, Article 21, item (ii) of the Ordinance for Enforcement of the Long-Term Credit Bank Act (Ordinance of the Ministry of Finance No. 13 of 1982), Article 86, paragraph (1), item (ii) of the Ordinance for Enforcement of the Shinkin Bank Act (Ordinance of the Ministry of Finance No. 15 of 1982), Article 178, paragraph (1), item (vi) of the Ordinance for Enforcement of the Small and Medium Sized Enterprises Cooperatives Act (Ordinance of the Cabinet Office, Ministry of Finance, Ministry of Health, Labour and Welfare, Ministry of Agriculture, Forestry and Fisheries, Ministry of Economy, Trade and Industry, Ministry of Land, Infrastructure, Transport and Tourism, and Ministry of the Environment No. 1 of 2008) or Article 69, paragraph (1), item (ii) of the Ordinance for Enforcement of the Labor Bank Act (Ordinance of the Ministry of Finance, Ministry of Labour No. 1 of 1982)

- (b) A company split or the succession of business in a company split; a document containing details of incorporation-type company split plan or an absorption-type company split contract and documents listed in Article 22-2, item (ii) of the Ordinance for Enforcement of the Banking Act or Article 21-2, item (ii) of the Ordinance for Enforcement of the Long-Term Credit Bank Act
- (c) A transfer or assumption of the whole or part of business; a documents containing details of a contract for said transfer or assumption and documents listed in Article 23, item (ii) of the Ordinance for Enforcement of the Banking Act, Article 22, item (ii) of the Ordinance for Enforcement of the Long-Term Credit Bank Act, Article 79, paragraph (1), item (ii) or Article 80, paragraph (1), item (ii) of the Ordinance for Enforcement of the Shinkin Bank Act, Article 141, paragraph (1), item (ii) or Article 142, item (ii) of the Ordinance for Enforcement of the Small and Medium Sized Enterprises Cooperatives Act, or Article 62, paragraph (1), item (ii) or Article 63, paragraph (1), item (ii) of the Ordinance for Enforcement of the Labor Bank Act
- (iii) The latest balance sheet, profit and loss statement, statement of changes in net assets, recent daily trial balance sheet, and other documents containing information on the recent status of recent business, assets, profits and losses;
- (iv) When the Corporate Reorganization requires the authorization prescribed in the Banking Act (Act No. 59 of 1981), the Long-Term Credit Bank Act (Act No. 187 of 1952), the Shinkin Bank Act (Act No. 238 of 1951), the Small and Medium Sized Enterprise, etc. , the Cooperatives Act (Act No. 181 of 1949), the Labor Bank Act (Act No. 227 of 1953), or the Act on Financial Institutions' Merger and Conversion (Act No. 86 of 1968), a document certifying that an application for said authorization has been made;
- (v) A document certifying that the requirements prescribed in Article 108-3, paragraph (2), item (i) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act) are satisfied;
- (vi) In the case where there is a Succeeding Financial Institution or succeeding subsidiary company (meaning the succeeding subsidiary company prescribed in Article 108-3, paragraph (4) of the Act) pertaining to the Corporate Reorganization, a document stating the outline of the management soundness improvement plan that is expected to be submitted under Article 108-3, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act) by said Succeeding Financial Institution or succeeding subsidiary company and any other document certifying that the requirements prescribed in Article 108-3,

- paragraph (2), items (ii) and (iv) of the Act (including the cases where these provisions are applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act) are satisfied;
- (vii) Any other document for reference for the purpose of examination pertaining to the granting of the authorization prescribed Article 108-3, paragraph (1) of the Act.

Article 29-4 An Issuing Financial Institution, etc. prescribed in Article 108-3, paragraph (5) of the Act that seeks to obtain the authorization for the Corporate Reorganization under Article 108-3, paragraph (5) of the Act shall submit a written application to the Commissioner of the Financial Services Agency, attaching the following documents:

- (i) Documents listed in items (i), (iii) and (iv) of the preceding Article;
- (ii) Documents prescribed below according to the category of the Corporate Reorganization specified therein;
- (a) A merger; documents containing details of the merger contract and documents listed in Article 34-29, paragraph (1), item (ii) of the Ordinance for Enforcement of the Banking Act or Article 25-10, paragraph (1), item (ii) of the Ordinance for Enforcement of the Long-Term Credit Bank Act
- (b) A company split or the succession of business in a company split; a document containing details of an incorporation-type company split plan or an absorption-type company split contract and documents listed in Article 34-30, paragraph (1), item (ii) of the Ordinance for Enforcement of the Banking Act or Article 25-10-2, paragraph (1), item (ii) of the Ordinance for Enforcement of the Long-Term Credit Bank Act;
- (c) A transfer or assumption of the whole or part of business; a document containing details of a contract for said transfer or assumption and documents listed in Article 34-31, paragraph (1), item (ii) of the Ordinance for Enforcement of the Banking Act or Article 25-11, paragraph (1), item (ii) of the Ordinance for Enforcement of the Long-Term Credit Bank Act
- (iii) A document certifying that the requirements listed in Article 108-3, paragraph (6), item (i) of the Act satisfied;
- (iv) When there is another Bank Holding Company, etc. prescribed in Article 108-3, paragraph (6), item (i) of the Act, the outline of the management soundness improvement plan that is expected to be submitted under Article 108-3, paragraph (7) of the Act by the Subject Subsidiary Company, etc. pertaining to said Issuing Financial Institution, etc. and any other document certifying that the requirements listed in Article 108-3, paragraph (6), items (ii) and (iii) of the Act are satisfied;
- (v) Any other document for reference for the purpose of examination pertaining to the granting of the authorization prescribed in Article 108-3, paragraph

(5) of the Act.

(Publication of Finances of Bank under Special Crisis Management)

Article 30 (1) The publication prescribed in Article 113 of the Act shall be made in the official gazette of balance sheet as of the time of public notice prescribed in Article 111, paragraph (2) of the Act.

(2) The balance sheet prescribed in the preceding paragraph shall be prepared in the form prescribed in Article 19, paragraph (1) of the Ordinance for Enforcement of the Banking Act or Article 18, paragraph (1) of the Ordinance for Enforcement of the Long-Term Credit Bank Act.

(Documents to be Submitted Time of Payment of Contributions)

Article 31 The document specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 122, paragraph (2) of the Act shall be a statement of contributions set forth in appended Form 2.

(Liabilities Excluded from Calculation of Amount of Contributions)

Article 32 Those specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 122, paragraph (3) of the Act shall be the following:

- (i) Reserves recorded based on Article 74, paragraph (2), item (i) of the Ordinance for Enforcement of the Shinkin Bank Act, Article 57, paragraph (2), item (i) of the Ordinance for Enforcement of the Labor Bank Act, Article 37, paragraph (2), item (i) of the Ordinance for Enforcement of the Act on Financial Businesses by Cooperatives (Ordinance of the Ministry of Finance No. 10 of 1993) and Article 6, paragraph (2), item (i) of the Company Accounting Rules (Ordinance of the Ministry of Justice No. 13 of 2006) (limited to liability reserves without legal obligations for payment);
- (ii) Financial instruments transaction liability reserve (meaning financial instruments transaction liability reserve prescribed in Article 48-3, paragraph (1) of the Financial Instruments and Exchange Act (Act No. 25 of 1948));
- (iii) Deferred tax liabilities (meaning the deferred tax liabilities stated in a balance sheet (referred to as "Each Balance Sheet" in the following item) set forth in appended Form 3 or 3-2 prescribed in Article 18, paragraph (2) of the Ordinance for Enforcement of the Banking Act, appended Form 2 or 2-2 prescribed in Article 17, paragraph (2) of the Ordinance for Enforcement of the Long-Term Credit Bank Act, appended Form 13, 14 or 15 prescribed in Article 131, paragraph (1) of the Ordinance for Enforcement of the Shinkin Bank Act, appended Form 9 or 10 prescribed in Article 68, paragraph (1) of the Ordinance for Enforcement of the Act on Financial Businesses by

- Cooperatives, appended Form 9 or 10 prescribed in Article 113, paragraph (1) of the Ordinance for Enforcement of the Labor Bank Act, or appended Form 2 prescribed in Article 81, paragraph (2) of the Ordinance for Enforcement of The Shoko Chukin Bank, Ltd. Act Relating to Ministry of Economy, Trade and Industry, Ministry of Finance, and Cabinet Office (Ordinance of the Cabinet Office, Ministry of Finance, Ministry of Economy, Trade and Industry No. 1 of 2008));
- (iv) Deferred tax liabilities pertaining to revaluation (meaning deferred tax liabilities pertaining to revaluation stated in Each Balance Sheet);

(Matters to be Reported Concerning Decision on Contributions)

Article 33 The matters specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 27, item (iii) of the Order shall be the following:

- (i) The amount of subsidies provided by the government under Article 125, paragraph (1) of the Act;
- (ii) The amount of payment made to the national treasury under Article 125, paragraph (2) of the Act.

(Profit in Crisis Management Account Resulting From Settlement of Profits and Losses)

Article 34 The amount calculated as profit pursuant to the provisions of a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance prescribed in Article 125, paragraph (2) of the Act shall be the amount of current profit stated in a profit and loss statement of the Crisis Management Account based on the accounting rules prescribed in Article 18, paragraph (1).

(Documents the Corporation)

Article 35 The documents specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance in Article 28, paragraph (2) of the Order shall be those clarifying the basis of calculation of the amount to be paid by the Corporation to the national treasury under Article 125, paragraph (2) of the Act.

(Government Agency through Which Submission Is Made, etc.)

Article 36 (1) The founders prescribed in Article 9 of the Act shall submit the articles of incorporation to the Prime Minister under Article 11 of the Act through the Commissioner of the Financial Services Agency.

(2) Officers of the Corporation (meaning the officers prescribed in Article 24 of the Act; excluding, however, the inspector) shall, when they seek to obtain the approval of the Prime Minister under the proviso to Article 30 of the Act,

submit a written application for approval to the Prime Minister through the Commissioner of the Financial Services Agency.

- (3) A Financial Institution subject to the Confirmation pertaining to the Measures under Item (i) prescribed in Article 102, paragraph (1), item (i) of the Act shall submit a plan prescribed in Article 104, paragraph (1) of the Act to the Prime Minister through the Commissioner of the Financial Services Agency.
- (4) A Financial Institution and Bank Holding Company, etc. (excluding those designated by the Commissioner of the Financial Services Agency) shall, when submitting a written application for authorization prescribed in Article 23, a written application for authorization prescribed in Article 29-2 to Article 29-4, and a report prescribed in Article 59, paragraph (6) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 101, paragraph (5) and Article 118, paragraph (2) of the Act), Article 60, paragraph (2), Article 65 and Article 66, paragraph (1) of the Act (including the cases where these provisions are applied mutatis mutandis pursuant to Article 101, paragraph (7) and Article 118, paragraph (4) of the Act) to the Commissioner of the Financial Services Agency, or a management soundness improvement plan prescribed in Article 108-2, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act) and Article 108-3, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act) or Article 108-3, paragraph (7) of the Act to the Commissioner of the Financial Services Agency (excluding the cases where the submission is made to the Prime Minister through the Commissioner of the Financial Services Agency under the preceding paragraph), make the submission through the Director-General of Local Finance Bureau (in the case where the office is located within the jurisdictional district of the Fukuoka Local Finance Branch Bureau (excluding those within the jurisdictional district of a finance office), the Director-General of the Fukuoka Local Finance Branch Bureau, and in the case where said location is within the jurisdictional district of a finance office, Otaru branch office, or Kitami branch office, the head of such finance office or branch office; the same shall apply in the following Article) having jurisdiction over the location of the head office or principal office of the Financial Institution or Bank Holding Company, etc.

(Preliminary Examination)

Article 37 A Financial Institution and Bank Holding Company, etc. may, when it seeks to obtain the authorization under Article 61, paragraph (1) of the Act, approval under Article 67, paragraph (2) of the Act, or authorization under Article 108-2, paragraph (1) or Article 108-3, paragraph (1) or (5) of the Act, request the Commissioner of the Financial Services Agency or the Director-

General of Local Finance Bureau (in the case where said Financial Institution is a labor bank or The Rokinren Bank, to the Commissioner of the Financial Services Agency and the Minister of Health, Labour and Welfare, and in the case where said Financial Institution is The Shoko Chukin Bank, Ltd., to the Commissioner of the Financial Services Agency, the Minister of Finance and the Minister of Economy, Trade and Industry; hereinafter referred to as "Commissioner of the Financial Services Agency, etc." in this Article) to conduct a preliminary examination by submitting to the Commissioner of the Financial Services Agency, etc. documents equivalent to those required to be submitted at the time of applying for said authorization or approval.