預金保険法施行令

Order for Enforcement of the Deposit Insurance Act

（昭和四十六年四月一日政令第百十一号）

(Cabinet Order No. 111 of April 1, 1971)

内閣は、預金保険法（昭和四十六年法律第三十四号）第四十二条第一項、第五十一条第一項、第五十四条第一項及び第三項、第五十七条第一項及び第二項、第五十八条、第五十九条並びに附則第二条第一項の規定に基づき、この政令を制定する。

The Cabinet shall enact this Cabinet Order pursuant to the provisions of Article 42, paragraph (1), Article 51, paragraph (1), Article 54, paragraphs (1) and (3), Article 57, paragraphs (1) and (2), Article 58, and Article 59 of the Deposit Insurance Act (Act No. 34 of 1971) and Article 2, paragraphs (1) of the Supplementary Provisions thereof.

（定義）

(Definitions)

第一条　この政令において「金融機関」、「預金等」、「長期信用銀行債等」、「預金者等」、「銀行持株会社等」、「銀行等」、「優先株式等」、「優先株式」、「劣後特約付社債」、「優先出資」、「株式等」、「優先株式等の引受け等」又は「株式等の引受け等」とは、預金保険法（以下「法」という。）第二条に規定する金融機関、預金等、長期信用銀行債等、預金者等、銀行持株会社等、銀行等、優先株式等、優先株式、劣後特約付社債、優先出資、株式等、優先株式等の引受け等又は株式等の引受け等をいう。

Article 1 In this Cabinet Order, the terms "Financial Institution," "Deposits, etc.," "Long-Term Credit Bank Bonds, etc.," "Depositors, etc.," "Bank Holding Company, etc.," "Bank, etc.," "Preferred Shares, etc.," "preferred shares," "subordinated bonds," "preferred equity investments," "Shares, etc.," "Subscription for Preferred Shares, etc." or "Subscription for Shares, etc." shall mean the Financial Institution, Deposits, etc., Long-Term Credit Bank Bonds, etc., Depositors, etc., Bank Holding Company, etc., Bank, etc., Preferred Shares, etc., preferred shares, subordinated bonds, preferred equity investments, Shares, etc., Subscription for Preferred Shares, etc. or Subscription for Shares, etc. prescribed in Article 2 of the Deposit Insurance Act (hereinafter referred to as "Act").

（長期信用銀行債等）

(Long-Term Credit Bank Bonds, etc.)

第一条の二　法第二条第二項第五号に規定する政令で定めるものは、債券が発行されるもので当該債券の発行時において当該債券の応募者と当該債券の発行者との間で内閣府令・財務省令で定めるところにより当該債券に係る保護預り契約がされているものとする。

Article 1-2 Those specified by a Cabinet Order prescribed in Article 2, paragraph (2), item (v) of the Act shall be those for which bond certificates are issued and for which there is a custody agreement for said bond certificates at the time of issuance thereof between the subscribers and issuer thereof pursuant to the provisions of a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance.

（劣後特約付社債）

(Subordinated Bonds)

第一条の三　法第二条第六項に規定する政令で定める社債は、次に掲げる性質のすべてを有するものとする。

Article 1-3 The bonds specified by a Cabinet Order as prescribed in Article 2, paragraph (6) of the Act shall be those which have all the following characteristics:

一　担保が付されていないこと。

(i) Collateral is not offered;

二　その償還が行われない期間が発行時から五年を超えるものであること。

(ii) The period during which no redemption is made is over five years from the time of their issuance.

（劣後特約付金銭消費貸借）

(Subordinated Loan Agreements)

第一条の四　法第二条第八項に規定する政令で定める金銭の消費貸借は、次に掲げる性質のすべてを有するものとする。

Article 1-4 The loans for consumption specified by a Cabinet Order prescribed in Article 2, paragraph (8) of the Act shall be those which have all the following characteristics:

一　担保が付されていないこと。

(i) Collateral is not offered;

二　その元本の弁済が行われない期間が契約時から五年を超えるものであること。

(ii) The period during which no repayment of the principal is made is over five years from the time of contract.

（借入金の限度額）

(Limit of Amount of Borrowing)

第二条　法第四十二条第三項に規定する政令で定める金額は、十九兆円とする。

Article 2 The amount specified by a Cabinet Order prescribed in Article 42, paragraph (3) of the Act shall be nineteen trillion yen.

（一般預金等に係る保険料の額の計算上除かれる預金等）

(Deposits, etc. Excluded from Calculation of Amount of Insurance Premiums Pertaining to General Deposits, etc.)

第三条　法第五十一条第一項に規定する政令で定める預金等は、次に掲げる預金等で、法第五十条第一項の規定により金融機関が提出する同項の書類に記載されたものとする。

Article 3 The Deposits, etc. specified by a Cabinet Order prescribed in Article 51, paragraph (1) of the Act shall be the following Deposits, etc. that are stated in documents submitted by a Financial Institution under Article 50, paragraph (1) of the Act:

一　譲渡性預金（準備預金制度に関する法律施行令（昭和三十二年政令第百三十五号）第四条第二号に規定する譲渡性預金をいう。次条第一号において同じ。）

(i) Negotiable deposits (meaning the negotiable deposits prescribed in Article 4, item (ii) of the Order for Enforcement of the Act on Reserve Deposit Requirement System (Cabinet Order No. 135 of 1957); the same shall apply in item (i) of the following Article);

二　外国為替及び外国貿易法（昭和二十四年法律第二百二十八号）第二十一条第三項に規定する特別国際金融取引勘定において経理された預金（次号又は第四号に掲げる預金等に該当するものを除く。）

(ii) Deposits settled in the special international financial transactions account (excluding those falling under the Deposits, etc. specified in the following item and item (iv)) prescribed in Article 21, paragraph (3) of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949);

三　日本銀行から受け入れた預金等（会計法（昭和二十二年法律第三十五号）第三十四条第一項の規定による国庫金出納の事務に係るものを除く。）

(iii) The Deposits, etc. received from the Bank of Japan (excluding those pertaining to the affairs of the revenue and expenditure of treasury money prescribed in Article 34, paragraph (1) of the Public Accounting Act (Act No. 35 of 1947));

四　金融機関から受け入れた預金等（法第五十四条の三第一項第一号に規定する確定拠出年金の積立金の運用に係るものを除く。）

(iv) The Deposits, etc. received from a Financial Institution (excluding those pertaining to the investment of reserves of defined contribution pensions prescribed in Article 54-3, paragraph (1), item (i) of the Act);

五　長期信用銀行債等（次に掲げるものに限る。）の発行により受け入れた金銭

(v) Money received through the issuance of the Long-Term Credit Bank Bonds, etc. (limited to the following);

イ　募集の方法により発行されたもの

(a) The Long-Term Credit Bank Bonds, etc. issued by means of subscription.

ロ　当該長期信用銀行債等に係る保護預り契約が終了したもの（イに掲げるものを除く。）

(b) The Long-Term Credit Bank Bonds, etc. for which a custody agreement has ended (excluding those specified in (a)).

六　預金保険機構（以下「機構」という。）から受け入れた預金等

(vi) The Deposits, etc. received from the Deposit Insurance Corporation (hereinafter referred to as "Corporation");

七　預金等（法第二条第二項第五号に掲げるものを除く。）に係る証書（貸付信託法（昭和二十七年法律第百九十五号）第二条第二項に規定する受益証券及び信託法（平成十八年法律第百八号）第百八十五条第一項に規定する受益証券を含む。）が無記名式である預金等

(vii) The Deposits, etc. whose instruments (excluding those specified in Article 2, paragraph (2), item (v) of the Act) (including beneficiary certificates prescribed in Article 2, paragraph (2) of the Loan Trust Act (Act No. 195 of 1952) and Article 185, paragraph (1) of the Trust Act (Act No. 108 of 2006)) are in bearer form;

八　その権利の帰属が社債、株式等の振替に関する法律（平成十三年法律第七十五号）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貸付信託法に規定する貸付信託の受益権又は信託法に規定する受益証券発行信託の受益権に係る信託契約により受け入れた金銭

(viii) Money received under trust contracts pertaining to beneficiary rights of loan trusts prescribed in the Loan Trust Act or trusts issuing beneficiary certificates prescribed in the Trust Act, vesting of the rights of which is to be decided based on the entry or record in the transfer account registry pursuant to the provisions of the Act on the Book-Entry Transfer of Bonds, Stocks, etc. (Act No. 75 of 2001).

（決済用預金に係る保険料の額の計算上除かれる預金）

(Deposits Excluded from Calculation of Amount of Insurance Premiums Pertaining to Deposits for Settlement)

第三条の二　法第五十一条の二第一項に規定する政令で定める預金は、次に掲げる預金で、法第五十条第一項の規定により金融機関が提出する同項の書類に記載されたものとする。

Article 3-2 The deposits specified by a Cabinet Order prescribed in Article 51-2, paragraph (1) of the Act shall be the following deposits that are stated in documents submitted by a Financial Institution under Article 50, paragraph (1) of the Act:

一　譲渡性預金

(i) Negotiable deposits;

二　外国為替及び外国貿易法第二十一条第三項に規定する特別国際金融取引勘定において経理された預金（次号又は第四号に掲げる預金に該当するものを除く。）

(ii) Deposits settled in the special international financial transactions account (excluding those falling under deposits specified in the following item or item (iv)) prescribed in Article 21, paragraph (3) of the Foreign Exchange and Foreign Trade Act;

三　日本銀行から受け入れた預金（会計法第三十四条第一項の規定による国庫金出納の事務に係るものを除く。）

(iii) Deposits received from the Bank of Japan (excluding those pertaining to the affairs of the revenue and expenditure of treasury money prescribed in Article 34, paragraph (1) of the Public Accounting Act);

四　金融機関から受け入れた預金（法第五十四条の三第一項第一号に規定する確定拠出年金の積立金の運用に係るものを除く。）

(iv) Deposits received from a Financial Institution (excluding those pertaining to the investment of reserves of defined contribution pensions prescribed in Article 54-3, paragraph (1), item (i) of the Act);

五　機構から受け入れた預金

(v) Deposits received from the Corporation;

六　預金に係る証書が無記名式である預金

(vi) Deposits whose instruments are in bearer form.

（仮払金の最高限度額）

(Maximum Amount of Provisional Payment)

第四条　法第五十三条第四項に規定する政令で定める金額は、六十万円とする。

Article 4 The amount specified by a Cabinet Order prescribed in Article 53, paragraph (4) of the Act shall be 600,000 yen.

（仮払金の支払対象となる預金等）

(Deposits, etc. Subject to Provisional Payment)

第五条　法第五十三条第四項の規定による仮払金の支払は、普通預金に係る債権のうち元本について行うものとする。

Article 5 The provisional payment prescribed in Article 53, paragraph (4) of the Act shall be made with respect to the principal of the claims pertaining to ordinary deposits.

（保険金の額の計算上除かれる一般預金等）

(General Deposits, etc. Excluded from Calculation of Amount of Insurance Proceeds)

第六条　法第五十四条第一項に規定する政令で定める一般預金等は、一般預金等（法第五十一条第一項に規定する一般預金等をいう。以下同じ。）のうち次に掲げる預金等に該当するものとする。

Article 6 The General Deposits, etc. specified by a Cabinet Order prescribed in Article 54, paragraph (1) of the Act shall be, of the General Deposits, etc. (meaning the General Deposits, etc. prescribed in Article 51, paragraph (1) of the Act; the same shall apply hereinafter), those falling under the following Deposits, etc.:

一　他人（仮設人を含む。）の名義をもつて有している預金等

(i) The Deposits, etc. held in the name of another person (including under a fictitious name);

二　預金等に係る不当契約の取締に関する法律（昭和三十二年法律第百三十六号）第二条第一項又は第二項の規定に違反してされた契約に基づく預金等

(ii) The Deposits, etc. based on a contract concluded in violation of the provisions of Article 2, paragraph (1) or (2) of the Act on Controlling an Unjust Contract Pertaining to a Deposit, etc. (Act No. 136 of 1957).

（利息等）

(Interest, etc.)

第六条の二　法第五十四条第一項に規定する政令で定めるものは、次に掲げるものとする。

Article 6-2 (1) The items specified by a Cabinet Order prescribed in Article 54, paragraph (1) of the Act shall be the following:

一　預金契約に係る利息

(i) Interest under deposit contracts;

二　定期積金契約に係る給付補てん金（法第五十八条の二第一項第二号に規定する給付補てん金をいう。）

(ii) Compensation money for benefits (meaning compensation money for benefits prescribed in Article 58-2, paragraph (1), item (ii) of the Act) under installment savings contracts;

三　掛金契約に係る給付補てん金（法第五十八条の二第一項第三号に規定する給付補てん金をいう。）

(iii) Compensation money for benefits (meaning compensation money for benefits prescribed in Article 58-2, paragraph (1), item (iii) of the Act) under installment deposit contracts;

四　金銭信託（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）第六条の規定により利益を補足する契約がされたものに限る。）に係る信託契約に係る収益の分配

(iv) Distribution of profits under trust contracts for money trusts (limited to those for which a contract to make up for profits is concluded under Article 6 of the Act on Provision, etc. of Trust Business by Financial Institutions (Act No. 43 of 1943)) pertaining to trust contracts;

五　前号に掲げる金銭信託以外の金銭信託（貸付信託を含む。）に係る信託契約に係る収益の分配のうち、預金者等に分配されることが確実なものとして内閣府令・財務省令で定めるもの

(v) Of the distribution of profits under trust contracts for money trusts (including loan trusts) other than the money trusts specified in the preceding item, those specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance as being certain to be distributed the Depositors, etc.;

六　長期信用銀行債等（割引の方法により発行されたものを除く。）に係る利息

(vi) Interests on the Long-Term Credit Bank Bonds, etc. (excluding those issued by means of a discount);

七　長期信用銀行債等のうち割引の方法により発行されたものに係る当該長期信用銀行債等の金額から払込金の合計額を控除した金額に相当するもの

(vii) An amount obtained by deducting from the amount of the Long-Term Credit Bank Bonds, etc. that have been issued by means of a discount the total amount of payment therefor.

２　法第五十四条第一項に規定する保険事故が発生した日において現に預金者等が有する預金等に係る債権のうち前項各号に掲げるものの額の計算については、内閣府令・財務省令で定める。

(2) Of the claims pertaining to the Deposits, etc. actually held by the Depositors, etc. on the day of occurrence of an insurable contingency prescribed in prescribed in Article 54, paragraph (1) of the Act, the calculation of the amounts specified in each item of the preceding paragraph shall be specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance.

（保険基準額）

(Base Insurance Amount)

第六条の三　法第五十四条第二項に規定する政令で定める金額は、千万円とする。

Article 6-3 The amount specified by a Cabinet Order prescribed in Article 54, paragraph (2) of the Act shall be ten million yen.

（一般預金等に係る債権の金利）

(Interest Rate on Claims Pertaining to General Deposits, etc.)

第六条の四　法第五十四条第二項第三号に規定する政令で定めるものは、定期積金の利回り、掛金の利回り、金銭信託の予定配当率（貸付信託にあつては、予想配当率）及び長期信用銀行債等のうち割引の方法により発行されたものの割引率とする。

Article 6-4 The matters specified by a Cabinet Order prescribed in Article 54, paragraph (2), item (iii) of the Act shall be the rate of return on installment savings and installment deposits, expected dividend rate on money trusts (in the case of loan trusts, estimated dividend rate), and discount rate of the Long-Term Credit Bank Bonds, etc. that have been issued by means of a discount.

（一般預金等に係る保険金の額の特例）

(Special Provisions for Amount of Insurance Proceeds Pertaining to General Deposits, etc.)

第六条の五　法第五十四条第三項の規定により保険金の額を計算する場合においては、同条第一項及び第二項の規定により計算した保険金の額に対応するそれぞれの預金等に係る債権の額につきそれぞれ対応する法第五十三条第四項の仮払金の支払及び法第百二十七条において準用する法第六十九条の三第一項の貸付けに係る預金等の払戻しを受けた額を控除するものとする。

Article 6-5 In the case where the amount of insurance proceeds is calculated pursuant to the provisions of Article 54, paragraph (3) of the Act, any provisional payment under Article 53, paragraph (4) of the Act and repayment of the Deposits, etc. pertaining to the loan under Article 69-3, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 127 of the Act that have been received shall be deducted with respect to the amount of claims pertaining to the Deposits, etc. corresponding to the amount of insurance proceeds calculated pursuant to the provisions of Article 54, paragraphs (1) and (2) of the Act.

（仮払金の払戻しの基準となる額の計算方法）

(Method of Calculation of Base Amount for Repayment of Provisional Payment)

第六条の六　法第五十四条第四項に規定する政令で定めるところにより計算した額は、同条第一項及び第二項の規定による保険金の額に対応する各元本の額のうち普通預金に係る元本の額の合計額とする。

Article 6-6 The amount calculated pursuant to the provisions of a Cabinet Order prescribed in Article 54, paragraph (4) of the Act shall be, of each amount of principal corresponding to the amount of insurance proceeds under Article 54, paragraphs (1) and (2) of the Act, the total amount of principal pertaining to ordinary deposits.

（保険金の額の計算上除かれる決済用預金）

(Deposits for Settlement Excluded from Calculation of Amount of Insurance Proceeds)

第七条　法第五十四条の二第一項に規定する政令で定める決済用預金は、決済用預金（法第五十一条の二第一項に規定する決済用預金をいう。以下同じ。）のうち次に掲げる預金に該当するものとする。

Article 7 The Deposits for Settlement specified by a Cabinet Order prescribed in Article 54-2, paragraph (1) of the Act shall be, of the Deposits for Settlement (meaning the Deposits for Settlement prescribed in Article 51-2, paragraph (1) of the Act; the same shall apply hereinafter), those falling under the following deposits:

一　他人（仮設人を含む。）の名義をもつて有している預金

(i) Deposits held in the name of another person (including under a fictitious name);

二　預金等に係る不当契約の取締に関する法律第二条第一項又は第二項の規定に違反してされた契約に基づく預金

(ii) Deposits under contracts concluded in violation of Article 2, paragraph (1) or (2) of the Act on Controlling an Unjust Contract Pertaining to a Deposit, etc.

（決済用預金に係る保険金の額の特例）

(Special Provisions for Amount of Insurance Proceeds Pertaining to Deposits for Settlement)

第七条の二　法第五十四条の二第二項において準用する法第五十四条第三項の規定により保険金の額を計算する場合においては、法第五十四条の二第一項の規定により計算した保険金の額に対応するそれぞれの預金に係る債権の額につきそれぞれ対応する法第五十三条第四項の仮払金の支払及び法第六十九条の三第一項（法第百二十七条において準用する場合を含む。）の貸付けに係る預金の払戻しを受けた額を控除するものとする。

Article 7-2 In the case where the amount of insurance proceeds is calculated pursuant to the provisions of Article 54, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 54-2, paragraph (2) of the Act, any provisional payment under Article 53, paragraph (4) and repayment of the Deposits, etc. pertaining to the loan under Article 69-3, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 127 of the Act) that have been received shall be deducted with respect to the amount of claims pertaining to the Deposits, etc. corresponding to the amount of insurance proceeds calculated pursuant to Article 54-2, paragraph (1) of the Act.

（保険金の支払に係る公告事項）

(Matters for Public Notice Pertaining to Payment of Insurance Proceeds)

第八条　法第五十七条第一項に規定する政令で定める事項は、次に掲げる事項とする。

Article 8 The matters specified by a Cabinet Order prescribed in Article 57, paragraph (1) of the Act shall be the following matters:

一　保険金の支払の取扱時間

(i) Hours of handling of payment of insurance proceeds;

二　預金者等が保険金の支払を請求する際に機構に対し提出又は提示をすべき書類その他のもの

(ii) Documents and other items required to be submitted or presented to the Corporation by the Depositors, etc. when requesting the payment of insurance proceeds; and

三　その他機構が必要と認める事項

(iii) Other matters deemed necessary by the Corporation.

（仮払金の支払に係る公告事項）

(Matters for Public Notice Pertaining to Payment of Provisional Payment)

第九条　法第五十七条第二項に規定する政令で定める事項は、次に掲げる事項とする。

Article 9 The matters specified by a Cabinet Order prescribed in Article 57, paragraph (2) of the Act shall be the following:

一　仮払金の支払の取扱時間

(i) Hours of handling of provisional payment;

二　預金者等が仮払金の支払を請求する際に機構に対し提出又は提示をすべき書類その他のもの

(ii) Documents and other items required to be submitted or presented to the Corporation by the Depositors, etc. when requesting provisional payment; and

三　その他機構が必要と認める事項

(iii) Other matters deemed necessary by the Corporation.

（保険金等の支払期間の変更）

(Change of Payment Period of Insurance Proceeds, etc.)

第十条　法第五十七条第三項に規定する政令で定める事由は、次に掲げる事由とする。

Article 10 (1) The events specified by a Cabinet Order prescribed in Article 57, paragraph (3) of the Act shall be the following:

一　破産法（平成十六年法律第七十五号）第百九十七条第一項（同法第二百九条第三項において準用する場合を含む。）の規定による配当の公告

(i) Notice of Dividend under Article 197, paragraph (1) of the Bankruptcy Act (Act No. 75 of 2004) (including the cases where it is applied mutatis mutandis pursuant to Article 209, paragraph (3) of said Act);

二　法第百三十七条の二第二項の規定による通知

(ii) Notice under Article 137-2, paragraph (2) of the Act;

三　会社更生法（平成十四年法律第百五十四号）第百九十九条第一項又は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）第百二十条第一項の規定による更生計画認可の決定

(iii) Decision of approval of a reorganization plan under Article 199, paragraph (1) of the Corporate Reorganization Act (Act No. 154 of 2002) or Article 120, paragraph (1) of the Act on Special Treatment of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institutions (Act No. 95 of 1996);

四　民事再生法（平成十一年法律第二百二十五号）第百七十四条第一項の規定による再生計画認可の決定

(iv) Decision of confirmation of a rehabilitation plan under Article 174, paragraph (1) of the Civil Rehabilitation Act (Act No. 225 of 1999);

２　機構は、法第五十七条第三項の規定により保険金又は仮払金の支払期間を変更する場合には、変更後の支払期間の末日を前項に規定する事由のあつた日から起算して三週間を経過する日以後にしなければならない。

(2) In the case where the Corporation is to change the payment period of insurance proceeds or provisional payment under Article 57, paragraph (3) of the Act, the last day of the payment period after the change shall be on or after the day on which three weeks have elapsed from the day of the event prescribed in the preceding paragraph.

（保険金の支払の請求により機構が取得する債権）

(Claims Acquired by Corporation Pursuant to Request for Payment of Insurance Proceeds)

第十一条　法第五十八条第一項の規定により機構が預金等に係る債権を取得するときは、保険金計算規定（法第二条第十一項に規定する保険金計算規定をいい、法第五十四条の三第四項の規定により読み替えて適用する場合を含む。）により計算した保険金の額のうち支払われるべき保険金の額に対応する預金等に係る債権を取得するものとする。

Article 11 When the Corporation is to acquire claims pertaining to the Deposits, etc. under Article 58, paragraph (1) of the Act, the Corporation shall, of the amount of insurance proceeds calculated under the Insurance Proceeds Calculation Provision (meaning the Insurance Proceeds Calculation Provision prescribed in Article 2, paragraph (11) of the Act including the cases where it is applied by being replaced with appropriate terms pursuant to Article 54-3, paragraph (4) of the Act), acquire claims pertaining to the Deposits, etc. corresponding to the amount of insurance proceeds to be paid.

（保険金の支払の保留）

(Deferment of Payment of Insurance Proceeds)

第十一条の二　機構は、法第五十八条第二項の規定により保険金の支払を保留するときは、当該保険金の支払を請求した預金者等に対し、次に掲げる事項を記載した書面を交付しなければならない。

Article 11-2 The Corporation shall, when it is to defer the payment of insurance proceeds under Article 58, paragraph (2) of the Act, deliver documents stating the following matters to the Depositors, etc. who have requested said payment:

一　支払を保留する保険金の額

(i) The amount of insurance proceeds for which payment is to be deferred;

二　保険金の支払の請求により機構が取得した債権に係る預金等の種類及び額その他の当該預金等を特定するに足りる事項

(ii) The type and amount of the Deposits, etc. pertaining to claims acquired by the Corporation pursuant to the request for payment of insurance proceeds and other matters sufficient to specify said Deposits, etc.;

三　保留の原因たる担保権に係る担保権者の氏名又は名称

(iii) Names of security interest holders pertaining to security interest that is the cause of deferment;

四　預金者等が保留の原因たる担保権に係る被担保債権が消滅したことにより当該保留の解除を求める場合に機構に対し提出又は提示をすべき書類その他のもの

(iv) Documents and other items required to be submitted or presented to the Corporation by the Depositors, etc. in the case where they request the cancellation of said deferment on the ground of the extinction of the secured claim pertaining to said security interest that is the cause of deferment.

（保険金の支払の場合の租税特別措置法の特例）

(Special Provisions for Act on Special Measures Concerning Taxation in Case of Payment of Insurance Proceeds)

第十一条の三　租税特別措置法（昭和三十二年法律第二十六号）第四条の二第一項に規定する勤労者財産形成住宅貯蓄契約又はその履行につき、勤労者財産形成促進法（昭和四十六年法律第九十二号）第六条第四項第一号ロ又はハに定める要件に該当しないこととなる事実が生じた場合であつて、当該事実が法第五十三条第一項の規定による保険金の支払により生じたものであるときにおける租税特別措置法第四条の二第二項及び第九項の規定の適用については、当該事実は、同条第二項に規定する政令で定める場合及び同条第九項に規定する事実に該当しないものとみなす。

Article 11-3 (1) For the purpose of applying the provisions of Article 4-2, paragraphs (2) and (9) of the Act on Special Measures Concerning Taxation in the case where facts that do not fall under the requirements prescribed in Article 6, paragraph (4), item (i), (b) or (c) of the Act on the Promotion of Workers' Property Accumulation (Act No. 92 of 1971) have occurred with respect to a contract on workers' property accumulation savings for house construction, etc. prescribed in Article 4-2, paragraph (1) of the Act on Special Measures Concerning Taxation (Act No. 26 of 1957) or with respect to the performance thereof, and said facts have arisen from the payment of insurance proceeds under Article 53, paragraph (1) of the Act, said facts shall be deemed not to fall under cases specified by a Cabinet Order prescribed in Article 4-2, paragraph (2) of the Act on Special Measures Concerning Taxation or facts prescribed in Article 4-2, paragraph (9) of said Act.

２　租税特別措置法第四条の三第一項に規定する勤労者財産形成年金貯蓄契約又はその履行につき、勤労者財産形成促進法第六条第二項第一号ロ又はハに定める要件に該当しないこととなる事実が生じた場合であつて、当該事実が法第五十三条第一項の規定による保険金の支払により生じたものであるときにおける租税特別措置法第四条の三第二項及び第十項の規定の適用については、当該事実は、同条第二項に規定する政令で定める場合及び同条第十項に規定する事実に該当しないものとみなす。

(2) For the purpose of applying the provisions of Article 4-3, paragraphs (2) and (10) of the Act on Special Measures Concerning Taxation in the case where facts that do not fall under the requirements prescribed in Article 6, paragraph (2), item (i), (b) or (c) of the Act on the Promotion of Workers' Property Accumulation have occurred with respect to a workers' property accumulation pension savings contract, etc. prescribed in Article 4-3, paragraph (1) of the Act on Special Measures Concerning Taxation or with respect to the performance thereof, and said facts have arisen from the payment of insurance proceeds under Article 53, paragraph (1) of the Act, said facts shall be deemed not to fall under cases specified by a Cabinet Order prescribed in Article 4-3, paragraph (2) of the Act on Special Measures Concerning Taxation or facts prescribed in Article 4-3, paragraph (10) of said Act.

（金融機関による合併等を援助するための行為）

(Act to Support Merger, etc. by Financial Institution)

第十二条　法第六十条第一項に規定する政令で定める行為は、資金の貸付け又は預入れとする。

Article 12 The act specified by a Cabinet Order prescribed in Article 60, paragraph (1) of the Act shall be the loan or deposit of funds.

（財務内容の健全性の確保等のための方策）

(Measures to Ensure Soundness of Financial Conditions, etc.)

第十三条　法第六十四条の二第一項に規定する政令で定める方策は、次に掲げる方策とする。

Article 13 The measures specified by a Cabinet Order prescribed in Article 64-2, paragraph (1) of the Act shall be the following:

一　経営の合理化のための方策

(i) Measures to ensure the rationalization of management;

二　機構が法第六十四条第一項の決定に基づいて取得する優先株式等（次に掲げるものを含む。）及び機構が同項の決定に基づいて取得する貸付債権に係る借入金につき株式処分等（剰余金をもつてする自己の株式の取得又は剰余金をもつてする優先出資の消却をいう。以下同じ。）、償還又は返済に対応することができる財源を確保するための方策

(ii) Measures to secure the source of funds to enable the disposition of shares, etc. (meaning the acquisition of own shares using surplus or cancellation of preferred equity investments using surplus; the same shall apply hereinafter), redemption or repayment with respect to the Preferred Shares, etc. (including the following) acquired by the Corporation based on a decision under Article 64, paragraph (1) of the Act and borrowings pertaining to loan claims acquired by the Corporation based on a decision under Article 64, paragraph (1) of the Act;

イ　当該優先株式等が優先株式である場合にあつては、次に掲げる株式

(a) In the case where the Preferred Shares, etc. are preferred shares, the following shares.

（１）　当該優先株式が他の種類の株式への転換（当該優先株式がその発行会社に取得され、その引換えに他の種類の株式が交付されることをいう。以下この条及び次条（第二項第三号を除く。）において同じ。）の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

1. In the case where a request can be made for the conversion of the preferred shares into shares of another class (meaning the delivery of shares of another class in exchange for the acquisition of said preferred shares by their issuing company; hereinafter the same shall apply in this Article and the following Article (excluding item (iii) of paragraph (2))), shares of another class into which said shares are converted pursuant to the request.

（２）　当該優先株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

2. In the case where the preferred shares convertible upon the occurrence of certain events, shares of another class into which the preferred shares are converted as a result of such occurrence.

（３）　当該優先株式又は（１）若しくは（２）に掲げる他の種類の株式について分割され又は併合された株式

3. Shares split or consolidated with respect to the preferred shares or the shares of another class specified in 1 or 2.

ロ　当該優先株式等が劣後特約付社債である場合にあつては、当該劣後特約付社債に新株予約権が付されているときにその行使により交付された株式及びこれについて分割され又は併合された株式

(b) In the case where the Preferred Shares, etc. are subordinated bonds, shares delivered through the exercise of share options attached to said subordinated bonds and shares split or consolidated with respect thereto.

ハ　当該優先株式等が優先出資である場合にあつては、当該優先出資について分割された優先出資

(c) In the case where the Preferred Shares, etc. are preferred equity investments, preferred equity investments split with respect to said preferred equity investments.

三　財務内容の健全性及び業務の健全かつ適切な運営の確保のための方策

(iii) Measures to ensure the soundness of financial conditions and to ensure the sound and appropriate operations.

（資金援助に係る取得優先株式等）

(Acquired Preferred Shares, etc. Pertaining to Financial Assistance)

第十三条の二　法第六十四条の二第六項第一号に規定する政令で定める株式等は、機構が法第六十四条第一項の決定に基づいてした優先株式等の引受け等により取得した優先株式等（前条第二号イからハまでに掲げるものを含む。）とする。

Article 13-2 (1) The Shares, etc. specified by a Cabinet Order prescribed in Article 64-2, paragraph (6), item (i) of the Act shall be the Preferred Shares, etc. (including those specified in Article 13, item (ii), (a) to (c)) acquired by the Corporation through the Subscription for Preferred Shares, etc. based on a decision under Article 64, paragraph (1) of the Act.

２　法第六十四条の二第六項第二号に規定する政令で定める株式等は次に掲げる株式等とする。

(2) The Shares, etc. specified by a Cabinet Order prescribed in Article 64-2, paragraph (6), item (ii) of the Act shall be the following:

一　機構が法第六十四条第一項の決定により優先株式等の引受け等を行つた金融機関又は銀行持株会社等が行う株式交換又は株式移転により当該金融機関又は銀行持株会社等の株式交換完全親株式会社（会社法（平成十七年法律第八十六号）第七百六十八条第一項第一号に規定する株式交換完全親株式会社をいう。以下同じ。）又は株式移転設立完全親会社（同法第七百七十三条第一項第一号に規定する株式移転設立完全親会社をいう。以下同じ。）となつた会社から機構が割当てを受けた優先株式（次に掲げるものを含む。）

(i) The Preferred shares (including the following) allotted to the Corporation by a company that has become a wholly owning parent stock company in share exchange (meaning the wholly owning parent stock company in share exchange prescribed in Article 768, paragraph (1), item (i) of the Companies Act (Act No. 86 of 2005); the same shall apply hereinafter) or wholly owning parent company incorporated through share transfer (meaning the wholly owning parent company incorporated through share transfer prescribed in Article 773, paragraph (1), item (i) of said Act; the same shall apply hereinafter) of said Financial Institution or Bank Holding Company, etc. through share exchange or share transfer effected by a Financial Institution or Bank Holding Company, etc. for which the Corporation conducted the Subscription for Preferred Shares, etc. pursuant to a decision under Article 64, paragraph (1) of the Act;

イ　当該優先株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

(a) In the case where a request can be made for the conversion of the preferred shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

ロ　当該優先株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

(b) In the case where the preferred shares are convertible upon the occurrence of certain events, shares of another class into which the preferred shares are converted as a result of such occurrence.

ハ　当該優先株式又はイ若しくはロに掲げる他の種類の株式について分割され又は併合された株式

(c) Shares split or consolidated with respect to the preferred shares or the shares of another class specified in (a) or (b).

二　機構が法第六十四条第一項の決定により優先株式等の引受け等を行つた金融機関又は銀行持株会社等が行う合併又は会社分割により当該金融機関又は銀行持株会社等の事業の全部又は一部を承継する他の法人から機構が割当てを受けた優先株式等（次に掲げるものを含む。）

(ii) The Preferred Shares, etc. (including the following) allotted to the Corporation by another corporation that is to succeed to the whole or part of business of a Financial Institution or Bank Holding Company, etc. through merger or company split thereof, for which the Corporation has conducted the Subscription for Preferred Shares, etc. pursuant to a decision under Article 64, paragraph (1) of the Act;

イ　当該優先株式等が優先株式である場合にあつては、次に掲げる株式

(a) In the case where the Preferred Shares, etc. are preferred shares, the following shares;

（１）　当該優先株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

1. In the case where a request can be made for the conversion of the preferred shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

（２）　当該優先株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

2. In the case where the preferred shares are convertible upon the occurrence of certain events, shares of another class into which the preferred shares are converted as a result of such occurrence.

（３）　当該優先株式又は（１）若しくは（２）に掲げる他の種類の株式について分割され又は併合された株式

3. Shares split or consolidated with respect to the preferred shares or the shares of another class specified in 1 or 2.

ロ　当該優先株式等が劣後特約付社債である場合にあつては、当該劣後特約付社債に新株予約権が付されているときにその行使により交付された株式及びこれについて分割され又は併合された株式

(b) In the case where the Preferred Shares, etc. are subordinated bonds, shares delivered through the exercise of share options attached to said subordinated bonds and shares split or consolidated with respect thereto.

ハ　当該優先株式等が優先出資である場合にあつては、当該優先出資について分割された優先出資

(c) In the case where the Preferred Shares, etc. are preferred equity investments, preferred equity investments split with respect to said preferred equity investments.

三　本条の規定により取得優先株式等（法第六十四条の二第六項に規定する取得優先株式等をいう。）に該当する株式等の発行者である法人が行う株式交換若しくは株式移転により当該法人の株式交換完全親株式会社若しくは株式移転設立完全親会社となつた会社又は当該法人が行う合併若しくは会社分割により当該法人の事業の全部若しくは一部を承継する他の法人から機構が割当てを受けた株式等（次に掲げるものを含み、前二号に掲げる株式等を除く。）

(iii) The Shares, etc. (including the following and excluding the Shares, etc. specified in the preceding two items) allotted to the Corporation by a company that has become a wholly owning parent stock company in share exchange or wholly owning parent company incorporated through share transfer through share exchange or share transfer effected by a corporation that is an issuer of the Shares, etc. falling under acquired Preferred Shares, etc. (meaning the acquired Preferred Shares, etc. prescribed in Article 64-2, paragraph (6) of the Act) under this Article or by another corporation that is to succeed to the whole or part of the business of said corporation through merger or company split thereof;

イ　当該株式等が株式である場合にあつては、次に掲げる株式

(a) In the case where the Shares, etc. are shares, the shares specified below.

（１）　当該株式が他の種類の株式への転換（当該株式がその発行会社に取得され、その引換えに他の種類の株式が交付されることをいう。以下第二十五条の四までにおいて同じ。）の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

1. In the case where a request can be made for the conversion of said shares into shares of another class (meaning the delivery of shares of another class in exchange for the acquisition of said shares by their issuing company; hereinafter the same shall apply through to Article 25-4), shares of another class into which said shares are converted pursuant to the request.

（２）　当該株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

2. In the case where said shares are convertible upon the occurrence of certain events, shares of another class into which said shares are converted as a result of such occurrence.

（３）　当該株式又は（１）若しくは（２）に掲げる他の種類の株式について分割され又は併合された株式

3. Shares split or consolidated with respect to said shares or the shares of another class specified in 1 or 2.

ロ　当該株式等が劣後特約付社債である場合にあつては、当該劣後特約付社債に新株予約権が付されているときにその行使により交付された株式及びこれについて分割され又は併合された株式

(b) In the case where said Shares, etc. are subordinated bonds, shares delivered through the exercise of share options attached to said subordinated bonds and shares split or consolidated with respect thereto.

ハ　当該株式等が優先出資である場合にあつては、当該優先出資について分割された優先出資

(c) In the case where said Shares, etc. are preferred equity investments, preferred equity investments split with respect to said preferred equity investments.

（業務の継続の承認申請）

(Application for Approval for Continuation of Business)

第十四条　救済金融機関は、法第六十七条第二項の規定による業務の継続の承認を受けようとするときは、承認申請書に次に掲げる書類を添付して、これを金融庁長官（労働金庫又は労働金庫連合会にあつては金融庁長官及び厚生労働大臣とし、株式会社商工組合中央金庫にあつては金融庁長官、財務大臣及び経済産業大臣とする。）に提出しなければならない。

Article 14 An Assuming Financial Institution shall, if it seeks to obtain approval for the continuation of business under Article 67, paragraph (2) of the Act, submit to the Commissioner of the Financial Services Agency (in the case of 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 of 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) a written application for approval, attaching the following documents:

一　当該業務を継続する特別の事情を記載した書面

(i) Documents stating special circumstances for the continuation of said business;

二　法第六十七条第二項に規定する契約の内容及び事業の譲受け又は付保預金移転（法第二条第十一項に規定する付保預金移転をいう。）の日における当該契約の総額を記載した書面

(ii) Documents stating the contents of a contract prescribed in Article 67, paragraph (2) of the Act and the total amount of said contract as of the date of the assumption of business or Transfer of Insured Deposits (meaning the Transfer of Insured Deposits prescribed in Article 2, paragraph (11) of the Act);

三　当該業務を継続する期間及び当該業務の整理に関する計画を記載した書面

(iii) Documents stating the period for said continuation of business and a plan as to how said business is to be concluded;

四　その他内閣府令・財務省令で定める書類

(iv) Other documents specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance.

（資金援助に係る株式交換等の承認に係る財務内容の健全性の確保等のための方策）

(Measures to Ensure Soundness of Financial Conditions, etc. Concerning Approval for Share Exchange, etc. Pertaining to Financial Assistance)

第十四条の二　法第六十八条の二第四項に規定する政令で定める方策は、次に掲げる方策とする。

Article 14-2 The measures specified by a Cabinet Order prescribed in Article 68-2, paragraph (4) of the Act shall be the following:

一　経営の合理化のための方策

(i) Measures to ensure the rationalization of management;

二　法第六十八条の二第一項の承認を受けた株式交換等（同項に規定する株式交換等をいう。）により機構が割当てを受けた法第六十四条の二第六項に規定する取得優先株式等である株式（次に掲げるものを含む。）につき剰余金をもつてする自己の株式の取得に対応することができる財源を確保するための方策

(ii) Measures to secure the source of funds to enable the acquisition of own shares using surplus with respect to acquired Preferred Shares, etc. (including the following) prescribed in Article 64-2, paragraph (6) of the Act that are allotted to the Corporation through the Share Exchange, etc. (meaning the Share Exchange, etc. prescribed in Article 68-2, paragraph (1) of the Act) approved under Article 68-2, paragraph (1) of the Act;

イ　当該株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

(a) In the case where a request can be made for the conversion of said shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

ロ　当該株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

(b) In the case where said shares are convertible upon the occurrence of certain events, shares of another class into which said shares are converted as a result of such occurrence.

ハ　当該株式又はイ若しくはロに掲げる他の種類の株式について分割され又は併合された株式

(c) Shares split or consolidated with respect to said shares or the shares of another class specified in (a) or (b).

三　財務内容の健全性及び業務の健全かつ適切な運営の確保のための方策

(iii) Measures to ensure the soundness of financial conditions and to ensure the sound and appropriate operations.

（資金援助に係る組織再編成の承認に係る財務内容の健全性の確保等のための方策）

(Measures to Ensure Soundness of Financial Conditions, etc. Concerning Approval for Corporate Reorganization Pertaining to Financial Assistance)

第十四条の三　法第六十八条の三第四項に規定する政令で定める方策は、次に掲げる方策とする。

Article 14-3 The measures specified by a Cabinet Order prescribed in Article 68-3, paragraph (4) of the Act shall be the following:

一　経営の合理化のための方策

(i) Measures to ensure the rationalization of management;

二　法第六十八条の三第一項の承認を受けた組織再編成（同項に規定する組織再編成をいう。以下この号において同じ。）により機構が割当てを受けた法第六十四条の二第六項に規定する取得優先株式等である株式等（次に掲げるものを含む。）及び法第六十八条の三第一項の承認を受けた組織再編成の後において機構が保有する取得貸付債権（法第六十四条の二第五項に規定する取得貸付債権をいい、当該組織再編成に係る承継金融機関等（法第六十八条の三第四項に規定する承継金融機関等をいう。）を債務者とするものに限る。）に係る借入金につき株式処分等、償還又は返済に対応することができる財源を確保するための方策

(ii) Measures to secure the source of funds to enable the disposition of shares, etc., redemption or repayment with respect to acquired Preferred Shares, etc. (including the following) prescribed in Article 64-2, paragraph (6) of the Act that are allotted to the Corporation through a corporate reorganization (meaning the corporate reorganization prescribed in Article 68-3, paragraph (1) of the Act; hereinafter the same shall apply in this item) approved under Article 68-3, paragraph (1) of the Act and borrowings pertaining to acquired loan claims (meaning the acquired loan claims prescribed in Article 64-2, paragraph (5) of the Act and limited to those of which the obligor is the succeeding Financial Institution, etc. (meaning the succeeding Financial Institution, etc. prescribed in Article 68-3, paragraph (4) of the Act) pertaining to the corporate reorganization) held by the Corporation after the corporate reorganization approved under Article 68-3, paragraph (1) of the Act.

イ　当該株式等が株式である場合にあつては、次に掲げる株式

(a) In the case where the Shares, etc. are shares, the shares specified below.

（１）　当該株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

1. In the case where a request can be made for the conversion of said shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

（２）　当該株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

2. In the case where said shares are convertible upon the occurrence of certain events, shares of another class into which said shares are converted as a result of such occurrence.

（３）　当該株式又は（１）若しくは（２）に掲げる他の種類の株式について分割され又は併合された株式

3. Shares split or consolidated with respect to said shares or the shares of another class specified in 1 or 2.

ロ　当該株式等が劣後特約付社債である場合にあつては、当該劣後特約付社債に新株予約権が付されているときにその行使により交付された株式及びこれについて分割され又は併合された株式

(b) In the case where the Shares, etc. are subordinated bonds, shares delivered through the exercise of share options attached to said subordinated bonds and shares split or consolidated with respect thereto.

ハ　当該株式等が優先出資である場合にあつては、当該優先出資について分割された優先出資

(c) In the case where the Shares, etc. are preferred equity investments, preferred equity investments split with respect to said preferred equity investments.

三　財務内容の健全性及び業務の健全かつ適切な運営の確保のための方策

(iii) Measures to ensure the soundness of financial conditions and to ensure the sound and appropriate operations.

（追加資金援助に係る財務内容の健全性の確保のための方策の規定の準用）

(Application Mutatis Mutandis of the Provisions Concerning Measures to Ensure Soundness of Financial Conditions Pertaining to Additional Financial Assistance)

第十四条の四　第十三条の規定は、法第六十九条第四項において法第六十四条の二第一項の規定を準用する場合について準用する。この場合において、第十三条第二号中「法第六十四条第一項」とあるのは、「法第六十九条第四項において準用する法第六十四条第一項」と読み替えるものとする。

Article 14-4 The provisions of Article 13 shall apply mutatis mutandis to the cases where the provisions of Article 64-2, paragraph (1) of the Act are applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act. In this case, the term "Article 64, paragraph (1) of the Act" in Article 13, item (ii) shall deemed to be replaced with "Article 64, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act."

（追加資金援助に係る取得優先株式等の規定の準用）

(Application Mutatis Mutandis of Provisions Concerning Acquired Preferred Shares, etc. Pertaining to Additional Financial Assistance)

第十四条の五　第十三条の二の規定は、法第六十九条第四項において法第六十四条の二第五項（法第六十八条の二第五項及び第六十八条の三第五項において準用する場合を含む。）の規定を準用する場合について準用する。この場合において、第十三条の二第一項並びに第二項第一号及び第二号中「法第六十四条第一項」とあるのは、「法第六十九条第四項において準用する法第六十四条第一項」と読み替えるものとする。

Article 14-5 The provisions of Article 13-2 shall apply mutatis mutandis to the cases where the provisions of Article 64-2, paragraph (5) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 68-2, paragraph (5) and Article 68-3, paragraph (5) of the Act) are applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act. In this case, the term "Article 64, paragraph (1) of the Act" in Article 13-2, paragraph (1) and Article 13-2, paragraph (2), items (i) and (ii) shall deemed to be replaced with "Article 64, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act."

（追加資金援助に係る株式交換等の承認に係る財務内容の健全性の確保等のための方策の規定の準用）

(Application Mutatis Mutandis of Provisions Concerning Measures to Ensure Soundness of Financial Conditions, etc. Concerning Approval for Share Exchange, etc. Pertaining to Additional Financial Assistance)

第十四条の六　第十四条の二の規定は、法第六十九条第四項において法第六十八条の二第四項の規定を準用する場合について準用する。この場合において、第十四条の二第二号中「法第六十八条の二第一項」とあるのは「法第六十九条第四項において準用する法第六十八条の二第一項」と、「法第六十四条の二第六項」とあるのは「法第六十九条第四項において準用する法第六十四条の二第六項」と読み替えるものとする。

Article 14-6 The provisions of Article 14-2 shall apply mutatis mutandis to the cases where the provisions of Article 68-2, paragraph (4) of the Act are applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act. In this case, the terms in Article 14-2, item (ii) "Article 68-2, paragraph (1) of the Act" shall be deemed to be replaced with "Article 68-2, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act," and "Article 64-2, paragraph (6) of the Act" shall be deemed to be replaced with "Article 64-2, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act."

（追加資金援助に係る組織再編成の承認に係る財務内容の健全性の確保等のための方策の規定の準用）

(Application Mutatis Mutandis of Provisions Concerning Measures to Ensure Soundness of Financial Conditions, etc. Concerning Approval for Corporate Reorganization Pertaining to Additional Financial Assistance)

第十四条の七　第十四条の三の規定は、法第六十九条第四項において法第六十八条の三第四項の規定を準用する場合について準用する。この場合において、第十四条の三第二号中「法第六十八条の三第一項」とあるのは「法第六十九条第四項において準用する法第六十八条の三第一項」と、「法第六十四条の二第五項」とあるのは「法第六十九条第四項において準用する法第六十四条の二第五項」と、「法第六十四条の二第六項」とあるのは「法第六十九条第四項において準用する法第六十四条の二第六項」と読み替えるものとする。

Article 14-7 The provisions of Article 14-3 shall apply mutatis mutandis to the cases where the provisions of Article 68-3, paragraph (4) of the Act are applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act. In this case, the terms in Article 14-3, item (ii) "Article 68-3, paragraph (1) of the Act" shall be deemed to be replaced with "Article 68-3, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act," "Article 64-2, paragraph (5) of the Act" shall be deemed to be replaced with "Article 64-2, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act," and "Article 64-2, paragraph (6) of the Act" shall be deemed to be replaced with "Article 64-2, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act."

（金融機関が行う資金決済に係る取引）

(Transactions Pertaining to Settlement of Funds Undertaken by Financial Institution)

第十四条の八　法第六十九条の二第一項に規定する政令で定める取引は、次に掲げる取引（資金決済に関する法律（平成二十一年法律第五十九号）第七十二条に規定する資金清算業の適切な遂行を確保するための措置その他これに準ずる措置により当該取引に係る債務の履行の確保が図られているものとして機構が適当であると認めるものを除く。）とする。

Article 14-8 The transactions specified by a Cabinet Order prescribed in Article 69-2, paragraph (1) of the Act shall be the following transactions (excluding transactions that are deemed to be appropriate by the Corporation on the ground that the performance of liabilities pertaining thereto is assured through the implementation of measures to secure the appropriate clearing of funds and other similar measures prescribed in Article 72 of the Act on the Settlement of Funds (Act No. 59 of 2009)):

一　為替取引

(i) Exchange transactions;

二　手形、小切手その他手形交換所においてその表示する金額による決済をすることができる証券又は証書について手形交換所における提示に基づき行われる取引

(ii) Transactions conducted based on the presentation of negotiable instrument, check, or other securities or instruments which can be settled for an amount indicated thereon at a clearinghouse;

三　小切手法（昭和八年法律第五十七号）第六条第三項の規定により金融機関が自己宛に振り出した小切手に係る取引

(iii) Transactions pertaining to checks drawn by a Financial Institution on itself under Article 6, paragraph (3) of the Act on Checks (Act No. 57 of 1933).

（金融業を営む者）

(Person Conducting Financial Business)

第十四条の九　法第六十九条の二第一項に規定する政令で定める者は、次に掲げる者とする。

Article 14-9 The persons specified by a Cabinet Order prescribed in Article 69-2, paragraph (1) of the Act shall be the following:

一　金融機関

(i) A Financial Institution;

二　銀行法（昭和五十六年法律第五十九号）第四十七条第二項に規定する外国銀行支店

(ii) A branch office of a foreign bank prescribed in Article 47, paragraph (2) of the Banking Act (Act No. 59 of 1981);

三　農業協同組合法（昭和二十二年法律第百三十二号）第十条第一項第三号の事業を行う農業協同組合

(iii) Agricultural cooperatives that conduct the activities prescribed in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act (Act No. 132 of 1947);

四　農業協同組合法第十条第一項第三号の事業を行う農業協同組合連合会

(iv) A federation of agricultural cooperatives that conducts the activities prescribed in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act;

五　水産業協同組合法（昭和二十三年法律第二百四十二号）第十一条第一項第四号の事業を行う漁業協同組合

(v) Fisheries cooperatives that conduct the activities prescribed in Article 11, paragraph (1), item (iv) of the Fisheries Cooperatives Act (Act No. 242 of 1948);

六　水産業協同組合法第八十七条第一項第四号の事業を行う漁業協同組合連合会

(vi) A federation of fisheries cooperatives that conducts the activities prescribed in Article 87, paragraph (1), item (iv) of the Fisheries Cooperatives Act;

七　水産業協同組合法第九十三条第一項第二号の事業を行う水産加工業協同組合

(vii) Fishery processing cooperatives that conduct the activities prescribed in Article 93, paragraph (1), item (ii) of the Fisheries Cooperatives Act;

八　水産業協同組合法第九十七条第一項第二号の事業を行う水産加工業協同組合連合会

(viii) A federation of fishery processing cooperatives that conducts the activities prescribed in Article 97, paragraph (1), item (ii) of the Fisheries Cooperatives Act;

九　農林中央金庫

(ix) The Norinchukin Bank.

（金融機関が負担する債務）

(Obligations Borne by Financial Institutions)

第十四条の十　法第六十九条の二第一項に規定する政令で定めるものは、次に掲げるものとする。

Article 14-10 Those specified by a Cabinet Order prescribed in Article 69-2, paragraph (1) of the Act shall be the following:

一　金融機関が業として行う取引以外の取引に起因するもの

(i) Those resulting from transactions other than those conducted as a regular business by a Financial Institution;

二　前条各号に掲げる者が業として行う取引以外の取引に基づくものであつて、当該者の委託に起因するもの

(ii) Those resulting from entrustment by a relevant person based on transactions other than those conducted as a regular business by a person specified in each item of the preceding Article;

三　第十四条の八第三号に掲げる取引に起因するもの

(iii) Those resulting from transactions specified in Article 14-8, item (iii).

（預金等債権の買取りの対象から除かれる預金等）

(Deposits, etc. Excluded from Purchase of Deposits and Other Claims)

第十五条　法第七十条第一項に規定する政令で定める預金等は、第三条各号及び第六条各号に掲げる預金等とする。

Article 15 The Deposits, etc. specified by a Cabinet Order prescribed in Article 70, paragraph (1) of the Act shall be the Deposits, etc. specified in each item of Article 3 and Article 6.

（預金等債権の買取りに要した費用）

(Costs Required for Purchase of Deposits and Other Claims)

第十六条　法第七十条第二項に規定する買取りに要した費用として政令で定めるものは、次に掲げる費用とする。

Article 16 The amount of costs specified by a Cabinet Order prescribed in Article 70, paragraph (2) of the Act as being required for purchase shall be the following:

一　預金等債権の買取り（法第七十条第一項に規定する預金等債権の買取りをいう。以下同じ。）をするために機構がした借入金の利息

(i) Interest on borrowings made by the Corporation costs incurred for the purpose of purchasing deposits and other claims (meaning the purchase of deposits and other claims prescribed in Article 70, paragraph (1) of the Act; the same shall apply hereinafter);

二　預金等債権の買取りをするために機構が要した事務取扱費

(ii) Administrative costs incurred by the Corporation for the purpose of purchasing deposits and other claims;

三　法第七十条第二項ただし書の規定による支払をするとした場合に当該支払のために機構が要すると見込まれる事務取扱費

(iii) Administrative costs expected to be incurred by the Corporation for the purpose of making payments, if any, under the proviso to Article 70, paragraph (2) of the Act.

（概算払額の計算上除かれるもの）

(Amount Excluded from Calculation of Estimated Proceeds Payment)

第十七条　法第七十条第三項に規定する政令で定めるものは、第六条の二第一項第二号、第三号及び第七号に掲げるものとする。

Article 17 Those specified by a Cabinet Order prescribed in Article 70, paragraph (3) of the Act shall be those specified in Article 6-2, paragraph (1), items (ii), (iii) and (vii).

（預金等債権の買取りに係る公告事項）

(Matters for Public Notice Pertaining to Purchase of Deposits and Other Claims)

第十八条　法第七十二条第一項に規定する政令で定める事項は、次に掲げる事項とする。

Article 18 The matters specified by a Cabinet Order prescribed in Article 72, paragraph (1) of the Act shall be the following:

一　預金等債権の買取りの取扱時間

(i) Hours of handling of purchase of deposits and other claims;

二　預金者等が預金等債権の買取りの請求をする際に機構に対し提出又は提示をすべき書類その他のもの

(ii) Documents and other items required to be submitted or presented to the Corporation by the Depositors, etc. when requesting the purchase of deposits and other claims;

三　その他機構が必要と認める事項

(iii) Other matters deemed necessary by the Corporation.

（預金等債権の買取期間の変更）

(Change of Period of Purchase of Deposits and Other Claims)

第十九条　法第七十二条第二項に規定する政令で定める事由は、第十条第一項各号に掲げる事由とする。

Article 19 (1) The events specified by a Cabinet Order prescribed in Article 72, paragraph (2) of the Act shall be those specified in each item of Article 10, paragraph (1).

２　機構は、法第七十二条第二項の規定により預金等債権の買取りに係る買取期間を変更する場合には、変更後の買取期間の末日を前項に規定する事由のあつた日から起算して三週間を経過する日以後にしなければならない。

(2) In the case where the Corporation is to change the purchase period pertaining to the purchase of deposits and other claims under Article 72, paragraph (2) of the Act, the last day of the purchase period after the change shall be on or after the day on which three weeks have elapsed from the day of the event prescribed in the preceding paragraph.

（精算払に係る公告事項）

(Matters for Public Notice Pertaining to Settlement Payment)

第二十条　法第七十二条第四項に規定する政令で定める事項は、次に掲げる事項とする。

Article 20 The matters specified by a Cabinet Order prescribed in Article 72, paragraph (4) of the Act shall be the following:

一　支払の方法

(i) Method of payment;

二　その他機構が必要と認める事項

(ii) Other matters deemed necessary by the Corporation.

（預金等債権の買取りの場合の基準日における元本額）

(Amount of Principal on Reference Date in Case of Purchase of Deposits and Other Claims)

第二十一条　法第七十三条第一項に規定する元本の額として政令で定める金額は、預金者等が法第七十条第四項に規定する概算払額の支払を受けた預金等債権（同条第一項に規定する預金等債権をいう。以下同じ。）のうち、当該概算払額の支払に係る保険事故が発生した日において元本であつたものの額（法第七十三条第一項第五号に規定する長期信用銀行債等にあつては、当該長期信用銀行債等の金額）に相当する金額（当該概算払額の支払の日までに、機構が法第五十八条第一項若しくは第三項の規定により当該預金等債権の元本の全部若しくは一部を取得している場合又は当該預金等債権の元本の全部若しくは一部が法第六十九条の三第一項（法第百二十七条において準用する場合を含む。）の貸付けに係る預金等の払戻し、相殺その他の事由により消滅している場合にあつては、その取得した預金等債権の元本の額に相当する金額又はその消滅した預金等債権の元本の額に相当する金額を控除した金額）とする。

Article 21 The amount specified by a Cabinet Order prescribed in Article 73, paragraph (1) of the Act as the amount of principal shall be an amount which, on the day of occurrence of an insurable contingency pertaining to the Estimated Proceeds Payment, is equivalent to the principal of deposits and other claims (meaning the deposits and other claims prescribed in Article 70, paragraph (1) of the Act; the same shall apply hereinafter) for which the Depositors, etc. have received the Estimated Proceeds Payment prescribed in Article 70, paragraph (4) of the Act (in the case of the Long-Term Credit Bank Bonds, etc. prescribed in Article 73, paragraph (1), item (v) of the Act, the amount of such Long-Term Credit Bank Bonds, etc.) (said amount shall, in the case where, prior to the day of the Estimated Proceeds Payment, the Corporation has acquired the whole or part of the principal of deposits and other claims under Article 58, paragraph (1) or (3) of the Act, or the whole or part of the principal of deposits and other claims have been extinguished due to repayment or set-off of the Deposits, etc. pertaining to the loan prescribed in Article 69-3, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 127 of the Act) or any other reason, be reduced by the amount of principal of deposits and other claims that have been so acquired or extinguished).

（預金等債権の買取りの場合の租税特別措置法の特例）

(Special Provisions for Act on Special Measures Concerning Taxation For Purchase of Deposits and Other Claims)

第二十二条　租税特別措置法第四条の二第一項に規定する勤労者財産形成住宅貯蓄契約又はその履行につき、勤労者財産形成促進法第六条第四項第一号ロ又はハに定める要件に該当しないこととなる事実が生じた場合であつて、当該事実が預金等債権の買取りにより生じたものであるときにおける租税特別措置法第四条の二第二項及び第九項の規定の適用については、当該事実は、同条第二項に規定する政令で定める場合及び同条第九項に規定する事実に該当しないものとみなす。

Article 22 (1) For the purpose of applying the provisions of Article 4-2, paragraphs (2) and (9) of the Act on Special Measures Concerning Taxation in the case where facts that do not fall under the requirements prescribed in Article 6, paragraph (4), item (i), (b) or (c) of the Act on the Promotion of Workers' Property Accumulation have occurred with respect to a contract on workers' property accumulation savings for house construction, etc. prescribed in Article 4-2, paragraph (1) of the Act on Special Measures Concerning Taxation or with respect to the performance thereof, and said facts have arisen from the purchase of deposits and other claims, said facts shall be deemed not to fall under cases specified by a Cabinet Order prescribed in Article 4-2, paragraph (2) of the Act on Special Measures Concerning Taxation or facts prescribed in Article 4-2, paragraph (9) of said Act.

２　租税特別措置法第四条の三第一項に規定する勤労者財産形成年金貯蓄契約又はその履行につき、勤労者財産形成促進法第六条第二項第一号ロ又はハに定める要件に該当しないこととなる事実が生じた場合であつて、当該事実が預金等債権の買取りにより生じたものであるときにおける租税特別措置法第四条の三第二項及び第十項の規定の適用については、当該事実は、同条第二項に規定する政令で定める場合及び同条第十項に規定する事実に該当しないものとみなす。

(2) For the purpose of applying the provisions of Article 4-3, paragraphs (2) and (10) of the Act on Special Measures Concerning Taxation in the case where facts that do not fall under the requirements prescribed in Article 6, paragraph (2), item (i), (b) or (c) of the Act on the Promotion of Workers' Property Accumulation have occurred with respect to a workers' property accumulation pension savings contract, etc. prescribed in Article 4-3, paragraph (1) of the Act on Special Measures Concerning Taxation or with respect to the performance thereof, and said facts have arisen from the purchase of deposits and other claims, said facts shall be deemed not to fall under cases specified by a Cabinet Order prescribed in Article 4-3, paragraph (2) of the Act on Special Measures Concerning Taxation or facts prescribed in Article 4-3, paragraph (10) of said Act.

（資本金の額の減少の場合に各別に異議の催告をすることを要しない債権者）

(Creditors to Whom Individual Notice Need Not Be Given Concerning Reduction of Amount of Stated Capital)

第二十三条　法第八十九条（法第百六条第二項の規定により準用する場合を含む。）に規定する政令で定める債権者は、次に掲げるものとする。

Article 23 The creditors specified by a Cabinet Order prescribed in Article 89 of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 106, paragraph (2) of the Act) shall be the following:

一　定期積金の積金者

(i) Persons who make installment savings;

二　掛金の掛金者

(ii) Persons who make installment deposits;

三　金銭信託の受益者

(iii) Beneficiaries of money trusts;

四　長期信用銀行法（昭和二十七年法律第百八十七号）第八条の規定による長期信用銀行債、金融機関の合併及び転換に関する法律（昭和四十三年法律第八十六号）第八条第一項（同法第五十五条第四項において準用する場合を含む。）の規定による特定社債、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）附則第百六十九条の規定によりなおその効力を有するものとされる同法附則第百六十八条の規定による改正前の金融機関の合併及び転換に関する法律第十七条の二第一項の規定による債券、信用金庫法（昭和二十六年法律第二百三十八号）第五十四条の二の四第一項の規定による全国連合会債及び株式会社商工組合中央金庫法（平成十九年法律第七十四号）第三十三条の規定による商工債（同法附則第三十七条の規定により同法第三十三条の規定により発行された商工債とみなされたものを含む。）（第三十条において「金融債」という。）の権利者

(iv) Holders of the Long-Term Credit Bank Bonds under Article 8 of the Long-Term Credit Bank Act (Act No. 187 of 1952), specified bonds under Article 8, paragraph (1) of the Act on Financial Institutions' Merger and Conversion (Act No. 86 of 1968) (including the cases where it is applied mutatis mutandis pursuant to the provisions of Article 55, paragraph (4) of said Act), debentures issued under Article 17-2, paragraph (1) of the Act on Financial Institutions' Merger and Conversion before the revision by Article 168 of the Supplementary Provisions of the Act on Development, etc. of Relevant Acts for the Reform of the Financial System (Act No. 107 of 1998) which shall remain in force pursuant to Article 169 of the Supplementary Provisions of said Act, Federation of Shinkin Banks bonds under Article 54-2-4, paragraph (1) of the Shinkin Bank Act (Act No. 238 of 1951), and commercial and industrial bonds under Article 33 of The Shoko Chukin Bank, Ltd. Act (Act No. 74 of 2007) (including those that are deemed under Article 37 of the Supplementary Provisions of said Act to be commercial and industrial bonds issued under Article 33 of said Act) (referred to as "Financial Bonds" in Article 30);

五　保護預り契約に係る債権者その他の銀行等の業務に係る多数人を相手方とする定型的契約の債権者で内閣府令・財務省令で定めるもの

(v) Creditors pertaining to a custody agreement and other creditors under a standard contract pertaining to the business of a Bank, etc. to which a large number of persons are parties, as specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance.

（協定承継銀行に生じた損失の金額）

(Amount of Loss Caused to Contracted Bridge Bank)

第二十四条　法第九十九条に規定する政令で定めるところにより計算した金額は、協定承継銀行（法第九十七条第一項第一号に規定する協定承継銀行をいう。第一号において同じ。）の各事業年度に係る次に掲げる金額のうちいずれか少ない金額とする。

Article 24 The amount calculated pursuant to the provisions of a Cabinet Order prescribed in Article 99 of the Act shall be the smaller of the amounts specified in the following items pertaining to each business year of the Contracted Bridge Bank (meaning the Contracted Bridge Bank prescribed in Article 97, paragraph (1), item (i) of the Act; the same shall apply in item (i)):

一　法第九十七条第一項に規定する承継協定の定めにより協定承継銀行の資産の買取りが行われた場合における当該資産に係る譲渡損に相当する金額

(i) An amount equivalent to a capital loss in the case where the assets of the Contracted Bridge Bank have been purchased under the Succession Agreement prescribed in Article 97, paragraph (1) of the Act;

二　損益計算上の当期損失として内閣府令・財務省令で定めるものの金額

(ii) 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.

（再承継金融機関等に対する資金援助に係る財務内容の健全性の確保のための方策の規定の準用）

(Application Mutatis Mutandis of Provisions Concerning Measures to Ensure Soundness of Financial Conditions Pertaining to Financial Assistance to Re-assuming Financial Institution, etc.)

第二十四条の二　第十三条の規定は、法第百一条第七項において法第六十四条の二第一項の規定を準用する場合について準用する。この場合において、第十三条第二号中「法第六十四条第一項」とあるのは、「法第百一条第七項において準用する法第六十四条第一項」と読み替えるものとする。

Article 24-2 The provisions of Article 13 shall apply mutatis mutandis to the cases where the provisions of Article 64-2, paragraph (1) of the Act are applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act. In this case, the term "Article 64, paragraph (1) of the Act" in Article 13, item (ii) shall deem to be replaced with "Article 64, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act."

（再承継金融機関等に対する資金援助に係る取得優先株式等の規定の準用）

(Application Mutatis Mutandis of Provisions Concerning Acquired Preferred Shares, etc. Pertaining to Financial Assistance to Re-assuming Financial Institution, etc.)

第二十四条の三　第十三条の二の規定は、法第百一条第七項において法第六十四条の二第五項（法第六十八条の二第五項及び第六十八条の三第五項において準用する場合を含む。）の規定を準用する場合について準用する。この場合において、第十三条の二第一項並びに第二項第一号及び第二号中「法第六十四条第一項」とあるのは、「法第百一条第七項において準用する法第六十四条第一項」と読み替えるものとする。

Article 24-3 The provisions of Article 13-2 shall apply mutatis mutandis to the cases where the provisions of Article 64-2, paragraph (5) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 68-2, paragraph (5) and Article 68-3, paragraph (5) of the Act) are applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act. In this case, the term "Article 64, paragraph (1) of the Act" in Article 13-2, paragraph (1) and Article 13-2, paragraph (2), items (i) and (ii) shall deemed to be replaced with "Article 64, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act."

（再承継金融機関等に対する株式交換等の承認に係る財務内容の健全性の確保等のための方策の規定の準用）

(Application Mutatis Mutandis of Provisions Concerning Measures to Ensure Soundness of Financial Conditions Pertaining to Approval for Share Exchange, etc. to Re-assuming Financial Institution, etc.)

第二十四条の四　第十四条の二の規定は、法第百一条第七項において法第六十八条の二第四項の規定を準用する場合について準用する。この場合において、第十四条の二第二号中「法第六十八条の二第一項」とあるのは「法第百一条第七項において準用する法第六十八条の二第一項」と、「法第六十四条の二第六項」とあるのは「法第百一条第七項において準用する法第六十四条の二第六項」と読み替えるものとする。

Article 24-4 The provisions of Article 14-2 shall apply mutatis mutandis to the cases where the provisions of Article 68-2, paragraph (4) of the Act are applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act. In this case, the terms in Article 14-2, item (ii) "Article 68-2, paragraph (1) of the Act" shall deemed to be replaced with "Article 68-2, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act," and "Article 64-2, paragraph (6) of the Act" shall deemed to be replaced with "Article 64-2, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act."

（再承継金融機関等に対する組織再編成の承認に係る財務内容の健全性の確保等のための方策の規定の準用）

(Application Mutatis Mutandis of Provisions Concerning Measures to Ensure Soundness of Financial Conditions Pertaining to Approval for Corporate Reorganization to Re-assuming Financial Institution, etc.)

第二十四条の五　第十四条の三の規定は、法第百一条第七項において法第六十八条の三第四項の規定を準用する場合について準用する。この場合において、第十四条の三第二号中「法第六十八条の三第一項」とあるのは「法第百一条第七項において準用する法第六十八条の三第一項」と、「法第六十四条の二第五項」とあるのは「法第百一条第七項において準用する法第六十四条の二第五項」と、「法第六十四条の二第六項」とあるのは「法第百一条第七項において準用する法第六十四条の二第六項」と読み替えるものとする。

Article 24-5 The provisions of Article 14-3 shall apply mutatis mutandis to the cases where the provisions of Article 68-3, paragraph (4) of the Act are applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act. In this case, the terms in Article 14-3, item (ii) "Article 68-3, paragraph (1) of the Act" shall be deemed to be replaced with "Article 68-3, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act," "Article 64-2, paragraph (5) of the Act" shall be deemed to be replaced with "Article 64-2, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act" and "Article 64-2, paragraph (6) of the Act" shall be deemed to be replaced with "Article 64-2, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 101, paragraph (7) of the Act."

（経営の健全化のための計画）

(Management Soundness Improvement Plan)

第二十五条　法第百五条第三項に規定する政令で定める方策は、次に掲げる方策とする。

Article 25 The measures specified by a Cabinet Order prescribed in Article 105, paragraph (3) of the Act shall be the following:

一　経営の合理化のための方策

(i) Measures to ensure the rationalization of management;

二　責任ある経営体制（銀行持株会社等が法第百五条第二項の申込みをした場合にあつては、当該銀行持株会社等の経営体制を含む。）の確立のための方策

(ii) Measures to establish a responsible management system (including, in the case where a Bank Holding Company, etc. has made an application prescribed in Article 105, paragraph (2) of the Act, the management system of said Bank Holding Company, etc.);

三　配当等により剰余金（銀行持株会社等が法第百五条第二項の申込みをした場合にあつては、当該銀行持株会社等の剰余金を含む。）が流出しないための方策

(iii) Measures to prevent surplus from being distributed by way of dividend, etc. (including, in the case where a Bank Holding Company, etc. has made an application prescribed in Article 105, paragraph (2) of the Act, the surplus of said Bank Holding Company, etc.);

四　機構が法第百五条第四項の決定に基づいて取得する株式等（次に掲げるものを含む。第二十五条の六において同じ。）及び機構が同項の決定に基づいて取得する貸付債権に係る借入金につき株式処分等、償還又は返済に対応することができる財源（銀行持株会社等が法第百五条第二項の申込みをした場合にあつては、当該銀行持株会社等の財源）を確保するための方策

(iv) Measures to secure the source of funds to enable the disposition of shares, etc., redemption or repayment with respect to the Shares, etc. (including the following; the same shall apply in Article 25-6) acquired by the Corporation based on a decision under Article 105, paragraph (4) of the Act and borrowings pertaining to loan claims acquired by the Corporation based on a decision under Article 105, paragraph (4) of the Act (including, in the case where a Bank Holding Company, etc. has made an application under Article 105, paragraph (2) of the Act, the source of funds of said Bank Holding Company, etc.);

イ　当該株式等が株式である場合にあつては、次に掲げる株式

(a) In the case where the Shares, etc. are shares, the shares specified below.

（１）　当該株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

1. In the case where a request can be made for the conversion of said shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

（２）　当該株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

2. In the case where said shares are convertible upon the occurrence of certain events, shares of another class into which said shares are converted as a result of such occurrence.

（３）　当該株式又は（１）若しくは（２）に掲げる他の種類の株式について分割され又は併合された株式

3. Shares split or consolidated with respect to said shares or the shares of another class specified in 1 or 2.

ロ　当該株式等が劣後特約付社債である場合にあつては、当該劣後特約付社債に新株予約権が付されているときにその行使により交付された株式及びこれについて分割され又は併合された株式

(b) In the case where said Shares, etc. are subordinated bonds, shares delivered through the exercise of share options attached to said subordinated bonds and shares split or consolidated with respect thereto.

ハ　当該株式等が優先出資である場合にあつては、当該優先出資について分割された優先出資

(c) In the case where said Shares, etc. are preferred equity investments, preferred equity investments split with respect to said preferred equity investments.

五　財務内容（銀行持株会社等が法第百五条第二項の申込みをした場合にあつては、当該銀行持株会社等の財務内容を含む。）の健全性及び業務（銀行持株会社等が法第百五条第二項の申込みをした場合にあつては、当該銀行持株会社等の業務を含む。）の健全かつ適切な運営の確保のための方策

(v) Measures to ensure the soundness of financial conditions (including, in the case where a Bank Holding Company, etc. has made an application under Article 105, paragraph (2) of the Act, the financial conditions of said Bank Holding Company, etc.) and to ensure the sound and appropriate operations (including, in the case where a Bank Holding Company, etc. has made an application under Article 105, paragraph (2) of the Act, the operations of said Bank Holding Company, etc.).

（優先出資の発行による登記の特例）

(Special Provisions for Registration Resulting from Issuance of Preferred Equity Investments)

第二十五条の二　法第百七条の四第二項の規定により金融機関が法第百五条第四項の規定による決定に従つた優先出資の発行による変更の登記を行う場合における協同組織金融機関の優先出資に関する法律施行令（平成五年政令第三百九十八号）第十四条の規定の適用については、同条中「次に掲げる書類」とあるのは、「次に掲げる書類及び預金保険法（昭和四十六年法律第三十四号）第百五条第四項の規定による決定に従った優先出資の発行であることを証する書面」とする。

Article 25-2 For the purpose of applying the provisions of Article 14 of the Order for Enforcement of the Act on Preferred Equity Investment by Cooperative Structured Financial Institution (Cabinet Order No. 398 of 1993) in the case where a Financial Institution makes the registration of a change under Article 107-4, paragraph (2) of the Act resulting from the issuance of preferred equity investments in accordance with a decision under Article 105, paragraph (4) of the Act, the term in Article 14 of said Order "the following documents" shall deemed to be "the following documents and documents evidencing that the issuance of preferred equity investments is in accordance with a decision under Article 105, paragraph (4) of the Deposit Insurance Act (Act No. 34 of 1971)."

（第一号措置に係る取得株式等）

(Acquired Shares, etc. Pertaining to Measures Under Item (i))

第二十五条の三　法第百八条第三項第一号（法第百八条の二第四項（法第百八条の三第八項において準用する場合を含む。）及び第百八条の三第八項において準用する場合を含む。）に規定する政令で定める株式等は、機構が第一号措置（法第百二条第一項第一号に規定する第一号措置をいう。以下この条において同じ。）により取得した株式等（次に掲げるものを含む。）とする。

Article 25-3 (1) The Shares, etc. specified by a Cabinet Order prescribed in Article 108, paragraph (3), item (i) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-2, paragraph (4) 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 (8)) shall be the Shares, etc. (including the following) acquired by the Corporation pursuant to the Measures Under Item (i) (meaning the Measures Under Item (i) prescribed in Article 102, paragraph (1), item (i) of the Act; hereinafter the same shall apply in this Article):

一　当該株式等が株式である場合にあつては、次に掲げる株式

(i) In the case where the Shares, etc. are shares, the shares specified below.

イ　当該株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

(a) In the case where a request can be made for the conversion of said shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

ロ　当該株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

(b) In the case where said shares are convertible upon the occurrence of certain events, shares of another class into which said shares are converted as a result of such occurrence.

ハ　当該株式又はイ若しくはロに掲げる他の種類の株式について分割され又は併合された株式

(c) Shares split or consolidated with respect to said shares or the shares of another class specified in (a) or (b).

二　当該株式等が劣後特約付社債である場合にあつては、当該劣後特約付社債に新株予約権が付されているときにその行使により交付された株式及びこれについて分割され又は併合された株式

(ii) In the case where said Shares, etc. are subordinated bonds, shares delivered through the exercise of share options attached to said subordinated bonds and shares split or consolidated with respect thereto.

三　当該株式等が優先出資である場合にあつては、当該優先出資について分割された優先出資

(iii) In the case where said Shares, etc. are preferred equity investments, preferred equity investments split with respect to said preferred equity investments.

２　法第百八条第三項第二号（法第百八条の二第四項（法第百八条の三第八項において準用する場合を含む。）及び第百八条の三第八項において準用する場合を含む。）に規定する政令で定める株式等は次に掲げる株式等とする。

(2) The Shares, etc. specified by a Cabinet Order prescribed in Article 108, paragraph (3), item (ii) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-2, paragraph (4) (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act) and Article 108-3, paragraph (8)) shall be the following:

一　機構が第一号措置により株式等の引受け等を行つた金融機関又は銀行持株会社等が行う株式交換又は株式移転により当該金融機関又は銀行持株会社等の株式交換完全親株式会社若しくは株式移転設立完全親会社となつた会社から機構が割当てを受けた株式（次に掲げるものを含む。）

(i) The shares (including the following) allotted to the Corporation by a company that has become a wholly owning parent stock company in share exchange or wholly owning parent company incorporated through share transfer of a Financial Institution or Bank Holding Company, etc. with respect to whom the Corporation has executed the Subscription for Shares, etc. pursuant to the Measures Under Item (i):

イ　当該株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

(a) In the case where a request can be made for the conversion of said shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

ロ　当該株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

(b) In the case where said shares are convertible upon the occurrence of certain events, shares of another class into which said shares are converted as a result of such occurrence.

ハ　当該株式又はイ若しくはロに掲げる他の種類の株式について分割され又は併合された株式

(c) Shares split or consolidated with respect to said shares or the shares of another class specified in (a) or (b).

二　機構が第一号措置により株式等の引受け等を行つた金融機関又は銀行持株会社等が行う合併又は会社分割により当該金融機関又は銀行持株会社等の事業の全部又は一部を承継する他の法人から機構が割当てを受けた株式等（次に掲げるものを含む。）

(ii) The Shares, etc. (including the following) allotted to the Corporation by another corporation that is to succeed to the whole or part of business of a Financial Institution or Bank Holding Company, etc. through merger or company split thereof, for which the Corporation has conducted the Subscription for Shares, etc. pursuant to the Measures Under Item (i):

イ　当該株式等が株式である場合にあつては、次に掲げる株式

(a) In the case where the Shares, etc. are shares, the shares specified below.

（１）　当該株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

1. In the case where a request can be made for the conversion of said shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

（２）　当該株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

2. In the case where said shares are convertible upon the occurrence of certain events, shares of another class into which said shares are converted as a result of such occurrence.

（３）　当該株式又は（１）若しくは（２）に掲げる他の種類の株式について分割され又は併合された株式

3. Shares split or consolidated with respect to said shares or the shares of another class specified in 1 or 2.

ロ　当該株式等が劣後特約付社債である場合にあつては、当該劣後特約付社債に新株予約権が付されているときにその行使により交付された株式及びこれについて分割され又は併合された株式

(b) In the case where said Shares, etc. are subordinated bonds, shares delivered through the exercise of share options attached to said subordinated bonds and shares split or consolidated with respect thereto.

ハ　当該株式等が優先出資である場合にあつては、当該優先出資について分割された優先出資

(c) In the case where said Shares, etc. are preferred equity investments, preferred equity investments split with respect to said preferred equity investments.

三　前二号及びこの号の規定により取得株式等（法第百八条第三項（法第百八条の二第四項（法第百八条の三第八項において準用する場合を含む。）及び第百八条の三第八項において準用する場合を含む。）に規定する取得株式等をいう。）に該当する株式等の発行者である法人が行う株式交換若しくは株式移転により当該法人の株式交換完全親株式会社若しくは株式移転設立完全親会社となつた会社又は当該法人が行う合併若しくは会社分割により当該法人の事業の全部若しくは一部を承継する他の法人から機構が割当てを受けた株式等（次に掲げるものを含む。）

(iii) The Shares, etc. (including the following) allotted to the Corporation by a company that has become a wholly owning parent stock company in share exchange or wholly owning parent company incorporated through share transfer through share exchange or share transfer effected by a corporation that is an issuer of the Shares, etc. falling under acquired Preferred Shares, etc. (meaning the acquired Preferred Shares, etc. prescribed in Article 108, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-2, paragraph (4) 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 (8) of the Act)) under the preceding two items and this item or by another corporation that is to succeed to the whole or part of the business of said corporation through merger or company split thereof;

イ　当該株式等が株式である場合にあつては、次に掲げる株式

(a) In the case where the Shares, etc. are shares, the shares specified below.

（１）　当該株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

1. In the case where a request can be made for the conversion of said shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

（２）　当該株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

2. In the case where said shares are convertible upon the occurrence of certain events, shares of another class into which said shares are converted as a result of such occurrence.

（３）　当該株式又は（１）若しくは（２）に掲げる他の種類の株式について分割され又は併合された株式

3. Shares split or consolidated with respect to said shares or the shares of another class specified in 1 or 2.

ロ　当該株式等が劣後特約付社債である場合にあつては、当該劣後特約付社債に新株予約権が付されているときにその行使により交付された株式及びこれについて分割され又は併合された株式

(b) In the case where said Shares, etc. are subordinated bonds, shares delivered through the exercise of share options attached to said subordinated bonds and shares split or consolidated with respect thereto.

ハ　当該株式等が優先出資である場合にあつては、当該優先出資について分割された優先出資

(c) In the case where said Shares, etc. are preferred equity investments, preferred equity investments split with respect to said preferred equity investments.

（法第百八条の二第三項の規定により提出する経営健全化計画）

(Management Soundness Improvement Plan Submitted Under Article 108-2, paragraph (3) of Act)

第二十五条の四　法第百八条の二第三項に規定する政令で定める方策は、経営健全化計画（法第百五条第三項に規定する経営健全化計画をいう。以下同じ。）を連名で提出する法第百八条の二第三項に規定する株式交換完全親株式会社又は株式移転設立完全親会社となった会社における次に掲げる方策とする。

Article 25-4 The measures specified by a Cabinet Order prescribed in Article 108-2, paragraph (3) of the Act shall be the following measures to be implemented by a company, in joint names with which a management soundness improvement plan (meaning the management soundness improvement plan prescribed in Article 105, paragraph (3) of the Act; the same shall apply hereinafter) is submitted, and which has become a wholly owning parent stock company in share exchange or wholly owning parent company incorporated through share transfer prescribed in Article 108-2, paragraph (3) of the Act:

一　責任ある経営体制の確立のための方策

(i) Measures to establish a responsible management system;

二　配当等により剰余金が流出しないための方策

(ii) Measures to prevent a surplus from being distributed by way of dividend, etc.;

三　法第百八条の二第一項の認可を受けた株式交換等（同項に規定する株式交換等をいう。）により機構が割当てを受けた取得株式等である株式（次に掲げるものを含む。第二十五条の七及び第二十五条の九において同じ。）につき剰余金をもつてする自己の株式の取得に対応することができる財源を確保するための方策

(iii) Measures to secure the source of funds to enable the acquisition of own shares using a surplus with respect to acquired Shares, etc. allotted to the Corporation through the Share Exchange, etc. (meaning the Share Exchange, etc. prescribed in Article 108-2, paragraph (1) of the Act) authorized under Article 108-2, paragraph (1) of the Act (including the following; the same shall apply in Article 25-7 and Article 25-9);

イ　当該株式が他の種類の株式への転換の請求が可能とされるものである場合にあつては、その請求により転換された他の種類の株式

(a) In the case where a request can be made for the conversion of said shares into shares of another class, shares of another class into which said shares are converted pursuant to the request.

ロ　当該株式が一定の事由が生じたことを条件として転換されるものである場合にあつては、その事由が生じたことにより転換された他の種類の株式

(b) In the case where said shares are convertible upon the occurrence of certain events, shares of another class into which said shares are converted as a result of such occurrence.

ハ　当該株式又はイ若しくはロに掲げる他の種類の株式について分割され又は併合された株式

(c) Shares split or consolidated with respect to said shares or the shares of another class specified in (a) or (b).

四　財務内容の健全性及び業務の健全かつ適切な運営の確保のための方策

(iv) Measures to ensure the soundness of financial conditions and to ensure sound and appropriate operations.

（対象金融機関の組織再編成の認可の要件）

(Requirements for Authorization for Corporate Reorganization of Subject Financial Institution)

第二十五条の五　法第百八条の三第二項第五号に規定する政令で定める要件は、銀行等又は株式会社商工組合中央金庫である対象金融機関（同条第一項に規定する対象金融機関をいう。）が行う組織再編成（同条第一項に規定する組織再編成をいう。以下同じ。）により機構が取得株式等となる株式の割当てを受ける場合において、当該株式の種類が当該組織再編成の前において機構が保有する取得株式等である株式の種類と同一のものと認められることとする。

Article 25-5 The requirements specified by a Cabinet Order prescribed in Article 108-3, paragraph (2), item (v) of the Act shall be, in the case where shares that are to become acquired Shares, etc. are allotted to the Corporation through Corporate Reorganization (meaning the Corporate Reorganization prescribed in Article 108-3, paragraph (1) of the Act; the same shall apply hereinafter) conducted by the Subject Financial Institution (meaning the Subject Financial Institution prescribed in Article 108-3, paragraph (1) of the Act) that is a Bank, etc. or The Shoko Chukin Bank, Ltd., that the class of acquired Shares, etc. to be allotted to the Corporation through the Corporate Reorganization is deemed to be identical to the class of acquired Shares, etc. held by the Corporation prior to said Corporate Reorganization.

（承継金融機関が提出する経営健全化計画）

(Management Soundness Improvement Plan Submitted by Succeeding Financial Institution)

第二十五条の六　法第百八条の三第三項に規定する政令で定める方策は、次に掲げる方策とする。

Article 25-6 The measures specified by a Cabinet Order prescribed in Article 108-3, paragraph (3) of the Act shall be the following:

一　経営の合理化のための方策

(i) Measures to ensure the rationalization of management;

二　責任ある経営体制の確立のための方策

(ii) Measures to establish a responsible management system;

三　配当等により剰余金が流出しないための方策

(iii) Measures to prevent surplus from being distributed by way of dividend, etc.;

四　法第百八条の三第一項の認可を受けた組織再編成により機構が割当てを受けた取得株式等である株式等及び同項の認可を受けた組織再編成の後において機構が保有する取得貸付債権（法第百八条第二項に規定する取得貸付債権をいい、当該承継金融機関を債務者とするものに限る。）に係る借入金につき株式処分等、償還又は返済に対応することができる財源を確保するための方策

(iv) Measures to secure the source of funds to enable the disposition of shares, etc., redemption or repayment with respect to acquired Shares, etc. that are allotted to the Corporation through a Corporate Reorganization authorized under Article 108-3, paragraph (1) of the Act and borrowings pertaining to acquired loan claims (meaning the acquired loan claims prescribed in Article 108, paragraph (2) of the Act and limited to those of which the obligor is the succeeding Financial Institution, etc.) held by the Corporation after the Corporate Reorganization authorized under Article 108-3, paragraph (1) of the Act;

五　財務内容の健全性及び業務の健全かつ適切な運営の確保のための方策

(v) Measures to ensure the soundness of financial conditions and to ensure sound and appropriate operations.

（承継子会社が提出する経営健全化計画）

(Management Soundness Improvement Plan Submitted by Succeeding Financial Institution)

第二十五条の七　法第百八条の三第四項において準用する同条第三項に規定する政令で定める方策は、次に掲げる方策とする。

Article 25-7 The measures specified by a Cabinet Order prescribed in Article 108-3, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act shall be the following:

一　経営の合理化のための方策

(i) Measures to ensure the rationalization of management;

二　責任ある経営体制（経営健全化計画を連名で提出する銀行持株会社等の経営体制を含む。）の確立のための方策

(ii) Measures to establish a responsible management system (including the management system of the Bank Holding Company, etc. in joint names with which a management soundness improvement plan is submitted);

三　配当等により剰余金（経営健全化計画を連名で提出する銀行持株会社等の剰余金を含む。）が流出しないための方策

(iii) Measures to prevent surplus (including the surplus of the Bank Holding Company, etc. in joint names with which a management soundness improvement plan is submitted) from being distributed by way of dividend, etc.;

四　経営健全化計画を連名で提出する銀行持株会社等における、法第百八条の三第四項において準用する同条第一項の認可を受けた組織再編成の後において機構が保有する取得株式等である株式（当該銀行持株会社等を発行者とするものに限る。）につき剰余金をもつてする自己の株式の取得に対応することができる財源を確保するための方策

(iv) Measures to secure the source of funds to enable the acquisition of own shares using surplus with respect to acquired Shares, etc. (limited to those issued by said Bank Holding Company, etc.) held by the Corporation after the Corporate Reorganization authorized under Article 108-3, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act, to be implemented by the Bank Holding Company, etc. in joint names with which a management soundness improvement plan is submitted;

五　財務内容（経営健全化計画を連名で提出する銀行持株会社等の財務内容を含む。）の健全性及び業務（経営健全化計画を連名で提出する銀行持株会社等の業務を含む。）の健全かつ適切な運営の確保のための方策

(v) Measures to ensure the soundness of financial conditions (including the financial conditions of the Bank Holding Company, etc. in joint names with which a management soundness improvement plan is submitted) and to ensure the sound and appropriate operations (including the operations of the Bank Holding Company, etc. in joint names with which a management soundness improvement plan is submitted).

（対象金融機関以外の発行金融機関等の組織再編成の認可の要件）

(Requirements for Authorization for Corporate Reorganization of Issuing Financial Institution, etc. Other Than Subject Financial Institution)

第二十五条の八　法第百八条の三第六項第四号に規定する政令で定める要件は、組織再編成により機構が割当てを受ける取得株式等となる株式の種類が当該組織再編成の前において機構が保有する取得株式等である株式の種類と同一のものと認められることとする。

Article 25-8 The requirements specified by a Cabinet Order prescribed in Article 108-3, paragraph (6), item (iv) of the Act shall be that the class of acquired Shares, etc. to be allotted to the Corporation through the Corporate Reorganization is deemed to be identical to the class of acquired Shares, etc. held by the Corporation prior to said Corporate Reorganization.

（法第百八条の三第七項の規定により提出する経営健全化計画）

(Management Soundness Improvement Plan Submitted under Article 108-3, paragraph (7) of Act)

第二十五条の九　法第百八条の三第七項に規定する政令で定める方策は、同項に規定する他の銀行持株会社等における次に掲げる方策とする。

Article 25-9 The measures specified by a Cabinet Order prescribed in Article 108-3, paragraph (7) of the Act shall be the following measures to be implemented by another Bank Holding Company, etc. prescribed in Article 108-3, paragraph (7) of the Act:

一　責任ある経営体制の確立のための方策

(i) Measures to establish a responsible management system;

二　配当等により剰余金が流出しないための方策

(ii) Measures to prevent surplus from being distributed by way of dividend, etc.;

三　法第百八条の三第五項の認可を受けた組織再編成により機構が割当てを受けた取得株式等である株式につき剰余金をもつてする自己の株式の取得に対応することができる財源を確保するための方策

(iii) Measures to secure the source of funds to enable the acquisition of own shares using surplus with respect to acquired Shares, etc. that are allotted to the Corporation through the Corporate Reorganization authorized under Article 108-3, paragraph (5) of the Act;

四　財務内容の健全性及び業務の健全かつ適切な運営の確保のための方策

(iv) Measures to ensure the soundness of financial conditions and to ensure the sound and appropriate operations.

（法第百八条の三第八項において準用する法第百八条の二第三項の規定により提出する経営健全化計画の規定の準用）

(Application Mutatis Mutandis of Provisions Concerning Management Soundness Improvement Plan Submitted under of Article 108-2, paragraph (3) of the Act as Applied Mutatis Mutandis Pursuant to Article 108-3, paragraph (8) of the Act)

第二十五条の十　第二十五条の四の規定は、法第百八条の三第八項において法第百八条の二第三項の規定を準用する場合について準用する。この場合において、第二十五条の四第三号中「法第百八条の二第一項」とあるのは、「法第百八条の三第八項において準用する法第百八条の二第一項」と読み替えるものとする。

Article 25-10 The provisions of Article 25-4 shall apply mutatis mutandis to the cases where the provisions of Article 108-2, paragraph (3) of the Act are applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act. In this case, the term in Article 25-4, item (iii) "Article 108-2, paragraph (1) of the Act" shall deemed to be replaced with "Article 108-2, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act."

（特別危機管理銀行に係る資金援助の特例に関する読替え）

(Replacement Deemed to be Made Concerning Special Provisions for Financial Assistance Pertaining to Bank Under Special Crisis Management)

第二十六条　法第百十八条第一項の規定による申込み及び同条第二項において準用する法第六十一条第一項の認定について、法第百十八条第二項において法の規定を準用する場合における技術的読替えは、次の表のとおりとする。

Article 26 (1) The replacement of technical terms in the case where the provisions of the Act are applied mutatis mutandis pursuant to Article 118, paragraph (2) of the Act with regard to the application under Article 118, paragraph (1) of the Act and authorization under Article 61, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 118, paragraph (2) of the Act shall be as follows:

|  |  |  |
| --- | --- | --- |
| 読み替える法の規定 Provision for which a term is deemed to be replaced | 読み替えられる字句 Term deemed to be replaced | 読み替える字句 Term used to replace with |
| 第五十九条第六項 Article 59, paragraph (6) | 内閣総理大臣（労働金庫又は労働金庫連合会にあつては内閣総理大臣及び厚生労働大臣とし、株式会社商工組合中央金庫にあつては内閣総理大臣、財務大臣及び経済産業大臣とする。） Prime Minister (in the case of a labor bank or The Rokinren Bank, the Prime Minister and the Minister of Health, Labour and Welfare, and in the case of The Shoko Chukin Bank, Ltd., the Prime Minister, the Minister of Finance, and the Minister of Economy, Trade and Industry) | 内閣総理大臣 Prime Minister |
| 第五十九条第七項 Article 59, paragraph (7) | ならない。ただし、当該申込みを行つた金融機関が株式会社商工組合中央金庫である場合は、この限りでない。 the Minister of Finance; provided, however, that this shall not apply to cases where the Financial Institution that has made said application is The Shoko Chukin Bank, Ltd. | ならない。 the Minister of Finance. |

２　法第百十八条第三項のあつせん、同条第一項の規定による申込み、同条第二項において準用する法第六十一条第一項の認定又は法第百十八条第三項の規定によるあつせんを受けた金融機関又は銀行持株会社等及び法第百十八条第一項に規定する資金援助について、同条第四項において法の規定を準用する場合における技術的読替えは、次の表のとおりとする。

(2) The replacement of technical terms in the case where the provisions of the Act are applied mutatis mutandis pursuant to Article 118, paragraph (4) of the Act with regard to the mediation under Article 118, paragraph (3) of the Act, application under Article 118, paragraph (1) of the Act, authorization under Article 61, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 118, paragraph (2) of the Act, or a Financial Institution or Bank Holding Company, etc. that has received the mediation under Article 118, paragraph (3), and the Financial Assistance prescribed in Article 118, paragraph (1) of the Act shall be as follows:

|  |  |  |
| --- | --- | --- |
| 読み替える法の規定 Provision for which a term is deemed to be replaced | 読み替えられる字句 Term deemed to be replaced | 読み替える字句 Term used to replace with |
| 第六十二条第五項 Article 62, paragraph (5) | 破綻金融機関又は破綻金融機関となる蓋然性が高いと認められる金融機関 Failed Financial Institution or a Financial Institution recognized as having a high probability of becoming a Failed Financial Institution | 特別危機管理銀行 Bank Under Special Crisis Management |
| 第六十四条第三項 Article 64, paragraph (3) | 内閣総理大臣及び財務大臣（当該決定が労働金庫又は労働金庫連合会を当事者とする合併等に係るものである場合には内閣総理大臣及び財務大臣並びに厚生労働大臣とし、当該決定が株式会社商工組合中央金庫を当事者とする合併等に係るものである場合には内閣総理大臣及び財務大臣並びに経済産業大臣とする。） Prime Minister and the Minister of Finance (if said decision pertains to a merger, etc. to which a labor bank or The Rokinren Bank is a party, to the Prime Minister, the Minister of Finance, and the Minister of Health, Labour and Welfare, and if said decision pertains to a merger, etc. to which The Shoko Chukin Bank, Ltd. is a party, to the Prime Minister, the Minister of Finance, and the Minister of Economy, Trade and Industry). | 内閣総理大臣及び財務大臣 Prime Minister and the Minister of Finance. |
| 第六十五条 Article 65 | 内閣総理大臣（労働金庫又は労働金庫連合会にあつては内閣総理大臣及び厚生労働大臣とし、株式会社商工組合中央金庫にあつては内閣総理大臣、財務大臣及び経済産業大臣とする。） Prime Minister (in the case of a labor bank or The Rokinren Bank, to the Prime Minister and the Minister of Health, Labour and Welfare, and in the case of The Shoko Chukin Bank, Ltd., to the Prime Minister, the Minister of Finance, and the Minister of Economy, Trade and Industry) | 内閣総理大臣 Prime Minister |
| 第六十六条第一項 Article 66, paragraph (1) | 合併、事業譲渡等、付保預金移転、株式交換又は株式移転 merger, Business Transfer, etc., Transfer of Insured Deposits, share exchange, or share transfer | 合併、株式交換又は株式移転 merger, share exchange or share transfer |
|  | 内閣総理大臣（労働金庫又は労働金庫連合会にあつては内閣総理大臣及び厚生労働大臣とし、株式会社商工組合中央金庫にあつては内閣総理大臣、財務大臣及び経済産業大臣とする。） Prime Minister (in the case of a labor bank or The Rokinren Bank, to the Prime Minister and the Minister of Health, Labour and Welfare, and in the case of The Shoko Chukin Bank, Ltd., to the Prime Minister, the Minister of Finance, and the Minister of Economy, Trade and Industry) | 内閣総理大臣 Prime Minister |
| 第六十六条第二項 Article 66, paragraph (2) | 銀行等、銀行持株会社等又は株式会社商工組合中央金庫 Bank, etc., Bank Holding Company, etc. or The Shoko Chukin Bank, Ltd. | 銀行等又は銀行持株会社等 Bank, etc. or Bank Holding Company, etc. |
| 第六十六条第三項 Article 66, paragraph (3) | 内閣総理大臣（労働金庫又は労働金庫連合会にあつては内閣総理大臣及び厚生労働大臣とし、株式会社商工組合中央金庫にあつては内閣総理大臣、財務大臣及び経済産業大臣とする。） Prime Minister (in the case of a labor bank or The Rokinren Bank, to the Prime Minister and the Minister of Health, Labour and Welfare, and in the case of The Shoko Chukin Bank, Ltd., to the Prime Minister, the Minister of Finance, and the Minister of Economy, Trade and Industry) | 内閣総理大臣 Prime Minister |
| 第六十六条第四項 Article 66, paragraph (4) | ならない。ただし、当該通知を行つた金融機関が株式会社商工組合中央金庫である場合は、この限りでない。 Minister of Finance; provided, however, that this shall not apply in cases where the Financial Institution that gave said notice is The Shoko Chukin Bank, Ltd. | ならない。 Minister of Finance. |

（負担金の決定に係る報告事項）

(Matters to be Reported Concerning Decision on Contributions)

第二十七条　法第百二十三条第一項第五号に規定する政令で定める事項は、次に掲げる事項とする。

Article 27 The matters specified by a Cabinet Order prescribed in Article 123, paragraph (1), item (v) of the Act shall be the following:

一　法第百二十一条第一項に規定する危機対応業務を行うための費用として使用した金額

(i) The amount of costs incurred in carrying out the Crisis Management Operations prescribed in Article 121, paragraph (1) of the Act;

二　取得株式等又は法第百八条第二項に規定する取得貸付債権から生じた果実に相当する金額

(ii) An amount equivalent to the amount of fruit arising out of acquired Shares, etc. or acquired loan claims prescribed in Article 108, paragraph (2) of the Act;

三　その他内閣府令・財務省令で定める事項

(iii) Other matters specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance.

（国庫への納付手続）

(Procedures for Payment to National Treasury)

第二十八条　機構は、法第百二十五条第二項の規定により利益金を納付するときは、当該利益金を翌事業年度の七月三十一日までに国庫に納付しなければならない。

Article 28 (1) The Corporation shall, when paying to the national treasury any amount as profit under Article 125, paragraph (2) of the Act, pay said amount by July 31 of the following business year.

２　機構は、法第百二十五条第二項の規定により利益金を納付するときは、同項の規定に基づいて計算した国庫に納付する金額の計算書に、当該事業年度末の貸借対照表、当該事業年度の損益計算書その他内閣府令・財務省令で定める書類を添付して、翌事業年度の七月二十一日までに、これを金融庁長官及び財務大臣に提出しなければならない。

(2) The Corporation shall, when paying to the national treasury any amount as profit under Article 125, paragraph (2) of the Act, submit to the Commissioner of the Financial Services Agency and the Minister of Finance by July 21 of the following business year a statement of the amount of payment to the national treasury calculated under Article 125, paragraph (2) of the Act, attaching thereto a balance sheet as of the end of the relevant business year, profit and loss statement of said business year, and other documents specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance.

（危機対応業務に係る借入金の限度額）

(Maximum Amount of Borrowing for Crisis Management Operations)

第二十九条　法第百二十六条第一項に規定する政令で定める金額は、十七兆円とする。

Article 29 The amount specified by a Cabinet Order prescribed in Article 126, paragraph (1) of the Act shall be seventeen trillion yen.

（事業譲渡等の場合に各別に異議の催告をすることを要しない債権者）

(Creditors to Whom Individual Notice for Objection Need Not Be Given Concerning Business Transfer, etc.)

第三十条　法第百三十一条第三項に規定する政令で定める債権者は、金融債の権利者及び保護預り契約に係る債権者その他の金融機関の業務に係る多数人を相手方とする定型的契約の債権者で内閣府令・財務省令で定めるものとする。

Article 30 The creditors specified by a Cabinet Order prescribed in Article 131, paragraph (3) of the Act shall be the holders of the Financial Bonds, creditors pertaining to a custody agreement, and other creditors under a standard contract pertaining to the business of a Financial Institution to which a large number of persons are parties, as specified by a Cabinet Office Ordinance and an Ordinance of the Ministry of Finance.

（受託者の変更手続の場合に各別に異議の催告をすることを要しない信託）

(Trust for Which Individual Notice Need Not be Given Concerning Change of Trustee)

第三十一条　法第百三十二条第二項に規定する政令で定めるものは、多数人を委託者又は受益者とする定型的信託契約に係る信託とする。

Article 31 Those specified by a Cabinet Order prescribed in Article 132, paragraph (2) of the Act shall be trust pertaining to standard trust contracts of which a large number of persons are consignors or beneficiaries.

（受益権の買取請求権を有する信託）

(Trusts with Right to Demand Purchase of Beneficiary Rights)

第三十二条　法第百三十二条第五項に規定する政令で定めるものは、次の各号のいずれにも該当する信託とする。

Article 32 Those specified by a Cabinet Order prescribed in Article 132, paragraph (5) of the Act shall be trusts that fall under all of the following items:

一　法第百三十二条第二項に規定する定型的信託であること。

(i) The Standard Trusts prescribed in Article 132, paragraph (2) of the Act;

二　委託者が信託利益の全部を享受するものであること。

(ii) Trusts to which consignors are entitled to all profits derived therefrom;

三　金銭信託であること。

(iii) Money trusts.

（信託業務の承継における受託者の変更手続の特例に関する読替え）

(Replacement Deemed to be Made Concerning Special Provision for Procedures for Change of Trustee for Succession of Trust Business)

第三十三条　法第百三十二条第五項の規定による請求について、同条第七項において信託法の規定を準用する場合における技術的読替えは、次の表のとおりとする。

Article 33 The replacement of technical terms in the case where the provisions of the provisions of Trust Act are applied mutatis mutandis pursuant to Article 132, paragraph (7) of the Act with regard to the demand under Article 132, paragraph (5) of the Act shall be as follows:

|  |  |  |
| --- | --- | --- |
| 読み替える信託法の規定 Provision of the Trust Act for which a term is deemed to be replaced | 読み替えられる字句 Term deemed to be replaced | 読み替える字句 Term used to replace with |
| 第百三条第六項 Article 103, paragraph (6) | 第四項の規定による通知又は前項の規定による公告の日 Notice under paragraph (4) or the date of public notice under the preceding paragraph | 預金保険法第百三十二条第二項に規定する異議のある者が異議を述べた日 date on which an objection is stated by a person who has any objection prescribed in Article 132, paragraph (2) of the Deposit Insurance Act |
| 第百三条第七項、第百四条第一項、第二項、第八項及び第九項並びに第二百六十二条第一項及び第二項 Article 103, paragraph (7), Article 104, paragraphs (1), (2), (8) and (9) and Article 262, paragraphs (1) and (2) | 受託者 trustee | 新受託者 new trustee |

（保険料の額の端数計算等）

(Calculation of Fraction for Amount of Insurance Premiums, etc.)

第三十四条　法第五十一条第一項、第五十一条の二第一項又は法第百二十二条第三項の月数は、暦に従つて計算し、一月未満の端数を生じたときは、これを一月とする。

Article 34 (1) The number of months prescribed in Article 51, paragraph (1), Article 51-2, paragraph (1) or Article 122, paragraph (3) of the Act shall be calculated by calendar month and any fraction resulting therefrom shall be counted as one month.

２　法第五十一条第一項、第五十一条の二第一項、第五十二条第二項（法第百二十二条第四項において準用する場合を含む。次項において同じ。）又は法第百二十二条第三項の規定により保険料、延滞金又は負担金の額を計算する場合において、その額に千円未満の端数があるときは、その端数を切り捨てるものとする。

(2) In calculating the amount of insurance premiums, late payment charge, or Contributions prescribed in Article 51, paragraph (1), Article 51-2, paragraph (1), Article 52, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 122, paragraph (4) of the Act; the same shall apply in the following paragraph) or Article 122, paragraph (3) of the Act, any fraction less than one thousand yen shall be rounded off.

３　法第五十二条第二項に規定する延滞金の額の計算につき同項に定める年当たりの割合は、閏年の日を含む期間についても、三百六十五日当たりの割合とする。

(3) In calculating the amount of late payment charge prescribed in Article 52, paragraph (2) of the Act, the annual rate prescribed in Article 52, paragraph (2) of the Act shall be the rate per 365 days even with respect to any period that includes a leap year.

（金融機関の解散等の場合等における保険料の取扱い）

(Handling of Insurance Premiums in Case of Dissolution of Financial Institution, etc.)

第三十五条　金融機関が保険料を納付した後に解散等（解散、事業の全部の譲渡又は会社分割（事業の全部を他の金融機関が承継するものに限る。）をいう。以下この条及び次条において同じ。）又は金融機関の合併及び転換に関する法律第二条第七項に規定する転換を行つた場合において、当該保険料の額につき過納を生じたときは、当該金融機関は、その解散等又は転換の日後一月以内に、機構に対し、機構の定める書類を提出して、当該過納に係る保険料の額に相当する金銭の還付を請求するものとする。

Article 35 (1) In the case where a Financial Institution has paid insurance premiums, conducts dissolution, etc. (meaning dissolution, transfer of the whole of business, or company split (limited to those whereby the whole of the business of such Financial Institution is succeeded by another Financial Institution); hereinafter the same shall apply in this Article and the following Article) or conversion prescribed in Article 2, paragraph (7) of the Act on Financial Institutions' Merger and Conversion, if any amount of insurance premiums has been paid in excess, said Financial Institution shall request the refund of insurance premiums pertaining to said excess within one month after the dissolution, etc. or conversion by submitting to the Corporation documents specified by the Corporation.

２　機構は、前項の請求があつたときは、遅滞なく、同項の金銭を還付するものとする。この場合において、当該請求が解散等を行つた金融機関又は同項の転換を行つた金融機関に係るものであり、かつ、当該解散等後の存続金融機関等（当該解散等に係る合併後存続する金融機関、当該解散等に係る合併により設立された金融機関、当該解散等に係る譲渡において事業を譲り受けた金融機関又は当該解散等に係る会社分割において事業の全部を承継した金融機関をいう。以下この条及び次条において同じ。）又は当該転換後の金融機関につき次項又は法第五十条第一項の規定により納付すべき保険料があるときは、当該還付に代えて、その還付に係る金銭をその保険料に充当することができる。

(2) Upon receiving the request prescribed in the preceding paragraph, the Corporation shall refund the amount prescribed in that paragraph without delay. In this case, if said request pertains to the Financial Institution that has conducted the dissolution, etc. or conversion prescribed in that paragraph and if any insurance premiums are to be paid under the following paragraph or Article 50, paragraph (1) of the Act with respect to a surviving Financial Institution, etc. after said dissolution, etc. (meaning the Financial Institution surviving the merger pertaining to said dissolution, etc., Financial Institution established through the merger of pertaining to said dissolution, etc., Financial Institution that has assumed business through transfer pertaining to said dissolution, etc., or Financial Institution that has succeeded to the whole of the business through company split pertaining to said dissolution, etc.; hereinafter the same shall apply in this Article and the following Article) or Financial Institution after said conversion, the Corporation may, in lieu of said refund, appropriate the money pertaining to said refund to the insurance premiums.

３　存続金融機関等は、当該存続金融機関等に係る解散等の日から三月以内に、次の各号に掲げる金額を合計した額の保険料を機構に納付しなければならない。ただし、当該解散等の日から当該日を含む事業年度の末日までの期間内の月数が六月を超える場合にあつては、当該保険料の金額のうち当該月数を六月として計算した金額に相当する金額については、当該存続金融機関等の当該解散等の日を含む事業年度の末日の三月前の日までに納付することができる。

(3) The surviving Financial Institution, etc. shall, within three months of dissolution, etc. pertaining thereto, pay insurance premiums to the Corporation for the total of the amounts prescribed in the following items; provided, however, that, in the case where the number of months in the period from the day of dissolution, etc. to the last day of the business year that includes the day of dissolution, etc. exceeds six months, an amount equivalent to the amount of insurance premiums calculated for a six-month period may be paid no later than three months before the last day of the business year that includes the dissolution, etc. of said surviving Financial Institution, etc.

一　当該解散等を行つた金融機関が当該解散等の日を含む事業年度において納付すべき保険料の額の算定の基礎となつた一般預金等の額の合計額を平均した額（当該存続金融機関等が二以上ある場合においては、当該平均した額をそれぞれの存続金融機関等が譲り受け、又は承継した一般預金等の額の割合に応じて按分した額）を十二で除し、これに当該解散等の日から当該存続金融機関等の当該解散等の日を含む事業年度の末日までの期間内の月数を乗じて計算した金額に、法第五十一条第一項に規定する保険料率を乗じて計算した金額

(i) The amount calculated by dividing the average amount of the total amount of the General Deposits, etc. that was used as the basis for calculation of the amount of insurance premiums that the Financial Institution that has conducted the dissolution, etc. is to pay in the business year that includes the day of dissolution, etc. (in the case where there are two or more surviving Financial Institutions, etc., an amount obtained by allocating said average amount in proportion to the amount of the General Deposits, etc. assumed or succeeded by each surviving Financial Institution, etc.) by twelve, multiplying the result by the number of months in the period from the day of the dissolution, etc. to the last day of the business year of surviving Financial Institution, etc. that includes the day of dissolution, etc., and then multiplying the product by the Insurance Premiums Rate prescribed in Article 51, paragraph (1) of the Act;

二　当該解散等を行つた金融機関が当該解散等の日を含む事業年度において納付すべき保険料の額の算定の基礎となつた決済用預金の額の合計額を平均した額（当該存続金融機関等が二以上ある場合においては、当該平均した額をそれぞれの存続金融機関等が譲り受け、又は承継した決済用預金の額の割合に応じて按分した額）を十二で除し、これに当該解散等の日から当該存続金融機関等の当該解散等の日を含む事業年度の末日までの期間内の月数を乗じて計算した金額に、法第五十一条の二第一項に規定する率を乗じて計算した金額

(ii) The amount calculated by dividing the average amount of the total amount of the Deposits for Settlement that was used as the basis for calculation of the amount of insurance premiums that the Financial Institution that has conducted the dissolution, etc. is to pay in the business year that includes the day of dissolution, etc. (in the case where there are two or more surviving Financial Institutions, etc., an amount obtained by allocating said average amount in proportion to the amount of the Deposits for Settlement assumed or succeeded by each surviving Financial Institution, etc.) by twelve, multiplying the result by the number of months in the period from the day of the dissolution, etc. to the last day of the business year of surviving Financial Institution, etc. that includes the day of dissolution, etc., and then multiplying the product by the rate prescribed in Article 51-2, paragraph (1) of the Act.

４　前項の月数は、暦に従つて計算し、一月未満の端数を生じたときは、これを切り捨てるものとする。

(4) The number of months prescribed in the preceding paragraph shall be calculated by calendar month and any fraction resulting therefrom shall be rounded off.

（解散等の翌年度における保険料の取扱い）

(Handling of Insurance Premiums in Fiscal Year Following Dissolution, etc.)

第三十六条　存続金融機関等は、当該存続金融機関等に係る解散等（当該解散等が新設合併（会社法第二条第二十八号に規定する新設合併をいう。次項において同じ。）に係るものである場合を除く。以下この項において同じ。）があつた日を含む事業年度の翌事業年度（以下この項において「翌事業年度」という。）の開始後三月以内に、次の各号に掲げる金額を合計した額の保険料を機構に納付しなければならない。ただし、当該保険料の額の二分の一に相当する金額については、翌事業年度開始の日以後六月を経過した日から三月以内に納付することができる。

Article 36 (1) A surviving Financial Institution, etc. shall, within three months after the beginning of the business year following the business year that includes the day of dissolution, etc. (hereinafter referred to "Following Business Year" in this paragraph) pertaining to said surviving Financial Institution, etc. (excluding the cases where the dissolution, etc. pertains to consolidation-type merger (meaning the consolidation-type merger prescribed in Article 2, item (xxviii) of the Companies Act; the same shall apply in the following paragraph); hereinafter the same shall apply in this paragraph), pay insurance premiums to the Corporation for the total of the amounts prescribed in the following items; provided, however, that an amount equivalent to one-half of the amount of the insurance premiums may be paid within three months of the day on which six months have elapsed from the beginning of the Following Business Year.

一　イに掲げる金額からロに掲げる金額を控除した金額

(i) An amount obtained by deducting the amount specified in (b) from the amount specified in (a);

イ　当該存続金融機関等の当該解散等があつた日を含む事業年度の各日（銀行法第十五条第一項（長期信用銀行法第十七条、信用金庫法第八十九条第一項、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）第六条第一項及び労働金庫法（昭和二十八年法律第二百二十七号）第九十四条第一項において準用する場合を含む。）又は株式会社商工組合中央金庫法第三十一条第一項に規定する休日を除く。以下この条において同じ。）における一般預金等の額の合計額に当該解散等を行つた金融機関の当該各日（当該解散等の日の翌日から当該事業年度の末日までの間の各日を除く。）における一般預金等の合計額（存続金融機関等が二以上ある場合においては、当該一般預金等の合計額をそれぞれの存続金融機関等が譲り受け、又は承継した一般預金等の額の割合に応じて按分した額）を加えた額を平均した額を十二で除し、これに翌事業年度の月数を乗じて計算した金額に、法第五十一条第一項に規定する保険料率を乗じて計算した金額

(a) The amount obtained by dividing the average amount of the amount calculated by adding the total amount of the General Deposits, etc. on each day of the business year of the surviving Financial Institution, etc. that includes the day of dissolution, etc. (excluding holidays prescribed in Article 15, paragraph (1) of the Banking Act (including the cases where it is applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act, Article 89, paragraph (1) of the Shinkin Bank Act, Article 6, paragraph (1) of the Act on Financial Businesses by Cooperative (Act No. 183 of 1949), and Article 94, paragraph (1) of the Labor Bank Act (Act No. 227 of 1953)) or Article 31, paragraph (1) of The Shoko Chukin Bank, Ltd. Act; hereinafter the same shall apply in this Article) to the total amount of the General Deposits, etc. on each relevant day of the Financial Institution that conducted the dissolution, etc. (excluding each day in the period from the day following the day of dissolution, etc. to the last day of said business year) (in the case where there are two or more surviving Financial Institutions, etc., an amount obtained by allocating said average amount in proportion to the amount of the General Deposits, etc. assumed or succeeded by each surviving Financial Institution, etc.) by twelve, multiplying the result by the number of months in the Following Business Year, and then multiplying the product by the Insurance Premiums Rate prescribed in Article 51, paragraph (1) of the Act.

ロ　法第五十一条第一項の規定により存続金融機関等が翌事業年度に納付する保険料の額

(b) The amount of insurance premiums that the surviving Financial Institution, etc. is to pay in the Following Business Year under Article 51, paragraph (1) of the Act.

二　イに掲げる金額からロに掲げる金額を控除した金額

(ii) An amount obtained by deducting the amount specified in (b) from the amount specified in (a);

イ　当該存続金融機関等の当該解散等があつた日を含む事業年度の各日における決済用預金の額の合計額に当該解散等を行つた金融機関の当該各日（当該解散等の日の翌日から当該事業年度の末日までの間の各日を除く。）における決済用預金の合計額（存続金融機関等が二以上ある場合においては、当該決済用預金の合計額をそれぞれの存続金融機関等が譲り受け、又は承継した決済用預金の額の割合に応じて按分した額）を加えた額を平均した額を十二で除し、これに翌事業年度の月数を乗じて計算した金額に、法第五十一条の二第一項に規定する率を乗じて計算した金額

(a) The amount obtained by dividing the average amount of the amount calculated by adding the total amount of the Deposits for Settlement on each day of the business year of the surviving Financial Institution, etc. that includes the day of dissolution, etc. to the total amount of the Deposits for Settlement on each relevant day of the Financial Institution that conducted the dissolution, etc. (excluding each day in the period from the day following the day of dissolution, etc. to the last day of said business year) (in the case where there are two or more surviving Financial Institutions, etc., an amount obtained by allocating said average amount in proportion to the amount of the Deposits for Settlement assumed or succeeded by each surviving Financial Institution, etc.) by twelve, multiplying the result by the number of months in the Following Business Year, and then multiplying the product by the rate prescribed in Article 51-2, paragraph (1) of the Act;

ロ　法第五十一条の二第一項の規定により存続金融機関等が翌事業年度に納付する保険料の額

(b) The amount of insurance premiums that the surviving Financial Institution, etc. is to pay in the Following Business Year under Article 51-2, paragraph (1) of the Act.

２　存続金融機関等は、当該存続金融機関等に係る新設合併があつた日を含む事業年度の翌事業年度（以下この項において「翌事業年度」という。）の開始後三月以内に、次の各号に掲げる金額を合計した額の保険料を機構に納付しなければならない。ただし、当該保険料の額の二分の一に相当する金額については、翌事業年度開始の日以後六月を経過した日から三月以内に納付することができる。

(2) A surviving Financial Institution, etc. shall, within three months after the beginning of the business year following the business year that includes the day of consolidation-type merger (hereinafter referred to as "Following Business Year" in this paragraph) pertaining to said surviving Financial Institution, etc., pay insurance premiums to the Corporation for the total of the amounts prescribed in the following items; provided, however, that, an amount equivalent to one-half of the amount of the insurance premiums may be paid within three months of the day on which six months have elapsed from the beginning of the Following Business Year.

一　イに掲げる金額からロに掲げる金額を控除した金額

(i) An amount obtained by deducting the amount specified in (b) from the amount specified in (a);

イ　当該新設合併があつた日を含む事業年度の各日における一般預金等の額の合計額（当該新設合併の日までについては、当該新設合併を行つた各金融機関の当該各日における一般預金等の合計額を合算した額）を平均した額を十二で除し、これに翌事業年度の月数を乗じて計算した金額に、法第五十一条第一項に規定する保険料率を乗じて計算した金額

(a) The amount calculated by dividing the average amount of the total amount of the General Deposits, etc. on each day of the business year that includes the day of consolidation-type merger (with respect to the period up to the day of consolidation-type merger, the total amount of the General Deposits, etc. on each relevant day of each Financial Institution that conducted the consolidation-type merger) by twelve, multiplying the result by the number of months in the Following Business Year, and then multiplying the product by the Insurance Premiums Rate prescribed in Article 51, paragraph (1) of the Act;

ロ　法第五十一条第一項の規定により存続金融機関等が翌事業年度に納付する保険料の額

(b) The amount of insurance premiums that the surviving Financial Institution, etc. is to pay in the Following Business Year under Article 51, paragraph (1) of the Act.

二　イに掲げる金額からロに掲げる金額を控除した金額

(ii) An amount obtained by deducting the amount specified in (b) from the amount specified in (a);

イ　当該新設合併があつた日を含む事業年度の各日における決済用預金の額の合計額（当該新設合併の日までについては、当該新設合併を行つた各金融機関の当該各日における決済用預金の合計額を合算した額）を平均した額を十二で除し、これに翌事業年度の月数を乗じて計算した金額に、法第五十一条の二第一項に規定する率を乗じて計算した金額

(a) The amount obtained by dividing the average amount of the total amount of the Deposits for Settlement on each day of the business year that includes the day of consolidation-type merger (with respect to the period up to the day of consolidation-type merger, the total amount of the Deposits for Settlement on each relevant day of each Financial Institution that conducted the consolidation-type merger) by twelve, multiplying the result by the number of months in the Following Business Year, and then multiplying the product by the rate prescribed in Article 51-2, paragraph (1) of the Act;

ロ　法第五十一条の二第一項の規定により存続金融機関等が翌事業年度に納付する保険料の額

(b) The amount of insurance premiums that the surviving Financial Institution, etc. is to pay in the Following Business Year under Article 51-2, paragraph (1) of the Act.

（概算払額等の端数計算）

(Calculation of Fraction for Amount of Estimated Proceeds Payment, etc.)

第三十七条　法第七十条第三項の規定により概算払額を計算する場合において、その額に五十銭未満の端数があるときは、その端数を切り捨て、五十銭以上一円未満の端数があるときは、その端数を一円に切り上げるものとする。同条第二項ただし書の規定により支払う額を計算する場合においても、同様とする。

Article 37 In calculating the amount of estimated proceeds payment under Article 70, paragraph (3) of the Act, any fraction less than a half yen shall be rounded off and any fraction not less than a half yen but less than one yen shall be rounded up to the nearest one yen; the same shall apply to cases where the amount of payment is calculated under the proviso to Article 70, paragraph (2) of the Act.

（都道府県知事への通知）

(Notice to Prefectural Governor)

第三十八条　金融庁長官及び厚生労働大臣（第四号にあつては、内閣総理大臣）は、労働金庫（一の都道府県の区域を越えない区域を地区とするものに限る。次項において同じ。）について次に掲げる報告、申出又は資料若しくは計画の提出を受けたときは、当該労働金庫の主たる事務所の所在地を管轄する都道府県知事にその旨を通知しなければならない。

Article 38 (1) Upon receiving the following report, application, material, or plan that is submitted with respect to a labor bank (limited to those whose district is within the area of one prefecture; the same shall apply in the following paragraph), the Commissioner of the Financial Services Agency and the Minister of Health, Labour and Welfare (in the case of item (iv), the Prime Minister) shall notify such fact to a prefectural governor having jurisdiction over the location of the principal office of said labor bank.

一　法第五十九条第六項（法第五十九条の二第三項（法第六十九条第四項において準用する場合を含む。）、第六十九条第四項、第百一条第五項及び第百十八条第二項において準用する場合を含む。）、第六十条第二項、第六十五条（法第百一条第七項及び第百十八条第四項において準用する場合を含む。）、第六十六条第一項及び第三項（これらの規定を法第百一条第七項及び第百十八条第四項において準用する場合を含む。）並びに第百八条第二項の規定による報告

(i) Report under Article 59, paragraph (6) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 59-2, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 69, paragraph (4) of the Act), Article 69, paragraph (4), Article 101, paragraph (5) and Article 118, paragraph (2) of the Act), Article 60, paragraph (2), Article 65 (including the cases where it is applied mutatis mutandis pursuant to Article 101, paragraph (7), and Article 118, paragraph (4) of the Act), Article 66, paragraphs (1) and (3) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 101, paragraph (7) and Article 118, paragraph (4) of the Act) and Article 108, paragraph (2) of the Act;

二　法第七十四条第二項及び第五項の規定による申出

(ii) Application under Article 74, paragraphs (2) and (5) of the Act;

三　法第八十条の規定による報告又は資料若しくは計画の提出

(iii) Submission of a report, material, or plan under Article 80 of the Act;

四　法第百四条第一項の規定による計画の提出

(iv) Submission of a plan under Article 104, paragraph (1) of the Act;

五　法第百五条第三項の規定による経営健全化計画の提出

(v) Submission of a management soundness improvement plan under Article 105, paragraph (3) of the Act;

六　法第百八条の三第三項の規定による経営健全化計画の提出

(vi) Submission of a management soundness improvement plan under Article 108-3, paragraph (3) of the Act;

七　法第百三十六条第一項及び第二項の規定による報告又は資料の提出

(vii) Submission of a report or material under Article 136, paragraphs (1) and (2) of the Act;

２　金融庁長官（第三号及び第五号にあつては金融庁長官及び厚生労働大臣とし、第四号にあつては金融庁長官及び財務大臣とする。）は、労働金庫について次に掲げる処分をしたときは、当該労働金庫の主たる事務所の所在地を管轄する都道府県知事にその旨を通知しなければならない。

(2) The Commissioner of the Financial Services Agency (in the case of item (iii) and (v), the Commissioner of the Financial Services Agency and the Minister of Health, Labour and Welfare, and in the case of item (iv), the Commissioner of the Financial Services Agency and the Minister of Finance) shall, if he/she has given any of the following dispositions with respect to a labor bank, notify to that effect to a prefectural governor having jurisdiction over the location of the principal office of said labor bank:

一　法第六十一条第一項（法第百一条第五項及び第百十八条第二項において準用する場合を含む。）の規定による認定

(i) 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) and Article 118, paragraph (2) of the Act);

二　法第六十二条第一項、第百一条第六項及び第百十八条第三項の規定によるあつせん

(ii) The mediation under Article 62, paragraph (1), Article 101, paragraph (6) and Article 118, paragraph (3) of the Act;

三　法第六十七条第二項（法第六十九条第四項及び第百一条第七項において準用する場合を含む。）及び第九十条ただし書の規定による承認

(iii) The approval under Article 67, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 69, paragraph (4) and Article 101, paragraph (7) of the Act) and the proviso to Article 90 of the Act;

四　法第七十一条第一項の規定による認可

(iv) The authorization under Article 71, paragraph (1) of the Act;

五　法第百五条第四項の規定による決定

(v) The decision under Article 105, paragraph (4) of the Act;

六　法第百八条の三第一項の規定による認可

(vi) The authorization under Article 108-3, paragraph (1) of the Act.

（金融庁長官へ委任される権限から除かれる権限）

(Authority Excluded from Authority Delegated to Commissioner of the Financial Services Agency)

第三十九条　法第百三十九条第一項第四号に規定する政令で定めるものは、次に掲げるものとする。

Article 39 Those specified by a Cabinet Order prescribed in Article 139, paragraph (1), item (iv) of the Act shall be the following:

一　法第十一条の規定による認可

(i) The authorization under Article 11 of the Act;

二　法第百二条第一項及び第百四条第八項（法第百五条第八項及び第百六条第五項において準用する場合を含む。）の規定による認定

(ii) The Confirmation under Article 102, paragraph (1) and Article 104, paragraph (8) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 105, paragraph (8) and Article 106, paragraph (5) of the Act);

三　法第百三条第一項、第百四条第二項、第四項及び第五項、第百五条第七項並びに第百六条第四項の規定による法第百二条第一項の認定の取消し

(iii) The rescission, pursuant to Article 103, paragraph (1) of the Act, Article 104, paragraphs (2), (4) and (5), Article 105, paragraph (7), and Article 106, paragraph (4) of the Act, of the Confirmation given under Article 102, paragraph (1) of the Act;

四　法第百二条第二項（法第百三条第二項、第百四条第三項、第七項及び第九項（法第百五条第八項において準用する場合を含む。）並びに第百五条第八項において準用する場合を含む。）の規定による意見の聴取

(iv) The hearing of opinion under Article 102, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 103, paragraph (2) of the Act, Article 104, paragraphs (3), (7), and (9) (including the cases where it is applied mutatis mutandis pursuant to Article 105, paragraph (8) of the Act) and Article 105, paragraph (8) of the Act);

五　法第百二条第四項の規定による期限の設定

(v) The specification of a period of time under Article 102, paragraph (4) of the Act;

六　法第百二条第五項（法第百三条第二項、第百四条第三項、第七項及び第九項（法第百五条第八項及び第百六条第五項において準用する場合を含む。）、第百五条第八項並びに第百六条第五項において準用する場合を含む。）の規定による通知及び公告

(vi) The individual notice and public notice under Article 102, paragraph (5) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 103, paragraph (2) of the Act, Article 104, paragraphs (3), (7), and (9) (including the cases where it is applied mutatis mutandis pursuant to Article 105, paragraph (8) and Article 106, paragraph (5)), Article 105, paragraph (8) and Article 106, paragraph (5) of the Act);

七　法第百二条第六項（法第百三条第二項、第百四条第三項、第七項及び第九項（法第百五条第八項及び第百六条第五項において準用する場合を含む。）、第百五条第八項並びに第百六条第五項において準用する場合を含む。）の規定による国会への報告

(vii) The report to the Diet under Article 102, paragraph (6) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 103, paragraph (2), Article 104, paragraphs (3), (7), and (9) (including the cases where it is applied mutatis mutandis pursuant to Article 105, paragraph (8) and Article 106, paragraph (5) of the Act), Article 105, paragraph (8), and Article 106, paragraph (5) of the Act);

八　法第百四条第一項の規定による計画の受理

(viii) The receipt of a plan under Article 104, paragraph (1) of the Act;

九　法第百四条第六項（法第百五条第八項及び第百六条第五項において準用する場合を含む。）の規定による意見の聴取

(ix) The hearing of opinion under Article 104, paragraph (6) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 105, paragraph (8) and Article 106, paragraph (5) of the Act).

（財務局長等への権限の委任）

(Delegation of Authority to Director-Generals of Local Finance Bureaus, etc.)

第四十条　法第百三十九条第一項の規定により金融庁長官に委任された権限のうち次に掲げるものは、金融機関（法第三十五条第一項の規定による委託を受けた同項に規定する金融機関代理業者を含む。次項及び第三項において同じ。）の本店又は主たる事務所（以下この条において「本店等」という。）の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）に委任する。ただし、金融庁長官が自らその権限を行うことを妨げない。

Article 40 (1) Among the authority delegated to the Commissioner of the Financial Services Agency under Article 139, paragraph (1) of the Act, the authority specified below shall be delegated to the Director-General of Local Finance Bureau having jurisdiction over the location of the head office or principal office (hereinafter referred to as "Head Office, etc." in this Article) of a Financial Institution (including a Financial Institution agent prescribed in Article 35, paragraph (1) of the Act that has received entrustment under the same paragraph; the same shall apply in the following paragraph and paragraph (3)) (in the case where the Head Office, etc. is located within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, to the Director-General of the Fukuoka Local Finance Branch Bureau); provided, however, that this shall not preclude the Commissioner of the Financial Services Agency from exercising the authority him/herself.

一　法第五十八条の三第二項の規定による命令（法第二条第一項第一号から第四号までに掲げる者に関するものに限る。）

(i) The order under Article 58-3, paragraph (2) of the Act (limited to those concerning persons specified in Article 2, paragraph (1), items (i) to (iv) of the Act);

二　法第百三十六条第一項及び第二項の規定による報告及び資料の提出の命令

(ii) The order to report or submit material under Article 136, paragraphs (1) and (2) of the Act;

三　法第百三十七条第一項及び第二項の規定による質問及び立入検査（同条第六項の規定によるものを含む。）

(iii) The questioning or on-site inspection under Article 137, paragraphs (1) and (2) of the Act (including those under Article 137, paragraph (6) of the Act).

２　前項第二号及び第三号に掲げる権限で、金融機関の本店等以外の営業所若しくは従たる事務所その他の施設又はその子会社（以下この条において「支店等」という。）に関するものについては、同項に規定する財務局長又は福岡財務支局長のほか、当該支店等の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）も行うことができる。

(2) The authority specified in items (ii) and (iii) of the preceding paragraph that relates to business offices of a Financial Institution other than the Head Office, etc., secondary offices, or any other facilities, or subsidiary company of a Financial Institution (hereinafter referred to as "Branches, etc." in this Article) may be exercised by the Director-Generals of Local Finance Bureaus having jurisdiction over the location of the Branches, etc. (in the case where the Branches, etc. are located within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director-General of the Fukuoka Local Finance Branch Bureau), in addition to the Director-Generals of Local Finance Bureaus or the Director-General of the Fukuoka Local Finance Branch Bureau prescribed in the preceding paragraph.

３　前項の規定により、金融機関の支店等に対して報告若しくは資料の提出を求め又は質問若しくは立入検査（以下この項において「検査等」という。）を行つた財務局長又は福岡財務支局長は、当該金融機関の本店等又は当該支店等以外の支店等に対して検査等の必要を認めたときは、当該本店等又は当該支店等以外の支店等に対し、検査等を行うことができる。

(3) Any Director-General of Local Finance Bureau or Director-General of the Fukuoka Local Finance Branch Bureau who has required the submission of report or material from or conducted questioning or on-site inspection (hereinafter referred to as "Inspection, etc." in this paragraph) of the Branches, etc. of a Financial Institution under the preceding paragraph may, if he/she finds it necessary, conduct the Inspection, etc. of any Branches, etc. of said Financial Institution, other than the Head Office, etc. or said Branches, etc. which have already been subject to the Inspection, etc.

４　前三項の規定は、第一項各号に掲げる権限のうち金融庁長官の指定するものについては、適用しない。

(4) The provisions of the preceding three paragraphs shall not apply to the authority designated by the Commissioner of the Financial Services Agency among the authority specified in each item of paragraph (1).

５　金融庁長官は、前項の規定による指定をした場合には、その旨を告示するものとする。これを廃止し、又は変更したときも、同様とする。

(5) When the Commissioner of the Financial Services Agency has made the designation prescribed in the preceding paragraph, he/she shall give public notice to that effect. The same shall apply when he/she abolishes or changes such designation.