

# 投資信託及び投資法人に関する法律施行規則 Regulation for Enforcement of the Act on Investment Trusts and Investment Corporations

(平成十二年十一月十七日総理府令第百二十九号)  
(Order of the Prime Minister's Office No. 129 of November 17, 2000)

投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）及び投資信託及び投資法人に関する法律施行令（平成十二年政令第四百八十号）の規定に基づき、並びに同法及び同令を実施するため、証券投資信託及び証券投資法人に関する法律施行規則（平成十年総理府大蔵省令第三十号）の全部を改正する総理府令を次のように定める。

Pursuant to the provisions of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951) and Order for Enforcement of the Act on Investment Trusts and Investment Corporations (Cabinet Order No. 480 of 2000), and in order to enforce that Act and that Order, the Order of the Prime Minister's Office revising the entire Regulation for Enforcement of the Act on Securities Investment Trusts and Securities Investment Corporations (Order of the Prime Minister's Office and Ministry of Finance No. 30 of 1998) is provided as follows.

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## 第一章 総則

### Chapter I General Provisions

（定義）

(Definitions)

第一条 この府令において「委託者指図型投資信託」、「委託者非指図型投資信託」、「投資信託」、「証券投資信託」、「有価証券」、「デリバティブ取引」、「受益証券」、「公募」、「一般投資家私募」、「投資信託委託会社」、「投資法人」、「登録投資法人」、「投資口」、「投資証券」、「投資主」、「新投資口予約権」、「新投資口予約権証券」、「投資法人債」、「投資法人債券」、「資産運用会社」、「資産保管会社」、「一般事務受託者」、「外国投資信託」又は「外国投資法人」とは、それぞれ投資信託及び投資法人に関する法律（以下「法」という。）第二条に規定する委託者指図型投資信託、委託者非指図型投資信託、投資信託、証券投資信託、有価証券、デリバティブ取引、受益証券、公募、一般投資家私募、投資信託委託会社、投資法人、登録投資法人、投資口、投資証券、投資主、新投資口予約権、新投資口予約権証券、投資法人債、投資法人債券、資産運用会社、資産保管会社、一般事務受託者、外国投資信託又は外国投資法人をいい、「適格機関投資家私募」又は「特定投資家私募」とは、それぞれ法第四条第二項第十二号に規定する適格機関投資家私募又は特定投資家私募をいう。

Article 1 The terms "Investment Trust Managed under Instructions from the Settlor," "Investment Trust Managed without Instructions from the Settlor," "Investment Trust," "Securities Investment Trust," "Securities," "Derivatives Transaction," "Beneficiary Certificate," "Public Offering," "Private Placement with General Investors," "Settlor Company of an Investment Trust," "Investment Corporation," "Registered Investment Corporation," "Investment Equity," "Investment Security," "Investor," "Investment Equity Option," "Investment Equity Option Certificate," "Investment Corporation Bond," "Investment Corporation Bond Certificate," "Asset Management Company," "Asset Custody Company," "Administrative Agent," "Foreign Investment Trust," and "Foreign Investment Corporation" as used in this Order of the Prime Minister's Office means the Investment Trust Managed under Instructions from the Settlor, Investment Trust Managed without Instructions from the Settlor, Investment Trust, Securities Investment Trust, Securities,

Derivatives Transaction, Beneficiary Certificate, Public Offering, Offering," "Private Placement with General Investors, Settlor Company of an Investment Trust, Investment Corporation, Registered Investment Corporation, Investment Equity, Investment Security, Investor, Investment Equity Option, Investment Equity Option Certificate, Investment Corporation Bond, Investment Corporation Bond Certificate, Asset Management Company, Asset Custody Company, Administrative Agent, Foreign Investment Trust, and Foreign Investment Corporation defined in Article 2 of the Act on Investment Trusts and Investment Corporations (hereinafter referred to as the "Act") respectively, and the terms "Private Placement with Qualified Institutional Investors" and "Private Placement with Professional Investors" means the Private Placement with Qualified Institutional Investors and Private Placement with Professional Investors prescribed in Article 4, paragraph (2), item (xii) of the Act.

(訳文の添付)

(Attaching of Translations)

第二条 法、投資信託及び投資法人に関する法律施行令（以下「令」という。）又はこの府令の規定により金融庁長官、財務局長若しくは福岡財務支局長（以下「金融庁長官等」という。）に提出し、又は受益者（受益証券を取得しようとする者を含む。次条において同じ。）若しくは投資主に交付し、若しくは提供する書類で、特別の事情により日本語で記載することができないものがあるときは、その訳文を付さなければならない。ただし、次に掲げる書類（英語で記載されたものに限る。）については、この限りでない。

Article 2 If any document which is to be submitted to the Commissioner of the Financial Services Agency, the Director-General of a Local Finance Bureau, or the Director-General of the Fukuoka Local Finance Branch Bureau (hereinafter collectively referred to as the "Commissioner of the Financial Services Agency, etc."), or to be delivered or submitted to the beneficiaries (including persons who intend to acquire Beneficiary Certificates; the same applies in the following Article) pursuant to the provisions of the Act, the Order for Enforcement of the Act on Investment Trusts and Investment Corporations (hereinafter referred to as the "Order") or this Order of the Prime Minister's Office cannot be written in Japanese due to special circumstances, a translation of such document must be attached thereto; provided, however that this does not apply to the following documents (limited to those written in English):

- 一 法第五十八条第二項の規定により同条第一項の規定による届出に添付すべき書類 (i) documents to be attached to the notification under Article 58, paragraph (1) of the Act pursuant to paragraph (2) of that Article;
- 二 第九十七条第二項又は第九十八条第二項の規定により法第五十九条において準用

- する法第十六条の規定による届出に添付すべき書類
- (ii) documents to be attached to the notification under Article 16 of the Act as applied mutatis mutandis pursuant to Article 59 of the Act pursuant to the provisions of Article 97, paragraph (2) and Article 98, paragraph (2);
- 三 第一条第二項の規定により法第五十九条において準用する法第十九条の規定による届出に添付すべき書類
- (iii) documents to be attached to the notification under Article 19 of the Act as applied mutatis mutandis pursuant to Article 59 of the Act pursuant to Article 101, paragraph (2);
- 四 法第二百二十条第二項の規定により同条第一項の規定による届出に添付すべき書類
- (iv) documents to be attached to the notification under Article 220, paragraph (1) of the Act pursuant to paragraph (2) of that Article;
- 五 法第二百二十一条第二項において準用する法第二百二十条第二項の規定により法第二百二十一条第一項の規定による届出に添付すべき書類
- (v) documents to be attached to the notification under Article 221, paragraph (1) of the Act pursuant Article 220, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 221, paragraph (2) of the Act; and
- 六 第二百六十四条第二項の規定により法第二百二十二条第一項及び第二項の規定による届出に添付すべき書類
- (vi) documents to be attached to the notification under Article 222, paragraphs (1) and (2) of the Act pursuant to Article 264, paragraph (2).

(外国通貨の換算)

(Conversion of a Foreign Currency)

第三条 法、令又はこの府令の規定により作成し、金融庁長官等に提出し、又は受益者若しくは投資主に交付し、若しくは提供する書類中、外国通貨により金額を表示するものがあるときは、当該金額を本邦通貨に換算した金額及びその換算に用いた換算率を付記しなければならない。ただし、これらを付記することが困難な場合は、この限りでない。

Article 3 If any document which is to be submitted to the Commissioner of the Financial Services Agency, etc. or to be delivered or submitted to beneficiaries or Investors pursuant to the provisions of the Act, the Order, or this Order of the Prime Minister's Office, includes an amount denominated in a foreign currency, the amount converted into Japanese currency from such foreign currency and the standard used for such conversion must be denoted in the document; provided, however, that this does not apply to cases where it is difficult to denote them.

(適格機関投資家を除くための要件等)

(Requirements for Excluding Qualified Institutional Investors)

第四条 令第七条第二項に規定する内閣府令で定める場合は、次に掲げる要件のいずれかに該当する場合とする。

Article 4 The cases specified by Cabinet Office Order as referred to in Article 7, paragraph (2) of the Order are the cases where any of the following requirements are satisfied:

一 当該受益証券に適格機関投資家に譲渡する場合以外の譲渡が禁止される旨の制限（以下この条及び第五条第一項において「転売制限」という。）が付されている旨が当該受益証券に記載され、当該受益証券の取得者に当該受益証券が交付されること。

(i) that a statement to the effect that restriction prohibiting the transfer of the relevant Beneficiary Certificate in cases other the case where transferring to Qualified Institutional Investors (hereinafter referred to as the "Restriction on Resale" in this Article and Article 5, paragraph (1)) is stated on the Beneficiary Certificate and that Beneficiary Certificate is delivered to the acquirer of the Beneficiary Certificate;

二 当該受益証券の取得者に交付される当該受益証券に関する情報を記載した書面において、当該受益証券に転売制限が付されている旨の記載がされていること。

(ii) that a statement to the effect that a Restriction on Resale is imposed on the relevant Beneficiary Certificate is stated in the documents containing the information on the Beneficiary Certificate which are to be delivered to the acquirer of the Beneficiary Certificate;

三 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）の規定により加入者（同法第二条第三項に規定する加入者をいう。第五条第一項第三号において同じ。）が当該受益証券に転売制限が付されていることを知ることができるようにする措置がとられていること。

(iii) that measures which enable the Members (meaning the members as prescribed in Article 2, paragraph (3) of the Act on Book-Entry Transfer of Company Bonds, Shares, etc. (Act No. 75 of 2001); the same applies in Article 5, paragraph (1), item (iii)) to notice that a Restriction on Resale is imposed on the relevant Beneficiary Certificate pursuant to the provisions of that Act;  
or

四 当該受益証券の発行者が、当該受益証券と同一種類の受益証券（当該受益証券と発行者が同一で、金融商品取引法第二条に規定する定義に関する内閣府令（平成五年大蔵省令第十四号）第十条の二第一項第十一号イからハまでに掲げる事項が同一である受益証券をいう。以下この条、次条及び第五条第二項第一号において同じ。）であって、金融商品取引法第二十四条第一項各号（同法第二十七条において準用する場合を含む。以下この条及び第五条第二項第一号において同じ。）のいずれかに該当するものを既に発行している者でないこと。

(iv) that the issuer of the relevant Beneficiary Certificate is not a person who has already issued Beneficiary Certificates of the Same Class (meaning Beneficiary Certificates of which the issuer and the particulars set forth in

Article 10-2, paragraph (1), item (xi), sub-items (a) through (c) of the Cabinet Office Order on Definitions under Article 2 of the Financial Instruments and Exchange Act (Order of the Ministry of Finance No. 14 of 1993) are the same as the relevant Beneficiary Certificate; hereinafter the same applies in this Article, the following Article, and Article 5, paragraph (2), item (i) as the Beneficiary Certificate, which fall under any of the items of Article 24, paragraph (1) of the Financial Instruments and Exchange Act (including the cases where it is applied mutatis mutandis pursuant to Article 27 of that Act; hereinafter the same applies in this Article and Article 5, paragraph (2), item (i)).

(同一種類の受益証券)

(Beneficiary Certificates of the Same Class)

第四条の二 令第八条第一項第二号及び第三号に規定する当該受益証券と同一種類の受益証券として内閣府令で定めるものは、同一種類の受益証券とする。

Article 4-2 The Beneficiary Certificates specified by Cabinet Office Order as the Beneficiary Certificate of the Same Class as the relevant Beneficiary Certificate as referred to in Article 8, paragraph (1), items (ii) and (iii) of the Order are the Beneficiary Certificates of the Same Class.

(特定投資家の範囲)

(Scope of Professional Investors)

第四条の三 法第二条第九項第二号に規定する特定投資家とみなされる者のうち内閣府令で定める者は、金融商品取引業等に関する内閣府令（平成十九年内閣府令第五十二号）第五十三条第一号に掲げる契約（次項において「有価証券取引契約」という。）に関して金融商品取引法（昭和二十三年法律第二十五号）第三十四条の三第四項（同法第三十四条の四第四項において準用する場合を含む。）又は同法第三十四条の三第六項（同法第三十四条の四第四項において準用する場合を含む。）の規定により特定投資家とみなされる者とする。

Article 4-3 (1) The persons deemed to be professional investors that are specified by Cabinet Office Order as referred to in Article 2, paragraph (9), item (ii) of the Act are the persons deemed to be professional investors pursuant to the provisions of Article 34-3, paragraph (4) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) (including the cases where it is applied mutatis mutandis pursuant to Article 34-4, paragraph (4) of that Act) and Article 34-3, paragraph (6) of that Act (including the cases where it is applied mutatis mutandis pursuant to Article 34-4, paragraph (4) of that Act) with regard to the contracts set forth in Article 53, item (i) of the Cabinet Office Order on Financial Instruments Business, etc. (Cabinet Office Order No. 52 of 2007) (referred to as the "Contract for Transaction of Securities" in the following paragraph).

2 法第二条第九項第二号に規定する特定投資家以外の顧客とみなされる者のうち内閣府令で定める者は、有価証券取引契約に関して金融商品取引法第三十四条の二第五項又は第八項の規定により特定投資家以外の顧客とみなされる者とする。

(2) The persons deemed to be customers other than professional investors, that are specified by Cabinet Office Order as referred to in Article 2, paragraph (9), item (ii) of the Act are the persons deemed to be customers other than professional investors pursuant to the provisions of Article 34-2, paragraph (5) or (8) of the Financial Instruments and Exchange Act with regard to the Contract for Transaction of Securities.

(受益証券の譲渡に関する制限等)

(Restrictions on Transfer of Beneficiary Certificates)

第五条 令第八条第一項第一号に規定する内閣府令で定める方式は、次に掲げる要件のいずれかに該当するものとする。

Article 5 (1) The methods specified by Cabinet Office Order as referred to in Article 8, paragraph (1), item (i) of the Order are those that satisfy any of the following requirements:

一 当該受益証券に転売制限が付されている旨が当該受益証券に記載され、当該受益証券の取得者に当該受益証券が交付されること。

(i) that a statement to the effect that a Restriction on Resale is imposed on the relevant Beneficiary Certificate is stated on the Beneficiary Certificate and that Beneficiary Certificate is delivered to the acquirer of the Beneficiary Certificate;

二 当該受益証券の取得者に交付される当該受益証券に関する情報を記載した書面において、当該受益証券に転売制限が付されている旨の記載がされていること。

(ii) that a statement to the effect that a Restriction on Resale is imposed on the relevant Beneficiary Certificate is stated in the documents containing the information on the Beneficiary Certificate which are to be delivered to the acquirer of the Beneficiary Certificate; or

三 社債、株式等の振替に関する法律の規定により加入者が当該受益証券に転売制限が付されていることを知ることができるようにする措置がとられていること。

(iii) that measures which enable the Members to notice that a Restriction on Resale is imposed on the relevant Beneficiary Certificate pursuant to the provisions of the Act on Transfer of Corporate Bonds, Shares, etc.

2 令第八条第二項第二号に規定する内閣府令で定める要件は、次に掲げる全ての要件を満たすこととする。

(2) The requirements specified by Cabinet Office Order as referred to in Article 8, paragraph (2), item (ii) of the Order are that the relevant case satisfies all of the following requirements:

一 当該受益証券と同一種類の受益証券が、金融商品取引法第二十四条第一項各号に掲げる有価証券のいずれにも該当しないこと。

(i) that the Beneficiary Certificate of the Same Class as the relevant Beneficiary Certificate does not fall under the category of Securities set forth in the items of Article 24, paragraph (1) of the Financial Instruments and Exchange Act; and

二 当該受益証券の発行者と当該受益証券の取得の申込みの勧誘に応じて当該受益証券を取得しようとする者（以下この号において「取得者」という。）との間及び当該取得の申込みの勧誘を行う者と当該取得者との間において、次のイ及びロに掲げる事項（ロに掲げる事項にあつては、当該契約の当事者が定めないこととした事項を除く。）を定めた譲渡に係る契約を締結することを取得の条件として、取得の申込みの勧誘が行われること。

(ii) that a solicitation of an application to acquire Beneficiary Certificates is made where the relevant Beneficiary Certificate is acquired on the condition that a contract on transfer providing the particulars listed in the following sub-items (a) and (b) (in case of the particulars listed in sub-item (b), excluding the particulars that the party of the contract decides not to specify) is concluded between the issuer of the relevant Beneficiary Certificate and the person who intends to acquire the Beneficiary Certificate in response to the solicitation of an application to acquire Beneficiary Certificates (hereinafter such person is referred to as the "Acquirer" in this item), and between the person who makes the solicitation of an application to acquire Beneficiary Certificates and the Acquirer:

イ 当該取得者が当該取得の申込みの勧誘に応じて取得した当該受益証券を特定投資家等（令第八条第二項第二号に規定する特定投資家等をいう。ロにおいて同じ。）以外の者に譲渡を行わないこと。

(a) that the Acquirer who has acquired the relevant Beneficiary Certificate in response to the solicitation of an application to acquire Beneficiary Certificates does not transfer such Beneficiary Certificate to persons other than Professional Investors, etc. (meaning the Professional Investors, etc. as prescribed in Article 8, paragraph (2), item (ii) of the Order; the same applies in sub-item (b));

ロ 次に掲げる場合には、当該取得者が当該取得の申込みの勧誘に応じて取得した当該受益証券を特定投資家等以外の者に譲渡することができること。

(b) that, in the following cases, the Acquirer who has acquired the relevant Beneficiary Certificate in response to the solicitation of an application to acquire Beneficiary Certificates may transfer such Beneficiary Certificate to persons other than Professional Investors, etc.:

(1) 当該受益証券の発行者又はその役員（取締役、監査役、執行役、理事若しくは監事又はこれらに準ずる者をいう。）であり、かつ、当該発行者の総株主等の議決権（金融商品取引法第二十九条の四第二項に規定する総株主等の議決権をいう。以下同じ。）の百分の五十を超える議決権（社債、株式等の振替に関する法律第四百四十七条第一項又は第四百四十八条第一項（これらの



規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は出資に係る議決権を含む。以下この条において「対象議決権」という。）に係る株式若しくは出資を自己若しくは他人の名義をもって所有する者（以下この条において「特定役員」という。）若しくは当該特定役員の被支配法人等（当該発行者を除く。）に対して譲渡する場合

1. cases where the Acquirer transfers the relevant Beneficiary Certificate to the issuer of the Beneficiary Certificate or its Officer(s) (meaning directors, company auditors, executive officer, board members or auditors, or persons equivalent thereto) that is a person who holds the voting rights exceeding 50 percent of the Voting Rights Held by All the Shareholders, etc. (meaning the Voting Rights Held by All the Shareholders, etc. as prescribed in Article 29-4, paragraph (2) of the Financial Instruments and Exchange Act; hereinafter the same applies) (the relevant voting rights includes voting rights pertaining to shares or equity that may not be duly asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Transfer of Corporate Bonds, Shares, etc. (including the cases where these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the part pertaining to item (ii)) of that Act); hereinafter referred to as the "Subject Voting Rights" in this Article) of the issuer in its own name or another person's name (hereinafter such Officer is referred to as the "Specified Officer" in this Article), or the Controlled Corporation, etc. of the Specified Officer (excluding the issuer); and
  - (2) 当該受益証券の発行者の総株主等の議決権の百分の五十を超える対象議決権に係る株式又は出資を自己又は他人の名義をもって所有する会社に対して譲渡する場合
2. cases where the Acquirer transfers the relevant Beneficiary Certificate to a company holding shares or equity pertaining to Subject Voting Rights exceeding 50 percent of the Voting Rights Held by All the Shareholders, etc. of the issuer of the relevant Beneficiary Certificate in its own name or another person's name.
- 3 特定役員とその被支配法人等が合わせて他の法人等（法人その他の団体をいう。以下この条において同じ。）の総株主等の議決権の百分の五十を超える対象議決権に係る株式又は出資を自己又は他人の名義をもって所有する場合には、当該他の法人等は、当該特定役員の被支配法人等とみなして、前項第二号ロ（1）及びこの項の規定を適用する。
- (3) In cases where the Specified Officer and its Controlled Corporation, etc.

jointly hold shares or equity pertaining to the Subject Voting Rights exceeding 50 percent of the Voting Rights Held by All the Shareholders, etc. of another Corporation, etc. (meaning a corporation and other organizations; hereinafter the same applies in this Article) in their own name or another person's name, the relevant other Corporation, etc. is deemed to be the Controlled Corporation, etc. of the Specified Officer and the provisions of item (ii), sub-item (b) 1. of the preceding paragraph and this paragraph apply.

4 第二項第二号ロ（１）及び前項の「被支配法人等」とは、特定役員が他の法人等の総株主等の議決権の百分の五十を超える対象議決権に係る株式又は出資を自己又は他人の名義をもって所有する場合における当該他の法人等をいう。

(4) The term "Controlled Corporation, etc." as used in paragraph (2), item (ii), sub-item (b) 1. and the preceding paragraph means, in cases where a Specified Officer holds shares or equity pertaining to Subject Voting Rights exceeding 50 percent of the Voting Rights Held by All the Shareholders, etc. of another Corporation, etc., the relevant other Corporation, etc.

## 第二章 委託者指図型投資信託

### Chapter II Investment Trusts Managed under Instructions from the Settlor

(投資信託約款の内容の届出)

(Notification of the Details of the Basic Terms and Conditions of an Investment Trust)

第六条 法第四条第一項の規定による届出は、次に掲げる事項を記載した届出書を所管金融庁長官等（令第三百三十五条第五項の規定により金融庁長官の指定する権限に係る場合にあつては金融庁長官、それ以外の権限に係る場合にあつては金融商品取引業者（法第二条第十一項に規定する金融商品取引業者をいう。第百十二条第八号及び第二百四十四条を除き、以下同じ。）、信託会社等（法第四十七条第一項に規定する信託会社等をいう。以下同じ。）又は投資法人の本店（外国法人にあつては、国内における主たる営業所又は事務所）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）をいう。以下同じ。）に提出して行わなければならない。

Article 6 (1) The notification under Article 4, paragraph (1) of the Act must be made by submitting the notification containing the following information to the Commissioner of the Financial Services Agency or Other Competent Official (meaning the Commissioner of the Financial Services Agency in the case of notification related to the authority designated by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 135, paragraph (5) of the Order, and the Director-General of a Local Finance Bureau who has jurisdiction over the location of the head office of a Financial Instruments Business Operator (meaning the Financial Instruments Business Operator as prescribed in Article 2, paragraph (11) of the Act; hereinafter the same applies,

except in Article 112, item (viii) and Article 244), trust company or similar institution (meaning the trust company or similar institution as prescribed in Article 47, paragraph (1) of the Act; the same applies hereinafter), or an Investment Corporation (in cases of a foreign corporation, the principal business office or office in Japan) (in cases where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director-General of the Fukuoka Local Finance Branch Bureau) in the case of notification related to other authority; the same applies hereinafter):

一 当該投資信託約款（法第四条第一項に規定する投資信託約款をいう。以下この章において同じ。）に係る委託者指図型投資信託の名称

(i) the name of the Investment Trust Managed under Instructions from the Settlor pertaining to the relevant Basic Terms and Conditions of the Investment Trust (meaning the Basic Terms and Conditions of the Investment Trust defined in Article 4, paragraph (1) of the Act; hereinafter the same applies in this Chapter);

二 単位型（元本の追加信託をすることができないものをいう。）又は追加型（元本の追加信託をすることができるものをいう。）の別

(ii) whether the relevant Investment Trust is a Unit Type (meaning the type of an Investment Trust where additional amounts may not be added to the principal thereof) or Open Type (meaning the type of an Investment Trust where additional amounts may be added to the principal thereof);

三 証券投資信託にあつては、公社債投資信託（第十三条第二号イに規定する公社債投資信託をいう。以下この号において同じ。）又は株式投資信託（公社債投資信託以外の証券投資信託をいう。）の別

(iii) in cases of a Securities Investment Trust, whether the relevant Securities Investment Trust is a Bond Investment Trust (meaning the Bond Investment Trust prescribed in Article 13, item (ii), sub-item (a); hereinafter the same applies in this item) or Share Investment Trust (meaning Securities Investment Trust other than the Bond Investment Trust);

四 投資の対象とする資産の種類に関する事項として次に掲げる事項

(iv) the following information as those related to the type of assets which are to be the subject of investment:

イ 投資の対象とする特定資産（法第二条第一項に規定する特定資産をいう。以下同じ。）の種類

(a) the type of the Specified Assets (meaning the Specified Assets defined in Article 2, paragraph (1) of the Act; hereinafter the same applies) which are to be the subject of investment; and

ロ 投資の対象とする特定資産以外の資産の種類

(b) the type of the assets other than the Specified Assets, which are to be the subject of investment;

五 投資信託財産（法第三条第二号に規定する投資信託財産をいう。以下この章にお

- いて同じ。)の運用方針
- (v) the investment policy for the Investment Trust Property (meaning the Investment Trust Property defined in Article 3, item (ii) of the Act; hereinafter the same applies in this Chapter);
- 六 設定予定額又は当初設定予定額
- (vi) the planned amount or the initial planned amount;
- 七 設定日
- (vii) establishment date;
- 八 信託契約期間
- (viii) trust agreement period;
- 九 公募、適格機関投資家私募、特定投資家私募又は一般投資家私募の別
- (ix) use of a Public Offering, Private Placement with Qualified Institutional Investors, Private Placement with Professional Investors, or Private Placement with General Investors;
- 十 募集（金融商品取引法第二条第三項に規定する有価証券の募集をいう。以下この章及び次章において同じ。）又は私募（同項に規定する有価証券の私募をいう。以下同じ。）の期間
- (x) the period of the Public Offering (meaning the Public Offering of Securities as defined in Article 2, paragraph (3) of the Financial Instruments and Exchange Act; hereinafter the same applies in this and the following Chapters) or Private Placement (meaning the Private Placement of Securities as defined in that paragraph; the same applies hereinafter);
- 十一 募集の取扱い（金融商品取引法第二条第八項第九号に規定する有価証券の募集の取扱いをいう。以下同じ。）又は私募の取扱い（同号に規定する有価証券の私募の取扱いをいう。以下同じ。）を行う金融商品取引業者等（同法第三十四条に規定する金融商品取引業者等をいう。以下同じ。）の商号、名称又は氏名
- (xi) the trade name or name of the Financial Instruments Business Operator, etc. (meaning the Financial Instruments Business Operator, etc. as prescribed in Article 34 of the Financial Instruments and Exchange Act; the same applies hereinafter) that handles the Dealing in Public Offering (meaning the dealing in Public Offering of Securities provided in Article 2, paragraph (8), item (ix) of that Act; the same applies hereinafter) or Dealing in Private Placement (meaning the dealing in private placement of Securities as provided in that item; the same applies hereinafter);
- 十二 自ら募集又は私募を行うときは、その旨
- (xii) that the Financial Instruments Business Operator carries out Public Offering or Private Placement by itself, if this is the case; and
- 十三 その他当該投資信託約款に係る委託者指図型投資信託の特徴と認められる事項
- (xiii) other particulars found to be the feature of the Investment Trust Managed under Instructions from the Settlor pertaining to the relevant Basic Terms and Conditions of the Investment Trust.

2 前項の届出書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the notification under the preceding paragraph:

一 投資信託約款の案

(i) a draft of the Basic Terms and Conditions of the Investment Trust; and

二 受託会社（法第九条に規定する受託会社をいう。以下同じ。）の承諾書

(ii) written consent of the Trustee Company (meaning the Trustee Company as defined in Article 9 of the Act; the same applies hereinafter).

（投資信託約款の記載事項）

(Information Required to Be Included in the Basic Terms and Conditions of an Investment Trust)

第七条 法第四条第二項第十八号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 7 The information specified by Cabinet Office Order as referred to in Article 4, paragraph (2), item (xviii) of the Act is the following information:

一 委託者の分割による事業の全部若しくは一部の承継又は事業の全部若しくは一部の譲渡に関する事項

(i) information concerning succession of whole or part of business as a result of split of the settlor or transfer of whole or part of business;

二 受託者の辞任及び解任並びに新たな受託者の選任に関する事項

(ii) information concerning the resignation and dismissal of the trustee, as well as the appointment of a new trustee;

三 元本の追加信託をすることができる委託者指図型投資信託における信託の元本の追加に関する事項

(iii) information concerning the addition to the principal of a trust in an Investment Trust Managed under Instructions from the Settlor where additional amounts may be added to its principal;

四 投資信託契約（法第三条に規定する投資信託契約をいう。以下この章において同じ。）の一部解約に関する事項

(iv) information concerning the partial cancellation of an Investment Trust Agreement (meaning the Investment Trust Agreement defined in Article 3 of the Act; hereinafter the same applies in this Chapter);

五 委託者が運用の指図に係る権限を委託（当該委託に係る権限の一部を更に委託するものを含む。次条第八号及び第十三条第一号において同じ。）する場合におけるその委託の内容

(v) in cases where the settlor entrusts the authority to make orders for investment (including the further entrustment of part of the authority subject to the relevant entrustment; the same applies in item (viii) of the following Article and Article 13, item (i)), the details of the entrustment;

六 委託者から運用の指図に係る権限の委託を受けた者が当該権限の一部を更に委託

する場合においては、当該者がその運用の指図に係る権限の一部を更に委託する者の商号又は名称（当該者が適格投資家向け投資運用業（金融商品取引法第二十九条の五第一項に規定する適格投資家向け投資運用業をいう。以下同じ。）を行うことにつき同法第二十九条の登録を受けた金融商品取引業者であるときは、その旨を含む。）及び所在の場所

(vi) in cases where the person who has accepted the entrustment of authority to make orders for investment from the settlor further entrusts part of the authority, the trade name or name and location of the person to whom the first-mentioned person further entrusts part of its authority to make orders for investment (including an indication that the first-mentioned person is a Financial Instruments Business Operator registered under Article 29 of the Financial Instruments and Exchange Act for engaging in the Investment Management Business for Qualified Investors (meaning the Investment Management Business for Qualified Investors as prescribed in Article 29-5, paragraph (1) of that Act; hereinafter the same applies), if this is the case);

七 委託者指図型投資信託の併合（法第十六条第二号に規定する委託者指図型投資信託の併合をいう。以下同じ。）に関する事項

(vii) information concerning the Consolidation of Investment Trusts Managed under Instructions from the Settlor (meaning the Consolidation of Investment Trusts Managed under Instructions from the Settlor as prescribed in Article 16, item (ii) of the Act; the same applies hereinafter);

八 受益者代理人があるときは、投資信託契約において、法第十七条第六項（法第二十条第一項において準用する場合を含む。）の規定による議決権及び法第十八条第一項（法第二十条第一項において準用する場合を含む。）の規定による受益権買取請求権を行使する権限を当該受益者代理人の権限としていない旨

(viii) in cases where there is an agent for a beneficiary, a statement to the effect that an authority to exercise voting rights under the provisions of Article 17, paragraph (6) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act) and the right to demand purchase of beneficial interest under the provisions of Article 18, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act) is not included in the authority of the agent for the beneficiary in the Investment Trust Agreement; and

九 法第十八条第一項（法第二十条第一項において準用する場合を含む。）の規定による受益権の買取請求に関する事項

(ix) information concerning the demand for purchase of beneficial interest under the provisions of Article 18, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act).

(投資信託約款の記載事項の細目)

(Details of the Information Required to Be Included in the Basic Terms and Conditions of an Investment Trust)

第八条 法第四条第四項に規定する内閣府令で定める細目は、次の各号に掲げる事項の区分に応じ、当該各号に定めるものとする。

Article 8 The details specified by Cabinet Office Order as referred to in Article 4, paragraph (4) of the Act are as follows according to the category of information listed in the respective items:

一 法第四条第二項第五号に掲げる事項 次に掲げる事項

(i) information listed in Article 4, paragraph (2), item (v) of the Act: the following information:

イ 受益証券の記名式又は無記名式への変更及び名義書換手続に関する事項

(a) information related to the changes into a registered form or into a bearer form with regard to Beneficiary Certificates and the procedures for the entry of a name change thereon;

ロ 記名式受益証券の譲渡の対抗要件に関する事項

(b) information related to the requirements to duly assert against third parties for the transfer of registered Beneficiary Certificates; and

ハ 受益証券の再発行及びその費用に関する事項

(c) information related to the reissuance of Beneficiary Certificates and the costs thereof;

二 法第四条第二項第六号に掲げる事項 次に掲げる事項

(ii) information listed in Article 4, paragraph (2), item (vi) of the Act: the following information:

イ 資産運用の基本方針

(a) basic policy for assets investments;

ロ 投資の対象とする資産の種類

(b) type of assets which are to be the subject of investment;

ハ 投資の対象とする資産の保有割合又は保有制限を設ける場合には、その内容（投資の対象とする資産が権利である場合又はその権利の取得に係る取引の種類及び範囲並びに取得制限を設ける場合には、それぞれの内容）

(c) in cases of providing a holding ratio or holding restriction for assets which are to be the subject of investment, the details thereof (in cases where the assets which are to be the subject of investment are rights, or where specifying the type and scope of transactions related to the acquisition of such rights and imposing restrictions for such acquisition, the respective details thereof);

ニ 投資信託財産で取得した資産を貸し付ける場合には、その内容

(d) in cases where loaning the assets acquired by an Investment Trust Property, the details thereof; and

ホ 証券投資信託である場合には、その旨

- (e) that the relevant trust is a Securities Investment Trust, if this is the case;
- 三 法第四条第二項第七号に掲げる事項 運用の指図を行う資産の種類に応じ、それぞれの評価の方法、基準及び基準日に関する事項
- (iii) information listed in Article 4, paragraph (2), item (vii) of the Act: in accordance with the type of assets for which the Financial Instruments Business Operator gives orders for investment, the respective method, standard and record date for the appraisal therefor;
- 四 法第四条第二項第八号に掲げる事項 次に掲げる事項
- (iv) information listed in Article 4, paragraph (2), item (viii) of the Act: the following information:
- イ 収益分配可能額の算出方法に関する事項
- (a) information concerning the method of calculation for the amount of distributable profits;
- ロ 収益分配金、償還金及び一部解約金の支払時期、支払方法及び支払場所に関する事項
- (b) information concerning the timing, method and place of the payment of the amount of profit distribution, amount of redemption, and amount for partial cancellation;
- 五 法第四条第二項第九号に掲げる事項 次に掲げる事項
- (v) information listed in Article 4, paragraph (2), item (ix) of the Act: the following information:
- イ 信託契約の延長事由の説明に関する事項
- (a) information concerning the explanation for the grounds for extension of a trust agreement;
- ロ 信託契約の解約事由の説明に関する事項
- (b) information concerning the explanation for the grounds for cancellation of a trust agreement; and
- ハ 委託者の登録取消しその他の場合における取扱いの説明に関する事項
- (c) information concerning the explanation for the treatment of the trust agreement in cases of revocation of registration of a settlor or any other case;
- 六 法第四条第二項第十号に掲げる事項 計算期間及び計算期間の特例に関する事項
- (vi) information listed in Article 4, paragraph (2), item (x) of the Act: information concerning the accounting period and special provisions thereon;
- 七 法第四条第二項第十三号に掲げる事項 借入れの目的、借入限度額及び借入金の使途に関する事項並びに借入先を適格機関投資家に限る場合には、その旨
- (vii) information listed in Article 4, paragraph (2), item (xiii) of the Act: information concerning the purpose, maximum amount, and use of the borrowing, and, that lenders for the borrowings are limited to Qualifies Institutional Investors, if this is the case;



八 法第四条第二項第十五号に掲げる事項 委託の報酬の額、支払時期及び支払方法に関する事項

(viii) information listed in Article 4, paragraph (2), item (xv) of the Act:

information concerning the amount of remuneration for entrustment, and the timing and method of payment thereof;

九 法第四条第二項第十七号に掲げる事項 次のイ又はロに掲げる公告の方法の区分に応じ、当該イ又はロに定める事項

(ix) information listed in Article 4, paragraph (2), item (xvii) of the Act:

information specified in the following sub-item (a) or (b) according to the category of methods of public notice listed in the respective sub-items:

イ 時事に関する事項を掲載する日刊新聞紙に掲載する方法 公告を行う日刊新聞紙名

(a) the method of giving the public notice by publishing in a daily newspaper that publishes information on current affairs: the name of the daily newspaper that gives the public notice; or

ロ 電子公告（法第二十五条第一項第二号に規定する電子公告をいう。） 登記アドレス（電子公告規則（平成十八年法務省令第十四号）第二条第十三号に規定する登記アドレスをいう。第七十九条第九号ロにおいて同じ。）

(b) Electronic Public Notice (meaning the Electronic Public Notice as prescribed in Article 25, paragraph (1), item (ii) of the Act): the Registration Address (meaning the Registration Address defined in Article 2, item (xiii) of the Regulation on Electronic Public Notice (Ministry of Justice Order No. 14 of 2006); the same applies in Article 79, item (iv), sub-item (b)).

（投資信託約款の内容等を記載した書面の記載事項）

(Information Required to Be Given in the Documents Stating the Details of Basic Terms and Conditions of an Investment Trust)

第九条 法第五条第一項（法第五十四条第一項及び第五十九条において準用する場合を含む。）に規定する内閣府令で定める事項は、次に定める事項とする。

Article 9 The information specified by Cabinet Office Order as referred to in Article 5, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) and Article 59 of the Act) is the following information:

一 投資信託財産に属する不動産（以下この号において「投資不動産」という。）に関する次に掲げる事項

(i) the following information concerning the real property which belongs to the Investment Trust Property (hereinafter referred to as the "Real Property for Investment" in this item):

イ 地域別、用途別及び賃貸の用又はそれ以外の用の別に区分した投資不動産について、各物件の名称、所在地、用途、面積、構造、所有権又はそれ以外の権利の

別及び価格（投資信託約款に定める評価方法及び基準により評価した価格又は鑑定評価額、公示価格、路線価、販売公表価格その他これらに準じて公正と認められる価格をいう。ロ及びへにおいて同じ。）

(a) with regard to the Real Property for Investment classified by area, by use, and by for lease or non-lease, the name, location, use, area, structure, whether it is held with ownership or other rights, and the Price (meaning the price as appraised by the appraisal method or standard specified in the Basic Terms and Conditions for an Investment Trust, or appraised and estimated value, posted price, road ratings, published selling price, or other price deemed to be fair in accordance thereto hereinafter the same applies in sub-items (b) and (f)), for each property;

ロ 価格の評価方法及び評価者の氏名又は名称

(b) the appraisal method of the Price as well as the name of the appraiser;

ハ 担保の内容

(c) the details of the collateral;

ニ 不動産の状況（不動産の構造、現況その他の投資不動産の価格に重要な影響を及ぼす事項をいう。ホにおいて同じ。）

(d) Status of the Real Property (meaning the structure and current status of the real property, and other information that has a material influence on the Price of the Real Property for Investment; the same applies in sub-item (e));

ホ 不動産の状況に関する第三者による調査結果の概要（行っていない場合には、その旨）及び調査者の氏名又は名称

(e) a summary of the results of the investigation on the status of the real property made by a third party (or that the investigation has not been made, if this is the case) as well as the name of the investigator;

ヘ 各物件の投資比率（当該物件の価格が全ての物件の価格の合計額に占める割合をいう。）

(f) the Investment Ratio (meaning the ratio of the Price of the relevant property to the total of the Prices of all of the property) of each property;

ト 投資不動産に関して賃貸借契約を締結した相手方（以下トにおいて「テナント」という。）がある場合には、次に掲げる事項（やむを得ない事情により記載できないものにあつては、その旨）

(g) in cases where there is a counterparty with whom a lease contract for the relevant Real Property for Investment has been concluded (hereinafter referred to as the "Tenant" in this sub-item (g)), the following information (and that some information cannot be stated due to unavoidable circumstances, if this is the case):

(1) テナントの総数、賃料収入の合計、賃貸面積の合計、賃貸可能面積の合計及び過去五年間の一定の日における稼働率（賃貸面積の合計が賃貸可能面積に占める割合をいう。以下同じ。）

1. the total number of Tenants, total lease revenue, total leased area, and total leasable area, as well as the Occupancy Rates (meaning the rate of the total leased area to the leasable area; the same applies hereinafter) on a fixed day over the most recent five years;
    - (2) 主要な物件（一体として使用されていると認められる土地に係る建物又は施設であって、その賃料収入の合計が全ての投資不動産に係る賃料収入の合計の百分の十以上であるものをいう。）がある場合には、当該主要な物件ごとのテナントの総数、賃料収入の合計、賃貸面積の合計、賃貸可能面積の合計及び過去五年間の一定の日における稼働率
  2. in cases where there is a Major Property (meaning buildings and facilities pertaining to one piece of land which are found to be used collectively and for which the total lease revenue consists of 10 percent or more of all the lease revenues of all Real Property for Investment), the total number of Tenants, total lease revenue, total leased area, total leasable area, and Occupancy Rates on a fixed day over the most recent five years of each Major Property; and
    - (3) 主要なテナント（当該テナントの賃貸面積の合計が全ての投資不動産に係る賃貸面積の合計の百分の十以上であるものをいう。）がある場合には、その名称、業種、年間賃料、賃貸面積、契約満了日、契約更改の方法、敷金又は保証金その他賃貸借契約に関して特記すべき事項
  3. in cases where there are Major Tenants (meaning Tenants for which the total leased area is 10 percent or more of the whole leased area of all of the Real Property for Investment), the name and type of business of the Tenant, annual lease, leased area, expiration date of the contract, method for renewing the contract, security deposit, and any other information to be noted with regard to the lease contract therefor;
- 二 投資再生可能エネルギー発電設備（投資信託財産に属する再生可能エネルギー発電設備（令第三条第十一号に規定する再生可能エネルギー発電設備をいう。以下同じ。）をいう。以下この号において同じ。）に関する次に掲げる事項
- (ii) the following information concerning a Renewable Energy Power Generation Facilities for Investment (meaning the Renewable Energy Power Generation Facilities (meaning the Renewable Energy Power Generation Facility as prescribed in Article 3, item (xi) of the Order; the same applies hereinafter) which belongs to the Investment Trust Property; hereinafter the same applies in this item):
- イ 設備の区分等（電気事業者による再生可能エネルギー電気の調達に関する特別措置法施行規則（平成二十四年経済産業省令第四十六号）第二条に規定する設備の区分等をいう。以下同じ。）の別、地域別及び賃貸の用又はそれ以外の用の別に区分した投資再生可能エネルギー発電設備について、各再生可能エネルギー発電設備の名称、所在地、構造、所有権又はそれ以外の権利の別及び価格（投資信託約款に定める評価方法及び基準により評価した価格その他これに準じて公正と

認められる価格をいう。ロ及びト並びに次号イ及びロにおいて同じ。)

(a) with regard to the Renewable Energy Power Generation Facilities for Investment classified by the Classification, etc. of Facility (meaning the Classification, etc. of Facility as prescribed in Article 2 of the Regulation for Enforcement of the Act on Special Measures Concerning Procurement of Electricity from Renewable Energy Sources by Electricity Utilities (Order of the Ministry of Economy, Trade and Industry No. 46 of 2012); the same applies hereinafter), by area, and by for lease or non-lease: the name, location and structure of each Renewable Energy Power Generation Facilities, whether it is held with ownership or other rights, and its Price (meaning the price as appraised by the appraisal method or standard specified in the Basic Terms and Conditions for an Investment Trust, or any other price deemed to be fair in accordance thereto; hereinafter the same applies in sub-items (b) and (g), and the following item, sub-items (a) and (b));

ロ 価格の評価方法及び評価者の氏名又は名称

(b) the appraisal method of the Price as well as the name of the appraiser;

ハ 担保の内容

(c) the details of the collateral;

ニ 再生可能エネルギー発電設備の状況（次に掲げる場合の区分に応じ、それぞれ次に定める事項をいう。ホにおいて同じ。)

(d) Status of the Renewable Energy Power Generation Facilities (meaning the information specified according to the cases set forth below; the same applies in sub-item (e)):

(1) 投資再生可能エネルギー発電設備が認定発電設備（電気事業者による再生可能エネルギー電気の調達に関する特別措置法（平成二十三年法律第八号）第三条第二項に規定する認定発電設備をいう。第百三十五条第三号ニにおいて同じ。）に該当する場合 再生可能エネルギー発電設備に係る特定契約（同法第四条第一項に規定する特定契約をいう。以下ニ、第二十二條第三項第八号及び第百三十五条第三号ニにおいて同じ。）の内容（特定供給者（同法第三条第二項に規定する特定供給者をいう。以下この号並びに第百三十五条第三号ニ及びへにおいて同じ。）の名称、当該特定供給者と特定契約を締結した電気事業者（同法第二条第一項に規定する電気事業者をいう。以下ニ及び第百三十五条第三号ニにおいて同じ。）の名称、調達価格（同法第三条第一項に規定する調達価格をいう。第百三十五条第三号ニにおいて同じ。）、調達期間（同項に規定する調達期間をいう。第百三十五条第三号ニにおいて同じ。）その他当該特定契約に関する重要な事項をいう。）、再生可能エネルギー発電設備の構造、現況その他投資再生可能エネルギー発電設備の価格に重要な影響を及ぼす事項

1. in cases where the Renewable Energy Power Generation Facilities falls within the category of Certified Power Generation Facility (meaning

- the Certified Power Generation Facility as prescribed in Article 3, paragraph (2) of the Act on Special Measures Concerning Procurement of Electricity from Renewable Energy Sources by Electricity Utilities (Act No. 108 of 2011); the same applies in Article 135, item (iii), sub-item (d): the details of the Specified Contract (meaning the Specified Contract as prescribed in Article 4, paragraph (1) of that Act; hereinafter the same applies in sub-item (d), Article 22, paragraph (3), item (viii), and Article 135, item (iii), sub-item (d)) relating to the Renewable Energy Power Generation Facilities (meaning the name of the Specified Supplier (meaning the Specified Supplier as prescribed in Article 3, paragraph (2) of that Act; hereinafter the same applies in this item and Article 135, item (iii), sub-items (d) and (f)), the name of the Electricity Utilities (meaning the Electricity Utilities as prescribed in Article 2, paragraph (1) of that Act; hereinafter the same applies in sub-item (d) and Article 135, item (iii), sub-item (d)) which has concluded the Specified Contract with the Specified Supplier, the Procurement Price (meaning the Procurement Price as prescribed in Article 3, paragraph (1) of that Act; the same applies in Article 135, item (iii), sub-item (d)), the Procurement Period (meaning the Procurement Period as prescribed in that paragraph; the same applies in Article 135, item (iii), sub-item (d)), and other important matters concerning the Specified Contract), the structure and current status of the Renewable Energy Power Generation Facilities, and other information that has a material influence on the Price of the Renewable Energy Power Generation Facilities for Investment; and
- (2) (1)に掲げる場合以外の場合 再生可能エネルギー発電設備に係る電力受給契約（特定契約に該当するものを除く。以下（2）、第二十二條第三項第八号及び第百三十五條第三号ニにおいて同じ。）の内容（再生可能エネルギー発電設備を用いて再生可能エネルギー電気（電気事業者による再生可能エネルギー電気の調達に関する特別措置法第二條第二項に規定する再生可能エネルギー電気をいう。以下（2）及び第百三十五條第三号ニにおいて同じ。）を発電しようとする者（特定供給者に該当する者を除く。以下（2）及びへ並びに第百三十五條第三号ニ（2）及びへにおいて「供給者」という。）の名称、当該供給者と電力受給契約を締結した電気事業者の名称、当該電力受給契約に基づき供給される再生可能エネルギー電気の一キロワット時当たりの価格、契約期間その他当該電力受給契約に関する重要な事項をいう。）、再生可能エネルギー発電設備の構造、現況その他投資再生可能エネルギー発電設備の価格に重要な影響を及ぼす事項
2. in cases other than those set forth in 1.: the details of the Power Purchase Contract regarding the Renewable Energy Power Generation Facilities (excluding a contract falling within the category of Specified

Contract; hereinafter the same applies in 2., Article 22, paragraph (3), item (viii), and Article 135, item (iii), sub-item (d)) (meaning the name of the person who intends to produce Electricity from Renewable Energy Sources (meaning the Electricity from Renewable Energy Sources as prescribed in Article 2, paragraph (2) of the Act on Special Measures Concerning Procurement of Electricity from Renewable Energy Sources by Electricity Utilities; hereinafter the same applies in 2. and Article 135, item (iii), sub-item (d)) using the Renewable Energy Power Generation Facilities) (excluding a person who falls within the category of Specified Supplier; hereinafter referred to as the "Supplier" in 2., sub-item (f), and Article 135, item (iii), sub-item (d), 2. and sub-item (f)), the name of the Electricity Utilities which has concluded the Power Purchase Contract with the Supplier, the price of Electricity from Renewable Energy Sources per kilowatt to be supplied under the Power Purchase Contract, the contract term, and other material information concerning the Power Purchase Contract), the structure and current status of the Renewable Energy Power Generation Facilities, and other information that have a material influence on the Price of the Renewable Energy Power Generation Facilities for Investment;

ホ 再生可能エネルギー発電設備の状況に関する第三者による調査結果の概要（行っていない場合には、その旨）及び調査者の氏名又は名称

(e) a summary of the results of the investigation on the status of the Renewable Energy Power Generation Facilities made by a third party (or that the investigation has not been made, if this is the case), as well as the name of the investigator;

へ 特定供給者又は供給者に関する事項（事業の内容、財務の状況、収益の状況、再生可能エネルギー発電設備の運営に従事する人員の状況、再生可能エネルギー発電設備の運営の実績その他特定供給者又は供給者の業務遂行能力に関する重要な事項。第百三十五条第三号へにおいて同じ。）

(f) the information concerning the Specified Supplier and the Supplier (the business description, financial conditions, earnings conditions, status of personnel engaged in the operation of the Renewable Energy Power Generation Facilities, record of the operation of the Renewable Energy Power Generation Facilities, and other material information concerning the Specified Supplier's or the Supplier's ability to execute business; the same applies in Article 135, item (iii), sub-item (f));

ト 各再生可能エネルギー発電設備の投資比率（当該再生可能エネルギー発電設備の価格が全ての再生可能エネルギー発電設備の価格の合計額に占める割合をいう。）

(g) the Investment Ratio of each Renewable Energy Power Generation

Facilities (meaning the ratio of the Price of the relevant Renewable Energy Power Generation Facilities to the total of the Prices of all Renewable Energy Power Generation Facilities); and

チ 投資再生可能エネルギー発電設備に関して賃貸借契約を締結した相手方がある場合には、年間賃料、契約満了日、契約更改の方法、保証金その他賃貸借契約に関して特記すべき事項

(h) in cases where there is a counterparty with whom a lease contract for the Renewable Energy Power Generation Facilities for Investment has been concluded, the annual lease, expiration date of the contract, method for renewing the contract, security deposit, and any other information to be noted with regard to the lease contract;

三 投資公共施設等運営権（投資信託財産に属する公共施設等運営権（令第三条第十二号に規定する公共施設等運営権をいう。以下同じ。）をいう。以下この号において同じ。）に関する次に掲げる事項

(iii) the following information concerning a Right to Operate Public Facility, etc. for Investment (meaning the Right to Operate Public Facility, etc. (meaning the Right to Operate Public Facility, etc. as prescribed in Article 3, item (xii) of the Order; hereinafter the same applies) which belongs to the Investment Trust Property; hereinafter the same applies in this item):

イ 公共施設等（民間資金等の活用による公共施設等の整備等の促進に関する法律（平成十一年法律第百十七号）第二条第一項に規定する公共施設等をいう。以下同じ。）の種類及び地域別に区分した投資公共施設等運営権に係る公共施設等について、各公共施設等の名称、立地、運営等（運営及び維持管理並びにこれらに関する企画をいい、国民に対するサービスの提供を含む。以下同じ。）の内容及び公共施設等の管理者等（同条第三項に規定する公共施設等の管理者等をいう。第百三十五条第四号イ及び第二百四十六条第十項において同じ。）の名称並びに投資公共施設等運営権の存続期間及び価格

(a) with regard to the Public Facility, etc. (meaning the Public Facility, etc. as prescribed in Article 2, paragraph (1) of the Act on Promotion of Private Finance Initiative (Act No. 117 of 1999); hereinafter the same applies) covered by the Right to Operate Public Facility, etc. for Investment, classified by type of Public Facility, etc. and by area: the name, location, Operation, etc. (meaning operation and maintenance as well as planning therefor, and including the provision of services to citizens; hereinafter the same applies) of each Public Facility, etc., and the name of the Administrator, etc. of Public Facility, etc. (meaning the Administrator, etc. of Public Facility, etc. as prescribed in paragraph (3) of that Article; the same applies in Article 135, item (iv), sub-item (a) and Article 246, paragraph (10)), as well as the duration and Price of the Right to Operate Public Facility, etc. for Investment;

ロ 価格の評価方法及び評価者の氏名又は名称

(b) the appraisal method of the Price as well as the name of the appraiser;

ハ 担保の内容

(c) the details of the collateral;

ニ 公共施設等運営権の状況（公共施設等の運営等に係る委託契約の内容（契約の相手方、契約期間、年間委託費その他当該契約に関して特記すべき事項をいう。第百三十五条第四号ニにおいて同じ。））、年間運営事業収入の実績、公共施設等の現況その他投資公共施設等運営権の価格に重要な影響を及ぼす事項をいう。ホにおいて同じ。）

(d) Status of the Right to Operate Public Facility, etc. (meaning the Details of the Service Contract for the Operation, etc. of the Public Facility, etc. (meaning the counterparty to the contract, contract period, service fee, and other information to be noted with regard to the contract; the same applies in Article 135, item (iv), sub-item (d)), annual revenue from the facility business, current status of the Public Facility, etc., and other information that has a material influence on the Price of the Right to Operate Public Facility, etc. for Investment; the same applies in sub-item (e));

ホ 公共施設等運営権の状況に関する第三者による調査結果の概要（行っていない場合には、その旨）及び調査者の氏名又は名称

(e) a summary of the results of the investigation on the status of the Right to Operate Public Facility, etc. made by a third party (or that the investigation has not been made, if this is the case), as well as the name of the investigator; and

ヘ 公共施設等の運営等に係る委託契約の相手方に関する事項（事業の内容、財務の状況、収益の状況、当該公共施設等の運営等に従事する人員の状況、公共施設等の運営等の実績その他当該契約の相手方の業務遂行能力に関する重要な事項。第百三十五条第四号ヘにおいて同じ。）

(f) information Concerning the Counterparty to the Service Contract for the Operation, etc. of the Public Facility, etc. (the business description, financial conditions, earnings conditions, status of personnel engaged in the Operation, etc. of the Public Facility, etc., record of the Operation, etc. of the Public Facility, etc., and other material information concerning the counterparty's ability to execute business; the same applies in Article 135, item (iv), sub-item (f)).

（投資信託約款の内容等を記載した書面の交付を要しない場合）

**(Cases Where Delivery of Documents Stating the Details of Basic Terms and Conditions for an Investment Trust Is Not Required)**

第十条 法第五条第一項ただし書（法第五十四条第一項及び第五十九条において準用する場合を含む。）に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 10 The cases specified by Cabinet Office Order as referred to in the proviso to Article 5, paragraph (1) of the Act (including the cases where it is



applied mutatis mutandis pursuant to Article 54, paragraph (1) and Article 59 of the Act) are the following cases:

一 受益証券の取得の申込みの勧誘が適格機関投資家私募により行われる場合

(i) cases where the solicitation of an application to acquire Beneficiary Certificates is made through Private Placement with Qualified Institutional Investors;

二 受益証券の取得の申込みの勧誘が特定投資家私募により行われる場合であって、その締結する投資信託契約に係る投資信託約款の内容及び前条に規定する事項に係る情報が金融商品取引法第二十七条の三十三に規定する特定証券等情報として同法第二十七条の三十一第二項又は第四項の規定により提供され、又は公表される場合

(ii) cases where the solicitation of an application to acquire Beneficiary Certificates is made through Private Placement with Professional Investors, and the information on the details of the Basic Terms and Conditions for an Investment Trust pertaining to the Investment Trust Agreement to be concluded thereby and on the matters prescribed in the preceding Article, is provided or publicized under the provisions of Article 27-31, paragraph (2) or (4) of the Financial Instruments and Exchange Act as the Specified Information on Securities, etc. prescribed in Article 27-33 of that Act;

三 受益証券を取得しようとする者が現に当該受益証券に係る委託者指図型投資信託（法第五十四条第一項において準用する場合にあつては委託者非指図型投資信託、法第五十九条において準用する場合にあつては外国投資信託）の受益証券を所有している場合

(iii) cases where the person who intends to acquire the Beneficiary Certificate actually holds the Beneficiary Certificate of an Investment Trust Managed under Instructions from the Settlor (an Investment Trust Managed without Instructions from the Settlor in the case where applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act, and a Foreign Investment Trust in the case where applied mutatis mutandis pursuant to Article 59 of the Act) related to the Beneficiary Certificate; and

四 受益証券を取得しようとする者の同居者が既に当該受益証券に係る法第五条第一項（法第五十四条第一項及び第五十九条において準用する場合を含む。）の規定による書面の交付を受け、又は確実に交付を受けると見込まれる場合であつて、当該受益証券を取得しようとする者が当該書面の交付を受けないことについて同意したとき（当該受益証券を取得する時までにその同意した者から当該書面の交付の請求があつた場合を除く。）。

(iv) cases where a person living with the person who intends to acquire the Beneficiary Certificate has already received the delivery of documents under Article 5, paragraph 1 of the Act (including the case where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) and Article 59 of the Act) or is certainly expected to receive the delivery, and the person who intends to acquire the Beneficiary Certificate has consented not to receive

the delivery of the documents (excluding cases where the consenting person requests the delivery of the documents by the time when such Beneficiary Certificate is to be acquired).

(情報通信の技術を利用する方法)

(Method of Using Information and Communications Technology)

第十一条 法第五条第二項（法第十三条第二項（法第五十四条第一項において準用する場合を含む。））、第十四条第五項（法第五十四条第一項及び第五十九条において準用する場合を含む。））、第五十四条第一項、第五十九条並びに第二百三条第三項及び第四項において準用する場合を含む。第一号において同じ。）に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 11 (1) The means of using an information and communications technology as specified by Cabinet Office Order as referred to in Article 5, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 13, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act), Article 14, paragraph (5) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) and Article 59 of the Act), Article 54, paragraph (1), Article 59, and Article 203, paragraphs (3) and (4) of the Act; the same applies in item (i)) are the following methods:

一 電子情報処理組織を使用する方法のうちイからニまでに掲げるもの

(i) the methods using an Electronic Data Processing System that are listed in sub-items (a) through (d):

イ 提供者等（提供者（令第十条第一項に規定する提供者をいう。以下イ及び次条第一号において同じ。）又は提供者との契約によりファイルを自己の管理する電子計算機に備え置き、これを法第五条第二項に規定する事項を提供する相手方（以下この条において「提供先」という。）若しくは提供者の用に供する者をいう。以下この条において同じ。）の使用に係る電子計算機と提供先等（提供先及び提供先との契約により顧客ファイル（専ら当該提供先の用に供せられるファイルをいう。以下この条において同じ。）を自己の管理する電子計算機に備え置く者をいう。以下この条において同じ。）の使用に係る電子計算機とを接続する電気通信回線を通じて書面に記載すべき事項（以下この条において「記載事項」という。）を送信し、提供先等の使用に係る電子計算機に備えられた顧客ファイルに記録する方法（法第五条第二項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあっては、同項に規定する事項の提供を行う提供者等の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(a) the method of transmitting the information required to be given in the documents (hereinafter referred to as the "Information Required to Be Given" in this Article) via a telecommunications line that links the computer used by the Provider, etc. (meaning the Provider (meaning the Provider as defined in Article 10, paragraph (1) of the Order; hereinafter

the same applies in this sub-item (a) and item (i) of the following Article), or a person who keeps a file on the computer managed by the same person under the contract concluded with the Provider and provides the file for the use of the other party to whom the information prescribed in Article 5, paragraph (2) of the Act is to be provided (hereinafter referred to as the "Recipient" in this Article) or for the use of the Provider; hereinafter the same applies in this Article) and a computer used by the Recipient, etc. (meaning a Recipient or a person who keeps the Customer File (meaning a file to be used exclusively by the Recipient; hereinafter the same applies in this Article) in a computer managed by the same person, under the contract concluded with a Recipient; hereinafter the same applies in this Article), and recording the Information Required to Be Given in the Customer File stored on the computer used by the Recipient, etc. (in cases where the Recipient gives consent to receive the provision of the Information Required to Be Given by the means provided in Article 5, paragraph (2) of the Act or notifies to the effect that the Recipient, etc. will not receive the provision of the Information Required to Be Given by such means, the method of recording to that effect in a file stored on the computer used by the Provider, etc. that provides the matters prescribed in that paragraph);

ロ 提供者等の使用に係る電子計算機に備えられたファイルに記録された記載事項を電気通信回線を通じて提供先の閲覧に供し、提供先等の使用に係る電子計算機に備えられた当該提供先の顧客ファイルに当該記載事項を記録する方法（法第五条第二項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあっては、提供者等の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(b) the method of offering the Information Required to Be Given which is recorded in a file stored on the computer used by the Provider, etc. to the Recipient for inspection via a telecommunications line and recording the Information Required to Be Given in the Recipient's Customer File which is stored on the computer used by the Recipient, etc. (in cases where the Recipient gives consent to receive the provision of the Information Required to Be Given by the means provided in Article 5, paragraph (2) of the Act or notifies to the effect that the Recipient, etc. will not receive the provision of the Information Required to Be Given by such means, the method of recording to that effect in a file stored on the computer used by the Provider, etc.);

ハ 提供者等の使用に係る電子計算機に備えられた顧客ファイルに記録された記載事項を電気通信回線を通じて提供先の閲覧に供する方法

(c) the method of offering the Information Required to Be Given which is recorded in the Customer File stored on the computer used by the Provider,

etc. to the Recipient for inspection via a telecommunications line; or

ニ 閲覧ファイル（提供者等の使用に係る電子計算機に備えられたファイルであつて、同時に複数の提供先の閲覧に供するため記載事項を記録させるファイルをいう。次項において同じ。）に記録された記載事項を電気通信回線を通じて提供先の閲覧に供する方法

(d) the method of offering the Information Required to Be Given which is recorded in an Inspection File (meaning a file stored on the computer used by the Provider, etc. which is for recording the Information Required to Be Given therein to offer them to two or more Recipients for inspection at the same time; the same applies in the following paragraph) to the Recipient for inspection via a telecommunications line;

ニ 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもって調製するファイルに記載事項を記録したものを交付する方法

(ii) the method of delivering a file containing the Information Required to Be Given that has been prepared using media which can securely record certain information by magnetic disks, CD-ROMs, or any other means equivalent thereto.

2 前項各号に掲げる方法は、次に掲げる基準に適合するものでなければならない。

(2) The methods specified in the items of the preceding paragraph must conform to the following standards:

一 提供先が閲覧ファイル又は顧客ファイルへの記録を出力することにより書面を作成できるものであること。

(i) that the method is one that enables the Recipient to prepare documents by outputting the records in the Inspection File or the Customer File;

ニ 前項第一号イ、ハ又はニに掲げる方法（提供先の使用に係る電子計算機に備えられた顧客ファイルに記載事項を記録する方法を除く。）にあつては、記載事項を顧客ファイル又は閲覧ファイルに記録する旨又は記録した旨を提供先に対し通知するものであること。ただし、提供先が当該記載事項を閲覧していたことを確認したときはこの限りでない。

(ii) that with regard to the methods specified in item (i), sub-items (a), (c), and (d) of the preceding paragraph (excluding the method of recording the Information Required to Be Given in the Customer File stored on the computer used by the Recipient), the method is one in which the Recipient is notified that the Information Required to Be Given is to be recorded or have been recorded in the Customer File or the Inspection File; provided, however, that this does not apply to cases where it is confirmed that the Recipient has inspected the Information Required to Be Given;

三 前項第一号ハ又はニに掲げる方法にあつては、次のいずれかに該当すること。

(iii) that with regard to the method specified in item (i), sub-item (c) or (d) of the preceding paragraph, the method is any of the following;

イ 記載事項を提供先の閲覧に供した日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があったときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）、次に掲げる事項を消去し、又は改変することができないものであること。ただし、閲覧に供している記載事項を書面により交付する場合、提供先の承諾（令第十条第一項に規定する方法による承諾をいう。）を得て前項第一号イ若しくはロ若しくは第二号に掲げる方法により提供する場合又は提供先による当該記載事項に係る消去の指図がある場合は、当該記載事項を消去することができる。

(a) that the method is one in which the following information cannot be deleted or altered until five years have elapsed from the day on which the Information Required to Be Given was offered to the Recipient for inspection (if any complaints related to the Information Required to Be Given that have been raised during the time before the expiration date of such period, from such a time until either the expiration date of such period or until the day on which such complaint has been settled, whichever comes later); provided, however, that in cases where the Information Required to Be Given which is made available for inspection are to be delivered in writing, where the information is delivered by the method listed in item (i), sub-item (a) or (b) of the preceding paragraph or item (ii) of the preceding paragraph with the Consent (meaning the consent by the method prescribed in Article 10, paragraph (1) of the Order) of the Recipient, or where there are instructions by the Recipient to delete the Information Required to Be Given, the Information Required to Be Given may be deleted:

(1) 前項第一号ハに掲げる方法については、顧客ファイルに記録された記載事項

1. with regard to the method prescribed in item (i), sub-item (c) of the preceding paragraph, the Information Required to Be Given which is recorded in the Customer File; and

(2) 前項第一号ニに掲げる方法については、閲覧ファイルに記録された記載事項

2. with regard to the method prescribed in item (i), sub-item (d) of the preceding paragraph, the Information Required to Be Given which is recorded in the Inspection File;

ロ 法第五条第二項（法第十四条第五項（法第五十四条第一項及び第五十九条において準用する場合を含む。））、第五十四条第一項及び第五十九条において準用する場合を含む。）の規定により記載事項を提供する場合にあっては、当該記載事項を提供先の閲覧に供した日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があったときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）、提供先から当該記載事項の交付の請求があった場合に、書面又は前項第一号イ若しくは第二号に掲げる方法により当

該記載事項を直ちに交付するものであること。

- (b) that, in cases where the Information Required to Be Given is to be provided pursuant to the provisions of Article 5, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 14, paragraph (5) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) and Article 59 of the Act), Article 54, paragraph (1) and Article 59 of the Act), the method is one in which the Information Required to Be Given is immediately delivered in writing or by the methods listed in item (i), sub-item (a) or item (ii) of the preceding paragraph, in cases where requests for the delivery of the Information Required to Be Given has been made by the Recipient within five years from the day on which the Information Required to Be Given has been offered to the Recipient for inspection (if any complaints related to the Information Required to Be Given that has been raised during the time before the expiration date of such period, from such a time until either the expiration date of such period or until the day on which such complaint has been settled, whichever comes later);

四 前項第一号ニに掲げる方法にあつては、次に掲げる基準に適合するものであること。

- (iv) that with regard to the method prescribed in item (i), sub-item (d) of the preceding paragraph, the method conforms to the following requirements:

イ 提供先が閲覧ファイルを閲覧するために必要な情報を顧客ファイルに記録するものであること。

- (a) that the method is one in which the information necessary for the Recipient to inspect the Inspection File is recorded in the Customer File;

ロ 前号イに掲げる基準に該当する場合にあつては、同号イに規定する期間を経過するまでの間において、イの規定により提供先が閲覧ファイルを閲覧するために必要な情報を記録した顧客ファイルと当該閲覧ファイルとを電気通信回線を通じて接続可能な状態を維持させること。ただし、閲覧の提供を受けた提供先が接続可能な状態を維持させることについて不要である旨通知した場合は、この限りでない。

- (b) that, in cases where the relevant method satisfies the requirement set forth in sub-item (a) of the preceding item, the method is one in which the Customer File recording the information necessary for a Recipient to inspect the Inspection File pursuant to the provisions of sub-item (a) and the Inspection File are maintained as connectable via a telecommunications line until the period as prescribed in sub-item (a) of the preceding item elapses; provided, however, that this does not apply to cases where a Recipient who has been given access to the files makes a notification that it is not necessary to maintain such connection.

3 第一項第一号の「電子情報処理組織」とは、提供者等の使用に係る電子計算機と、

顧客ファイルを備えた提供先等又は提供者等の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

- (3) The term "Electronic Data Processing System" as used in paragraph (1), item (i) means an electronic data processing system that links the computer used by the Provider, etc. and the computer used by the Recipient, etc. or by the Provider, etc. on which the Customer File is stored via a telecommunications line.

(電磁的方法の種類及び内容)

(Types and Details of the Electronic or Magnetic Means)

第十二条 令第十条第一項の規定により示すべき方法の種類及び内容は、次に掲げる事項とする。

Article 12 The types and details of the method to be indicated under the provisions of Article 10, paragraph (1) of the Order are the following matters:

一 前条第一項各号に規定する方法のうち提供者が使用するもの

(i) among the methods prescribed in the items of paragraph (1) of the preceding Article, the one to be used by the Provider; and

二 ファイルへの記録の方式

(ii) the method of recording the matters in the file.

(受益証券の記載事項)

(Information Required to Be Included on Beneficiary Certificates)

第十三条 法第六条第六項第十一号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 13 The information specified by Cabinet Office Order as referred to in Article 6, paragraph (6), item (xi) of the Act is the following information:

一 委託者が運用の指図に係る権限を委託する場合におけるその委託の内容

(i) in cases where the settlor entrusts the authority to make orders for investment, the details of such entrustment;

二 証券投資信託のうち、次に掲げるもの以外については、投資信託約款に定める買取り又は償還の価額が当該信託の元本を下回ることとなる場合においても当該価額を超える価額によって買取り又は償還を行うことはない旨の表示

(ii) with regard to Securities Investment Trusts which are those other than the following, an indication to the effect that even if the value of purchase or redemption provided in the Basic Terms and Conditions for an Investment Trust falls below the principal of the relevant trust, purchase or redemption is not made at a value exceeding the first-mentioned value:

イ 公社債投資信託（有価証券（金融商品取引法第二条第二項の規定により有価証券とみなされる同項各号に掲げる権利を除く。）については次に掲げるもの限り投資として運用すること（国債証券又は外国国債証券に係る金融商品取引法第二条第二十四項第五号に掲げる標準物についての同法第二十八条第八項第三号に

掲げる取引を行うことを含む。)とされている証券投資信託をいう。第二十五条第二号において同じ。)

- (a) Bond Investment Trust (only for the Securities (excluding rights listed in the items of Article 2, paragraph (2) of the Financial Instruments and Exchange Act deemed as Securities pursuant to the provisions of that paragraph) listed in the following, meaning a Securities Investment Trust created to be invested (including the transaction listed in Article 28, paragraph (8), item (iii) of the Financial Instruments and Exchange Act concerning standardized instruments set forth in Article 2, paragraph (24), item (v) of that Act which are related to national government bonds or foreign government bonds); the same applies in Article 25, item (ii)):
- (1) 金融商品取引法第二条第一項第一号から第五号までに掲げる有価証券
    1. the Securities set forth in Article 2, paragraph (1), items (i) through (v) of the Financial Instruments and Exchange Act;
    - (2) 金融商品取引法第二条第一項第十一号に規定する投資法人債券及び外国投資証券で投資法人債券に類する証券
    2. the Investment Corporation Bond Certificates set forth in Article 2, paragraph (1), item (xi) of the Financial Instruments and Exchange Act, and Foreign Investment Securities set forth in that item which are securities similar to the Investment Corporation Bond Certificates;
    - (3) 金融商品取引法第二条第一項第十四号に規定する有価証券で、銀行、協同組織金融機関の優先出資に関する法律（平成五年法律第四十四号）第二条第一項に規定する協同組織金融機関及び金融商品取引法施行令（昭和四十年政令第三百二十一号）第一条の九各号に掲げる金融機関又は信託会社の貸付債権を信託する信託（当該信託に係る契約の際における受益者が委託者であるものに限る。）又は指定金銭信託に係るもの
    3. the Securities set forth in Article 2, paragraph (1), item (xiv) of the Financial Instruments and Exchange Act which are related to a trust in which loan claims of a bank, Cooperative Structured Financial Institution defined in Article 2, paragraph (1) of the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions (Act No. 44 of 1993), financial institutions listed in the items of Article 1-9 of the Order for Enforcement of the Financial Instruments and Exchange Act (Cabinet Order No. 321 of 1965), or a trust company are entrusted (limited to a trust in which the beneficiary at the time of conclusion of the contract for the trust is the settlor) or designated money trust;
    - (4) 金融商品取引法第二条第一項第十五号に掲げる有価証券
  4. the Securities set forth in Article 2, paragraph (1), item (xv) of the Financial Instruments and Exchange Act;
  - (5) 金融商品取引法第二条第一項第十六号に掲げる有価証券



5. the Securities set forth in Article 2, paragraph (1), item (xvi) of the Financial Instruments and Exchange Act;
    - (6) 金融商品取引法第二条第一項第十七号に掲げる有価証券で(1)又は(3)から(5)までに掲げる有価証券の性質を有するもの
  6. the Securities set forth in Article 2, paragraph (1), item (xvii) of the Financial Instruments and Exchange Act, which have the nature of the Securities set forth in the above 1. or 3. through 5.;
    - (7) 金融商品取引法第二条第一項第十八号に掲げる有価証券
  7. the Securities set forth in Article 2, paragraph (1), item (xviii) of the Financial Instruments and Exchange Act; and
    - (8) 金融商品取引法施行令第一条第一号に掲げる有価証券
  8. the Securities set forth in Article 1, item (i) of the Order for Enforcement of the Financial Instruments and Exchange Act;
- ロ 親投資信託（その受益権を他の投資信託の受託者に取得させることを目的とする投資信託をいう。）
- (b) a Mother Fund (meaning an Investment Trust created for the purpose of having its beneficial interest acquired by the trustees of another Investment Trust).

(受益権原簿記載事項)

(Information Required to Be Included in Beneficial Interest Holder Register)

第十四条 法第六条第七項において準用する信託法（平成十八年法律第百八号）第百八十六条第一号に規定する内閣府令で定める事項は、委託者指図型投資信託の名称とする。

Article 14 (1) The information specified by Cabinet Office Order as referred to in Article 186, item (i) of the Trust Act (Act No. 108 of 2006) as applied mutatis mutandis pursuant to Article 6, paragraph (7) of the Act is the name of the Investment Trust Managed under Instructions from the Settlor.

2 法第六条第七項において準用する信託法第百八十六条第五号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The information specified by Cabinet Office Order as referred to in Article 186, item (v) of the Trust Act as applied mutatis mutandis pursuant to Article 6, paragraph (7) of the Act is the following information:

一 受益証券の消却の日、券種、発行枚数及び発行口数、消却枚数及び消却口数並びに残存枚数及び残存口数

(i) the day of cancellation, kind, number of issuance and number of units of issuance, and number of cancellation and number of units of cancellation as well as the number of remaining and number of units of remaining, of the beneficiary certificates;

二 信託監督人があるときは、次に掲げる事項

(ii) when there is a trust supervisor, the following information:

- イ 商号、名称又は氏名及び所在の場所又は住所
  - (a) the trade name, name, and location or address;
  - ロ 信託法第百三十二条第一項ただし書又は第二項ただし書の定めがあるときは、当該定めの内容
  - (b) when there are provisions as prescribed in the proviso to Article 132, paragraph (1) of the Trust Act or the proviso to paragraph (2) of that Article, the details of such provisions;
- 三 受益者代理人があるときは、次に掲げる事項
  - (iii) when there is an agent for a beneficiary, the following information:
    - イ 商号、名称又は氏名及び所在の場所又は住所
      - (a) the trade name, name, and location or address;
      - ロ 信託法第百三十九条第一項ただし書又は第三項ただし書の定めがあるときは、当該定めの内容
      - (b) when there are provisions as prescribed in the proviso to Article 139, paragraph (1) of the Trust Act or the proviso to paragraph (3) of that Article, the details of such provisions;
- 四 信託法第百八十八条に規定する受益権原簿管理人を定めたときは、その商号、名称又は氏名及び所在の場所又は住所
  - (iv) when an administrator of a beneficial interest holder register as prescribed in Article 188 of the Trust Act has been specified, the trade name, name, and location or address thereof; and
- 五 前各号に掲げるもののほか、投資信託約款の記載事項
  - (v) beyond what is listed in the preceding items, the information required to be included in the Basic Terms and Conditions for an Investment Trust.

(電磁的記録に記録された事項を表示する方法)

(Method of Indicating Information Recorded in an Electronic or Magnetic Record)

第十五条 法第六条第七項において準用する信託法第百九十条第二項第二号に規定する内閣府令で定める方法は、同号の電磁的記録（法第十七条第十項に規定する電磁的記録をいう。以下同じ。）に記録された事項を紙面又は映像面に表示する方法とする。

Article 15 The method specified by Cabinet Office Order as referred to in Article 190, paragraph (2), item (ii) of the Trust Act as applied mutatis mutandis pursuant to Article 6, paragraph (7) of the Act is the method of indicating the information recorded in an Electronic or Magnetic Record (meaning the Electronic or Magnetic Record as prescribed in Article 17, paragraph (10) of the Act; the same applies hereinafter) under that item on paper or on a computer screen.

(受益者の請求によらない受益権原簿記載事項の記載等)

(Inclusion of Information Required to Be Included in Beneficial Interest Holder

**Register Not by the Request of Beneficiaries)**

第十六条 法第六条第七項において準用する信託法第九十七条第一項各号に掲げる場合には、委託者指図型投資信託の委託者は、当該各号の受益権の受益者に係る受益権原簿記載事項を受益権原簿に記載し、又は記録しなければならない。

Article 16 In the cases listed in the items of Article 197, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 6, paragraph (7) of the Act, a settlor of an Investment Trust Managed under Instructions from the Settlor must include or record the information required to be included in the beneficial interest holder register related to the beneficiaries of the beneficial interest set forth in those items.

(受益権原簿記載事項の記載等の請求)

**(Request of Inclusion of Information Required to Be Included in Beneficial Interest Holder Register)**

第十七条 法第六条第七項において準用する信託法第九十八条第二項に規定する内閣府令で定める場合は、受益権取得者（委託者指図型投資信託の受益権を委託者指図型投資信託の委託者以外の者から取得した者（当該委託者を除く。）をいう。）が受益証券を提示して請求をした場合とする。

Article 17 The cases specified by Cabinet Office Order as referred to in Article 198, paragraph (2) of the Trust Act as applied mutatis mutandis pursuant to Article 6, paragraph (7) of the Act are the case where a Beneficial Interest Acquirer (meaning a person who has acquired the beneficial interest of an Investment Trust Managed under Instructions from the Settlor from a person other than the settlor of an Investment Trust Managed under Instructions from the Settlor (excluding the relevant settlor)) makes the request by presenting the Beneficiary Certificate.

(電子署名)

**(Electronic Signature)**

第十八条 法第六条第七項において準用する信託法第二百二条第三項に規定する内閣府令で定める署名又は記名押印に代わる措置は、電子署名とする。

Article 18 (1) The measures in lieu of signing or affixing names and seals specified by Cabinet Office Order as referred to in Article 202, paragraph (3) of the Trust Act as applied mutatis mutandis pursuant to Article 6, paragraph (7) of the Act are Electronic Signature.

2 前項に規定する「電子署名」とは、電磁的記録に記録することができる情報について行われる措置であって、次の要件のいずれにも該当するものをいう。

(2) The term "Electronic Signature" as used in the preceding paragraph means measures implemented for information which can be recorded in an Electronic or Magnetic Record, that satisfy all of the following requirements:

一 当該情報が当該措置を行った者の作成に係るものであることを示すためのもので

あること。

(i) that the measure is for indication that the relevant information has been prepared by the person who implemented the relevant measure; and

二 当該情報について改変が行われていないかどうかを確認することができるものであること。

(ii) that the measure is one that enables to confirm as to whether the relevant information has been altered or not.

(金銭信託以外の委託者指図型投資信託の禁止の適用除外)

**(Exclusion from Application of Prohibition on Investment Trusts Managed under Instructions from the Settlor Which Is Other Than a Money Trust)**

第十九条 令第十二条第一号に規定する内閣府令で定める指標は、当該指標に係る投資信託の受益証券をその開設する取引所金融商品市場（金融商品取引法第二条第十七項に規定する取引所金融商品市場をいう。以下同じ。）に上場しようとする金融商品取引所（同法第二条第十六項に規定する金融商品取引所をいう。以下同じ。）又はその開設する店頭売買有価証券市場（同法第六十七条第二項に規定する店頭売買有価証券市場をいう。以下同じ。）において売買を行わせようとする認可金融商品取引業協会（同法第二条第十三項に規定する認可金融商品取引業協会をいう。以下同じ。）が、その規則で定めるところにより、次に掲げる要件の全てを満たすものとして指定しているものとする。

Article 19 (1) The indicators specified by Cabinet Office Order as referred to in Article 12, item (i) of the Order are those designated by the Financial Instruments Exchange (meaning the Financial Instruments Exchange defined in Article 2, paragraph (16) of the Financial Instruments and Exchange Act; the same applies hereinafter) which intends to list the Beneficiary Certificate of an Investment Trust related to the relevant indicator on the Financial Instruments Exchange Market (meaning the Financial Instruments Exchange Market defined in Article 2, paragraph (17) of that Act; the same applies hereinafter) established thereby, or by the Authorized Financial Instruments Firms Association (meaning the Authorized Financial Instruments Firms Association defined in Article 2, paragraph (13) of that Act; the same applies hereinafter) which intends to have such Beneficiary Certificate sold and purchased on the Over-the-Counter Securities Market (meaning the Over-the-Counter Securities Market defined in Article 67, paragraph (2) of that Act; the same applies hereinafter) as those satisfying all of the following requirements, pursuant to the provisions of their rules:

一 指標の算出方法が客観的なものであり、かつ、公正を欠くものでないこと。

(i) that the calculation method of the indicator is objective and does not lack fairness;

二 有価証券（金融商品取引法第六十三条第一項に規定する特定有価証券等に限る。）の価格に係る指標にあつては、多数の銘柄の価格の水準を総合的に表すもの

であること。

(ii) that, in the case of indicator related to the price of Securities (limited to the Specified Securities, etc. defined in Article 163, paragraph (1) of the Financial Instruments and Exchange Act), the indicator is one that comprehensively shows the price level of a number of issues of Securities;

三 有価証券その他の資産の価格に係る指標で、その構成銘柄（当該有価証券その他の資産の銘柄又は種類をいう。以下同じ。）の変更があり得るものにあつては、変更の基準及び方法が公正を欠くものでないこと。

(iii) that, in the case of an indicator related to the price of Securities or other assets, and for which there is a possibility of changes to the Constituents (meaning the issue, or class or type of the relevant Securities or other assets; the same applies hereinafter) thereof, the requirement for and method of the changes does not lack fairness;

四 指標及びその算出方法が公表されているものであること。

(iv) that the indicator and the calculation method thereof are publicized;

五 有価証券その他の資産の価格に係る指標にあつては、その構成銘柄（その変更があり得る場合には、その基準及び方法を含む。）が公表されているものであること。

(v) that, in the case of indicator related to the price of Securities or other assets, the Constituents (in cases where a possibility of changes thereto exists, including the criteria and method thereof) thereof is publicized; and

六 有価証券又は商品（商品先物取引法（昭和二十五年法律第二百三十九号）第二条第一項に規定する商品をいう。以下同じ。）の価格に係る指標にあつては、当該投資信託の投資信託財産の一口当たりの純資産額の変動率を当該指標の変動率に一致させるために必要な有価証券又は商品の売買が円滑に行われると見込まれる銘柄又は種類で構成されているものであること（その構成銘柄の有価証券又は商品に対する投資として運用する場合に限る。）。

(vi) that, in the case of an indicator related to the price of Securities or Commodities (meaning the commodity as defined in Article 2, paragraph (1) of the Commodity Derivatives Act (Act No. 239 of 1950); the same applies hereinafter), the relevant indicator is composed of issues or classes for which a smooth sale and purchase of Securities or Commodities that is necessary to make the volatility of the amount of net assets per unit of Investment Trust Property of the relevant Investment Trust correspond to the volatility of the relevant indicator is expected (limited to cases where the relevant Investment Trust is invested into the Securities or Commodity that are the Constituents of the indicator).

2 令第十二条第一号及び第二号に規定する内閣府令で定める投資信託は、その受益証券の内容に照らして、当該受益証券の市場価格が連動対象指標（その投資信託財産の一口当たりの純資産額の変動率をその変動率に一致させようとする指標をいう。第九十四条及び第二百五十九条第一号において同じ。）の変動を適正に反映して形成されるために十分な流通性を確保する措置その他の措置が必要なものであつて当該措置が

講じられていないもの以外のものとする。

(2) The Investment Trusts specified by Cabinet Office Order as referred to in Article 12, items (i) and (ii) of the Order are, in light of the contents of the Beneficiary Certificate thereof, those other than the Investment Trust for which measures to ensure sufficient liquidity that is necessary for having the market price of the Beneficiary Certificate formed by properly reflecting the fluctuations in the Underlying Indicator (meaning an indicator for having the volatility of the amount of net assets per unit of the Investment Trust Property correspond to its volatility; the same applies in Article 94 and Article 259, item (i)) or any other measures are necessary but has not been taken.

3 令第十二条第一号イに規定する内閣府令で定めるものは、次に掲げるものとする。

(3) The assets specified by Cabinet Office Order as referred to in Article 12, item (i), sub-item (a) of the Order are as follows:

一 次に掲げる有価証券又は金融商品取引法第二条第一項第二十号に掲げる有価証券（次に掲げる有価証券に該当するものを除く。）であって次に掲げる有価証券に係る権利を表示するもの

(i) the following Securities, or the Securities listed in Article 2, paragraph (1), item (xx) of the Financial Instruments and Exchange Act (excluding those falling under the category of Securities listed in the following sub-items) which indicate the rights pertaining to the following Securities:

イ 金融商品取引所又は外国金融商品市場（金融商品取引法第二条第八項第三号ロに規定する外国金融商品市場をいう。以下同じ。）に上場されている有価証券

(a) the Securities listed on a Financial Instruments Exchange or a Foreign Financial Instruments Market (meaning the Foreign Financial Instruments Market defined in Article 2, paragraph (8), item (iii), sub-item (b) of the Financial Instruments and Exchange Act; the same applies hereinafter);

ロ 店頭売買有価証券（金融商品取引法第二条第八項第十号ハに規定する店頭売買有価証券をいう。以下同じ。）

(b) Over-the-Counter Traded Securities (meaning the Over-the-Counter Traded Securities defined in Article 2, paragraph (8), item (x) of the Financial Instruments and Exchange Act; the same applies hereinafter);

ハ イ又はロに掲げる有価証券以外の有価証券で次に掲げるもの

(c) the Securities other than those listed in sub-item (a) or (b), which are as follows:

(1) 金融商品取引法第二条第一項第一号から第五号までに掲げる有価証券（同項第十七号に掲げる有価証券でこれらの有価証券の性質を有するものを含む。）

1. the Securities set forth in Article 2, paragraph (1), items (i) through (v) of the Financial Instruments and Exchange Act (including the Securities set forth in item (xvii) of that paragraph which have the

nature of those Securities);

- (2) 金融商品取引法第二条第一項第九号に掲げる有価証券（同項第十七号に掲げる有価証券で当該有価証券の性質を有するものを含む。）のうち、その価格が認可金融商品取引業協会又は外国において設立されているこれと類似の性質を有する団体の定める規則に基づいて公表されているもの

2. among the Securities set forth in Article 2, paragraph (1), item (ix) of the Financial Instruments and Exchange Act (including the Securities set forth in item (xvii) of that paragraph which have the nature of those Securities), those of which the price is publicized based on the rules of an Authorized Financial Instruments Firms Association or an organization incorporated in a foreign state which has a nature similar thereto; and

- (3) 金融商品取引法第二条第一項第十号、第十一号又は第十九号に掲げる有価証券

3. the Securities set forth in Article 2, paragraph (1), item (x), (xi) or (xix) of the Financial Instruments and Exchange Act;

二 商品市場（商品先物取引法第二条第九項に規定する商品市場をいう。以下同じ。）又は外国商品市場（同条第十二項に規定する外国商品市場をいう。以下同じ。）において上場されている商品（当該商品市場又は外国商品市場において当該商品及びその対価の授受を約する売買取引を行うことができるものに限る。）

(ii) a Commodity listed on a Commodity Market (meaning the Commodity Market defined in Article 2, paragraph (9) of the Commodity Derivatives Act; the same applies hereinafter) or Foreign Commodity Market (meaning Foreign Commodity Market defined in paragraph (12) of that Article; the same applies hereinafter) (limited to a Commodity for which a sale and purchase transactions promising the delivery and receipt of the Commodity or the consideration therefor may be conducted on the Commodity Market or Foreign Commodity Market).

4 令第十二条第一号イに規定する受益証券とその投資信託財産に属する有価証券又は商品との交換は、次に掲げる要件の全てを満たして行うものとする。

(4) The exchange of Beneficiary Certificates with Securities or a Commodity belonging to the Investment Trust Property thereof as referred to in Article 12, item (i), sub-item (a) of the Order is to be made by satisfying all of the following requirements:

一 当該投資信託財産に属する有価証券は、評価額をもって、それに相当する一定口数の受益証券と交換するものであること。ただし、次のイに掲げる場合には当該イに定める部分に限り受益証券をもって返還することができ、次のロに掲げる場合には当該ロに定める部分に限り金銭を交付することができる。

(i) that the Securities belonging to the relevant Investment Trust Property are to be exchanged with a certain number of units of Beneficiary Certificates equivalent thereto, based on the Appraised Value of such Securities; provide,

however, that in the cases listed in the following sub-item (a), only the part prescribed therein may be returned by Beneficiary Certificates and in the cases listed in the following sub-item (b), money may be delivered only for the part prescribed therein:

イ 当該有価証券又は商品の評価額が当該一定口数の受益証券の評価額に満たない場合 その差額に相当する部分

(a) in cases where the Appraised Value of the relevant Securities or Commodity is less than the Appraised Value of the relevant Certain Number of Units of Beneficiary Certificates: the part equivalent to the difference thereof; or

ロ 当該有価証券に、その配当落ち又は権利落ち後、当該配当を受け又は当該権利を取得することができる者が確定する日に交換の申込みに応じて受益証券の受渡しが行われることとなる有価証券（株券又は投資証券に限る。以下ロにおいて同じ。）が含まれる場合 当該受益証券の受渡しが行われることとなる有価証券の評価額に相当する部分

(b) in cases where the relevant Securities include Securities for which Beneficiary Certificates are to be transferred in response to the application for exchange after they have become ex-dividends or ex-rights on the day on which the person who is entitled to such dividends or rights is fixed (limited to share certificates or Investment Securities; hereinafter the same applies in sub-item (b)): the part equivalent to the Appraised Value of the Securities for which Beneficiary Certificates are to be transferred;

二 受益者より交換の請求があった場合には、当該投資信託の委託者は受託者に対し、当該請求に係る受益証券と、その投資信託財産に属する有価証券のうち、当該投資信託財産に対する持分に相当するものとの交換を行うよう指図すること。

(ii) that, in cases where the beneficiary requests the exchange, the settlor of the relevant Investment Trust orders the trustee to exchange the Beneficiary Certificate subject to the request with the Securities belonging to the Investment Trust Property thereof which are equivalent to the equity in the Investment Trust Property.

5 令第十二条第二号ロに定める受益証券の取得は、次に掲げる要件の全てを満たして行うものとする。

(5) The acquisition of Beneficiary Certificates provided in Article 12, item (ii), sub-item (b) of the Order is to be made by satisfying all of the following requirements:

一 その運用の対象とする各銘柄又は種類の有価証券又は商品の数の構成比率に相当する比率により構成される各銘柄又は種類の有価証券又は商品（以下「各銘柄の有価証券等」という。）として運用の指図を行う投資信託委託会社が指定するものに相当する一定口数の受益証券（以下この項及び次項において「一定口数の受益証券」という。）を単位として取得するものであること。ただし、次のイ又はロに掲げる場合には、当該イ又はロに定める金銭をもって取得することができる。



(i) that the acquisition of Beneficiary Certificates is to be made by the certain number of units of Beneficiary Certificates (hereinafter referred to as the "Certain Number of Units of Beneficiary Certificates" in this paragraph and the following paragraph) equivalent to the Beneficiary Certificates designated by a Settlor Company of an Investment Trust which gives orders for investment, as the Securities or Commodity of each issue or class composed of the ratio equivalent to the composition ratio of the number of each issue or class of the Securities or Commodity which are to be the subject of the investment (hereinafter referred to as "Securities of Each Issue, etc."); provided, however, that in the cases listed in the following sub-item (a) or (b), the acquisition of the Beneficiary Certificates may be made by the money prescribed respectively therein:

イ 当該各銘柄の有価証券等に、その配当落ち又は権利落ち後、当該配当を受け又は当該権利を取得することができる者が確定する日又はその前営業日に取得の申込みに応じて受益証券の受渡しが行われることとなる有価証券（株券又は投資証券に限る。以下イにおいて同じ。）が含まれる場合 当該受益証券の受渡しが行われることとなる有価証券に相当する金銭（評価額により算出したものに限る。）及び当該有価証券を当該投資信託財産において取得するために必要な経費に相当する金銭

(a) in cases where the relevant Securities of Each Issue, etc. include Securities for which Beneficiary Certificates are to be transferred in response to the application for acquisition after they have become ex-dividends or ex-rights on the day on which the person who is entitled to such dividends or rights is fixed or on the immediately preceding business day (limited to share certificates or Investment Securities; hereinafter the same applies in sub-item (a)): money equivalent to the Securities for which Beneficiary Certificates are to be transferred (limited to those calculated by the Appraised Value) and money equivalent to the expenses necessary for acquiring the Securities for the relevant Investment Trust Property; and

ロ 当該各銘柄の有価証券等に、その募集に応じる者が発行した株式又はその親会社（会社法（平成十七年法律第八十六号）第二条第四号に規定する親会社をいう。次項第一号イにおいて同じ。）が発行した株式が含まれる場合 当該株式に相当する金銭（評価額により算出したものに限る。）及び当該株式を当該投資信託財産において取得するため必要な経費に相当する金銭

(b) in cases where the relevant Securities of Each Issue, etc. includes shares issued by a person who responds to the Public Offering or shares issued by its Parent Company (meaning the Parent Company defined in Article 2, item (iv) of the Companies Act (Act No. 86 of 2005); the same applies in item (i), sub-item (a) of the following paragraph): money equivalent to such shares (limited to those calculated by the Appraised Value) and money

equivalent to the expenses necessary for acquiring the shares for the relevant Investment Trust Property;

二 当該各銘柄の有価証券等について、評価額をもって、それに相当する一定口数の受益証券を取得するものであること。ただし、当該各銘柄の有価証券等の評価額が取得する当該一定口数の受益証券の評価額に満たない場合には、その差額に相当する部分に限り金銭をもって充当することができる。

(ii) that, with regard to the relevant Securities of Each Issue, etc., the acquisition of Beneficiary Certificates are to be made by acquiring the Certain Number of Units of Beneficiary Certificates equivalent thereto, based on the Appraised Value thereof; provided, however, that in cases where the Appraised Value of the Securities of Each Issue, etc. are less than the Appraised Value of the Certain Number of Units of Beneficiary Certificates, only the part equivalent to the difference therein may be appropriated by money.

6 令第十二条第二号ハに規定する受益証券とその投資信託財産に属する有価証券又は商品との交換は、次に掲げる要件の全てを満たして行うものとする。

(6) The exchange of Beneficiary Certificates with the Securities or Commodity belonging to the Investment Trust Property thereof as provided in Article 12, item (ii), sub-item (c) of the Order is to be made by satisfying all of the following requirements:

一 当該投資信託財産に属する有価証券又は商品は、評価額をもって、それに相当する一定口数の受益証券と交換するものであること。ただし、次のイ又はロに掲げる場合には当該イ又はロのそれぞれに定める部分に限っては、受益証券をもって返還することができ、次のハに掲げる場合には当該ハに定める部分に限っては、金銭を交付することができる。

(i) that the Securities or Commodity belonging to the relevant Investment Trust Property are to be exchanged with a Certain Number of Units of Beneficiary Certificates equivalent thereto, based on the Appraised Value thereof; provided, however, that in the cases listed in the following sub-item (a) or (b), only the parts prescribed respectively therein may be returned by Beneficiary Certificates and in the cases listed in the following sub-item (c), money may be delivered only for the part prescribed therein:

イ 当該投資信託財産に属する有価証券にその交換を行う受益者が発行した株式又はその親会社が発行した株式が含まれる場合 当該株式に相当する部分

(a) cases where the Securities belonging to the relevant Investment Trust Property includes shares issued by the beneficiary which conducts the exchange thereof or shares issued by the Parent Company thereof: the part equivalent to the relevant shares; or

ロ 当該有価証券又は商品の評価額が当該一定口数の受益証券の評価額に満たない場合 その差額に相当する部分

(b) cases where the Appraised Value of the relevant Securities or Commodity

is less than the Appraised Value of the relevant Certain Number of Units of Beneficiary Certificates: the part equivalent to the difference therein;

ハ 当該有価証券に、その配当落ち又は権利落ち後、当該配当を受け又は当該権利を取得することができる者が確定する日に交換の申込みに応じて受益証券の受渡しが行われることとなる有価証券（株券又は投資証券に限る。以下ハにおいて同じ。）が含まれる場合 当該受益証券の受渡しが行われることとなる有価証券の評価額に相当する部分

(c) in cases where the relevant Securities include Securities for which Beneficiary Certificates are to be transferred in response to the application for exchange after they have become ex-dividends or ex-rights on the day on which the person who is entitled to such dividends or rights is fixed (limited to share certificates or Investment Securities; hereinafter the same applies in sub-item (c)): the part equivalent to the Appraised Value of the Securities for which Beneficiary Certificates are to be transferred;

二 受益者より交換の請求があった場合には、当該投資信託の委託者は受託者に対し、当該請求に係る受益証券と、その投資信託財産に属する有価証券又は商品のうち、当該投資信託財産に対する持分に相当するものとの交換を行うよう指図すること。

(ii) that, in cases where the beneficiary requests the exchange, the settlor of the relevant Investment Trust orders the trustee to exchange the Beneficiary Certificate subject to the request with the Securities or Commodity belonging to the Investment Trust Property which are equivalent to the equity in the Investment Trust Property.

7 令第十二条第四号イに定める受益証券の取得は、金銭の額とその運用の対象とする上場有価証券等（同条第一号イに規定する上場有価証券等をいう。次項において同じ。）の評価額との合計額をもって、それに相当する一定口数の受益証券を取得するものであることとする。

(7) The acquisition of Beneficiary Certificates provided in Article 12, item (iv), sub-item (a) of the Order is to be made by acquiring the Certain Number of Units of Beneficiary Certificates equivalent to money and the Listed Securities, etc. (meaning the Listed Securities, etc. defined in the item (i), sub-item (a) of that Article; the same applies in the following paragraph) which are to be the subject of the investment, based on the sum of the amount of money and the Appraised Value of such Listed Securities, etc.

8 令第十二条第四号ロに定める受益証券とその投資信託財産に属する金銭又は上場有価証券等との交換は、次に掲げる要件の全てを満たして行うものとする。

(8) The exchange of Beneficiary Certificates with money or Listed Securities, etc. belonging to the Investment Trust Property thereof as referred to in Article 12, item (iv), sub-item (b) of the Order is to be made by satisfying all of the following requirements:

一 当該投資信託財産に属する金銭の額と上場有価証券等の評価額との合計額をもって、それに相当する一定口数の受益証券と交換するものであること。

- (i) that money or Listed Securities, etc. belonging to the relevant Investment Trust Property are to be exchanged with a Certain Number of Units of Beneficiary Certificates equivalent thereto, based on the sum of the amount of money and the Appraised Value of such Listed Securities, etc.; and
- 二 受益者より交換の請求があった場合には、当該投資信託の委託者は受託者に対し、当該請求に係る受益証券と、その投資信託財産に属する金銭又は上場有価証券等のうち、当該投資信託財産に対する持分に相当するものとの交換を行うよう指図すること。
- (ii) that, in cases where the beneficiary requests the exchange, the settlor of the relevant Investment Trust orders the trustee to exchange the Beneficiary Certificates subject to the request with money or Listed Securities, etc. belonging to the Investment Trust Property thereof which are equivalent to the equity in the Investment Trust Property.
- 9 前五項に規定する評価額とは、投資信託約款において定める時点における公表されている最終価格に基づき算出した価額又はこれに準ずるものとして合理的な方法により算出した価額をいう。
- (9) The term "Appraised Value" as used in the preceding five paragraphs is the value calculated based on the closing price publicized at the time specified in the Basic Terms and Conditions for an Investment Trust or the value calculated by a reasonable method equivalent thereto.
- 10 令第十二条第三号に定める投資信託の受益権の取得は、次に掲げる要件の全てを満たして行うものとする。
- (10) The acquisition of beneficial interest of an Investment Trust provided in Article 12, item (iii) of the Order is to be made by satisfying all of the following requirements:
- 一 当該投資信託の委託者は、当該投資信託の受益権の取得に用いる有価証券又は商品について前日の公表されている最終価格に基づき算出した価額又はこれに準ずるものとして合理的な方法により算出した価額をもって、それに相当する口数の当該投資信託の受益証券の取得を指図するものであること。
- (i) that the settlor of the relevant Investment Trust is to, with the value calculated based on the closing price publicized on the immediately preceding day with regard to the Securities or Commodity used for the acquisition of beneficial interest of the Investment Trust or the value calculated by the reasonable method equivalent thereto, give orders for acquisition of the number of units of Beneficiary Certificates of the Investment Trust equivalent to such value;
- 二 当該投資信託とその受益権を取得しようとする他の投資信託において、それぞれの投資信託約款における法第四条第二項第六号に規定する運用に関する事項が同一性を有するものであること。
- (ii) that the relevant Investment Trust and another Investment Trust which intends to acquire the beneficial interest of the relevant Investment Trust is

identical in the information concerning the investment as referred to in Article 4, paragraph (2), item (vi) of the Act in their Basic Terms and Conditions for the Investment Trust.

(同一の法人の発行する株式の取得割合)

(Acquisition Ratio of Shares Issued by One Corporation)

第二十条 法第九条第二号（法第五十四条第一項において準用する場合を含む。）に規定する内閣府令で定める率は、百分の五十とする。

Article 20 The ratio specified by Cabinet Office Order as referred to in Article 9, item (ii) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act) is fifty-hundredths.

(指図行使すべき株主権等)

(Shareholders' Rights to Be Exercised by Order)

第二十一条 法第十条第一項に規定する内閣府令で定める株主の権利は、会社法第一百六条第一項、第二百十条、第二百四十一条第二項、第二百四十七条、第七百八十五条第一項、第七百九十七条第一項及び第八百六条第一項に基づく株主の権利並びに同法第八百二十八条第一項の規定に基づき同項第四号から第十二号までに掲げる行為の無効を主張する権利とする。

Article 21 (1) The rights of shareholders specified by Cabinet Office Order as referred to in Article 10, paragraph (1) of the Act are the rights of shareholder based on the provisions of Article 116, paragraph (1), Article 210, Article 241, paragraph (2), Article 247, Article 785, paragraph (1), Article 797, paragraph (1), and Article 806, paragraph (1) of the Companies Act and the rights to assert invalidity of the acts listed in Article 828, paragraph (1), items (iv) through (xii) of that Act based on that paragraph.

2 令第十四条第一号に規定する内閣府令で定める投資主の権利は、法第四百四十一条第一項、第四百九条の三第一項、第四百九条の八第一項、第四百九条の十三第一項及び第八十四条第一項において準用する会社法第二百十条の規定に基づく権利並びに法第八十八条の二十三第一項において準用する会社法第八百二十八条第一項（第四号に係る部分に限る。）、第四百二十二条第六項において準用する会社法第八百二十八条第一項（第五号に係る部分に限る。）及び法第一百五十条において準用する会社法第八百二十八条第一項（第七号及び第八号に係る部分に限る。）の規定に基づき同項第四号、第五号、第七号及び第八号に掲げる行為の無効を主張する権利とする。

(2) The rights of Investors specified by Cabinet Office Order as referred to in Article 14, item (i) of the Order are the rights based on the provisions of Article 141, paragraph (1), Article 149-3, paragraph (1), Article 149-8, paragraph (1), Article 149-13, paragraph (1) of the Act, and Article 210 of the Companies Act as applied mutatis mutandis pursuant to Article 84, paragraph (1) of the Act and the right to assert the invalidity of the acts listed in Article 828, paragraph (1), items (iv), (v), (vii), and (viii) of the Companies Act based on the

provisions of Article 828, paragraph (1) of the Companies Act (limited to the part pertaining to item (iv)) as applied mutatis mutandis pursuant to Article 88-23, paragraph (1) of the Act, the provisions of Article 828, paragraph (1) of the Companies Act (limited to the part pertaining to item (v)) as applied mutatis mutandis pursuant to Article 142, paragraph (6), and the provisions of Article 828, paragraph (1) of the Companies Act (limited to the part pertaining to items (vii) and (viii)) as applied mutatis mutandis pursuant to Article 150 of the Act.

3 令第十四条第二号に規定する内閣府令で定める優先出資者の権利は、協同組織金融機関の優先出資に関する法律第二十二条第五項（第一号及び第二号に係る部分に限る。）及び同法第十四条第一項において準用する会社法第二百十条の規定に基づく権利とする。

(3) The rights of preferred equity investors specified by Cabinet Office Order as referred to in Article 14, item (ii) of the Order are the rights based on the provisions of Article 22, paragraph (5) of the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions (limited to the parts pertaining to items (i) and (ii)), and the provisions of Article 210 of the Companies Act as applied mutatis mutandis pursuant to Article 14, paragraph (1) of the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions.

4 令第十四条第三号に規定する内閣府令で定める優先出資社員の権利は、資産の流動化に関する法律（平成十年法律第百五号。以下「資産流動化法」という。）第百五十三条第一項及び資産流動化法第四十二条第五項において準用する会社法第二百十条の規定に基づく権利並びに資産流動化法第百十二条において準用する会社法第八百二十八条第一項（第五号に係る部分に限る。）の規定に基づき同号に掲げる行為の無効を主張する権利とする。

(4) The rights of preferred equity members specified by Cabinet Office Order as referred to in Article 14, item (iii) of the Order are the rights based on the provisions of Article 153, paragraph (1) of the Act on Securitization of Assets (Act No. 105 of 1998; hereinafter referred to as the "Asset Securitization Act"), and the provisions of Article 210 of the Companies Act as applied mutatis mutandis pursuant to Article 42, paragraph (5) of the Asset Securitization Act, as well as the rights to assert the invalidity of the acts listed in Article 828, paragraph (1), item (v) of the Companies Act based on that paragraph (limited to the part pertaining to item (v)) as applied mutatis mutandis pursuant to Article 112 of the Asset Securitization Act.

（特定資産に係る不動産の鑑定評価）

(Appraisal of Real Property Pertaining to Specified Assets)

第二十一条の二 法第十一条第一項の規定による不動産の鑑定評価は、不動産鑑定士であつて次に掲げる者以外のものに行わせるものとする。

Article 21-2 An appraisal of real property under Article 11, paragraph (1) of the Act is to be assigned to a real estate appraiser who does not fall under any of the following:

一 当該投資信託委託会社の利害関係人等（法第十一条第一項に規定する利害関係人等をいう。）

(i) an interested person or other close affiliate of the Settlor Company of the relevant Investment Trust (meaning the interested person or other close affiliate as prescribed in Article 11, paragraph (1) of the Act);

二 受託会社の利害関係人等（令第十八条に規定する利害関係人等をいう。）

(ii) an interested person or other close affiliate of the Trustee Company (meaning the interested person or other close affiliate as prescribed in Article 18 of the Order);

三 当該投資信託委託会社又は受託会社の役員（役員が法人であるときは、その社員。第八十五条の二第二号及び第二百四十四条の二第三号において同じ。）又は使用人

(iii) an officer of the Settlor Company of the relevant Investment Trust or the Trustee Company (if an officer is a corporation, its employee; the same applies in Article 85-2, item (ii) and Article 244-2, item (iii)) or employee of the same; or

四 不動産の鑑定評価に関する法律（昭和三十八年法律第百五十二号）の規定により、法第十一条第一項の規定による不動産の鑑定評価に係る業務をすることができない者

(iv) a person who is, pursuant to the provisions of the Act on Real Estate Appraisal (Act No. 152 of 1963), unqualified to engage in the business concerning an appraisal of real property under Article 11, paragraph (1) of the Act.

(指定資産等)

(Designated Assets)

第二十二条 法第十一条第二項（法第五十四条第一項において準用する場合を含む。）に規定する内閣府令で定める資産は、次に掲げるものとする。

Article 22 (1) The assets specified by Cabinet Office Order as referred to in Article 11, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act) are as follows:

一 次に掲げる有価証券及び金融商品取引法第二条第一項第二十号に掲げる有価証券（次に掲げる有価証券に該当するものを除く。）であって次に掲げる有価証券に係る権利を表示するもの

(i) the following Securities, and the Securities set forth in Article 2, paragraph (1), item (xx) of the Financial Instruments and Exchange Act (excluding those falling under the category of Securities listed in the following sub-items) which indicate the rights pertaining to the following Securities:

- イ 金融商品取引所又は外国金融商品市場に上場されている有価証券
- (a) the Securities listed on a Financial Instruments Exchange or Foreign Financial Instruments Market;
- ロ 店頭売買有価証券
- (b) Over-the-Counter Traded Securities;
- ハ イ及びロに掲げる有価証券以外の有価証券で、次に掲げるもの
- (c) the Securities other than those listed in sub-items (a) and (b), which are as follows:
- (1) 金融商品取引法第二条第一項第一号から第五号まで、第十二号、第十三号及び第十五号に掲げる有価証券（同項第十七号に掲げる有価証券でこれらの有価証券の性質を有するものを含む。）
  1. the Securities set forth in Article 2, paragraph (1), items (i) through (v), (xii), (xiii), (xv) of the Financial Instruments and Exchange Act (including the Securities set forth in item (xvii) of that paragraph which have the nature of those Securities);
  - (2) 金融商品取引法第二条第一項第九号に掲げる有価証券（同項第十七号に掲げる有価証券で当該有価証券の性質を有するものを含む。）のうち、その価格が認可金融商品取引業協会又は外国において設立されているこれと類似の性質を有する団体の定める規則に基づいて公表されているもの
  2. among the Securities set forth in Article 2, paragraph (1), item (ix) of the Financial Instruments and Exchange Act (including the Securities set forth in item (xvii) of that paragraph which have the nature of those Securities), those of which the price is publicized based on the rules of an Authorized Financial Instruments Firms Association or an organization incorporated in a foreign state which has a nature similar thereto;
  - (3) 金融商品取引法第二条第一項第十号、第十一号及び第十九号に掲げる有価証券
  3. the Securities set forth in Article 2, paragraph (1), item (x), (xi) or (xix) of the Financial Instruments and Exchange Act; and
  - (4) 金融商品取引法施行令第一条第一号に掲げる有価証券
  4. the Securities set forth in Article 1, item (i) of the Order for Enforcement of the Financial Instruments and Exchange Act;
- 二 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元本の補填の契約をした金銭信託の受益権（前号に掲げるものに該当するものを除く。）
- (ii) a beneficial interest of a money trust for which a contract for compensating the principal is concluded pursuant to the provisions of Article 6 of the Act on Engagement in Trust Business by a Financial Institution (Act No. 43 of 1943) (excluding those falling under the category listed in the preceding item);



- 三 市場デリバティブ取引（金融商品取引法第二条第二十一項に規定する市場デリバティブ取引をいう。）に係る権利
- (iii) rights pertaining to Market Transactions of Derivatives (meaning the Market Transactions of Derivatives defined in Article 2, paragraph (21) of the Financial Instruments and Exchange Act);
- 四 店頭デリバティブ取引（金融商品取引法第二条第二十二項に規定する店頭デリバティブ取引をいい、当該取引に係る条件が金融商品取引所の規則又は金融商品取引清算機関（同条第二十九項に規定する金融商品取引清算機関をいう。）の業務方法書に定める取引に係る条件と同様のものに限る。）に係る権利
- (iv) rights pertaining to Over-the-Counter Derivatives Transactions (meaning the Over-the-Counter Derivatives Transactions referred to in Article 2, paragraph (22) of the Financial Instruments and Exchange Act; limited to those whose terms and conditions are the same as the terms and conditions of transactions prescribed in the rules of a Financial Instruments Exchange or the business rules of a Financial Instruments Clearing Organization (meaning the Financial Instruments Clearing Organization defined in paragraph(29) of that Article));
- 五 外国市場デリバティブ取引（金融商品取引法第二条第二十三項に規定する外国市場デリバティブ取引をいう。）に係る権利
- (v) rights pertaining to Foreign Market Derivatives Transactions (meaning the Foreign Market Derivatives Transactions defined in Article 2, paragraph (23) of the Financial Instruments and Exchange Act);
- 六 金銭債権（令第三条第七号に掲げるものをいい、コールローンに係るもの、譲渡性預金証書をもって表示されるもの又は銀行若しくは第百十二条第一号から第七号までに掲げる金融機関への預金若しくは貯金に係るものに限る。）
- (vi) Monetary Claim (meaning those listed in Article 3, item (vii) of the Order, and limited to those pertaining to call loans, those indicated by negotiable certificates of deposit, and those pertaining to deposits or savings made to a bank or the financial institutions listed in Article 112, items (i) through (vii));
- 七 商品市場又は外国商品市場において上場されている商品（当該商品市場又は外国商品市場において当該商品及びその対価の授受を約する売買取引を行うことができるものに限る。）
- (vii) a Commodity listed on a Commodity Market or Foreign Commodity Market (limited to a Commodity for which a sale and purchase transaction promising the delivery and receipt of the Commodity or the consideration therefor may be conducted on the Commodity Market or Foreign Commodity Market); and
- 八 商品投資取引（令第三条第十号イに規定する商品投資取引をいい、商品市場又は外国商品市場において行う取引に限る。以下同じ。）に係る権利
- (viii) rights pertaining to Transactions of Commodities Investment, etc.

(meaning the Transactions of Commodities Investment, etc. as prescribed in Article 3, item (x), sub-item (a) of the Order, and limited to transactions made on a Commodity Market or Foreign Commodity Market; the same applies hereinafter).

2 法第十一条第二項（法第五十四条第一項において準用する場合を含む。）に規定する内閣府令で定める行為は、次に掲げる行為とする。

(2) The acts specified by Cabinet Office Order as referred to in Article 11, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act) are the following acts:

一 有価証券（令第十六条の二第二号並びに前項第一号及び第二号に掲げるものを除く。次項第一号において同じ。）の取得及び譲渡並びに貸借

(i) acquisition and transfer as well as lending and borrowing of Securities (excluding those listed in Article 16-2, item (ii) of the Order and items (i) and (ii) of the preceding paragraph; the same applies in item (i) of the following paragraph);

二 店頭デリバティブ取引（金融商品取引法第二条第二十二項に規定する店頭デリバティブ取引をいい、前項第四号に掲げるものを除く。次項第二号において同じ。）

(ii) Over-the-Counter Transactions of Derivatives (meaning the Over-the-Counter Transactions of Derivatives referred to in Article 2, paragraph (22) of the Financial Instruments and Exchange Act and excluding those listed in item (iv) of the preceding paragraph; the same applies in item (ii) of the following paragraph);

三 約束手形（令第三条第六号に掲げるものをいう。以下同じ。）の取得及び譲渡

(iii) acquisition and transfer of Promissory Notes (meaning those listed in Article 3, item (vi) of the Order; the same applies hereinafter);

四 金銭債権（令第三条第七号に掲げるものをいい、前項第六号に掲げるものを除く。次項第四号において同じ。）の取得及び譲渡

(iv) acquisition and transfer of Monetary Claims (meaning those listed in Article 3, item (vii) of the Order, and excluding those listed in item (vi) of the preceding paragraph; the same applies in item (iv) of the following paragraph);

五 匿名組合出資持分（令第三条第八号に規定する匿名組合出資持分をいう。以下同じ。）の取得及び譲渡

(v) acquisition and transfer of Equity in Investment in a Silent Partnership (meaning the Equity in Investment in a Silent Partnership defined in Article 3, item (viii) of the Order; the same applies hereinafter);

六 商品（前項第七号に掲げるものを除く。次項第六号において同じ。）の取得及び譲渡並びに貸借

(vi) acquisition and transfer of Commodities (excluding those listed in item (vii) of the preceding paragraph; the same applies in item (vi) of the following

- paragraph);
- 七 商品投資等取引（令第三条第十号に規定する商品投資等取引をいい、前項第八号に掲げる商品投資取引を除く。次項第七号において同じ。）
- (vii) Transactions Related to Commodities Investment, etc. (meaning the Transactions Related to Commodities Investment, etc. as prescribed in Article 3, item (x) of the Order and excluding the Transactions Related to Commodities Investment set forth in item (viii) of the preceding paragraph; the same applies in item (vii) of the following paragraph);
- 八 再生可能エネルギー発電設備の取得及び譲渡
- (viii) acquisition and transfer of a Renewable Energy Power Generation Facilities; and
- 九 公共施設等運営権の取得及び譲渡
- (ix) acquisition and transfer of a Right to Operate Public Facility, etc.
- 3 法第十一条第二項（法第五十四条第一項において準用する場合を含む。）に規定する内閣府令で定める事項は、次の各号に掲げる特定資産の区分に応じ、当該各号に定める事項とする。
- (3) The matters specified by Cabinet Office Order as referred to in Article 11, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act) are the matters specified in the following matters according to the category of Specified Assets set forth in the respective items:
- 一 有価証券 銘柄、数量、信託に係る信託財産を特定するために必要な事項その他当該有価証券の内容に関すること。
- (i) Securities: matters necessary to specify the issue, volume, and trust property pertaining to the trust and other matters related to the contents of the Security;
- 二 店頭デリバティブ取引に係る権利 取引の相手方の名称、銘柄、約定数値（金融商品取引法第二条第二十一項第二号に規定する約定数値をいう。第二百四十六条第一項第二号ハにおいて同じ。）、金融商品（同法第二条第二十四項に規定する金融商品をいう。）又は金融指標（同条第二十五項に規定する金融指標をいう。）の種類、プット（権利の行使により売主としての地位を取得するものをいう。第七号において同じ。）又はコール（権利の行使により買主としての地位を取得するものをいう。同号において同じ。）の別、権利行使価格、権利行使期間、取引期間その他の当該店頭デリバティブ取引の内容に関すること。
- (ii) rights pertaining to Over-the-Counter Transactions of Derivatives: the name of the counterparty to the transaction, issue, the Agreed Figure (meaning the Agreed Figure defined in Article 2, paragraph (21), item (ii) of the Financial Instruments and Exchange Act; the same applies in Article 246, paragraph (1), item (ii), sub-item (c)), kind of Financial Instrument (meaning the Financial Instruments defined in Article 2, paragraph (24) of that Act) or Financial Indicator (meaning the Financial Indicator defined in paragraph

(25) of that Article), information as to whether it is a Put Option (meaning Options whereby the party acquires the position as a seller by the exercise of rights; the same applies in item (vii)) or a Call Option (meaning Options whereby the party acquires the position as a buyer by the exercise of rights; the same applies in item (vii)), the exercise price, exercise period, transaction period and other matters related to the contents of the relevant Over-the-Counter Transactions of Derivatives;

三 約束手形 約束手形上の債務者、保証の設定状況その他の当該約束手形の内容に関すること。

(iii) Promissory Notes: the obligor on the Promissory Note, the state of establishment of the guarantee, and other matters related to the contents of the relevant Promissory Note;

四 金銭債権 金銭債権の種類、債権者及び債務者の氏名及び住所、担保の設定状況その他の当該金銭債権の内容に関すること。

(iv) Monetary Claims: the type of monetary claim, the names and addresses of the creditor and debtor, the state of establishment of the collateral, and other matters related to the contents of the relevant Monetary Claims;

五 匿名組合出資持分 匿名組合契約に係る営業財産に関する前各号、第八号及び第九号に掲げる事項並びに当該匿名組合契約の内容及び営業者に関すること。

(v) Equity in Investment in a Silent Partnership: the matters listed in the preceding items, item (viii) and item (ix) related the business property of the Silent Partnership Agreement as well as the matters related to the contents of the Silent Partnership Agreement and the business operator thereof;

六 商品 種類、数量その他当該商品の内容に関すること。

(vi) Commodity: the type, volume, and other matters related to the contents of the relevant Commodity;

七 商品投資等取引に係る権利 取引の相手方の名称、銘柄、約定価格（商品先物取引法第二条第三項第二号に規定する約定価格をいう。第二百四十六条第六項において同じ。）又は約定数値（同法第二条第三項第三号に規定する約定数値をいう。第二百四十六条第六項において同じ。）、商品又は商品指数（第二条第二項に規定する商品指数をいう。第二百四十六条第六項第一号において同じ。）の種類、プット又はコールの別、権利行使価格、権利行使期間、取引期間その他の当該商品投資等取引の内容に関すること。

(vii) rights pertaining to Transactions Related to Commodities Investment, etc.: the name of the counterparty to the transaction, issue, Contract Price (meaning the Contract Price defined in Article 2, paragraph (3), item (ii) of the Commodity Derivatives Act; the same applies in Article 246, paragraph (6)) or Agreed Figure (meaning the Agreed Figure defined in Article 2, paragraph (3), item (iii) of that Act; the same applies in Article 246, paragraph (6)), types of Commodity or Commodity Index (meaning the Commodity Index defined in Article 2, paragraph (2) of that Act; the same

applies in Article 246, paragraph (6), item (i)), information on as to whether it is a Put Option or Call Option, exercise price, exercise period, transaction period and other matters related to the contents of the Transactions Related to Commodities Investment, etc.;

八 再生可能エネルギー発電設備 取引の相手方の名称、当該再生可能エネルギー発電設備の用に供する土地の所在及び地番、当該再生可能エネルギー発電設備の設備の区分等その他当該再生可能エネルギー発電設備の内容に関する事並びに当該再生可能エネルギー発電設備に係る特定契約又は電力受給契約の内容に関する事。

(viii) a Renewable Energy Power Generation Facilities: the name of the counterparty to the transaction, location and parcel number of the land used for the Renewable Energy Power Generation Facilities, Classification, etc., of the Renewable Energy Power Generation Facilities, and other details of the Renewable Energy Power Generation Facilities, as well as the details of the Specified Contract or Power Purchase Contract relevant to the Renewable Energy Power Generation Facilities; and

九 公共施設等運営権 取引の相手方の名称、当該公共施設等運営権に係る公共施設等の所在及び地番その他当該公共施設等の内容に関する事並びに当該公共施設等の運営等に係る委託契約の内容に関する事。

(ix) a Right to Operate Public Facility, etc.: the name of the counterparty to the transaction, location and parcel number of the Public Facility, etc. covered by the Right to Operate Public Facility, etc., and other details of the Public Facility, etc., as well as the details of the service contract for the Operation, etc. of the Public Facility, etc.

(利益相反のおそれがある場合の受益者等への書面の交付)

(Deliver of Documents to Beneficiaries When Conflict of Interests Is Likely to Occur)

第二十三条 法第十三条第一項に規定する同項各号に掲げる取引に係る書面の交付は、次に掲げる事項について記載した書面により行わなければならない。

Article 23 (1) The delivery of documents in relation to the transactions listed in the items of Article 13, paragraph (1) of the Act as referred to in that paragraph must be made by the documents containing the following information:

一 当該取引に係る委託者指図型投資信託の名称

(i) the name of the Investment Trust Managed under Instructions from the Settlor related to the relevant transaction;

二 書面の交付を行う理由（当該取引の相手方と当該投資信託委託会社の関係を含む。）

(ii) the reasons for delivering the document (including the relationship between the counterparty to the relevant transactions and the relevant Settlor Company of an Investment Trust);

三 取引を行った理由

(iii) the reasons for conducting the transaction;

四 取引の内容（取引を行った特定資産の種類、銘柄（その他の特定資産を特定するために必要な事項）、数及び取引価格、取引の方法並びに取引を行った年月日）

(iv) the details of the transaction (type, issue (other information necessary for specifying the Specified Assets), and number of the Specified Assets for which a transaction has been conducted, as well as the price and method of transaction, and the date on which the transaction was conducted);

五 法第十一条第一項の鑑定評価又は同条第二項の調査の結果

(v) the results of the appraisal under Article 11, paragraph (1) of the Act or the investigation under paragraph (2) of that Article;

六 当該書面の交付年月日

(vi) the date of delivery of the document; and

七 その他参考になる事項

(vii) other information that will serve as a reference.

2 投資信託委託会社は、法第十三条第一項各号に掲げる取引が行われたときは、遅滞なく、前項各号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。

(2) When the transactions listed in the items of Article 13, paragraph (1) of the Act has been conducted, a Settlor Company of an Investment Trust must deliver the documents containing the information listed in the items of the preceding paragraph without delay.

3 投資信託委託会社は、投資信託財産についてその受益証券の取得の申込みの勧誘が公募の方法により行われた場合にあっては、第一項各号に掲げる事項を記載した書面を作成し、これを法第十三条第一項に規定する受益者（令第十九条第一項に規定する者を除く。以下この項において同じ。）に交付することに代えて、法第十三条第一項各号に掲げる取引が行われた後、遅滞なく、当該事項を公告し、かつ、当該事項を記載した当該取引が行われた後最初に到来する作成期日（法第十四条第一項に規定する作成期日をいう。第二十五条の三及び第二百四十八条第三項において同じ。）に係る法第十四条第一項に規定する運用報告書を法第十三条第一項に規定する受益者に対して交付することができる。

(3) In cases where solicitation of applications to acquire Beneficiary Certificates pertaining to the Investment Trust Property is done by Public Offering, a Settlor Company of an Investment Trust may, in lieu of preparing a document containing the information listed in the items of paragraph (1) and delivering it to the beneficiaries provided in Article 13, paragraph (1) of the Act (excluding those provided in Article 19, paragraph (1) of the Order; hereinafter the same applies in this paragraph), give public notice of the information promptly after any of the transactions listed in the items of Article 13, paragraph (1) of the Act has been carried out and deliver the investment report provided in Article 14, paragraph (1) of the Act containing the information pertaining to the first Preparation Date (meaning the Preparation Date defined

in Article 14, paragraph (1) of the Act; hereinafter the same applies in Article 25-3 and Article 248, paragraph (3)) arrived after the transaction is carried out to the beneficiaries provided in Article 13, paragraph (1) of the Act.

(利益相反のおそれがある場合の書面の交付を要する顧客等)

(Customers to Whom Documents Are Required to Be Delivered When Conflict of Interest Is Likely to Occur)

第二十四条 令第十九条第四項第五号に規定する内閣府令で定める顧客は、次に掲げるものとする。

Article 24 (1) The customers specified by Cabinet Office Order as referred to in Article 19, paragraph (4), item (v) of the Order are as follows:

一 投資信託委託会社が投資信託財産の宅地又は建物の売買又は貸借の代理又は媒介を行う場合における取引の相手方

(i) the counterparty to the transactions in cases where the Settlor Company of an Investment Trust conducts sale or purchase of housing land or building of the Investment Trust Property, or provides agent or intermediary service therefor;

二 投資信託委託会社が投資信託財産の特定資産に係る投資に関し助言を行う場合において、当該助言に基づき行われる当該特定資産の取引の相手方

(ii) in cases where the Settlor Company of an Investment Trust gives advice with regard to the investment related to the Specified Assets of an Investment Trust Property, the counterparty to the transaction of the Specified Assets to be conducted based on the advice.

2 令第十九条第五項第一号に規定する内閣府令で定める有価証券は、第二十二条第一項第一号及び第二号に掲げるもの以外の有価証券とする。

(2) The Securities specified by Cabinet Office Order as referred to in Article 19, paragraph (5), item (i) of the Order are Securities other than those set forth in Article 22, paragraph (1), items (i) and (ii).

3 令第十九条第五項第四号に規定する内閣府令で定める金融機関は、第一百十二条第一号から第七号までに掲げるものとする。

(3) The financial institutions specified by Cabinet Office Order as referred to in Article 19, paragraph (5), item (iv) of the Order are those set forth in Article 112, items (i) through (vii).

4 令第十九条第五項第六号に規定する内閣府令で定める商品は、第二十二条第一項第七号に掲げるもの以外の商品とする。

(4) The Commodities specified by Cabinet Office Order as referred to in Article 19, paragraph (5), item (vi) of the Order are Commodities other than those set forth in Article 22, paragraph (1), item (vii).

5 令第十九条第五項第七号に規定する内閣府令で定める取引は、第二十二条第一項第八号に掲げる取引以外の商品投資等取引（令第三条第十号に規定する商品投資等取引をいう。以下同じ。）とする。

(5) The transactions specified by Cabinet Office Order as referred to in Article 19, paragraph (5), item (vii) of the Order are Transactions Related to Commodities Investment, etc. (meaning the Transactions Related to Commodities Investment, etc. as prescribed in Article 3, item (x) of the Order; the same applies hereinafter) other than the transactions set forth in Article 22, paragraph (1), item (viii).

(運用報告書の交付を要しない場合)

(Cases Where Delivery of Investment Reports Is Not Required)

第二十五条 法第十四条第一項第三号に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 25 The cases specified by Cabinet Office Order as referred to in Article 14, paragraph (1), item (iii) of the Act are the following cases:

一 受益証券が金融商品取引所に上場されている場合（受益証券が金融商品取引法第二条第三十三項に規定する特定上場有価証券である場合を除く。）

(i) cases where the Beneficiary Certificates are listed on a Financial Instruments Exchange (excluding cases where the Beneficiary Certificates are Specified Listed Securities defined in Article 2, paragraph (33) of the Financial Instruments and Exchange Act);

二 計算期間が一日の投資信託財産であって、かつ、投資信託約款において次に掲げる事項のすべてを定めている公社債投資信託に係るものである場合

(ii) cases where the relevant Investment Trust Property is one of which the accounting period is one day, and is related to the Bond Investment Trust which specifies all of the following matters in the Basic Terms and Conditions for an Investment Trust:

イ 投資信託財産の運用の対象となる資産は、次に掲げる資産（以下この号において「有価証券等」という。）とすること。

(a) that the assets which are to be the subject of investment of the Investment Trust Property are the following assets (hereinafter referred to as the "Securities, etc." in this item):

(1) 第十三条第二号イ(1)から(4)まで、(7)及び(8)に掲げるもの

1. the Securities set forth in Article 13, item (ii), sub-item (a) 1. through 4., 7., and 8.;

(2) 金融商品取引法第二条第一項第十七号に掲げる有価証券で第十三条第二号イ(1)、(3)又は(4)に掲げる有価証券の性質を有するもの

2. the Securities set forth in Article 2, paragraph (1), item (xvii) of the Financial Instruments and Exchange Act which have the nature of the Securities set forth in Article 13, item (ii), sub-item (a) 1., 3., or 4.;

(3) 銀行、協同組織金融機関の優先出資に関する法律第二条第一項に規定する協同組織金融機関及び金融商品取引法施行令第一条の九各号に掲げる金融



機関又は信託会社の貸付債権を信託する信託（当該信託に係る契約の際における受益者が委託者であるものに限る。）の受益権

3. a beneficial interest of a trust in which Monetary Claims of a bank, Cooperative Structured Financial Institution defined in Article 2, paragraph (1) of the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions, and financial institutions listed in the items of Article 1-9 of the Order for Enforcement of the Financial Instruments and Exchange Act, or a Trust Company is entrusted (limited to a trust in which the beneficiary at the time of conclusion of the contract for the trust is the settlor);

(4) 外国の者に対する権利で(3)に掲げるものの性質を有するもの

4. rights which are claimable against a foreign national which have the nature of the beneficial interest listed in 3. above;

(5) 指定金銭信託

5. designated money trust;

(6) 預金

6. deposits;

(7) 手形（(1)に該当するものを除く。）

7. negotiable instrument (excluding those falling under the category of Securities listed in 1. above); or

(8) コールローン

8. call loans;

ロ 投資信託財産の運用の対象となる有価証券等は、償還又は満期までの期間（ハにおいて「残存期間」という。）が一年を超えないものであること。

(b) that the Securities, etc. which are to be the subject of investment of the Investment Trust Property are those for which the period until the redemption or maturity (referred to as the "Remaining Period" in sub-item (c)) is no longer than one year;

ハ 投資信託財産に組み入れる有価証券等の平均残存期間（一の有価証券等の残存期間に当該有価証券等の組入額を乗じて得た額の合計額を、当該有価証券等の組入額の合計額で除して得た期間をいう。）が九十日を超えないこと。

(c) that the Average Remaining Period (meaning the period obtained by dividing the total of the amounts obtained by multiplying the remaining period of each Security, etc. by its amount to be incorporated, by the total amount to be incorporated of the relevant Securities, etc.) of the Securities, etc. which are to be incorporated into the Investment Trust Property does not exceed 90 days;

ニ 投資信託財産の総額のうちの一の法人その他の団体（ホにおいて「法人等」という。）が発行し、又は取り扱う有価証券等（国債証券、政府保証債（その元本の償還及び利息の支払について政府が保証する債券をいう。）及び返済までの期間（貸付けを行う受託会社が休業している日を除く。）が五日以内のコールロー

ン（ホ及びトにおいて「特定コールローン」という。）を除く。）の当該総額の計算の基礎となった価額の占める割合が、百分の五以下であること。

(d) that, with regard to the value of the Securities, etc. (excluding national government bonds, Government Guaranteed Bonds (meaning bond certificates for which the government guarantees the redemption of the principal and the payment of interest thereof), and call loans of which the period of repayment (excluding days on which the trustee company providing loans is closed) is within five days (such call loans are referred to as the "Specified Call Loans" in sub-item (e))) issued or handled by a single corporation or other organizations (collectively referred to as the "Corporation, etc." in the following sub-item (e)) which has been the basis for the calculation of the total amount of Investment Trust Property, the ratio of such value to the total amount is five-hundredths or less;

ホ 投資信託財産の総額のうち一の法人等が取り扱う特定コールローンの当該総額の計算の基礎となった価額の占める割合が、百分の二十五以下であること。

(e) that, with regard to the value of the Specified Call Loan handled by a single Corporation, etc. which has been the basis for the calculation of the total amount of the Investment Trust Property, the ratio of such value to the total amount is twenty-five-hundredths or less;

三 受益証券が特定投資家向け有価証券（金融商品取引法第四条第三項に規定する特定投資家向け有価証券をいう。第八十八条第二号において同じ。）に該当する場合であつて、運用報告書に記載すべき事項に係る情報が金融商品取引法第二十七条の三十二第一項に規定する発行者情報として同項又は同条第二項の規定により提供され、又は公表される場合（投資信託約款において運用報告書の交付に代えて当該情報の提供又は公表が行われる旨を定めている場合に限る。）

(iii) cases where the Beneficiary Certificate falls under the category of Securities for Professional Investors (meaning the Securities for Professional Investors defined in Article 4, paragraph (3) of the Financial Instruments and Exchange Act; the same applies in Article 88, item (ii)), and the information related to the information required to be given in the investment reports are provided or publicized under Article 27-32, paragraph (1) or (2) of the Financial Instruments and Exchange Act as the Issuer's Information defined in paragraph (1) of that Article (limited to cases where it is provided to the effect that provision or publication of the information is made in lieu of the delivery of investment reports in the Basic Terms and Conditions for an Investment Trust).

(電磁的方法)

(Electronic or Magnetic Means)

第二十五条の二 法第十四条第二項（法第五十四条第一項及び第五十九条において準用する場合を含む。第一号イにおいて同じ。）に規定する電子情報処理組織を使用する

方法その他の情報通信の技術を利用する方法であつて内閣府令で定めるものは、次に掲げるものとする。

Article 25-2 (1) The methods using an Electronic Data Processing System and other information and communications technology as specified by Cabinet Office Order as referred to in Article 14, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, Paragraph (1) and Article 59 of the Act; hereinafter the same applies in item (i), sub-item (a)) are the following methods:

一 電子情報処理組織を使用する方法のうちイからニまでに掲げるもの

(i) the methods using an Electronic Data Processing System that are listed in sub-items (a) through (d):

イ 提供者等（提供者（法第十四条第二項により同条第一項の運用報告書に記載すべき事項（以下この条において「記載事項」という。）を提供しようとする者をいう。以下この条において同じ。）又は提供者との契約によりファイルを自己の管理する電子計算機に備え置き、これを提供先（記載事項を提供する相手方をいう。以下この条において同じ。）若しくは提供者の用に供する者をいう。以下この条において同じ。）の使用に係る電子計算機と提供先等（提供先及び提供先との契約により顧客ファイル（専ら当該提供先の用に供せられるファイルをいう。以下この条において同じ。）を自己の管理する電子計算機に備え置く者をいう。以下この条において同じ。）の使用に係る電子計算機とを接続する電気通信回線を通じて記載事項を送信し、提供先等の使用に係る電子計算機に備えられた顧客ファイルに記録する方法

(a) the method of transmitting the information required to be given via a telecommunications line that links the computer used by the Provider, etc. (meaning the Provider (meaning a person who is to provide the matters to be stated in the investment reports (hereinafter referred to as "Information Required to Be Given" in this Article) referred to in Article 14, paragraph (1) of the Act pursuant to the provisions of paragraph (2) of that Article; hereinafter the same applies in this article), or a person who keeps a file on the computer managed by the same person under the contract concluded with the Provider and provides the file for the use of the Recipient (meaning the other party to whom the Information Required to Be Given is to be provided; hereinafter the same applies in this Article) or for the use of the Provider; hereinafter the same applies in this Article) and a computer used by the Recipient, etc. (meaning a Recipient or a person who keeps the Customer File (meaning a file to be used exclusively by the Recipient; hereinafter the same applies in this Article) in a computer managed by the same person, under the contract concluded with a Recipient; hereinafter the same applies in this Article), and recording the Information Required to Be Given in the Customer File stored on the computer used by the Recipient, etc.;

- ロ 提供者等の使用に係る電子計算機に備えられたファイルに記録された記載事項を電気通信回線を通じて提供先の閲覧に供し、提供先等の使用に係る電子計算機に備えられた当該提供先の顧客ファイルに当該記載事項を記録する方法
  - (b) the method of offering the Information Required to Be Given which is recorded in a file stored on the computer used by the Provider, etc. to the Recipient for inspection via a telecommunications line and recording the Information Required to Be Given in the Recipient's Customer File which is stored on the computer used by the Recipient, etc.;
  - ハ 提供者等の使用に係る電子計算機に備えられた顧客ファイルに記録された記載事項を電気通信回線を通じて提供先の閲覧に供する方法
  - (c) the method of offering the Information Required to Be Given which is recorded in the Customer File stored on the computer used by the Provider, etc. to the Recipient for inspection via a telecommunications line; or
  - ニ 閲覧ファイル（提供者等の使用に係る電子計算機に備えられたファイルであって、同時に複数の提供先の閲覧に供するため記載事項を記録させるファイルをいう。次項において同じ。）に記録された記載事項を電気通信回線を通じて提供先の閲覧に供する方法
  - (d) the method of offering the Information Required to Be Given which is recorded in an Inspection File (meaning a file stored on the computer used by the Provider, etc. which is for recording the Information Required to Be Given therein to offer them to two or more Recipients for inspection at the same time; the same applies in the following paragraph) to the Recipient for inspection via a telecommunications line;
  - 二 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもって調製するファイルに記載事項を記録したものを交付する方法
  - (ii) the method of delivering a file containing the Information Required to Be Given that has been prepared using media which can securely record certain information by magnetic disks, CD-ROMs, or any other means equivalent thereto.
- 2 前項各号に掲げる方法は、次に掲げる基準に適合するものでなければならない。
- (2) The methods specified in the items of the preceding paragraph must conform to the following standards:
- 一 提供先が閲覧ファイル又は顧客ファイルへの記録を出力することにより書面を作成できるものであること。
  - (i) that the method is one that enables the Recipient to prepare documents by outputting the records in the Inspection File or the Customer File;
  - 二 前項第一号イ、ハ又はニに掲げる方法（提供先の使用に係る電子計算機に備えられた顧客ファイルに記載事項を記録する方法を除く。）にあっては、記載事項を顧客ファイル又は閲覧ファイルに記録する旨又は記録した旨を提供先に対し通知するものであること。ただし、提供先が当該記載事項を閲覧していたことを確認したと

きはこの限りでない。

(ii) that with regard to the methods specified in item (i), sub-items (a), (c), and (d) of the preceding paragraph (excluding the method of recording the Information Required to Be Given in the Customer File stored on the computer used by the Recipient), the method is one in which the Recipient is notified that the Information Required to Be Given is to be recorded or have been recorded in the Customer File or the Inspection File; provided, however, that this does not apply to cases where it is confirmed that the Recipient has inspected the Information Required to Be Given;

三 前項第一号ハ又はニに掲げる方法にあつては、次のいずれかに該当すること。

(iii) that with regard to the method specified in item (i), sub-item (c) or (d) of the preceding paragraph, the method is any of the following:

イ 記載事項を提供先の閲覧に供した日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があつたときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）、次に掲げる事項を消去し、又は改変することができないものであること。ただし、閲覧に供している記載事項を書面により交付する場合、前項第一号イ若しくはロ 若しくは第二号に掲げる方法により提供する場合又は提供先による当該記載事項に係る消去の指図がある場合は、当該記載事項を消去することができる。

(a) that the method is one in which the following matters cannot be deleted or altered until five years have elapsed from the day on which the Information Required to Be Given was offered to the Recipient for inspection (if any complaints related to the Information Required to Be Given that has been raised during the time before the expiration date of such period, from such a time until either the expiration date of such period or until the day on which such complaint has been settled, whichever comes later); provided, however, that in cases where the Information Required to Be Given which is made available for inspection are to be delivered in writing, cases where the information is delivered by the method listed in item (i), sub-item (a) or (b) of the preceding paragraph or item (ii) of the preceding paragraph, or where there are instructions by the Recipient to delete the Information Required to Be Given, the Information Required to Be Given may be deleted:

(1) 前項第一号ハに掲げる方法については、顧客ファイルに記録された記載事項

1. with regard to the method prescribed in item (i), sub-item (c) of the preceding paragraph, the Information Required to Be Given which is recorded in the Customer File; and

(2) 前項第一号ニに掲げる方法については、閲覧ファイルに記録された記載事項

2. with regard to the method prescribed in item (i), sub-item (d) of the

preceding paragraph, the Information Required to Be Given which is recorded in the Inspection File;

ロ 記載事項を提供先の閲覧に供した日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があったときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）、提供先から当該記載事項の交付の請求があった場合に、書面又は前項第一号イ若しくは第二号に掲げる方法により当該記載事項を直ちに交付するものであること。

(b) that the method is one in which the Information Required to Be Given is immediately delivered in writing or by the methods listed in item (i), sub-item (a) or item (ii) of the preceding paragraph, in cases where requests for the delivery of the Information Required to Be Given have been made by the Recipient within five years from the day on which the Information Required to Be Given has been offered to the Recipient for inspection (if any complaints related to the Information Required to Be Given that have been raised during the time before the expiration date of such period, from such a time until either the expiration date of such period or until the day on which such complaint has been settled, whichever comes later);

四 前項第一号ニに掲げる方法にあつては、次に掲げる基準に適合するものであること。

(iv) that with regard to the method prescribed in item (i), sub-item (d) of the preceding paragraph, the method conforms to the following requirements:

イ 提供先が閲覧ファイルを検査するために必要な情報が当該提供先に対し書面により通知され、又は顧客ファイルに記録されるものであること。

(a) that the method is one in which the information necessary for the Recipient to inspect the Inspection File is notified to the Recipient in writing or recorded in the Customer File; and

ロ 前号イに掲げる基準に該当する場合にあつては、同号イに規定する期間を経過するまでの間において、提供先が閲覧ファイルを検査するために使用する電子計算機と当該閲覧ファイルとを電気通信回線を通じて接続可能な状態を維持させること。ただし、閲覧の提供を受けた提供先が接続可能な状態を維持させることについて不要である旨通知した場合は、この限りでない。

(b) that, in cases where the relevant method satisfies the requirement set forth in sub-item (a) of the preceding item, the method is one in which the computer used by a Recipient to inspect the Inspection File and the Inspection File are maintained as connectable via a telecommunications line until the period as prescribed in sub-item (a) of the preceding item elapses; provided, however, that this does not apply to cases where a Recipient who has been given access to the files makes a notification that it is not necessary to maintain such connection.

3 第一項第一号の「電子情報処理組織」とは、提供者等の使用に係る電子計算機と、顧客ファイルを備えた提供先等又は提供者等の使用に係る電子計算機とを電気通信回

線で接続した電子情報処理組織をいう。

- (3) The term "Electronic Data Processing System" as used in paragraph (1), item (i) means an electronic data processing system that links the computer used by the Provider, etc. and the computer used by the Recipient, etc. or by the Provider, etc. on which the Customer File is stored via a telecommunications line.

(運用報告書に記載すべき事項のうち重要なものを記載した書面の交付)

(Delivery of a Document Including Material Information That Is Required to Be Given in the Investment Report)

第二十五条の三 法第十四条第四項（法第五十四条第一項及び第五十九条において準用する場合を含む。）の規定による法第十四条第一項（法第五十四条第一項及び第五十九条において準用する場合を含む。）の運用報告書に記載すべき事項のうち重要なものを記載した書面の作成及び交付は、当該運用報告書に係る作成期日ごとに行うものとする。

Article 25-3 The preparation and the delivery of a document including material information among the Information Required to Be Given in the investment report as prescribed in Article 14, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) and Article 59 of the Act) pursuant to the provisions of Article 14, paragraph (4) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) and Article 59 of the Act) are to be done on each Preparation Date pertaining to the investment report.

(投資信託財産に関する帳簿書類)

(Books and Documents Concerning Investment Trust Property)

第二十六条 法第十五条第一項の規定により投資信託委託会社が作成すべき帳簿書類は、次に掲げるものとする。

Article 26 (1) The books and documents to be prepared by a Settlor Company of an Investment Trust pursuant to the provisions of Article 15, paragraph (1) of the Act are as follows:

一 信託勘定元帳

(i) a trust account ledger;

二 分配収益明細簿

(ii) the book on the description of distributed profits;

三 投資信託財産明細簿

(iii) the book on the description of Investment Trust Property;

四 不動産の収益状況明細表

(iv) the description of profit from real property;

五 再生可能エネルギー発電設備の収益状況明細表

(v) the description of profit from the Renewable Energy Power Generation

Facilities;

六 公共施設等運営権の収益状況明細表

(vi) the description of profit from the Right to Operate Public Facility, etc.;

七 繰延資産の償却状況表

(vii) a table of the status of amortization of deferred assets;

八 受益権原簿

(viii) beneficial interest holder register;

九 受益証券基準価額帳

(ix) the book of the constant value of Beneficiary Certificates;

十 投資信託財産運用指図書

(x) written instructions for investment in Investment Trust Property;

十一 一部解約価額帳（投資信託約款において、基準価額以外の価額をもって一部解約に応じることとしている委託者指図型投資信託の場合に限る。）

(xi) the book of value for partial cancellation (limited to the case of an Investment Trust Managed under Instructions from the Settlor which is to accept the partial cancellation by the value other than the constant value);  
and

十二 特定資産の価格等の調査結果等に関する書類

(xii) documents concerning the results of the investigation, etc. of the value, etc. of the Specified Assets.

2 前項各号に掲げる帳簿書類は、別表第一により作成し、当該投資信託財産の計算期間の終了後又は信託契約期間の終了後十年間これを保存しなければならない。

(2) The books and documents listed in the items of the preceding paragraph must be prepared using Appended Table No. 1, and preserved for ten years after the end of the accounting period of the Investment Trust Property or after the end of the trust agreement period.

3 外国法人である投資信託委託会社にあつては、第一項各号に掲げる帳簿書類は、国内における主たる営業所又は事務所が作成し、これを保存しなければならない。

(3) In cases of a Settlor Company of an Investment Trust which is a foreign corporation, the books and documents listed in the items of paragraph (1) must be prepared and preserved by the principal business office or office in Japan.

(投資信託約款の変更内容の届出)

(Notification of Details of Revisions to Basic Terms and Conditions of Investment Trusts)

第二十七条 法第十六条（第一号に係る部分に限る。）の規定による届出は、次に掲げる事項を記載した届出書を所管金融庁長官等に提出して行わなければならない。

Article 27 (1) The notification under Article 16 of the Act (limited to the part pertaining to item (i)) must be made by submitting the notification containing the following particulars to the Commissioner of the Financial Services Agency or Other Competent Official:



- 一 当該投資信託約款に係る委託者指図型投資信託の名称
    - (i) the name of the Investment Trust Managed under Instructions from the Settlor pertaining to the relevant Basic Terms and Conditions for an Investment Trust;
  - 二 投資信託約款の変更の内容及び理由
    - (ii) the details of and reasons for the revisions to the Basic Terms and Conditions for an Investment Trust;
  - 三 投資信託約款の変更がその効力を生ずる日
    - (iii) the day on which the revisions to the Basic Terms and Conditions for an Investment Trust becomes effective;
  - 四 投資信託約款の変更の中止に関する条件を定めるときは、その条件
    - (iv) when conditions for cancellation of revisions to Basic Terms and Conditions for an Investment Trust are to be provided, such conditions; and
  - 五 書面による決議を行うときは、法第十七条第一項第一号及び第三号に掲げる事項並びに第三十一条第二号から第七号までに掲げる事項
    - (v) when a written resolution is to be adopted, the particulars listed in Article 17, paragraph (1), items (i) and (iii) of the Act and the particulars listed in Article 31, items (ii) through (vii).
- 2 前項の届出書には、次に掲げる書類を添付しなければならない。
- (2) The following documents must be attached to the notification under the preceding paragraph:
- 一 投資信託約款の変更の案
    - (i) a draft of the revisions to the Basic Terms and Conditions for an Investment Trust;
  - 二 受託会社の同意書
    - (ii) a written consent of the trustee company;
  - 三 書面による決議を行うときは、次に掲げるもの
    - (iii) when a written resolution is to be adopted, the following documents:
      - イ 法第十七条第五項の規定による公告をする場合にあつては、当該公告の内容を記載した書面
        - (a) in cases where giving the public notice under Article 17, paragraph (5) of the Act, the documents stating the contents of the public notice; and
      - ロ 第三十三条に規定する書面決議参考書類
        - (b) the Reference Documents for a Written Resolution defined in Article 33.

(委託者指図型投資信託の併合の届出)

(Notification of Consolidation of Investment Trusts Managed under Instructions from the Settlor)

第二十八条 法第十六条（第二号に係る部分に限る。）の規定による届出は、次に掲げる事項を記載した届出書を所管金融庁長官等に提出して行わなければならない。

Article 28 (1) The notification under Article 16 of the Act (limited to the part

pertaining to item (ii)) must be made by submitting the notification containing the following particulars to the Commissioner of the Financial Services Agency or Other Competent Official:

一 当該委託者指図型投資信託の併合に係る各委託者指図型投資信託の名称

(i) the name of each Investment Trust Managed under Instructions from the Settlor pertaining to the consolidation of the relevant Investment Trusts Managed under Instructions from the Settlor;

二 委託者指図型投資信託の併合後の委託者指図型投資信託の名称

(ii) the name of the Investment Trust Managed under Instructions from the Settlor after the consolidation of Investment Trusts Managed under Instructions from the Settlor;

三 委託者指図型投資信託の併合の内容及び理由

(iii) the contents of and reasons for the consolidation of Investment Trusts Managed under Instructions from the Settlor;

四 委託者指図型投資信託の併合がその効力を生ずる日

(iv) the day on which the consolidation of Investment Trusts Managed under Instructions from the Settlor becomes effective;

五 委託者指図型投資信託の併合の中止に関する条件を定めるときは、その条件

(v) when conditions for the termination of consolidation of Investment Trusts Managed under Instructions from the Settlor are to be provided, such conditions; and

六 書面による決議を行うときは、法第十七条第一項第一号及び第三号に掲げる事項並びに第三十一条第二号から第七号までに掲げる事項

(vi) when a written resolution is to be adopted, the particulars listed in Article 17, paragraph (1) of the Act, items (i) and (iii) and the particulars listed in Article 31, items (ii) through (vii).

2 前項の届出書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the notification under the preceding paragraph:

一 委託者指図型投資信託の併合後の投資信託約款の案

(i) a draft of the Basic Terms and Conditions for an Investment Trust after the consolidation of Investment Trusts Managed under Instructions from the Settlor;

二 受託会社の同意書

(ii) a written consent of the trustee company;

三 書面による決議を行うときは、次に掲げるもの

(iii) when a written resolution is to be adopted, the following documents:

イ 法第十七条第五項の規定による公告をする場合にあつては、当該公告の内容を記載した書面

(a) in cases where giving the public notice under Article 17, paragraph (5) of the Act, the documents stating the contents of the public notice; and

ロ 第三十三条に規定する書面決議参考書類

(b) the Reference Documents for a Written Resolution defined in Article 33.

(投資信託約款の重大な内容の変更)

(Material Revisions to the Details of the Basic Terms and Conditions for an Investment Trust)

第二十九条 法第十七条第一項に規定する投資信託約款の変更の内容が重大なものとして内閣府令で定めるものは、法第四条第二項第一号、第二号、第五号から第十一号まで及び第十三号から第十五号までに掲げる事項並びに第七条各号に掲げる事項の変更であつて、当該投資信託約款に係る委託者指図型投資信託の商品としての基本的な性格を変更させることとなるものとする。

Article 29 The revisions to the details of the Basic Terms and Conditions for an Investment Trust specified by Cabinet Office Order as being material as referred to in Article 17, paragraph (1) of the Act are the revisions to the information listed in Article 4, paragraph (2), items (i), (ii), (v) through (xi) and (xiii) through (xv) of the Act and the items of Article 7, so as to change the basic characteristics as a financial instrument of the Investment Trust Managed under Instructions from the Settlor related to the relevant Basic Terms and Conditions for an Investment Trust.

(受益者の利益に及ぼす影響が軽微な委託者指図型投資信託の併合)

(Consolidation of Investment Trusts Managed under Instructions from the Settlor That Has Only a Minor Influence on Beneficiaries' Interests)

第二十九条の二 法第十七条第一項に規定する委託者指図型投資信託の併合が受益者の利益に及ぼす影響が軽微なものとして内閣府令で定めるものは、次に掲げる要件の全てに該当する委託者指図型投資信託の併合とする。

Article 29-2 (1) The cases which fall under those specified by Cabinet Office Order where the consolidation of Investment Trusts Managed under Instructions from the Settlor has only a minor influence on beneficiaries' interests as provided in Article 17, paragraph (1) of the Act are the cases where the consolidation of Investment Trusts Managed under Instructions from the Settlor satisfies all of the following requirements:

一 当該併合後の委託者指図型投資信託に属することとなる財産が当該併合前の投資信託約款に記載された投資信託財産の運用方針に反しないと認められること。

(i) that the property that is to belong to the Investment Trust Managed under Instructions from the Settlor after the consolidation is found not to contradict the investment policy for Investment Trust Property that is stated in the Basic Terms and Conditions of an Investment Trust before the consolidation;

二 当該併合の前後で当該委託者指図型投資信託の商品としての基本的な性格に相違がないこと。

(ii) that there is no change in the basic characteristics as a financial instrument of the Investment Trust Managed under Instructions from the Settlor before and after the consolidation; and

三 当該委託者指図型投資信託の投資信託財産の純資産総額が併合をする他の委託者指図型投資信託の投資信託財産の純資産総額の五倍以上であること。ただし、当該委託者指図型投資信託の投資信託財産と当該他の委託者指図型投資信託の投資信託財産の内容が実質的に同一であると認められる場合はこの限りでない。

(iii) that the total amount of net assets of the Investment Trust Property of the Investment Trust Managed under Instructions from the Settlor is at least five times as much as the total amount of net assets of the Investment Trust Property of the other Investment Trust Managed under Instructions from the Settlor which is to effect the consolidation; provided, however, that this does not apply to cases where the Investment Trust Property of the Investment Trust Managed under Instructions from the Settlor is found to be substantially identical to the Investment Trust Property of the relevant other Investment Trust Managed under Instructions from the Settlor.

2 前項第三号の純資産総額は、当該併合を決定した日（当該決定により当該決定をした日と異なる日において算定の基準となる時（当該決定をした日後から当該併合の効力が生ずる時の直前までの間に限る。）を定めた場合にあっては、当該時）において算定する。

(2) The total amount of net assets referred to in item (iii) of the preceding paragraph is calculated on the day on which the consolidation is decided (in cases where another record date for calculation that is different from the day of the decision is specified by the decision (limited to any day falling within the period after the day on which the decision is made until immediately before the consolidation becomes effective), such other day)).

（電磁的方法）

(Electronic or Magnetic Means)

第三十条 法第十七条第一項第三号（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）に規定する電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて内閣府令で定めるものは、次に掲げる方法とする。

Article 30 (1) The methods using an electronic data processing system and other information and communications technology as specified by Cabinet Office Order as referred to in Article 17, paragraph (1), item (iii) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act) are the following methods:

一 電子情報処理組織を使用する方法のうち、送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(i) among the method using an electronic data processing system, the method of transmitting information via a telecommunications line that links the computer used by the sender and the computer used by the recipient and recording such information in the file stored on the computers used by the recipient;

二 磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものを交付する方法

(ii) the method of delivering a file containing the information that has been prepared using media which can securely record certain information by magnetic disks, or any other means equivalent thereto.

2 前項各号に掲げる方法は、受信者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(2) The methods set forth in the items of the preceding paragraph must be one that enables the recipient to prepare documents by outputting the records in the file.

(書面による決議の決定事項)

(Particulars Decided for a Written Resolution)

第三十一条 法第十七条第一項第四号（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 31 The particulars specified by Cabinet Office Order as referred to in Article 17, paragraph (1), item (iv) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act) are the following particulars:

一 第三十三条に規定する書面決議参考書類に記載すべき事項

(i) the particulars to be stated in the Reference Documents for a Written Resolution defined in Article 33;

二 書面による議決権の行使の期限（書面による決議の日以前の時であつて、法第十七条第二項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。第五号イにおいて同じ。）の規定による通知を發した日から二週間を經過した日以後の時に限る。）

(ii) the time limit for exercising voting rights in writing (limited to the time which is before the day of written resolution but after the day on which two weeks have passed from the day when the notice under Article 17, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act; the same applies in item (v), sub-item (a)) was sent);

三 一の受益者が同一の議案につき重複して議決権を行使した場合において、当該同一の議案に対する議決権の行使の内容が異なるものであるときにおける当該受益者の議決権の行使の取扱いに関する事項を定めるときは、その事項

(iii) in cases where a single beneficiary has redundantly exercised its voting right for a single proposal, and the facts of the exercise of voting right for the single proposal differ, if particulars concerning the handling of such exercise of voting right by the beneficiary are provided, such particulars;

四 第三十六条第一項第一号の欄に記載がない議決権行使書面（法第十七条第九項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。以下この条において同じ。）において準用する信託法第百十条第一項に規定する議決権行使書面をいう。以下同じ。）が投資信託委託会社若しくは信託会社等に提出され、又は法第十七条第九項において準用する信託法第百十六条第一項の規定により電磁的方法により投資信託委託会社若しくは信託会社等に提供された事項のうち当該欄に記載すべきものがない場合における各議案についての賛成、反対又は棄権のいずれかの意思の表示があったものとする取扱いを定めるときは、その取扱いの内容

(iv) in cases where a Voting Form (meaning the Voting Form defined in Article 110, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act; hereinafter the same applies in this Article); the same applies hereinafter) lacking an entry in the column under Article 36, paragraph (1), item (i) has been submitted to a Settlor Company of an Investment Trust or a trust company or similar institution, or where the particulars provided to the Settlor Company of an Investment Trust or trust company or similar institution by Electronic or Magnetic Means pursuant to the provisions of Article 116, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act lacks the matters to be stated in that column, if the handling of such Voting Form or matters as to whether it is an indication of manifestation of agreement, dissent, or abstention for each proposal is provided, the details of such handling;

五 法第十七条第一項第三号（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）に掲げる事項を定めたときは、次に掲げる事項

(v) in cases where the particulars listed in Article 17, paragraph (1), item (iii) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act) are specified, the following particulars:

イ 電磁的方法による議決権の行使の期限（書面による決議の日以前の時であって、法第十七条第二項の規定による通知を発した日から二週間を経過した日以後の時に限る。）

(a) the time limit for exercising voting rights by Electronic or Magnetic Means (limited to the time which is before the day of written resolution but after the day on which two weeks have passed from the day when the notice under Article 17, paragraph (2) of the Act was sent);

ロ 法第十七条第三項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）の承諾をした受益者に対しては、当該受益者の第三十六条第二項の請求があった時に法第十七条第九項において準用する信託法第一百条第一項の規定による議決権行使書面の交付（当該交付に代えて行う同条第二項の規定による電磁的方法による提供を含む。）をすることとするときは、その旨

(b) with regard to beneficiaries who have given the consent under Article 17, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act), that Voting Forms under Article 110, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act are to be delivered (including the provision of Voting Forms by Electronic or Magnetic Means under Article 110, paragraph (2) of the Trust Act made in lieu of the delivery thereof) when requested by such beneficiaries under Article 36, paragraph (2), if this is the case;

六 法第十七条第九項において準用する信託法第一百七条第一項の規定による通知の方法を定めるときは、その方法

(vi) when the method of notice under Article 117, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act is to be specified, such method;

七 法第十八条第一項（法第二十条第一項において準用する場合を含む。）の規定による受益権の買取請求の内容及び手続に関する事項（法第十八条第二項（法第二十条第一項において準用する場合を含む。次号において同じ。）に規定する委託者指図型投資信託に該当する場合を除く。）

(vii) particulars concerning the details and procedures for the purchase demand of beneficial interest under the provisions of Article 18, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act) (excluding the cases falling under the Investment Trust Managed under Instructions from the Settlor provided in Article 18, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act; the same applies in the following item));

八 法第十八条第二項に規定する委託者指図型投資信託にあつては、前号に規定する買取請求をすることができない旨

(viii) in the case of an Investment Trust Managed under Instructions from the Settlor provided in Article 18, paragraph (2) of the Act, a statement to the effect that the purchase demand provided in the preceding item cannot be made.

（投資信託及び投資法人に関する法律施行令に係る電磁的方法）

(Electronic or Magnetic Means Concerning the Order for Enforcement of the Act on Investment Trusts and Investment Corporations)

第三十二条 令第二十条第一項又は第二十二條第一項の規定により示すべき電磁的方法の種類及び内容は、次に掲げるものとする。

Article 32 The types and details of the Electronic or Magnetic Means to be indicated pursuant to the provisions of Article 20, paragraph (1) or Article 22, paragraph (1) of the Order are as follows:

一 次に掲げる方法のうち、送信者が使用するもの

(i) among the following methods, those used by the sender:

イ 電子情報処理組織を使用する方法のうち次に掲げるもの

(a) the methods using an electronic data processing system which are as follows:

(1) 送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

1. the method of transmitting information via a telecommunications line that links the computer used by the sender and the computer used by the recipient and recording such information in the file stored on the computer used by the recipient;

(2) 送信者の使用に係る電子計算機に備えられたファイルに記録された情報の内容を電気通信回線を通じて情報の提供を受ける者の閲覧に供し、当該情報の提供を受ける者の使用に係る電子計算機に備えられたファイルに当該情報を記録する方法

2. the method of offering the details of the information which are recorded in a file stored on the computer used by the sender to the person who receives the provision of the information for inspection via a telecommunications line, and recording the information in the file stored on the computer used by the person who receives the provision of the information;

ロ 磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものを交付する方法

(b) the method of delivering a file containing the information that has been prepared using media which can securely record certain information by magnetic disks, or any other means equivalent thereto;

二 ファイルへの記録の方式

(ii) the method of recording the information in the file.

(書面決議参考書類)

(Reference Documents for a Written Resolution)

第三十三条 法第十七条第九項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）において準用する信託法第百十条第一項の規定により交付すべき議決権の行使について参考となるべき事項を記載した書類（以下「書面決議参考書類」という。）に記載すべき事項は、次条、第三十五条、第四十二条、第九十二条及



び第九十三条の定めるところによるほか、受益者の議決権の行使について参考となると認める事項を記載することができる。

Article 33 Beyond what is provided for in the following Article, Article 35, Article 42, Article 92, and Article 93, the information required to be given in the documents containing the information that will serve as a reference with regard to the exercise of voting rights, which are to be delivered pursuant to the provisions of Article 110, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act) may include the information which is found to serve as a reference with regard to the exercise of voting rights by beneficiaries.

(投資信託約款の変更に関する議案)

(Proposals for the Revisions to the Basic Terms and Conditions for an Investment Trust)

第三十四条 投資信託約款の変更に関する議案に係る書面決議参考書類には、次に掲げる事項を記載しなければならない。

Article 34 The following information must be given in the Reference Documents for a Written Resolution related to the proposal for the revisions to the Basic Terms and Conditions for an Investment Trust:

一 投資信託約款の変更の案

(i) a draft of the revisions to the Basic Terms and Conditions for an Investment Trust;

二 投資信託約款で定められた受益権の内容に変更を加え、又は受益権の価値に重大な影響を与えるおそれがあるときは、その変更又は影響の内容及び相当性に関する事項

(ii) when changes are to be made to the details of the beneficial interest specified in the Basic Terms and Conditions for an Investment Trust, or where it is likely that the changes have a material impact on the value of the beneficial interest, the information related to the contents and appropriateness of such changes or impact;

三 投資信託約款の変更がその効力を生ずる日

(iii) the day on which the revisions to the Basic Terms and Conditions for an Investment Trust becomes effective;

四 投資信託約款の変更の中止に関する条件を定めるときは、その条件

(iv) when conditions for cancellation of revisions to Basic Terms and Conditions for an Investment Trust are to be provided, such conditions;

五 投資信託約款の変更をする理由

(v) the reasons for revising the Basic Terms and Conditions for an Investment Trust; and

六 投資信託約款の変更に関する事項について受益者の不利益となる事実  
(vi) the facts that may be disadvantageous to beneficiaries with regard to the information concerning revising the Basic Terms and Conditions for an Investment Trust.

(委託者指図型投資信託の併合に関する議案)

(Proposals for the Consolidation of Investment Trusts Managed under Instructions from the Settlor)

第三十五条 委託者指図型投資信託の併合に関する議案に係る書面決議参考書類には、次に掲げる事項を記載しなければならない。

Article 35 The following information must be given in the Reference Documents for a Written Resolution related to the proposal for the consolidation of Investment Trusts Managed under Instructions from the Settlor:

一 委託者指図型投資信託の併合後の投資信託約款の内容

(i) the details of the Basic Terms and Conditions for an Investment Trust after the consolidation of Investment Trusts Managed under Instructions from the Settlor;

二 投資信託約款において定める受益権の内容に変更があるときは、その内容及び変更の理由

(ii) in cases where changes are to be made to the details of the beneficial interest specified in the Basic Terms and Conditions for an Investment Trust, the details thereof and the reasons for the changes;

三 委託者指図型投資信託の併合に際して受益者に対し金銭その他の財産を交付するときは、次に掲げる事項

(iii) in cases money and other property are to be delivered to the beneficiaries upon the consolidation of Investment Trusts Managed under Instructions from the Settlor, the following information:

イ 当該財産の内容及びその価額並びにこれらの事項の定め相当性に関する事項

(a) the details and value of the relevant property, as well as the information concerning the adequacy of the provisions for such information;

ロ 受益者に対して交付する金銭その他の財産の割当てに関する事項及び当該事項の定め相当性に関する事項

(b) the information concerning money or any other property to be delivered to beneficiaries, and information concerning the adequacy of the provisions for such information;

四 委託者指図型投資信託の併合がその効力を生ずる日

(iv) the day on which the consolidation of Investment Trusts Managed under Instructions from the Settlor becomes effective;

五 委託者指図型投資信託の併合の中止に関する条件を定めるときは、その条件

(v) when conditions for cancellation of consolidation of Investment Trusts Managed under Instructions from the Settlor are to be provided, such

conditions;

六 委託者指図型投資信託の併合をする他の委託者指図型投資信託についての次に掲げる事項その他の当該他の委託者指図型投資信託を特定するために必要な事項

(vi) the following information concerning the other Investment Trust Managed under Instructions from the Settlor which is to effect the consolidation of Investment Trusts Managed under Instructions from the Settlor, and any other information necessary for specifying the other Investment Trust Managed under Instructions from the Settlor:

イ 委託者及び受託者の商号又は名称及び住所

(a) the trade names or names and addresses of the settlor and trustee;

ロ 投資信託契約の締結日

(b) the day of conclusion of the Investment Trust Agreement; and

ハ 投資信託約款の内容

(c) the details of the Basic Terms and Conditions for an Investment Trust;

七 委託者指図型投資信託の併合をする各委託者指図型投資信託において直前に作成された財産状況開示資料等（信託法第三十七条第二項の規定により作成する同項の書類又は電磁的記録をいう。以下同じ。）の内容（財産状況開示資料等を作成すべき時期が到来していないときは、その旨）

(vii) the contents of the Property Status Disclosure Materials, etc. (meaning the documents or Electronic or Magnetic Records under Article 37, paragraph (2) of the Trust Act to be prepared pursuant to the provisions of that paragraph; the same applies hereinafter) which have been prepared immediately before the consolidation of Investment Trusts Managed under Instructions from the Settlor, by each Investment Trust Managed under Instructions from the Settlor which effects the consolidation (or that the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, if this is the case);

八 委託者指図型投資信託の併合をする各委託者指図型投資信託について、財産状況開示資料等を作成した後（財産状況開示資料等を作成すべき時期が到来していない場合にあつては、委託者指図型投資信託が設定された後）に、重要な投資信託財産に属する財産の処分、重大な信託財産責任負担債務の負担その他の投資信託財産の状況に重要な影響を与える事象が生じたときは、その内容

(viii) with regard to each Investment Trust Managed under Instructions from the Settlor which effects the consolidation of Investment Trusts Managed under Instructions from the Settlor, when a disposition of property belonging to an important Investment Trust Property, or assumption of a material Obligation Assumed by the Trustee under the Trust Property has been made, or any other event that may have a significant influence on the status of the Investment Trust Property has occurred after preparing the Property Status Disclosure Materials, etc. (in cases where the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, after

the time when the Investment Trust Managed under Instructions from the Settlor has been established), the details thereof;

九 委託者指図型投資信託の併合をする理由

(ix) the reasons for effecting a consolidation of Investment Trusts Managed under Instructions from the Settlor; and

十 委託者指図型投資信託の併合に関する事項について受益者の不利益となる事実

(x) the information that may be disadvantageous to beneficiaries with regard to the matters concerning the consolidation of Investment Trusts Managed under Instructions from the Settlor.

(議決権行使書面)

(Voting Forms)

第三十六条 法第十七条第九項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。以下この条において同じ。）において準用する信託法第一百条第一項の規定により交付すべき議決権行使書面に記載すべき事項又は法第十七条第九項において準用する信託法第一百一十一条第一項若しくは第二項の規定により電磁的方法により提供すべき議決権行使書面に記載すべき事項は、次に掲げる事項とする。

Article 36 (1) The information required to be included in the Voting Forms which is to be delivered pursuant to the provisions of Article 110, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act; hereinafter the same applies in this Article), or the information required to be included in the Voting Forms which is to be provided by Electronic or Magnetic Means pursuant to the provisions of Article 111, paragraph (1) or (2) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act is the following information:

一 各議案についての賛否（棄権の欄を設ける場合にあっては、棄権を含む。）を記載する欄

(i) a column in which the agreement or dissent (in cases of providing a column for abstention, including abstention) for each proposal is to be stated;

二 第三十一条第三号に掲げる事項を定めたときは、当該事項

(ii) when the particulars listed in Article 31, item (iii) are provided, such particulars;

三 第三十一条第四号に掲げる事項を定めたときは、同号の取扱いの内容

(iii) when the particulars listed in Article 31, item (iv) are provided, the details of the handling prescribed in that item;

四 議決権の行使の期限

(iv) the time limit for exercising voting rights; and

五 議決権を行使すべき受益者の氏名又は名称及び当該受益者が行使することができる議決権の数又は割合

(v) the names of the beneficiaries who are to exercise the voting rights as well as the number or ratio of voting rights exercisable by such beneficiaries.

2 法第十七条第一項第三号（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）に掲げる事項を定めた場合において、第三十一条第五号ロに掲げる事項を定めたときは、投資信託委託会社又は信託会社等は、法第十七条第三項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）の承諾をした受益者が請求をした時に、当該受益者に対して、法第十七条第九項において準用する信託法第百十条第一項の規定による議決権行使書面の交付（当該交付に代えて行う同条第二項の規定による電磁的方法による提供を含む。）をしなければならない。

(2) In cases where specifying the particulars listed in Article 17, paragraph (1), item (iii) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act), when the particulars listed in Article 31, item (v), sub-item (b) are provided, a Settlor Company of an Investment Trust or a trust company or similar institution must deliver the Voting Forms under Article 110, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act (including the provision of Voting Forms by Electronic or Magnetic Means under Article 110, paragraph (2) of the Trust Act made in lieu of the delivery) to the beneficiary who has given the consent under Article 17, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act) when requested by such beneficiary.

（書面による議決権行使の期限）

**(Time Limit for Exercising Voting Rights in Writing)**

第三十七条 法第十七条第九項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）において準用する信託法第百十五条第二項に規定する内閣府令で定める時は、第三十一条第二号の行使の期限とする。

Article 37 The time specified by Cabinet Office Order as referred to in Article 115, paragraph (2) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act) is the time limit for exercising voting rights provided in Article 31, item (ii).

（電磁的方法による議決権行使の期限）

**(Time Limit for Exercising Voting Rights by Electronic or Magnetic Means)**

第三十八条 法第十七条第九項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）において準用する信託法第百十六条第一項に規定する内閣府令で定める時は、第三十一条第五号イの行使の期限とする。

Article 38 The time specified by Cabinet Office Order as referred to in Article

116, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act) is the time limit for exercising voting rights provided in Article 31, item (v), sub-item (a).

(書面による決議の議事録)

(Minutes of a Written Resolution)

第三十九条 法第十七条第九項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）において準用する信託法第二百十条の規定による書面による決議の議事録の作成については、この条の定めるところによる。

Article 39 (1) The preparation of written resolution under Article 120 of the Trust Act as applied mutatis mutandis pursuant to Article 17, paragraph (9) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act) is as provided in this Article.

2 書面による決議の議事録は、書面又は電磁的記録をもって作成しなければならない。

(2) The minutes of a written resolution must be prepared in writing or in the form of an Electronic or Magnetic Record.

3 書面による決議の議事録は、次に掲げる事項を内容とするものでなければならない。

(3) The minutes of a written resolution must include the following particulars:

一 書面による決議が行われた日

(i) the day on which the written resolution was adopted;

二 書面による決議の結果

(ii) the result of the written resolution; and

三 議事録の作成に係る職務を行った者の氏名又は名称

(iii) the name of the person who carried out the duties pertaining to the preparation of minutes.

(電磁的記録)

(Electronic or Magnetic Records)

第四十条 法第十七条第十項（法第二十条第一項及び第五十四条第一項において準用する場合を含む。）に規定する内閣府令で定めるものは、磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものとする。

Article 40 The Electronic or Magnetic Record specified by Cabinet Office Order as referred to in Article 17, paragraph (10) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (1) and Article 54, paragraph (1) of the Act) is that recording information in a file that has been prepared using media which can securely record certain information by magnetic disks, or any other means equivalent thereto.

(反対受益者の受益権買取請求を適用しない委託者指図型投資信託)

**(Investment Trusts Managed under Instructions from the Settlor to Which Dissenting Beneficiaries' Demand for the Purchase of Their Beneficial Interest Does Not Apply)**

第四十条の二 法第十八条第二項に規定する受益者の保護に欠けるおそれがないものとして内閣府令で定めるものは、受益者が受益権について投資信託の元本の全部又は一部の償還を請求したときは、投資信託委託会社が投資信託契約の一部の解約をすることにより当該請求に応じ、当該受益権の公正な価格が当該受益者に償還されることとなる委託者指図型投資信託とする。

**Article 40-2** Those specified by Cabinet Office Order as those in which it is unlikely that the protection of beneficiaries will be compromised as provided in Article 18, paragraph (2) of the Act are those Investment Trusts Managed under Instructions from the Settlor wherein a request made by a beneficiary for redemption of the whole or part of the principal of the investment trust with respect to the beneficial interest during the trust agreement period is responded to by the partial cancellation of the Investment Trust Agreement by a Settlor Company of an Investment Trust and such redemption is granted to the beneficiary at a fair price of the beneficiary interest.

(投資信託契約の解約の届出)

**(Notification of Cancellation of an Investment Trust Agreement)**

第四十一条 法第十九条の規定による届出は、次に掲げる事項を記載した届出書を所管金融庁長官等に提出して行わなければならない。

**Article 41 (1)** The notification under Article 19 of the Act must be made by submitting a notification containing the following information to the Commissioner of the Financial Services Agency or Other Competent Official:

一 当該投資信託契約に係る委託者指図型投資信託の名称

(i) the name of the Investment Trust Managed under Instructions from the Settlor pertaining to the relevant Investment Trust Agreement;

二 投資信託契約の解約の理由

(ii) the reasons for the cancellation of the Investment Trust Agreement;

三 投資信託契約の解約がその効力を生ずる日

(iii) the day on which the cancellation of the Investment Trust Agreement becomes effective;

四 投資信託契約の解約の中止に関する条件を定めるときは、その条件

(iv) when conditions for suspension of cancellation of an Investment Trust Agreement are to be provided, such conditions; and

五 書面による決議を行うときは、法第二十条第一項において準用する法第十七条第一項第一号及び第三号に掲げる事項並びに第三十一条第二号から第七号までに掲げる事項

(v) when a written resolution is to be adopted, the particulars listed in Article 17, paragraph (1), items (i) and (iii) of the Act as applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act and the particulars listed in Article 31, items (ii) through (vii).

2 前項の届出書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the notification under the preceding paragraph:

一 受託会社の同意書

(i) a written consent of the trustee company;

二 書面による決議を行うときは、次に掲げるもの

(ii) when a written resolution is to be adopted, the following documents:

イ 法第二十条第一項において準用する法第十七条第五項の規定による公告をする場合にあっては、当該公告の内容を記載した書面

(a) in cases of giving the public notice under Article 17, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act, a document stating the contents of the public notice; and

ロ 第三十三条に規定する書面決議参考書類

(b) the Reference Documents for a Written Resolution defined in Article 33.

(投資信託契約の解約に関する議案)

(Proposal for the Cancellation of an Investment Trust Agreement)

第四十二条 投資信託契約の解約に関する議案に係る書面決議参考書類には、次に掲げる事項を記載しなければならない。

Article 42 The following information must be given in the Reference Documents for a Written Resolution related to the proposal for the cancellation of an Investment Trust Agreement:

一 投資信託契約の解約の相当性に関する事項

(i) information concerning the adequacy of the cancellation of an Investment Trust Agreement;

二 投資信託契約の解約がその効力を生ずる日

(ii) the day on which the cancellation of an Investment Trust Agreement becomes effective;

三 投資信託契約の解約の中止に関する条件を定めるときは、その条件

(iii) when conditions for suspension of cancellation of an Investment Trust Agreement are to be provided, such conditions;

四 直前に作成された財産状況開示資料等の内容（財産状況開示資料等を作成すべき時期が到来していないときは、その旨）

(iv) the details of the Property Status Disclosure Materials, etc. prepared immediately before the cancellation (or that the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, if this is the case);



五 財産状況開示資料等を作成した後（財産状況開示資料等を作成すべき時期が到来していない場合にあつては、委託者指図型投資信託が設定された後）に、重要な投資信託財産に属する財産の処分、重大な信託財産責任負担債務の負担その他の投資信託財産の状況に重要な影響を与える事象が生じたときは、その内容

(v) when a disposition of property belonging to an important Investment Trust Property or assumption of a material Obligation Assumed by the Trustee under the Trust Property has been made, or any other event that may have a significant influence on the status of Investment Trust Property has occurred after the preparation of the Property Status Disclosure Materials, etc. (in cases where the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, after the time when the Investment Trust Managed under Instructions from the Settlor has been established), the details thereof;

六 投資信託契約の解約の理由

(vi) the reasons for canceling the Investment Trust Agreement; and

七 投資信託契約の解約に関する事項について受益者の不利益となる事実

(vii) the facts that will be disadvantageous to beneficiaries with regard to the information concerning the cancellation of an Investment Trust Agreement.

（投資信託契約の解約の届出が不要な場合等）

(Cases Where a Notification for Cancellation of an Investment Trust Agreement Is Not Required)

第四十三条 法第二十条第二項に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 43 The cases specified by Cabinet Office Order as referred to in Article 20, paragraph (2) of the Act are the following cases:

一 投資信託契約の解約をしようとする投資信託財産の状態に照らし、真にやむを得ない事情が生じている場合であつて、法第二十条第一項において準用する法第十七条の規定による投資信託契約の解約の手続を行うことが困難な場合

(i) cases where a truly unavoidable circumstance has occurred in light of the status of the Investment Trust Property for which the Investment Trust Agreement is intended to be cancelled, and where it is difficult to carry out the procedures for the cancellation of the Investment Trust Agreement under Article 17 of the Act as applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act;

二 一定の条件を満たした場合には投資信託契約の解約を行う旨があらかじめ投資信託約款に定められている場合であつて、当該一定の条件を満たして行われる投資信託契約の解約である場合

(ii) cases where it is provided for, in advance, in the Basic Terms and Conditions for an Investment Trust to the effect that the Investment Trust Agreement is cancelled when certain conditions are met, and such

cancellation of the Investment Trust Agreement is made by satisfying the certain conditions.

(投資信託契約の存続の承認の申請)

(Application for Approval of Continuance of an Investment Trust Agreement)

第四十四条 法第二十三条第四項の規定による承認を受けようとする投資信託委託会社は、次に掲げる事項を記載した承認申請書を所管金融庁長官等に提出しなければならない。

Article 44 (1) A Settlor Company of an Investment Trust which intends to obtain the approval under Article 23, paragraph (4) of the Act must submit a written application for approval containing the following information to the Commissioner of the Financial Services Agency or Other Competent Official:

一 当該投資信託契約に係る委託者指図型投資信託の名称

(i) the name of the Investment Trust Managed under Instructions from the Settlor pertaining to the relevant Investment Trust Agreement;

二 投資信託契約の存続の理由

(ii) the reasons for continuing the Investment Trust Agreement; and

三 投資信託契約の存続期間

(iii) the duration period of the Investment Trust Agreement.

2 前項の承認申請書には、当該投資信託契約に係る投資信託財産の運用状況を記載した書類を添付しなければならない。

(2) The documents stating the investment status of the Investment Trust Property pertaining to the relevant Investment Trust Agreement must be attached to the application under the preceding paragraph.

第四十五条 削除

Article 45 Deleted

第四十六条 削除

Article 46 Deleted

第四十七条 削除

Article 47 Deleted

第四十八条 削除

Article 48 Deleted

第四十九条 削除

Article 49 Deleted

第五十条 削除

Article 50 Deleted

第五十一条 削除

Article 51 Deleted

第五十二条 削除

Article 52 Deleted

第五十三条 削除

Article 53 Deleted

第五十四条 削除

Article 54 Deleted

第五十五条 削除

Article 55 Deleted

第五十六条 削除

Article 56 Deleted

第五十七条 削除

Article 57 Deleted

第五十八条 削除

Article 58 Deleted

第五十九条 削除

Article 59 Deleted

第六十条 削除

Article 60 Deleted

第六十一条 削除

Article 61 Deleted

第六十二条 削除

Article 62 Deleted

第六十三条 削除

Article 63 Deleted

第六十四条 削除  
Article 64 Deleted

第六十五条 削除  
Article 65 Deleted

第六十六条 削除  
Article 66 Deleted

第六十七条 削除  
Article 67 Deleted

第六十八条 削除  
Article 68 Deleted

第六十九条 削除  
Article 69 Deleted

第七十条 削除  
Article 70 Deleted

第七十一条 削除  
Article 71 Deleted

第七十二条 削除  
Article 72 Deleted

第七十三条 削除  
Article 73 Deleted

第七十四条 削除  
Article 74 Deleted

第七十五条 削除  
Article 75 Deleted

第七十六条 削除  
Article 76 Deleted

### 第三章 委託者非指図型投資信託

### Chapter III Investment Trusts Managed without Instructions from the

## Settlor

(投資信託約款の内容の届出)

(Notification of the Details of the Basic Terms and Conditions for an Investment Trust)

第七十七条 法第四十九条第一項の規定による届出は、次に掲げる事項を記載した届出書を所管金融庁長官等に提出して行わなければならない。

Article 77 (1) The notification under Article 49, paragraph (1) of the Act must be made by submitting the notification containing the following information to the Commissioner of the Financial Services Agency or Other Competent Official:

一 当該投資信託約款（法第四十九条第一項に規定する投資信託約款をいう。以下この章において同じ。）に係る委託者非指図型投資信託の名称

(i) the name of the Investment Trust Managed without Instructions from the Settlor pertaining to the relevant Basic Terms and Conditions for an Investment Trust (meaning the Basic Terms and Conditions for an Investment Trust defined in Article 49, paragraph (1) of the Act; hereinafter the same applies in this Chapter);

二 単位型（合同して運用する信託の元本の総額を増加できないものをいう。）又は追加型（合同して運用する信託の元本の総額を増加できるものをいう。）の別

(ii) whether the relevant Investment Trust is a Unit Type (meaning the type of an Investment Trust where the total amount of principal of a trust which is to be jointly invested may not be increased) or Open Type (meaning the type of an Investment Trust where the total amount of the principal of a trust which is to be jointly invested may not be increased);

三 投資の対象とする資産の種類に関する事項として次に掲げる事項

(iii) the following information as those related to the type of assets which are to be the subject of investment:

イ 投資の対象とする特定資産の種類

(a) the type of Specified Assets which are to be the subject of investment; and

ロ 投資の対象とする特定資産以外の資産の種類

(b) the type of assets other than the Specified Assets, which are to be the subject of investment;

四 投資信託財産（法第四十八条に規定する投資信託財産をいう。以下この章において同じ。）の運用方針

(iv) the investment policy for the Investment Trust Property (meaning the Investment Trust Property defined in Article 48 of the Act; hereinafter the same applies in this Chapter);

五 合同して運用する信託の元本の設定予定額又は当初設定予定額

(v) the planned principal of a trust which is to be invested jointly or the initial planned principal;

六 設定日

(vi) the establishment date;

七 信託契約期間

(vii) the trust agreement period;

八 公募、適格機関投資家私募、特定投資家私募又は一般投資家私募の別

(viii) use of a Public Offering, Private Placement with Qualified Institutional Investors, Private Placement with Professional Investors, or Private Placement with General Investors;

九 募集又は私募の期間

(ix) the period of Public Offering or Private Placement;

十 募集の取扱い又は私募の取扱いを行う金融商品取引業者等の商号、名称又は氏名

(x) the trade name or name of the Financial Instruments Business Operator, etc. that handles the dealing in Public Offering or Private Placement;

十一 自ら募集又は私募を行うときは、その旨

(xi) that the trust company or similar institution. carries out Public Offering or Private Placement by itself, if this is the case; and

十二 その他当該投資信託約款に係る委託者非指図型投資信託の特徴と認められる事項

(xii) other information found to be the feature of the Investment Trust Managed without Instructions from the Settlor pertaining to the relevant Basic Terms and Conditions for an Investment Trust.

2 前項の届出書には、投資信託約款の案を添付しなければならない。

(2) A draft of the Basic Terms and Conditions for an Investment Trust must be attached to the notification under the preceding paragraph.

(投資信託約款の記載事項)

(Information Required to Be Included in the Basic Terms and Conditions for an Investment Trust)

第七十八条 法第四十九条第二項第十九号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 78 The information specified by Cabinet Office Order as referred to in Article 49, paragraph (2), item (xix) of the Act is the following information:

一 受託者の辞任及び解任並びに新たな受託者の選任に関する事項

(i) information concerning the resignation and dismissal of the trustee, as well as the appointment of a new trustee;

二 合同して運用する信託の元本の総額を増加できる委託者非指図型投資信託における信託の元本の追加に関する事項

(ii) information concerning the addition to the principal of a trust in Investment Trusts Managed without Instructions from the Settlor in which the total amount of the principal of a trust which is to be jointly invested may be increased and;

三 投資信託契約（法第四十七条第一項に規定する投資信託契約をいう。以下この章

- において同じ。) の解約に関する事項
- (iii) information concerning the cancellation of an Investment Trust Agreement (meaning the Investment Trust Agreement defined in Article 47, paragraph (1) of the Act; hereinafter the same applies in this Chapter);
- 四 受託者が運用に係る権限を委託（当該委託に係る権限の一部を更に委託するものを含む。次条第八号及び第八十条第一号において同じ。）する場合におけるその委託の内容
- (iv) in cases where the trustee entrusts the authority to make orders for investment (including the further entrustment of part of the authority subject to the relevant entrustment; the same applies in item (viii) of the following Article and Article 80, item (i)), the details of the entrustment;
- 五 受託者から運用に係る権限の委託を受けた者が当該権限の一部を更に委託する場  
合においては、当該者がその運用の指図に係る権限の一部を更に委託する者の商号  
又は名称（当該者が適格投資家向け投資運用業を行うことにつき金融商品取引法第  
二十九条の登録を受けた金融商品取引業者であるときは、その旨を含む。）及び所  
在の場所
- (v) in cases where the person who accepted the entrustment of authority to make orders for investment from the trustee further entrusts part of the authority, the trade name or name and location of the person to whom the first-mentioned person further entrusts part of its authority to make orders for investment (including an indication that the first-mentioned person is a Financial Instruments Business Operator registered under Article 29 of the Financial Instruments and Exchange Act for engaging in the Investment Management Business for Qualified Investors, if this is the case);
- 六 委託者非指図型投資信託の併合（法第五十四条第一項において準用する法第十六  
条第二号に規定する委託者非指図型投資信託の併合をいう。以下同じ。）に関する  
事項
- (vi) information concerning the Consolidation of Investment Trusts Managed without Instructions from the Settlor (meaning the Consolidation of Investment Trusts Managed without Instructions from the Settlor as prescribed in Article 16, item (ii) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act; the same applies hereinafter);
- 七 受益者代理人があるときは、投資信託契約において、法第五十四条第一項におい  
て準用する法第十七条第六項の規定による議決権及び法第五十四条第一項において  
準用する法第十八条第一項の規定による受益権買取請求権を行使する権限を当該受  
益者代理人の権限としていない旨
- (vii) in cases where there is an agent for a beneficiary, a statement to the effect that the authority to exercise voting rights under Article 17, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act, and the right to demand purchase of beneficial interest under Article

18, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act is not included in the authority of the agent for the beneficiary in the Investment Trust Agreement; and

八 法第五十四条第一項において準用する法第十八条第一項の規定による受益権の買取請求に関する事項

(viii) information concerning the demand for purchase of beneficial interest under Article 18, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act.

(投資信託約款の記載事項の細目)

(Details of the Information Required to Be Included in the Basic Terms and Conditions for an Investment Trust)

第七十九条 法第四十九条第四項に規定する内閣府令で定める細目は、次の各号に掲げる事項の区分に応じ、当該各号に定めるものとする。

Article 79 The details specified by Cabinet Office Order as referred to in Article 49, paragraph (4) of the Act are those specified in the following items according to the category of information listed in the respective items:

一 法第四十九条第二項第三号に掲げる事項 次に掲げる事項

(i) information listed in Article 49, paragraph (2), item (iii) of the Act: the following information:

イ 受益証券の記名式又は無記名式への変更及び名義書換手続に関する事項

(a) information concerning the changes into a registered form or into a bearer form with regard to Beneficiary Certificates and the procedures for the entry of a name change thereon;

ロ 記名式受益証券の譲渡の対抗要件に関する事項

(b) information related to the requirements to duly assert against third parties for the transfer of registered Beneficiary Certificates; and

ハ 受益証券の再発行及びその費用に関する事項

(c) information concerning the reissuance of Beneficiary Certificates and the cost therefor;

二 法第四十九条第二項第五号に掲げる事項 次に掲げる事項

(ii) the information listed in Article 49, paragraph (2), item (v) of the Act: the following information:

イ 資産運用の基本方針

(a) basic policy for assets investments;

ロ 投資の対象とする資産の種類

(b) the type of assets which are to be the subject of investment;

ハ 投資の対象とする資産の保有割合又は保有制限を設ける場合には、その内容

(投資の対象とする資産が権利である場合又はその権利の取得に係る取引の種類及び範囲並びに取得制限を設ける場合には、それぞれの内容)

(c) in cases of providing a holding ratio or holding restriction for assets which



are to be the subject of investment, the details thereof (in cases where the assets which are to be the subject of investment are rights, or where specifying the type and scope of transactions pertaining to the acquisition of such right and imposing restrictions for such acquisition, the respective details thereof);

ニ 投資信託財産で取得した資産を貸し付ける場合には、その内容

(d) in cases where loaning the assets acquired by an Investment Trust Property, the details thereof; and

三 法第四十九条第二項第六号に掲げる事項 運用を行う資産の種類に応じ、それぞれの評価の方法、基準及び基準日に関する事項

(iii) information listed in Article 49, paragraph (2), item (vi) of the Act: in accordance with the type of assets to be invested, the respective method, standard and record date for the appraisal therefor;

四 法第四十九条第二項第七号に掲げる事項 次に掲げる事項

(iv) information listed in Article 49, paragraph (2), item (vii) of the Act: the following information:

イ 収益分配可能額の算出方法に関する事項

(a) information concerning the method of calculation for the amount of distributable profits;

ロ 収益分配金、償還金及び一部解約金の支払時期、支払方法及び支払場所に関する事項

(b) information concerning the timing, method and place of the payment of the amount of profit distribution, amount of redemption, and amount for partial cancellation;

五 法第四十九条第二項第十号に掲げる事項 次に掲げる事項

(v) information listed in Article 49, paragraph (2), item (x) of the Act: the following information:

イ 信託契約の延長事由の説明に関する事項

(a) information concerning the explanation for the grounds for extension of a trust agreement;

ロ 信託契約の解約事由の説明に関する事項

(b) information concerning the explanation for the grounds for cancellation of a trust agreement; and

ハ 受託者の認可取消しその他の場合における取扱いの説明に関する事項

(c) information concerning the explanation of handling of rescission of authorization of a trustee or of any other case;

六 法第四十九条第二項第十一号に掲げる事項 計算期間及び計算期間の特例に関する事項

(vi) information listed in Article 49, paragraph (2), item (xi) of the Act:

information related to the accounting period and special provisions thereon;

七 法第四十九条第二項第十四号に掲げる事項 借入れの目的、借入限度額及び借入

金の使途に関する事項並びに借入先を適格機関投資家に限る場合には、その旨  
(vii) information listed in Article 49, paragraph (2), item (xiv) of the Act:  
information concerning the purpose, maximum amount, and use of the  
borrowing, and, that the lenders for the borrowings are limited to Qualified  
Institutional Investors, if this is the case;

八 法第四十九条第二項第十六号に掲げる事項 委託の報酬の額、支払時期及び支払  
方法に関する事項

(viii) information listed in Article 49, paragraph (2), item (xvi) of the Act:  
information concerning the amount of remuneration for entrustment, and the  
timing and method of payment thereof;

九 法第四十九条第二項第十八号に掲げる事項 次のイ又はロに掲げる公告の方法の  
区分に応じ、当該イ又はロに定める事項

(ix) information listed in Article 49, paragraph (2), item (xviii) of the Act:  
information specified in the following sub-item (a) or (b) according to the  
category of methods of public notice listed in the respective sub-items:

イ 時事に関する事項を掲載する日刊新聞紙に掲載する方法 公告を行う日刊新聞  
紙名

(a) the method of giving the public notice by publishing in a daily newspaper  
that publishes information on current affairs: the name of the daily  
newspaper that gives the public notice; or

ロ 電子公告（法第五十七条第二号に規定する電子公告をいう。） 登記アドレス

(b) Electronic Public Notice (meaning the Electronic Public Notice as  
prescribed in Article 57, item (ii) of the Act): the Registration Address.

(受益証券の記載事項)

(Information Required to Be Included on Beneficiary Certificates)

第八十条 法第五十条第二項第十一号に規定する内閣府令で定める事項は、次に掲げる  
事項とする。

Article 80 The information specified by Cabinet Office Order as referred to in  
Article 50, paragraph (2), item (xi) of the Act is the following information:

一 受託者が運用に係る権限を委託する場合におけるその委託の内容

(i) in cases where the trustee entrusts the authority to make orders for  
investment, the details of such entrustment;

二 投資信託約款に定める買取り又は償還の価額が当該信託の元本を下回ることとな  
る場合においても当該価額を超える価額によって買取り又は償還を行うことはない  
旨の表示

(ii) an indication to the effect that even if the value of purchase or redemption  
provided in the Basic Terms and Conditions for an Investment Trust falls  
below the principal of the relevant trust, purchase or redemption is not made  
at a value exceeding the first-mentioned value.

(受益権原簿記載事項)

(Information Required to Be Included in Beneficial Interest Holder Register)

第八十一条 法第五十条第四項において準用する信託法第百八十六条第一号に規定する内閣府令で定める事項は、委託者非指図型投資信託の名称とする。

Article 81 (1) The information specified by Cabinet Office Order as referred to in Article 186, item (i) of the Trust Act as applied mutatis mutandis pursuant to Article 50, paragraph (4) of the Act is the name of the Investment Trust Managed without Instructions from the Settlor.

2 法第五十条第四項において準用する信託法第百八十六条第五号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The information specified by Cabinet Office Order as referred to in Article 186, item (v) of the Trust Act as applied mutatis mutandis pursuant to Article 50, paragraph (4) of the Act is the following information:

一 当該委託者非指図型投資信託の受託者の商号又は名称及び所在の場所

(i) the trade name or name, and location of the trustee of the relevant Investment Trust Managed without Instructions from the Settlor;

二 信託監督人があるときは、次に掲げる事項

(ii) when there is a trust supervisor, the following information:

イ 商号、名称又は氏名及び所在の場所又は住所

(a) the trade name or name, and location or address;

ロ 信託法第百三十二条第一項ただし書又は第二項ただし書の定めがあるときは、当該定めの内容

(b) when there are provisions as prescribed in the proviso to Article 132, paragraph (1) of the Trust Act or the proviso to paragraph (2) of that Article, the details of such provisions;

三 受益者代理人があるときは、次に掲げる事項

(iii) when there is an agent for a beneficiary, the following information:

イ 商号、名称又は氏名及び所在の場所又は住所

(a) the trade name, name, and location or address;

ロ 信託法第百三十九条第一項ただし書又は第三項ただし書の定めがあるときは、当該定めの内容

(b) when there are provisions as prescribed in the proviso to Article 139, paragraph (1) of the Trust Act or the proviso to paragraph (2) of that Article, the details of such provisions;

四 信託法第百八十八条に規定する受益権原簿管理人を定めたときは、その商号、名称又は氏名及び所在の場所又は住所

(iv) when an administrator of a beneficial interest holder register as prescribed in Article 188 of the Trust Act has been specified, the trade name, name, and location or address thereof; and

五 前各号に掲げるもののほか、投資信託約款の記載事項

(v) beyond what is listed in the preceding items, information required to be

included in the Basic Terms and Conditions for an Investment Trust.

(電磁的記録に記録された事項を表示する方法)

**(Method of Indicating Information Recorded in an Electronic or Magnetic Record)**

第八十二条 法第五十条第四項において準用する信託法第百九十条第二項第二号に規定する内閣府令で定める方法は、同号の電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

Article 82 The method specified by Cabinet Office Order as referred to in Article 190, paragraph (2), item (ii) of the Trust Act as applied mutatis mutandis pursuant to Article 50, paragraph (4) of the Act is the method of indicating the information recorded in an Electronic or Magnetic Record under that item on paper or on a computer screen.

(受益者の請求によらない受益権原簿記載事項の記載等)

**(Inclusion of Information Required to Be Included in Beneficial Interest Holder Register Not by the Request of Beneficiaries)**

第八十三条 法第五十条第四項において準用する信託法第百九十七条第一項各号に掲げる場合には、委託者非指図型投資信託の受託者は、受益権原簿記載事項として、当該受益権が固有財産に属するか、他の投資信託財産に属するか、当該委託者非指図型投資信託の投資信託財産に属するかの別をも記載し、又は記録しなければならない。

Article 83 In the cases listed in the items of Article 197, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 50, paragraph (4) of the Act, a trustee of an Investment Trust Managed without Instructions from the Settlor must state or record as to whether the relevant beneficial interest belong to its own property, another Investment Trust Property, or an Investment Trust Property of the Investment Trust Managed without Instructions from the Settlor as the information required to be included in the beneficial interest holder register.

(受益権原簿記載事項の記載等の請求)

**(Request of Inclusion of Information Required to Be Included in Beneficial Interest Holder Register)**

第八十四条 法第五十条第四項において準用する信託法第百九十八条第二項に規定する内閣府令で定める場合は、受益権取得者（委託者非指図型投資信託の受益権を委託者非指図型投資信託の受託者以外の者から取得した者（当該受託者を除く。）をいう。）が受益証券を提示して請求をした場合とする。

Article 84 The cases specified by Cabinet Office Order as referred to in Article 198, paragraph (2) of the Trust Act as applied mutatis mutandis pursuant to Article 50 paragraph (4) of the Act are the case where a Beneficial Interest Acquirer (meaning a person who has acquired the beneficial interest of an

Investment Trust Managed without Instructions from the Settlor from a person other than the trustee of an Investment Trust Managed without Instructions from the Settlor (the trustee is excluded from the first-mentioned person)) makes the request by presenting the Beneficiary Certificate.

(電子署名)

(Electronic Signature)

第八十五条 法第五十条第四項において準用する信託法第二百二条第三項に規定する内閣府令で定める署名又は記名押印に代わる措置は、電子署名とする。

Article 85 (1) The measures in lieu of signing or affixing names and seals specified by Cabinet Office Order as referred to in Article 202, paragraph (3) of the Trust Act as applied mutatis mutandis pursuant to Article 50, paragraph (4) of the Act are Electronic Signature.

2 前項に規定する「電子署名」とは、電磁的記録に記録することができる情報について行われる措置であって、次の要件のいずれにも該当するものをいう。

(2) The term "Electronic Signature" as used in the preceding paragraph means measures implemented for information which can be recorded in an Electronic or Magnetic Record, that satisfy all of the following requirements:

一 当該情報が当該措置を行った者の作成に係るものであることを示すためのものであること。

(i) that the measure is for indication that the information has been prepared by the person who implemented the measures; and

二 当該情報について改変が行われていないかどうかを確認することができるものであること。

(ii) that the measure is one that enables to confirm as to whether the information has been altered or not.

(特定資産に係る不動産の鑑定評価)

(Appraisal of Real Property Pertaining to Specified Assets)

第八十五条の二 法第五十四条第一項において準用する方第十一条第一項の規定による不動産の鑑定評価は、不動産鑑定士であって次に掲げる者以外のものに行わせるものとする。

Article 85-2 An appraisal of real property under Article 11, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act is to be assigned to a real estate appraiser who does not fall under any of the following:

一 当該信託会社等の利害関係人等（法第五十四条第一項において準用する法第十一条第一項に規定する利害関係人等をいう。）

(i) an interested person or other close affiliate of the relevant trust company or similar institution (meaning the interested person or other close affiliate as prescribed in Article 11, paragraph (1) of the Act as applied mutatis

- mutandis pursuant to Article 54, paragraph (1) of the Act);
- 二 当該信託会社等の役員又は使用人
- (ii) an officer or employee of the relevant trust company or similar institution;
- or
- 三 不動産の鑑定評価に関する法律の規定により、法第五十四条第一項において準用する法第十一条第一項の規定による不動産の鑑定評価に係る業務をすることができない者
- (iii) a person who is, pursuant to the provisions of the Act on Real Estate Appraisal, unqualified to engage in the business concerning an appraisal of real property under Article 11, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act.

(利益相反のおそれがある場合の受益者等への書面の交付)

(Deliver of Documents to Beneficiaries When Conflict of Interests Is Likely to Occur)

第八十六条 法第五十四条第一項において準用する法第十三条第一項に規定する同項各号に掲げる取引に係る書面の交付は、次に掲げる事項について記載した書面により行わなければならない。

- Article 86 (1) The delivery of documents in relation to the transactions listed in the items of Article 13, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act must be made by the documents containing the following information:
- 一 当該取引に係る委託者非指図型投資信託の名称
- (i) the name of the Investment Trust Managed without Instructions from the Settlor pertaining to the relevant transaction;
- 二 書面の交付を行う理由（当該取引の相手方と当該信託会社等の関係を含む。）
- (ii) the reasons for delivering the document (including the relationship between the counterparty to the relevant transactions and the relevant trust company or similar institution);
- 三 取引を行った理由
- (iii) the reasons for conducting the transaction;
- 四 取引の内容（取引を行った特定資産の種類、銘柄（その他の特定資産を特定するために必要な事項）、数及び取引価格、取引の方法並びに取引を行った年月日）
- (iv) the details of the transaction (the type, issue (other information necessary for specifying the Specified Assets), and number of the Specified Assets for which a transaction has been conducted, as well as the price and method of transaction, and the date on which the transaction was conducted);
- 五 法第五十四条第一項において準用する法第十一条第一項の鑑定評価又は同条第二項の調査の結果
- (v) the results of the appraisal under Article 11, paragraph (1) of the Act or the investigation under paragraph (2) of that Article, as applied mutatis

mutandis pursuant to Article 54, paragraph (1) of the Act;

六 当該書面の交付年月日

(vi) the date of delivery of the document; and

七 その他参考になる事項

(vii) other information that will serve as a reference.

2 信託会社等は、法第五十四条第一項において準用する法第十三条第一項各号に掲げる取引が行われたときは、遅滞なく、前項各号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。

(2) When the transactions listed in the items of Article 13, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act has been conducted, a trust company or similar institution must deliver the documents containing the information listed in the items of the preceding paragraph without delay.

(利益相反のおそれがある場合の書面の交付を要する顧客)

(Customers to Whom Documents Are Required to Be Delivered When Conflict of Interest Is Likely to Occur)

第八十七条 令第二十九条第四号に規定する内閣府令で定める顧客は、次に掲げるものとする。

Article 87 The customers specified by Cabinet Office Order as referred to in Article 29, item (iv) of the Order are as follows:

一 信託会社等が投資信託財産の宅地又は建物の売買又は貸借の代理又は媒介を行う場合における取引の相手方

(i) the counterparty to the transactions in cases where the trust company or similar institution conducts sale or purchase of housing lands or buildings of the Investment Trust Property, or provides an agent or intermediary service therefor;

二 信託会社等が投資信託財産の特定資産に係る投資に関し助言を行う場合において、当該助言に基づき行われる当該特定資産の取引の相手方

(ii) in cases where the trust company or similar institution gives advice with regard to the investment related to the Specified Assets of an Investment Trust Property, the counterparty to the transaction of the Specified Assets to be conducted based on the advice.

(運用報告書の交付を要しない場合)

(Cases Where Delivery of Investment Reports Is Not Required)

第八十八条 法第五十四条第一項において準用する法第十四条第一項第三号に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 88 The cases specified by Cabinet Office Order as referred to in Article 14, paragraph (1), item (iii) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act are the following cases:

一 受益証券が金融商品取引所に上場されている場合（受益証券が金融商品取引法第二条第三十三項に規定する特定上場有価証券である場合を除く。）

(i) cases where the Beneficiary Certificate is listed on a Financial Instruments Exchange (excluding cases where the Beneficiary Certificate falls under the category of Specified Listed Securities defined in Article 2, paragraph (33) of the Financial Instruments and Exchange Act);

二 受益証券が特定投資家向け有価証券に該当する場合であって、運用報告書に記載すべき事項に係る情報が金融商品取引法第二十七条の三十二第一項に規定する発行者情報として同項又は同条第二項の規定により提供され、又は公表される場合（投資信託約款において運用報告書の交付に代えて当該情報の提供又は公表が行われる旨を定めている場合に限る。）

(ii) cases where the Beneficiary Certificate falls under the category of Securities for Professional Investors, and the information related to the particulars required to be given in the investment reports is provided or publicized under Article 27-32, paragraph (1) or (2) of the Financial Instruments and Exchange Act as the Issuer's Information defined in paragraph (1) of that Article (limited to cases where it is provided to the effect that provision or publication of the information is made in lieu of the delivery of investment reports in the Basic Terms and Conditions for an Investment Trust).

（投資信託約款の変更内容の届出）

(Notification of the Details of Revisions to Basic Terms and Conditions of Investment Trusts)

第八十九条 法第五十四条第一項において準用する法第十六条（第一号に係る部分に限る。）の規定による届出は、次に掲げる事項を記載した届出書を所管金融庁長官等に提出して行わなければならない。

Article 89 (1) The notification under Article 16 of the Act (limited to the part pertaining to item (i)) as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act must be made by submitting the notification containing the following information to the Commissioner of the Financial Services Agency or Other Competent Official:

一 当該投資信託約款に係る委託者非指図型投資信託の名称

(i) the name of the Investment Trust Managed without Instructions from the Settlor pertaining to the relevant Basic Terms and Conditions for an Investment Trust;

二 投資信託約款の変更の内容及び理由

(ii) the details of and reasons for the revisions to the Basic Terms and Conditions for an Investment Trust;

三 投資信託約款の変更がその効力を生ずる日

(iii) the day on which the revisions to the Basic Terms and Conditions for an



Investment Trust becomes effective;

四 投資信託約款の変更の中止に関する条件を定めるときは、その条件

(iv) when conditions for cancellation of revisions to Basic Terms and Conditions for an Investment Trust are to be provided, such conditions; and

五 書面による決議を行うときは、法第五十四条第一項において準用する法第十七条第一項第一号及び第三号に掲げる事項並びに第三十一条第二号から第七号までに掲げる事項

(v) when a written resolution is to be adopted, the particulars listed in Article 17, paragraph (1), items (i) and (iii) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act, and the particulars listed in Article 31, items (ii) through (vii).

2 前項の届出書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the notification under the preceding paragraph:

一 投資信託約款の変更の案

(i) a draft of the revisions to the Basic Terms and Conditions for an Investment Trust;

二 書面による決議を行うときは、次に掲げるもの

(ii) when a written resolution is to be adopted, the following documents:

イ 法第五十四条第一項において準用する法第十七条第五項の規定による公告をする場合にあっては、当該公告の内容を記載した書面

(a) in cases where giving the public notice under Article 17, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act, the documents stating the contents of the public notice; and

ロ 第三十三条に規定する書面決議参考書類

(b) the Reference Documents for a Written Resolution defined in Article 33.

(委託者非指図型投資信託の併合の届出)

(Notification of Consolidation of Investment Trusts Managed without Instructions from the Settlor)

第九十条 法第五十四条第一項において準用する法第十六条（第二号に係る部分に限る。）の規定による届出は、次に掲げる事項を記載した届出書を所管金融庁長官等に提出して行わなければならない。

Article 90 (1) The notification under Article 16 of the Act (limited to the part pertaining to item (ii)) as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act must be made by submitting the notification containing the following information to the Commissioner of the Financial Services Agency or Other Competent Official:

一 当該委託者非指図型投資信託の併合に係る各委託者非指図型投資信託の名称

(i) the name of each Investment Trust Managed without Instructions from the Settlor pertaining to the consolidation of the relevant Investment Trusts

- Managed without Instructions from the Settlor;
- 二 委託者非指図型投資信託の併合後の委託者非指図型投資信託の名称
- (ii) the name of the Investment Trust Managed without Instructions from the Settlor after the consolidation of Investment Trusts Managed without Instructions from the Settlor;
- 三 委託者非指図型投資信託の併合の内容及び理由
- (iii) the contents of and reasons for the consolidation of Investment Trusts Managed without Instructions from the Settlor;
- 四 委託者非指図型投資信託の併合がその効力を生ずる日
- (iv) the day on which the consolidation of Investment Trusts Managed without Instructions from the Settlor becomes effective;
- 五 委託者非指図型投資信託の併合の中止に関する条件を定めるときは、その条件
- (v) when conditions for cancellation of the consolidation of Investment Trusts Managed without Instructions from the Settlor are to be provided, such conditions; and
- 六 書面による決議を行うときは、法第五十四条第一項において準用する法第十七条第一項第一号及び第三号に掲げる事項並びに第三十一条第二号から第七号までに掲げる事項
- (vi) when a written resolution is to be adopted, the particulars listed in Article 17, paragraph (1), items (i) and (iii) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act, and the particulars listed in Article 31, items (ii) through (vii).
- 2 前項の届出書には、次に掲げる書類を添付しなければならない。
- (2) The following documents must be attached to the notification under the preceding paragraph:
- 一 委託者非指図型投資信託の併合後の投資信託約款の案
- (i) a draft of the Basic Terms and Conditions for an Investment Trust after the consolidation of Investment Trusts Managed without Instructions from the Settlor;
- 二 書面による決議を行うときは、次に掲げるもの
- (ii) when a written resolution is to be adopted, the following documents:
- イ 法第五十四条第一項において準用する法第十七条第五項の規定による公告をする場合にあっては、当該公告の内容を記載した書面
- (a) in cases where giving the public notice under Article 17, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act, the documents stating the contents of the public notice; and
- ロ 第三十三条に規定する書面決議参考書類
- (b) the Reference Documents for a Written Resolution defined in Article 33.
- (投資信託約款の重大な内容の変更)
- (Material Revisions to the Details of the Basic Terms and Conditions for an

Investment Trust)

第九十一条 法第五十四条第一項において準用する法第十七条第一項に規定する投資信託約款の変更の内容が重大なものとして内閣府令で定めるものは、法第四十九条第二項第一号、第三号から第十二号まで及び第十四号から第十六号までに掲げる事項並びに第七十八条各号に掲げる事項の変更であって、当該投資信託約款に係る委託者非指図型投資信託の商品としての基本的な性格を変更させることとなるものとする。

Article 91 The revision to the details of the Basic Terms and Conditions for an Investment Trust specified by Cabinet Office Order as being material as referred to in Article 17, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act are the revisions to the information listed in Article 49, paragraph (2), items (i), (iii) through (xii) and (xiv) through (xvi) of the Act, and the information listed the items of Article 78, so as to change the basic characteristics as a financial instrument of the Investment Trust Managed without Instructions from the Settlor related to the relevant Basic Terms and Conditions for an Investment Trust.

(受益者の利益に及ぼす影響が軽微な委託者非指図型投資信託の併合)

(Consolidation of Investment Trusts Managed without Instructions from the Settlor That Has Only a Minor Influence on Beneficiaries' Interests)

第九十一条の二 法第五十四条第一項において準用する法第十七条第一項に規定する委託者非指図型投資信託の併合が受益者の利益に及ぼす影響が軽微なものとして内閣府令で定めるものは、次に掲げる要件の全てに該当する委託者非指図型投資信託の併合とする。

Article 91-2 (1) The cases which fall under those specified by Cabinet Office Order where the consolidation of Investment Trusts Managed without Instructions from the Settlor has only a minor influence on beneficiaries' interests as provided in Article 17, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act are the cases where the consolidation of Investment Trusts Managed without Instructions from the Settlor satisfies all of the following requirements:

一 当該併合後の委託者非指図型投資信託に属することとなる財産が当該併合前の投資信託約款に記載された投資信託財産の運用方針に反しないと認められること。

(i) that the property that is to belong to the Investment Trust Managed without Instructions from the Settlor after the consolidation is found not to contradict the investment policy for Investment Trust Property that is stated in the Basic Terms and Conditions of an Investment Trust before the consolidation;

二 当該併合の前後で当該委託者非指図型投資信託の商品としての基本的な性格に相違がないこと。

(ii) that there is no change in the basic characteristics as a financial instrument of the Investment Trust Managed without Instructions from the

Settlor before and after the consolidation; and

三 当該委託者非指図型投資信託の投資信託財産の純資産総額が併合をする他の委託者非指図型投資信託の投資信託財産の純資産総額の五倍以上であること。ただし、当該委託者非指図型投資信託の投資信託財産と当該他の委託者非指図型投資信託の投資信託財産の内容が実質的に同一であると認められる場合はこの限りでない。

(iii) that the total amount of net assets of the Investment Trust Property of the Investment Trust Managed without Instructions from the Settlor is at least five times as much as the total amount of net assets of the Investment Trust Property of the other Investment Trust Managed without Instructions from the Settlor which is to effect the consolidation; provided, however, that this does not apply to cases where the Investment Trust Property of the Investment Trust Managed without Instructions from the Settlor is found to be substantially identical to the Investment Trust Property of the relevant other Investment Trust Managed without Instructions from the Settlor.

2 前項第三号の純資産総額は、当該併合を決定した日（当該決定により当該決定をした日と異なる日において算定の基準となる時（当該決定をした日後から当該併合の効力が生ずる時の直前までの間に限る。）を定めた場合にあっては、当該時）において算定する。

(2) The total amount of net assets referred to in item (iii) of the preceding paragraph is calculated on the day on which the consolidation is decided (in cases where another record date for calculation that is different from the day of the decision is specified by the decision (limited to any day falling within the period after the day on which the decision is made until immediately before the consolidation becomes effective), such other day)).

（投資信託約款の変更に関する議案）

(Proposals for the Revisions to the Basic Terms and Conditions for an Investment Trust)

第九十二条 投資信託約款の変更に関する議案に係る書面決議参考書類には、次に掲げる事項を記載しなければならない。

Article 92 The following information must be given in the Reference Documents for a Written Resolution related to the proposal for the revisions to the Basic Terms and Conditions for an Investment Trust:

一 投資信託約款の変更の案

(i) a draft of the revisions to the Basic Terms and Conditions for an Investment Trust;

二 投資信託約款で定められた受益権の内容に変更を加え、又は受益権の価値に重大な影響を与えるおそれがあるときは、その変更又は影響の内容及び相当性に関する事項

(ii) when changes are to be made to the details of the beneficial interest specified in the Basic Terms and Conditions for an Investment Trust, or

where it is likely that the changes have a material impact on the value of the beneficial interest, the information related to the details and appropriateness of such changes or impact;

三 投資信託約款の変更がその効力を生ずる日

(iii) the day on which the revisions to the Basic Terms and Conditions for an Investment Trust become effective;

四 投資信託約款の変更の中止に関する条件を定めるときは、その条件

(iv) when conditions for cancellation of revisions to Basic Terms and Conditions for an Investment Trust are to be provided, such conditions; and

五 投資信託約款の変更をする理由

(v) the reasons for revising the Basic Terms and Conditions for an Investment Trust; and

六 投資信託約款の変更に関する事項について受益者の不利益となる事実

(vi) the facts that may be disadvantageous to beneficiaries with regard to the information concerning revising the Basic Terms and Conditions for an Investment Trust.

(委託者非指図型投資信託の併合に関する議案)

(Proposals for the Consolidation of Investment Trusts Managed without Instructions from the Settlor)

第九十三条 委託者非指図型投資信託の併合に関する議案に係る書面決議参考書類には、次に掲げる事項を記載しなければならない。

Article 93 The following information must be given in the Reference Documents for a Written Resolution related to the proposal for the consolidation of Investment Trusts Managed without Instructions from the Settlor:

一 委託者非指図型投資信託の併合後の投資信託約款の内容

(i) the details of the Basic Terms and Conditions for an Investment Trust after the consolidation of Investment Trusts Managed without Instructions from the Settlor;

二 投資信託約款において定める受益権の内容に変更があるときは、その内容及び変更の理由

(ii) in cases where changes are to be made to the details of the beneficial interest specified in the Basic Terms and Conditions for an Investment Trust, the details thereof and the reasons for the changes;

三 委託者非指図型投資信託の併合に際して受益者に対し金銭その他の財産を交付するときは、次に掲げる事項

(iii) in cases money and other property are to be delivered to the beneficiaries upon the consolidation of Investment Trusts Managed without Instructions from the Settlor, the following information:

イ 当該財産の内容及びその価額並びにこれらの事項の定め相当性に関する事項

(a) the details and value of the relevant property, as well as the information

- concerning the adequacy of the provisions for such information;
- ロ 受益者に対して交付する金銭その他の財産の割当てに関する事項及び当該事項の定め相当性に関する事項
- (b) information concerning money or any other property to be delivered to beneficiaries, and the information concerning the adequacy of the provisions for such information;
- 四 委託者非指図型投資信託の併合がその効力を生ずる日
- (iv) the day on which the consolidation of Investment Trusts Managed without Instructions from the Settlor becomes effective;
- 五 委託者非指図型投資信託の併合の中止に関する条件を定めるときは、その条件
- (v) when conditions for cancellation of consolidation of Investment Trusts Managed without Instructions from the Settlor are to be provided, such conditions;
- 六 委託者非指図型投資信託の併合をする他の委託者非指図型投資信託についての次に掲げる事項その他の当該他の委託者非指図型投資信託を特定するために必要な事項
- (vi) the following information concerning the other Investment Trust Managed without Instructions from the Settlor which is to effect the consolidation of Investment Trusts Managed without Instructions from the Settlor, and any other information necessary for specifying the other Investment Trust Managed without Instructions from the Settlor:
- イ 受託者の商号又は名称及び住所
- (a) the trade name or name and address of the trustee;
- ロ 投資信託契約の締結日
- (b) the day of conclusion of the Investment Trust Agreement; and
- ハ 投資信託約款の内容
- (c) the details of the Basic Terms and Conditions for an Investment Trust;
- 七 委託者非指図型投資信託の併合をする各委託者非指図型投資信託において直前に作成された財産状況開示資料等の内容（財産状況開示資料等を作成すべき時期が到来していないときは、その旨）
- (vii) the contents of the Property Status Disclosure Materials, etc. which have been prepared immediately before the consolidation of Investment Trusts Managed without Instructions from the Settlor by each Investment Trust Managed without Instructions from the Settlor which effects the consolidation (or that the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, if this is the case);
- 八 委託者非指図型投資信託の併合をする各委託者非指図型投資信託について、財産状況開示資料等を作成した後（財産状況開示資料等を作成すべき時期が到来していない場合にあつては、委託者非指図型投資信託が設定された後）に、重要な投資信託財産に属する財産の処分、重大な信託財産責任負担債務の負担その他の投資信託財産の状況に重要な影響を与える事象が生じたときは、その内容

(viii) with regard to each Investment Trust Managed without Instructions from the Settlor which effects the consolidation of Investment Trusts Managed without Instructions from the Settlor, when a disposition of property belonging to an important Investment Trust Property, or assumption of a material Obligation Assumed by the Trustee under the Trust Property has been made, or any other event that may have a significant influence on the status of the Investment Trust Property has occurred after preparing the Property Status Disclosure Materials, etc. (in cases where the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, after the time when the Investment Trust Managed without Instructions from the Settlor has been established), the details thereof;

九 委託者非指図型投資信託の併合をする理由

(ix) the reasons for effecting a consolidation of Investment Trusts Managed without Instructions from the Settlor; and

十 委託者非指図型投資信託の併合に関する事項について受益者の不利益となる事実

(x) the facts that may be disadvantageous to beneficiaries with regard to the information concerning the consolidation of Investment Trusts Managed without Instructions from the Settlor.

(反対受益者の受益権買取請求を適用しない委託者非指図型投資信託)

(Investment Trusts Managed without Instructions from the Settlor to Which Dissenting Beneficiaries' Demand for the Purchase of Their Beneficial Interest Does Not Apply)

第九十三条の二 法第五十四条第一項において準用する法第十八条第二項に規定する受益者の保護に欠けるおそれがないものとして内閣府令で定めるものは、委託者が投資信託契約の一部の解約をすることができ、それにより当該受益権の公正な価格が当該受益者に償還されることとなる委託者非指図型投資信託とする。

Article 93-2 Those specified by Cabinet Office Order as those in which it is unlikely that the protection of beneficiaries will be compromised as provided in Article 18, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 54, paragraph (1) are those Investment Trusts Managed without Instructions from the Settlor wherein a settlor may cancel part of the Investment Trust Agreement and redemption is thereby granted to the beneficiary at a fair price of the beneficiary interest.

#### 第四章 外国投資信託

#### Chapter IV Foreign Investment Trust

(外国投資信託の届出を要しない受益証券の範囲)

(Scope of Beneficiary Certificates for Which a Notification of a Foreign Investment Trust Is Not Required)

第九十四条 令第三十条第二号に規定する内閣府令で定める外国投資信託の受益証券は、令第十二条第二号に掲げる投資信託（連動対象指標の構成銘柄の株式に対する投資として運用するものに限る。）に類する外国投資信託の受益証券とする。

Article 94 The Beneficiary Certificates of a Foreign Investment Trust specified by Cabinet Office Order as referred to in Article 30, item (ii) of the Order are Beneficiary Certificates of a Foreign Investment Trust that is similar to the Investment Trust listed in Article 12, item (ii) of the Order (limited to Investment Trusts invested in shares included in the Constituents of the Underlying Indicator).

（外国投資信託の届出を要しない行為）

(Acts for Which a Notification of a Foreign Investment Trust Is Not Required)

第九十四条の二 令第三十条第三号に規定する内閣府令で定める行為は、第一種金融商品取引業（金融商品取引法第二十八条第一項に規定する第一種金融商品取引業をいう。以下この条及び第二百五十九条の二において同じ。）を行う者が適格機関投資家を相手方とし、又は適格機関投資家のために行う外国金融商品市場に上場されている外国投資信託の受益証券（前条に規定するものを除く。以下この条において同じ。）に係る次に掲げる行為とする。

Article 94-2 The acts specified by Cabinet Office Order as referred to in Article 30, item (iii) of the Order are the following acts related to the Beneficiary Certificate of a Foreign Investment Trust (excluding those provided in the preceding Article; hereinafter the same applies in this Article) which is listed on a Foreign Financial Instruments Market, conducted by a person engaged in Type I Financial Instruments Business (meaning the Type I Financial Instruments Business as prescribed in Article 28, paragraph (1) of the Financial Instruments and Exchange Act; hereinafter the same applies in this Article and Article 259-2) with a Qualified Institutional Investor as the other party thereof, or on behalf of the Qualified Institutional Investor:

一 外国金融商品市場における売買の媒介、取次ぎ又は代理（外国金融商品市場における買付けの媒介、取次ぎ又は代理にあつては、外国金融商品市場において売付けをし、又は当該第一種金融商品取引業を行う者に売却する場合以外の場合には当該外国投資信託の受益証券の売却を行わないことを当該適格機関投資家が約することを条件として行うものに限る。）

(i) an intermediary, brokerage or agency service for the sale and purchase on a Foreign Financial Instruments Market (in cases of intermediary, brokerage or agency service for purchase on a Foreign Financial Instruments Market, limited to the intermediary, brokerage or agency service provided on the condition that the Qualified Institutional Investor promises not to make sales of the Beneficiary Certificates of the Foreign Investment Trust in cases other than the case where sold on a Foreign Financial Instruments Market or sold to the relevant person engaged in Type I Financial Instruments



Business);

二 外国金融商品市場における売買の委託の媒介、取次ぎ又は代理（外国金融商品市場における買付けの委託の媒介、取次ぎ又は代理にあつては、外国金融商品市場において売付けをし、又は当該第一種金融商品取引業を行う者に売却する場合以外の場合には当該外国投資信託の受益証券の売却を行わないことを当該適格機関投資家が約することを条件として行うものに限る。）

(ii) an intermediary, brokerage, or agency service for the entrustment of sale and purchase on a Foreign Financial Instruments Market (in cases of intermediary, brokerage or agency service for the entrustment of purchase on a Foreign Financial Instruments Market, limited to the intermediary, brokerage or agency service provided on the condition that the Qualified Institutional Investor promises not to make sales of the Beneficiary Certificate of the Foreign Investment Trust in cases other than the case where sold on a Foreign Financial Instruments Market or sold to the relevant person engaged in Type I Financial Instruments Business);

三 売付け又は買付けの媒介、取次ぎ若しくは代理（第一号に掲げるものを除き、外国金融商品市場において売付けをし、又は当該第一種金融商品取引業を行う者に売却する場合以外の場合には当該外国投資信託の受益証券の売却を行わないことを当該適格機関投資家が約することを条件として行うものに限る。）

(iii) an intermediary, brokerage, or agency service for sales or purchases (except for those listed in item (i), limited to the intermediary, brokerage or agency service provided on the condition that the Qualified Institutional Investor promises not to make sales of the Beneficiary Certificate of the Foreign Investment Trust in cases other than the case where selling on a Foreign Financial Instruments Market or to the relevant person engaged in Type I Financial Instruments Business);

四 その行う前三号に掲げる行為により当該外国投資信託の受益証券を取得した者からの買付け

(iv) purchase from the person who has acquired the Beneficiary Certificate of the Foreign Investment Trust through the acts listed in the preceding three items conducted by the person engaged in Type I Financial Instruments Business.

(外国投資信託の受益証券の発行者の代理人)

(Agent of an Issuer of Beneficiary Certificates of a Foreign Investment Trust)

第九十五条 外国投資信託の受益証券の発行者は、法第五十八条第一項又は法第五十九条において準用する法第十六条若しくは第十九条の規定による届出を行う場合には、国内に住所を有する者であつて当該届出に関する一切の行為につき当該発行者を代理する権限を有するものを定めなければならない。

Article 95 In cases where an issuer of Beneficiary Certificate of a Foreign Investment Trust makes the notification under Article 58, paragraph (1) of the

Act, or the provisions of Article 16 and Article 19 of the Act as applied mutatis mutandis pursuant to Article 59 of the Act, such issuer must specify a person who has an address in Japan and who has the authority to represent the issuer for any acts concerning the notification.

(外国投資信託の届出等)

(Notification of a Foreign Investment Trust)

第九十六条 法第五十八条第一項の規定による届出は、別紙様式第一号により作成した外国投資信託に関する届出書を金融庁長官に提出して行わなければならない。

Article 96 (1) The notification under Article 58, paragraph (1) of the Act must be made by submitting the notification concerning a Foreign Investment Trust that has been prepared using appended form No. 1 to the Commissioner of the Financial Services Agency.

2 法第五十八条第一項第五号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The information specified by Cabinet Office Order as referred to in Article 58, paragraph (1), item (v) of the Act is the following information:

一 委託者（委託者指図型投資信託に類するものの場合に限る。）の分割による事業の全部若しくは一部の承継又は事業の全部若しくは一部の譲渡に関する事項

(i) information concerning whole or part of succession of the business as a result of split of the settlor (limited to cases where the relevant Foreign Investment Trust is one similar to an Investment Trust Managed under Instructions from the Settlor), or whole or part of transfer of business by the settlor;

二 受託者の辞任及び解任並びに新たな受託者の選任に関する事項

(ii) information concerning the resignation and dismissal of the trustee, as well as the appointment of a new trustee;

三 委託者が運用の指図に係る権限を他の者に委託する場合（委託者指図型投資信託に類するものの場合に限る。）又は受託者が運用に係る権限を他の者に委託する場合（委託者非指図型投資信託に類するものの場合に限る。）におけるその委託の内容

(iii) in cases where the settlor entrusts the authority to make orders for investment to other persons (limited to cases where the relevant Foreign Investment Trust is one similar to an Investment Trust Managed under Instructions from the Settlor), or where the trustee entrusts the authority to make orders for investment to other persons (limited to cases where the relevant Foreign Investment Trust is one similar to an Investment Trust Managed without Instructions from the Settlor) the details of the entrustment;

四 国内において法第五十八条第一項に規定する募集の取扱い等を行う金融商品取引業者等の名称

(iv) the name of the Financial Instruments Business Operator, etc. that handles the Dealing of Public Offering, etc. as prescribed in Article 58, paragraph (1) of the Act in Japan.

3 法第五十八条第二項に規定する内閣府令で定める書類は、次に掲げる書類とする。

(3) The documents specified by Cabinet Office Order as referred to in Article 58, paragraph (2) of the Act are the following documents:

一 当該外国投資信託に関する届出書に記載された代表者が当該外国投資信託に係る法第五十八条第一項の規定による届出に関し正当な権限を有する者であることを証する書面

(i) a document proving that the representative person stated in the notification concerning the relevant Foreign Investment Trust is a person who has legitimate authority with regard to the notification under Article 58, paragraph (1) of the Act;

二 当該外国投資信託の受益証券の発行者が、国内に住所を有する者に、当該外国投資信託に係る法第五十八条第一項の規定による届出に関する一切の行為につき当該発行者を代理する権限を付与したことを証する書面

(ii) a document proving that the issuer of the Beneficiary Certificate of the relevant Foreign Investment Trust has granted a person who has an address in Japan the authority to represent the issuer for any acts concerning the notification under Article 58, paragraph (1) of the Act for the Foreign Investment Trust;

三 当該外国投資信託が設定された国の法令に基づき、当該外国投資信託の設定について承認、認可、許可、届出又はこれらに相当するものが行われている場合には、その承認書、認可書、許可書、届出書又はこれらに相当する書面の写し

(iii) in cases where an approval, authorization, permission, notification or the equivalent thereto has been made with regard to the establishment of the relevant Foreign Investment Trust based on laws and regulations of the State in which the Foreign Investment Trust was established, a copy of the written approval, written authorization, written permission, notification or documents equivalent thereto;

四 当該外国投資信託の設定が適法であることについての法律専門家の法律意見書及び当該意見書に掲げられた関係法令の関係条文

(iv) a legal opinion letter by legal experts stating that the establishment of the relevant Foreign Investment Trust is legal as well as relevant provisions of the relevant laws and regulations set forth in the legal opinion letter; and

五 当該外国投資信託の運用（その指図を含む。以下この号において同じ。）に係る権限を有する者が、当該権限を他の者に委託して当該外国投資信託の運用を行わせている場合には、その委託に関する内容を明らかにした書面

(v) in cases where a person who has the authority for the investment of the relevant Foreign Investment Trust (including the orders therefor; hereinafter the same applies in this item) has entrusted the authority to another person

and has such person invest the Foreign Investment Trust, a document disclosing the contents of the entrustment.

(外国投資信託約款等の変更内容の届出)

(Notification of the Details of the Revisions to the Basic Terms and Conditions for a Foreign Investment Trust, etc.)

第九十七条 法第五十九条において準用する法第十六条（第一号に係る部分に限る。）の規定による届出は、次に掲げる事項を記載した届出書を金融庁長官に提出して行わなければならない。

Article 97 (1) The notification under Article 16 of the Act (limited to the part pertaining to item (i)) as applied mutatis mutandis pursuant to Article 59 of the Act must be made by submitting the notification containing the following information to the Commissioner of the Financial Services Agency:

一 当該外国投資信託の信託約款又はこれに類する書類（以下「外国投資信託約款等」という。）に係る外国投資信託の名称

(i) the name of the Foreign Investment Trust pertaining to the relevant Basic Terms and Conditions for a Foreign Investment Trust or documents similar thereto (hereinafter referred to as the "Basic Terms and Conditions for a Foreign Investment Trust, etc.");

二 外国投資信託約款等の変更の内容及び理由

(ii) the details and reasons for the revisions to the Basic Terms and Conditions for a Foreign Investment Trust, etc.;

三 外国投資信託約款等の変更がその効力を生ずる日

(iii) the day on which the revisions to the Basic Terms and Conditions for a Foreign Investment Trust, etc. becomes effective.

2 前項の届出書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the notification under the preceding paragraph:

一 外国投資信託約款等の変更の案

(i) a draft of the revisions to the Basic Terms and Conditions for a Foreign Investment Trust, etc.;

二 委託者指図型投資信託に類するもの場合には、受託者の同意書又はこれに代わる書類

(ii) in cases where the relevant Foreign Investment Trust is similar to an Investment Trust Managed under Instructions from the Settlor, a written consent of the trustee company or substitute documents therefor;

三 法第五十九条において準用する法第十七条第五項の規定による公告をする場合にあっては、当該公告の内容を記載した書面

(iii) in cases where giving the public notice under Article 17, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 59 of the Act, the documents stating the contents of the public notice; and

四 外国投資信託約款等の変更に関する前条第三項第一号から第四号までに係る書類に準ずる書類

(iv) documents equivalent to the documents related to the provisions of paragraph (3), items (i) through (iv) of the preceding Article related to the revisions to the Basic Terms and Conditions for a Foreign Investment Trust, etc.

(外国投資信託の併合の届出)

(Notification of Consolidation of Foreign Investment Trusts)

第九十八条 法第五十九条において準用する法第十六条（第二号に係る部分に限る。）の規定による届出は、次に掲げる事項を記載した届出書を金融庁長官に提出して行わなければならない。

Article 98 (1) The notification under Article 16 of the Act (limited to the part pertaining to item (ii)) as applied mutatis mutandis pursuant to Article 59 of the Act must be made by submitting the notification containing the following information to the Commissioner of the Financial Services Agency:

一 当該外国投資信託の併合（法第五十九条において準用する法第十六条第二号に規定する外国投資信託の併合をいう。以下この章において同じ。）に係る各外国投資信託の名称

(i) the name of each Foreign Investment Trust pertaining to the Consolidation of Foreign Investment Trusts (meaning the consolidation of Foreign Investment Trusts as prescribed in Article 16, item (ii) of the Act as applied mutatis mutandis pursuant to Article 59 of the Act; hereinafter the same applies in this Chapter);

二 外国投資信託の併合後の外国投資信託の名称

(ii) the name of the Foreign Investment Trust after the consolidation of Foreign Investment Trusts;

三 外国投資信託の併合の内容及び理由

(iii) the contents of and reasons for the consolidation of Foreign Investment Trusts;

四 外国投資信託の併合がその効力を生ずる日

(iv) the day on which the consolidation of Foreign Investment Trusts becomes effective.

2 前項の届出書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the notification under the preceding paragraph:

一 外国投資信託の併合後の外国投資信託約款等の案

(i) a draft of the Basic Terms and Conditions for a Foreign Investment Trust, etc. after the consolidation of Foreign Investment Trusts;

二 委託者指図型投資信託に類するもの場合には、受託者の同意書又はこれに代わる書類

(ii) in cases where the relevant Foreign Investment Trust is similar to an Investment Trust Managed under Instructions from the Settlor, a written consent of the trustee company or substitute documents therefor;

三 法第五十九条において準用する法第十七条第五項の規定による公告をする場合にあっては、当該公告の内容を記載した書面

(iii) in cases where giving the public notice under Article 17, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 59 of the Act, the documents stating the contents of the public notice; and

四 外国投資信託の併合に関する第九十六条第三項第一号から第四号までに係る書類に準ずる書類

(iv) documents equivalent to the documents related to the provisions of Article 96, paragraph (3), items (i) through (iv) concerning the consolidation of Foreign Investment Trusts.

(外国投資信託約款等の重大な内容の変更)

(Material Revisions to the Details of the Basic Terms and Conditions for a Foreign Investment Trust, etc.)

第九十九条 法第五十九条において準用する法第十七条第一項に規定する外国投資信託約款等の変更の内容が重大なものとして内閣府令で定めるものは、当該外国投資信託約款等の記載事項の変更であって、当該外国投資信託約款等に係る外国投資信託の商品としての基本的な性格を変更させることとなるものとする。

Article 99 The revisions to the details of the Basic Terms and Conditions for an Foreign Investment Trust specified by Cabinet Office Order as being material as referred to in Article 17, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 59 of the Act are the revisions to the information required to be included in the relevant Basic Terms and Conditions for a Foreign Investment Trust, etc., so as to change the basic characteristics as a financial instrument of the Foreign Investment Trust related to the Basic Terms and Conditions for a Foreign Investment Trust, etc.

(受益者の利益に及ぼす影響が軽微な外国投資信託の併合)

(Consolidation of Foreign Investment Trusts That Has Only a Minor Influence on Beneficiaries' Interests)

第九十九条の二 法第五十九条において準用する法第十七条第一項に規定する外国投資信託の併合が受益者の利益に及ぼす影響が軽微なものとして内閣府令で定めるものは、次に掲げる要件の全てに該当する外国投資信託の併合とする。

Article 99-2 (1) The cases which fall under those specified by Cabinet Office Order where the consolidation of Foreign Investment Trusts has only a minor influence on beneficiaries' interests as provided in Article 17, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 59 of the Act are the cases where the consolidation of Foreign Investment Trusts satisfies all of the

following requirements:

- 一 当該併合後の外国投資信託に属することとなる財産が当該併合前の外国投資信託約款等に記載された外国投資信託の信託財産の運用方針に反しないと認められること。
    - (i) that the property that is to belong to the Foreign Investment Trust after the consolidation is found not to contradict the investment policy for Trust Property of the Foreign Investment Trust that is stated in the Basic Terms and Conditions for a Foreign Investment Trust, etc. before the consolidation;
  - 二 当該併合の前後で当該外国投資信託の商品としての基本的な性格に相違がないこと。
    - (ii) that there is no change in the basic characteristics as a financial instrument of the Foreign Investment Trust before and after the consolidation; and
  - 三 当該外国投資信託の信託財産の純資産総額が併合をする他の外国投資信託の信託財産の純資産総額の五倍以上であること。ただし、当該外国投資信託の信託財産と当該他の外国投資信託の信託財産の内容が実質的に同一であると認められる場合はこの限りでない。
    - (iii) that the total amount of net assets of the Trust Property of the Foreign Investment Trust is at least five times as much as the total amount of net assets of the Trust Property of the other Foreign Investment Trust which is to effect the consolidation; provided, however, that this does not apply to cases where the Trust Property of the Foreign Investment Trust is found to be substantially identical to the Trust Property of the relevant other Foreign Investment Trust.
- 2 前項第三号の純資産総額は、当該併合を決定した日（当該決定により当該決定をした日と異なる日において算定の基準となる時（当該決定をした日後から当該併合の効力が生ずる時の直前までの間に限る。）を定めた場合にあっては、当該時）において算定する。
- (2) The total amount of net assets referred to in item (iii) of the preceding paragraph is calculated on the day on which the consolidation is decided (in cases where another record date for calculation that is different from the day of the decision is specified by the decision (limited to any day falling within the period after the day on which the decision is made until immediately before the consolidation becomes effective), such other day)).

（重大な約款の変更等の決定事項）

(Information Decided for Material Revisions to the Basic Terms and Conditions)

第百条 法第五十九条において準用する法第十七条第一項第四号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 100 The information specified by Cabinet Office Order as referred to in

Article 17, paragraph (1), item (iv) of the Act as applied mutatis mutandis pursuant to Article 59 of the Act is the following information:

一 外国投資信託の信託約款を変更しようとする場合

(i) in cases of revising the Basic Terms and Conditions for an Investment Trust for a Foreign Investment Trust:

イ 変更後の外国投資信託約款等

(a) the Basic Terms and Conditions for a Foreign Investment Trust, etc. after revision;

ロ 外国投資信託約款等で定められた受益権の内容に変更を加え、又は受益権の価値に重大な影響を与えるおそれがあるときは、その変更又は影響の内容及び相当性に関する事項

(b) when the details of the beneficial interest provided in the Basic Terms and Conditions for a Foreign Investment Trust, etc. are to be changed, or it is likely that the changes have a material impact on the value of the beneficial interest, the information related to the details and appropriateness of such changes or impact;

ハ 外国投資信託約款等の変更がその効力を生ずる日

(c) the day on which the revisions to the Basic Terms and Conditions for a Foreign Investment Trust, etc. become effective;

ニ 外国投資信託約款等の変更をする理由

(d) the reasons for revising the Basic Terms and Conditions for a Foreign Investment Trust, etc.; and

ホ 外国投資信託約款等の変更に関する事項について受益者の不利益となる事実

(e) the facts that may be disadvantageous to beneficiaries with regard to the information related to the revisions to the Basic Terms and Conditions for a Foreign Investment Trust, etc.;

二 外国投資信託の併合をしようとする場合

(ii) in cases of consolidating Foreign Investment Trusts:

イ 外国投資信託の併合後の外国投資信託約款等の内容

(a) the details of the Basic Terms and Conditions for a Foreign Investment Trust, etc. after the consolidation of Foreign Investment Trusts;

ロ 外国投資信託約款等において定める受益権の内容に変更があるときは、その内容及び変更の理由

(b) in cases where changes are to be made to the details of the beneficial interest specified in the Basic Terms and Conditions for a Foreign Investment Trust, etc., the details thereof and the reasons for the changes;

ハ 外国投資信託の併合に際して受益者に対し金銭その他の財産を交付するときは、次に掲げる事項

(c) in cases money and other property are to be delivered to the beneficiaries upon the consolidation of Foreign Investment Trusts, the following information:



- (1) 当該財産の内容及びその価額並びにこれらの事項の定め相当性に関する事項
1. the details and value of the relevant property, as well as the information concerning the adequacy of the provisions for such information;
- (2) 受益者に対して交付する金銭その他の財産の割当てに関する事項及び当該事項の定め相当性に関する事項
2. information concerning money or any other property to be delivered to beneficiaries and the information concerning the adequacy of the provisions for such information;
- ニ 外国投資信託の併合がその効力を生ずる日
- (d) the day on which the consolidation of Foreign Investment Trusts becomes effective;
- ホ 外国投資信託の併合をする他の外国投資信託についての次に掲げる事項その他の当該他の外国投資信託を特定するために必要な事項
- (e) the following information concerning the other Foreign Investment Trust Operated which is to effect the consolidation of Foreign Investment Trusts, and any other information necessary for specifying the other Foreign Investment Trust:
- (1) 委託者及び受託者の氏名又は名称及び住所
1. the trade name or name and address of the settlor and trustee;
- (2) 外国投資信託の信託契約の締結日
2. the day of conclusion of a Trust Agreement for a Foreign Investment Trust; and
- (3) 外国投資信託約款等の内容
3. the details of the Basic Terms and Conditions for a Foreign Investment Trust, etc.;
- ヘ 外国投資信託の併合をする各外国投資信託において直前に作成された財産状況開示資料等（これに準ずる書面又は電磁的記録を含む。以下この条及び第百二条において同じ。）の内容（財産状況開示資料等を作成すべき時期が到来していないときは、その旨）
- (f) the contents of the Property Status Disclosure Materials, etc. (including documents equivalent thereto or Electronic or Magnetic Records; hereinafter the same applies in this Article and Article 102) which have been prepared immediately before the consolidation of Foreign Investment Trusts by each Foreign Investment Trust which effects the consolidation (or that the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, if this is the case);
- ト 外国投資信託の併合をする各外国投資信託について、財産状況開示資料等を作成した後（財産状況開示資料等を作成すべき時期が到来していない場合にあつては、外国投資信託が設定された後）に、重要な外国投資信託の信託財産に属する財産の処分、重大な信託財産責任負担債務の負担その他の外国投資信託の信託財

産の状況に重要な影響を与える事象が生じたときは、その内容

(g) with regard to each Foreign Investment Trust which effects the consolidation of Foreign Investment Trusts, when a disposition of property belonging to an important Trust Property of a Foreign Investment, or assumption of a material Obligation Assumed by the Trustee under the Trust Property has been made, or any other event that may have a significant influence on the status of the Trust Property of a Foreign Investment Trust has occurred after preparing the Property Status Disclosure Materials, etc. (in cases where the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, after the time when the Foreign Investment Trust has been established), the details thereof;

チ 外国投資信託の併合をする理由

(h) the reasons for effecting a consolidation of Foreign Investment Trusts; and

リ 外国投資信託の併合に関する事項について受益者の不利益となる事実

(i) the facts that may be disadvantageous to beneficiaries with regard to the information concerning the consolidation of Foreign Investment Trusts.

(外国投資信託の信託契約の解約の届出)

(Notification of Cancellation of a Trust Agreement for a Foreign Investment Trust)

第百一条 法第五十九条において準用する法第十九条の規定による届出は、次に掲げる事項を記載した届出書を金融庁長官に提出して行わなければならない。

Article 101 (1) The notification under Article 19 of the Act as applied mutatis mutandis pursuant to Article 59 of the Act must be made by submitting a notification containing the following information to the Commissioner of the Financial Services Agency:

一 外国投資信託の名称

(i) the name of the Foreign Investment Trust;

二 外国投資信託の信託契約の解約の理由

(ii) the reasons for the cancellation of the Trust Agreement for a Foreign Investment Trust; and

三 外国投資信託の信託契約の解約がその効力を生ずる日

(iii) the day on which the cancellation of the Trust Agreement for a Foreign Investment Trust becomes effective.

2 前項の届出書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the notification under the preceding paragraph:

一 委託者指図型投資信託に類するもの場合には、受託者の同意書又はこれに代わる書類

(i) in cases where the relevant Foreign Investment Trust is one similar to an Investment Trust Managed under Instructions from the Settlor, a written consent of the trustee or substitute documents therefor;

二 法第五十九条において準用する法第二十条第一項において準用する法第十七条第五項の規定による公告をする場合にあっては、当該公告の内容を記載した書面

(ii) in cases of giving the public notice under Article 17, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 59 of the Act, a document stating the contents of the public notice; and

三 外国投資信託の信託契約の解約に関する第九十六条第三項第一号から第四号までに係る書類に準ずる書類

(iii) documents equivalent to the documents related to the provisions of Article 96, paragraph (3), items (i) through (iv) with regard to the cancellation of the Trust Agreement for a Foreign Investment Trust.

(外国投資信託の信託契約の解約の決定事項)

(Information Decided for Cancellation of a Trust Agreement for a Foreign Investment Trust)

第百二条 法第五十九条において準用する法第二十条第一項において準用する法第十七条第一項第四号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 102 The information specified by Cabinet Office Order as referred to in Article 17, paragraph (1), item (iv) of the Act as applied mutatis mutandis pursuant to Article 20, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 59 of the Act is the following information:

一 外国投資信託の信託契約の解約の相当性に関する事項

(i) information concerning the adequacy of the cancellation of a Trust Agreement for a Foreign Investment Trust;

二 外国投資信託の信託契約の解約がその効力を生ずる日

(ii) the day on which the cancellation of a Trust Agreement for a Foreign Investment Trust becomes effective;

三 直前に作成された財産状況開示資料等の内容（財産状況開示資料等を作成すべき時期が到来していないときは、その旨）

(iii) the details of the Property Status Disclosure Materials, etc. prepared immediately before the cancellation (or that the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, if this is the case);

四 財産状況開示資料等を作成した後（財産状況開示資料等を作成すべき時期が到来していない場合にあっては、外国投資信託が設定された後）に、重要な外国投資信託の信託財産に属する財産の処分、重大な信託財産責任負担債務の負担その他の外国投資信託の信託財産の状況に重要な影響を与える事象が生じたときは、その内容

(iv) when a disposition of property belonging to an important Trust Property of

a Foreign Investment Trust or assumption of a material Obligation Assumed by the Trustee under the Trust Property has been made, or any other event that may have a significant influence on the status of Trust Property of a Foreign Investment Trust has occurred after the preparation of the Property Status Disclosure Materials, etc. (in cases where the time at which the Property Status Disclosure Materials, etc. should be prepared has yet to arrive, after the time when the Foreign Investment Trust has been established), the details thereof;

五 外国投資信託の信託契約の解約の理由

(v) the reasons for canceling the Trust Agreement for a Foreign Investment Trust; and

六 外国投資信託の信託契約の解約に関する事項について受益者の不利益となる事実

(vi) information that may be disadvantageous to beneficiaries with regard to the matters concerning the cancellation of a Trust Agreement for a Foreign Investment Trust.

## 第五章 投資法人

### Chapter V Investment Corporations

#### 第一節 投資法人

#### Section 1 Investment Corporations

(電磁的記録)

(Electronic or Magnetic Records)

第百三条 法第六十六条第二項に規定する内閣府令で定める電磁的記録は、磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものとする。

Article 103 The Electronic or Magnetic Record specified by Cabinet Office Order as referred to in Article 66, paragraph (2) of the Act is that recording information in a file that has been prepared using media which can securely record certain information by magnetic disks, or any other means equivalent thereto.

(電子署名)

(Electronic Signature)

第百四条 次に掲げる規定に規定する内閣府令で定める署名又は記名押印に代わる措置は、電子署名とする。

Article 104 (1) The measures in lieu of signing or affixing names and seals specified by Cabinet Office Order as referred to in the following provisions are Electronic Signature:

一 法第六十六条第二項

(i) Article 66, paragraph (2) of the Act;

二 法第百十五條第一項において準用する会社法第三百六十九條第四項

(ii) Article 369, paragraph (4) of the Companies Act as applied mutatis mutandis pursuant to Article 115, paragraph (1) of the Act;

三 法第百三十九條の七において準用する会社法第六百八十二條第三項

(iii) Article 682, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act;

四 法第百三十九條の七において準用する会社法第六百九十五條第三項

(iv) Article 695, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act; and

五 法第百五十四條の三第二項において準用する会社法第三百六十九條第四項

(v) Article 369, paragraph (4) of the Companies Act as applied mutatis mutandis pursuant to Article 154-3, paragraph (2) of the Act.

2 前項に規定する電子署名とは、電磁的記録（法第六十六條第二項に規定する電磁的記録をいう。以下同じ。）に記録することができる情報について行われる措置であつて、次の要件のいずれにも該当するものをいう。

(2) The Electronic Signature as referred to in the preceding paragraph is a measure taken for the information which may be recorded in an Electronic or Magnetic Record (meaning the Electronic or Magnetic Record as prescribed in Article 66, paragraph (2) of the Act; the same applies hereinafter), that satisfy all of the following requirements:

一 当該情報が当該措置を行つた者の作成に係るものであることを示すためのものであること。

(i) the measure is one for indicating that the relevant information has been prepared by the person who has taken the measure; and

二 当該情報について改変が行われていないかどうかを確認することができるものであること。

(ii) the measure is one that enables to confirm as to whether the relevant information has been altered or not.

(規約の記載事項の細目)

(Details of the Information Required to Be Included in the Certificate of Incorporation)

第百五條 法第六十七條第五項に規定する内閣府令で定める細目は、次の各号に掲げる事項の区分に応じ、当該各号に定めるものとする。

Article 105 The details specified by Cabinet Office Order as referred to in Article 67, paragraph (5) of the Act are those specified in the following items according to the category of information listed in the respective items:

一 法第六十七條第一項第七号に掲げる事項 次に掲げるもの

(i) information listed in Article 67, paragraph (1), item (vii) of the Act: the following:

イ 資産運用の基本方針

- (a) the basic policy for assets investments;  
 ロ 資産運用の対象とする特定資産の種類、目的及び範囲
- (b) the type, purpose, and scope of the Specified Assets which are the subject of assets investments;  
 ハ 資産運用の対象とする特定資産以外の資産の種類
- (c) the type of assets other than Specified Assets which are the subject of assets investments;  
 ニ 資産運用の対象とする資産について、その種類、銘柄若しくは通貨ごとの保有額若しくは保有割合に係る制限又は取得できる銘柄の範囲に係る制限その他の運用に制限を設ける場合にあっては、その内容
- (d) with regard to the assets which are the subject of the assets investments, in cases of imposing limitation on the amount for holding the assets for each type, issue or currency, or on the holding ratio thereof, limitation for the scope of issue of assets which may be acquired, or any other limitation on investments, the details thereof;  
 ホ 資産を主として有価証券（金融商品取引法第二条第二項の規定により有価証券とみなされる同項各号に掲げる権利を除く。以下ホにおいて同じ。）に対する投資として運用すること（有価証券についての同法第二十八条第八項第六号に規定する有価証券関連デリバティブ取引を行うことを含む。）を目的とする場合は、その旨
- (e) that the Investment Corporation has the purpose of investing the assets mainly into Securities (excluding rights listed in the items of Article 2, paragraph (2) of the Financial Instruments and Exchange Act deemed as Securities pursuant to that paragraph; hereinafter the same applies in this sub-item (e)) (including the Transactions of Securities-Related Derivatives defined in Article 28, paragraph (8), item (vi) of that Act conducted for Securities), if this is the case;  
 ヘ 資産を主として不動産等資産（不動産、不動産の賃借権、地上権、再生可能エネルギー発電設備、公共施設等運営権、これらの資産のみを信託する信託の受益権又は第二百二十一条の二第一項に規定する法人（以下「海外不動産保有法人」という。）の発行済株式（当該発行済株式（当該海外不動産保有法人が有する自己の株式を除く。）の総数に第二百二十一条に規定する率を乗じて得た数を超えて取得する当該発行済株式に限る。）をいう。）に対する投資として運用することを目的とする場合は、その旨
- (f) that the Investment Corporation has the purpose of investing the assets mainly into real property and other assets (meaning real property, rights of lease of real property, superficies rights, Renewable Energy Power Generation Facilities or Right to Operate Public Facility, etc., beneficial interests of trusts in which only these assets are entrusted, or Issued Shares of a corporation provided in Article 221-2, paragraph (1) (hereinafter referred to as "Foreign Real Property Holding Corporation"))

(limited to cases where the number of the Issued Shares to be acquired exceeds the number obtained by multiplying the total number of the Issued Shares (excluding shares in the Foreign Real Property Holding Corporation owned by that Foreign Real Property Holding Corporation itself) by the rate specified in Article 221)), if this is the case;

ト 組入資産の貸付けを行う場合は、その目的及び範囲

(g) in cases of loaning incorporated assets, the purpose thereof as well as the scope; and

チ 令第百十六条の二に定める場合において、海外不動産保有法人の発行済株式又は出資（当該海外不動産保有法人が有する自己の株式又は出資を除く。）の総数又は総額に第二百二十一条に規定する率を乗じて得た数又は額を超えて当該発行済株式又は出資を取得する場合には、その旨

(h) that, in the cases referred to in Article 116-2 of the Order, the number or the amount of Issued Shares or equity in a Foreign Real Property Holding Corporation to be acquired exceeds the number or the amount obtained by multiplying the total number or the total amount of the Issued Shares or equity (excluding shares or equity in the Foreign Real Property Holding Corporation owned by that Foreign Real Property Holding Corporation itself) by the rate specified in Article 221, if this is the case;

二 法第六十七条第一項第八号に掲げる事項 次に掲げる資産の区分に応じ、それぞれ次に定めるもの

(ii) information listed in Article 67, paragraph (1), item (viii) of the Act; the following according the category of assets listed in the following sub-items:

イ 有価証券 公表されている最終価格に基づき算出した価額又はこれに準ずるものとして合理的な方法により算出した価額による旨

(a) Securities: a statement to the effect that the investment is made at the value calculated based on the publicized closing price, or the value calculated by a reasonable method as being equivalent thereto; and

ロ 有価証券以外の資産 当該資産の種類ごとに、公正妥当な資産の評価の方法

(b) assets other than Securities: the fair and appropriate method for appraisal of assets for each type of the relevant assets;

三 法第六十七条第一項第九号に掲げる事項 次に掲げるもの

(iii) information listed in Article 67, paragraph (1), item (ix) of the Act: the following:

イ 投資主に分配する金銭の総額の計算方法

(a) the method of calculation of the total amount of money to be distributed to Investors;

ロ 利益（法第百三十六条第一項に規定する利益をいう。）を超えて金銭の分配をする場合は、その旨及び分配に充てるべき金額の計算方法

(b) in cases of distributing money in excess of Profits (meaning the Profits as prescribed in Article 136, paragraph (1) of the Act), an indication of this

and the method of calculating the money to be allocated for distribution;  
and

ハ その他金銭の分配の方針として特に定めた事項

(c) other information especially specified as the policy of distribution of money;

四 法第六十七条第一項第十二号に掲げる事項 執行役員、監督役員及び会計監査人のそれぞれについて、その報酬の具体的な金額又はその計算方法及び支払の時期

(iv) the matters listed in Article 67, paragraph (1), item (xii) of the Act: with regard to executive managing officers, supervisory officers and a financial auditor, the concrete amount of remuneration, the method of calculation thereof, and the timing of payment provided respectively;

五 法第六十七条第一項第十三号に掲げる事項 資産運用会社に対する資産運用報酬の具体的な金額又はその計算方法及び支払の時期

(v) information listed in Article 67, paragraph (1), item (xiii) of the Act: the concrete amount of asset investment fees to be paid to an Asset Management Company and the method of calculation and timing of payment thereof;

六 法第六十七条第一項第十四号に掲げる事項 成立時の一般事務受託者、資産運用会社及び資産保管会社となるべき者の全てについて、それぞれ次に掲げるもの

(vi) information listed in Article 67, paragraph (1), item (xiv) of the Act: the following listed respectively for all of the persons who are to become the Administrative Agent, Asset Management Company, and Asset Custody Company at the time of establishment of the Investment Corporation:

イ 氏名又は名称（当該資産運用会社となるべき者が適格投資家向け投資運用業を行うことにつき金融商品取引法第二十九条の登録を受けた金融商品取引業者であるときは、その旨を含む。）及び住所

(a) the names (including an indication that the relevant person who is to become the Asset Management Company is a Financial Instruments Business Operator registered under Article 29 of the Financial Instruments and Exchange Act for engaging in the Investment Management Business for Qualified Investors, if this is the case) and addresses;

ロ これらの者との間の契約において定めるべき事項のうち、委託すべき業務の内容、契約期間及び当該期間中の解約に関する事項、契約の内容の変更に関する事項、これらの者に支払う報酬又は手数料の額（具体的な金額又はその計算方法）並びにその支払の時期及び方法その他重要な事項（成立時において資産運用会社となるべき者と締結すべき契約に、資産の運用に係る権限の一部の再委託に関する規定を設ける場合においては、当該規定の内容（資産の運用に係る権限の一部を適格投資家向け投資運用業を行うことにつき金融商品取引法第二十九条の登録を受けた金融商品取引業者に再委託することを内容とするものであるときは、その旨を含む。）を含む。）

(b) among the information to be specified in the contract to be concluded with



the above-mentioned persons, the contents of the business to be entrusted, contract period, information concerning the cancellation of contract during the period, information related to the changes to the contents of the contract, the amount of remuneration of fees to be paid to the persons (the concrete amount or the method of calculation thereof), the timing for the payment thereof, and any other material information (in cases where provisions concerning the partial re-entrustment of the authority for assets investments are stipulated in the contract to be concluded with the person who is to become an Asset Custody Company at the time of establishment, including the details of the provisions (including an indication that it is stipulated in the contract that the authority for asset investments is partially re-entrusted to a Financial Instruments Business Operator registered under Article 29 of the Financial Instruments and Exchange Act for engaging in the Investment Management Business for Qualified Investors, if this is the case));

七 法第六十七条第一項第十五号に掲げる事項 次に掲げるもの

(vii) information listed in Article 67, paragraph (1), item (xv) of the Act: the following:

イ 借入れの目的、借入金の限度額及び借入金の使途に関する事項並びに借入先を適格機関投資家に限る場合はその旨

(a) information concerning the purpose, maximum amount, and use of the borrowing, and that the lenders for the borrowing are limited to Qualified Institutional Investors, if this is the case; and

ロ 投資法人債の発行目的、投資法人債発行の限度額及び投資法人債の発行により調達した資金の使途に関する事項

(b) information concerning the purpose of issuing Investment Corporation Bonds, the maximum amount for issuing Investment Corporation Bonds, the use of funds procured from the issuance of Investment Corporation Bonds.

(電磁的記録に記録された事項を表示する方法)

(Method of Indicating Information Recorded in an Electronic or Magnetic Record)

第百六条 次に掲げる規定に規定する内閣府令で定める方法は、次に掲げる規定の電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

Article 106 The method specified by Cabinet Office Order as referred to in the following provisions is the method of indicating the information recorded in the Electronic or Magnetic Record under the following provisions on paper or on a computer screen:

一 法第六十七条第七項において準用する会社法第三十一条第二項第三号

(i) Article 31, paragraph (2), item (iii) of the Companies Act as applied mutatis

- mutandis pursuant to Article 67, paragraph (7) of the Act;
- 二 法第七十三条第四項において準用する会社法第七十四条第七項第二号  
(ii) Article 74, paragraph (7), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act;
- 三 法第七十三条第四項において準用する会社法第七十六条第五項  
(iii) Article 76, paragraph (5) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act;
- 四 法第七十三条第四項において準用する会社法第八十一条第三項第二号  
(iv) Article 81, paragraph (3), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act;
- 五 法第七十三条第四項において準用する会社法第八十二条第三項第二号  
(v) Article 82, paragraph (3), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act;
- 六 法第七十七条の三第三項において準用する会社法第二百五条第二項第二号  
(vi) Article 125, paragraph (2), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 77-3, paragraph (3) of the Act;
- 七 法第八十一条の二第二項において準用する会社法第八十二条の二第二項第三号  
(vii) Article 182-2, paragraph (2), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 81-2, paragraph (2) of the Act;
- 八 法第八十一条の二第二項において準用する会社法第八十二条の六第三項第三号  
(viii) Article 182-6, paragraph (3), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 81-2, paragraph (2) of the Act;
- 九 法第八十八条の五第二項において準用する会社法第二百五十二条第二項第二号  
(ix) Article 252, paragraph (2), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 88-5, paragraph (2) of the Act;
- 十 法第九十二条の二第五項  
(x) Article 92-2, paragraph (5) of the Act;
- 十一 法第九十四条第一項において準用する会社法第三百十条第七項第二号  
(xi) Article 310, paragraph (7), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act;
- 十二 法第九十四条第一項において準用する会社法第三百十八条第四項第二号  
(xii) Article 318, paragraph (4), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act;
- 十三 法第一百五十五条第一項において準用する会社法第三百七十一条第二項第二号  
(xiii) Article 371, paragraph (2), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 115, paragraph (1) of the Act;
- 十四 法第一百五十五条の二第四項において準用する会社法第三百九十六条第二項第二号  
(xiv) Article 396, paragraph (2), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 115-2, paragraph (4) of the Act;
- 十五 法第二百二十八条の三第一項第二号  
(xv) Article 128-3, paragraph (1), item (ii) of the Act;

十六 法第百三十二条第二項において準用する会社法第四百四十二条第三項第三号 (xvi) Article 442, paragraph (3), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 132, paragraph (2) of the Act;

十七 法第百三十九条の七において準用する会社法第六百八十四条第二項第二号 (xvii) Article 684, paragraph (2), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act;

十八 法第百三十九条の十第二項において準用する会社法第七百三十一条第三項第二号

(xviii) Article 731, paragraph (3), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act;

十九 法第百四十九条第二項第三号（法第百四十九条の六第二項、第百四十九条の十第三項、第百四十九条の十一第二項又は第百四十九条の十六第三項において準用する場合を含む。）

(xix) Article 149, paragraph (2), item (iii) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 149-6, paragraph (2), Article 149-10, paragraph (3), Article 149-11, paragraph (2), or Article 149-16, paragraph (3) of the Act); and

二十 法第百五十四条の三第二項において準用する会社法第三百七十一条第二項第二号

(xx) Article 371, paragraph (2), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 154-3, paragraph (2) of the Act.

（投資法人の設立の届出）

(Notification of Incorporation of an Investment Corporation)

第百七条 設立企画人は、法第六十九条第一項の規定による届出をしようとするときは、別紙様式第二号により作成した投資法人設立届出書の正本及び副本二通を、設立しようとする投資法人の本店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）に提出しなければならない。

Article 107 When making the notification under Article 69, paragraph (1) of the Act, an organizer must submit an original copy and two duplicate copies of the notification of incorporation of an Investment Corporation prepared using appended form No. 2 to the Director-General of a Local Finance Bureau who has jurisdiction over the location of the head office of the Investment Corporation intended to be incorporated (in cases where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director-General of the Fukuoka Local Finance Branch Bureau).

（投資法人設立届出書の添付書類）

(Documents to Be Attached to the Notification of Incorporation of an Investment Corporation)

第百八条 前条の投資法人設立届出書には、法第六十九条第二項に規定する規約を、三

通（規約が電磁的記録で作成されているときは、次条に定める電磁的記録一部）添付しなければならない。

Article 108 (1) Three copies of the certificate of incorporation referred to in Article 69, paragraph (2) of the Act (in cases where the certificate of incorporation is prepared in the form of an Electronic or Magnetic Record, one set of Electronic or Magnetic Record prescribed in the following Article) must be attached to the notification of incorporation of an Investment Corporation under the preceding Article.

2 法第六十九条第二項に規定する内閣府令で定める書類は、次に掲げる書類（官公署が証明する書類の場合には、申請の日前三月以内に作成されたものに限る。）とする。

(2) The documents specified by Cabinet Office Order as referred to in Article 69, paragraph (2) of the Act are the following documents (in cases of documents certified by public agencies, limited to those prepared within three months before the date of application):

一 設立企画人（法人である場合には、その法人の役員及び設立企画人としての職務を行う使用人。第四号において同じ。）及び設立時執行役員（法第六十九条第一項に規定する設立時執行役員をいう。以下同じ。）の候補者の住民票の抄本（当該設立企画人又は設立時執行役員の候補者が外国人であり、かつ、国内に居住している場合には、在留カード（出入国管理及び難民認定法（昭和二十六年政令第三百十九号）第十九条の三に規定する在留カードをいう。第二百十五号第四号において同じ。）の写し、特別永住者証明書（日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法（平成三年法律第七十一号）第七条第一項に規定する特別永住者証明書をいう。第二百十五号第四号において同じ。）の写し又は住民票の抄本）若しくは登記事項証明書又はこれらに代わる書面

(i) extracts of the residence certificates of the organizer(s) (in cases where the organizer is a corporation, the officer of the corporation as well as the employee who carries out the duties as an organizer; the same applies in item (iv)) and the candidate(s) for an Executive Managing Officer at Incorporation (meaning the Executive Managing Officer at Incorporation as prescribed in Article 69, paragraph (1) of the Act; the same applies hereinafter) (in cases where the relevant organizer(s) or candidate for the Executive Managing Officer at Incorporation is a foreign national and has a residence in Japan, a copy of the Residence Card (meaning the Residence Card as prescribed in Article 19-3 of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951); the same applies in Article 215, item (iv)), a copy of the Special Permanent Resident Certificate (meaning the Special Permanent Resident Certificate as prescribed in Article 7, paragraph (1) of the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act No. 71 of 1991); the same applies in Article 215, item (iv)), or an extract of the residence certificate), or the certificate of registered

- information thereof, or substitute documents therefor;
- 二 設立企画人（法人である場合を除く。次号及び第六号において同じ。）及び設立時執行役員の候補者が法第九十八条第二号及び第三号に該当しない旨の官公署の証明書（当該設立企画人又は設立時執行役員の候補者が外国人である場合を除く。）
- (ii) a certificate issued by a public agency providing to the effect that the organizer(s) (excluding cases where the organizer is a corporation; the same applies in the following item and item (vi)) and candidate(s) for an Executive Managing Officer at Incorporation does not fall under the category of persons listed in Article 98, items (ii) and (iii) of the Act (excluding cases where the relevant organizer(s) or candidate(s) for an Executive Managing Officer at Incorporation is a foreign national);
- 三 別紙様式第三号により作成した設立企画人及び設立時執行役員の候補者が法第九十八条第四号及び第五号（当該設立企画人又は設立時執行役員の候補者が外国人である場合には、同条第二号から第五号まで）のいずれにも該当しないことを誓約する書面
- (iii) a document pledging that the organizer(s) or candidate(s) for an Executive Managing Officer at Incorporation does not fall under any of the category of persons listed in Article 98, items (iv) and (v) of the Act (in cases where the relevant organizer(s) or candidate(s) for an Executive Managing Officer at Incorporation is a foreign national, items (ii) through (v) of that Article) which has been prepared using appended form No. 3;
- 四 別紙様式第四号又は第五号により作成した設立企画人及び設立時執行役員の候補者の履歴書又は沿革
- (iv) a resume(s) or history of the organizer(s) and candidate(s) for an Executive Managing Officer at Incorporation which has been prepared using appended form No. 4 or No. 5;
- 五 設立企画人が法人である場合にあっては、別紙様式第六号により作成した当該法人の主要な株主又は出資者の氏名又は名称、その保有する議決権の数等を記載した書面並びに定款及び登記事項証明書又はこれらに代わる書面
- (v) in cases where the organizer is a corporation, a document stating the names of the major shareholders or equity investors of the corporation, the number of voting rights held thereby, and other matters which has been prepared using appended form No. 6, as well as the articles of incorporation and certificate of registered information of the corporation, or substitute documents therefor;
- 六 設立企画人が法第六十六条第三項第二号に掲げる者（令第五十四条第二項第一号に掲げる者を除く。）である場合にあっては、別紙様式第七号により作成した当該者に該当することを証明する書面及びその根拠となる書類
- (vi) in cases where the organizer is a person listed in Article 66, paragraph (3), item (ii) of the Act (excluding those listed in Article 54, paragraph (2), item (i) of the Order), a document proving that the organizer is such person which

has been prepared using appended form No. 7, and documents which form the basis therefor; and

七 設立企画人が複数ある場合において、これらの者のうち特定の者が投資法人の設立に係る届出を行う場合には、当該特定の者が当該届出に関する一切の行為につき他の設立企画人から権限を与えられていることを証明する書面

(vii) in cases where there are two or more organizers, when a specific person among such organizers makes the notification for the incorporation of an Investment Corporation, a document proving that the specific person has been granted by other organizers with the authority for any acts concerning the notification.

(投資法人設立届出書に添付すべき電磁的記録)

(Electronic or Magnetic Record to Be Attached to the Notification of Incorporation of an Investment Corporation)

第百八条の二 法第六十九条第三項に規定する内閣府令で定める電磁的記録は、工業標準化法（昭和二十四年法律第百八十五号）に基づく日本工業規格（以下「日本工業規格」という。）X六二二三に適合する九十ミリメートルフレキシブルカートリッジに該当する構造の磁気ディスクとする。

Article 108-2 (1) The Electronic or Magnetic Record specified by Cabinet Office Order as referred to in Article 69, paragraph (3) of the Act is a 90mm flexible magnetic disk cartridge in conformity with Japanese Industrial Standards (hereinafter referred to as "JIS") X6223 under the Industrial Standardization Act (Act No. 185 of 1949).

2 前項の電磁的記録への記録は、次に掲げる方式に従ってしなければならない。

(2) Entry of information to the Electronic or Magnetic Record under the preceding paragraph must be completed in accordance with the following specification:

一 トラックフォーマットについては、日本工業規格X六二二五に規定する方式

(i) with regard to the track format, the specification designated by JIS X6225; and

二 ボリューム及びファイル構成については、日本工業規格X〇六〇五に規定する方式

(ii) with regard to the volume and file configuration, the specification designated by JIS X0605.

3 第一項の電磁的記録には、日本工業規格X六二二三に規定するラベル領域に、次に掲げる事項を記載した書面をはり付けなければならない。

(3) With regard to the Electronic or Magnetic Record set forth in paragraph (1), a document containing the following information must be affixed to the label area specified by JIS X6223:

一 申請者の商号

(i) the trade name of the applicant; and

二 申請年月日

(ii) the application filing date.

(投資法人設立に係る届出の受理)

(Acceptance of Notification for Incorporation of Investment Corporations)

第百九条 財務局長又は福岡財務支局長（以下「財務局長等」という。）は、投資法人設立届出書を受理したときは、投資法人設立届出書の副本及び規約各一通（規約が電磁的記録で作成されているときは、当該電磁的記録に記録された事項を記載した書面一通）に受理印を押して受理番号を記入した上で、当該副本及び規約を届出者に還付しなければならない。

Article 109 When the Director-General of a Local Finance Bureau or the Director-General of the Fukuoka Local Finance Branch Bureau (hereinafter collectively referred to as the "Director-General of a Local Finance Bureau, etc.") accepts a notification of incorporation of an Investment Corporation, the Director-General must, after affixing the seal of acceptance on each one duplicate copy of the notification of incorporation of an Investment Corporation and certificate of incorporation (in cases where the certificate of incorporation is prepared in the form of an Electronic or Magnetic Record, one set of the documents stating the information recorded in the Electronic or Magnetic Record), and entering the acceptance number therein, return the duplicate copy and certificate of incorporation to the person who submitted the notification.

(投資法人が成立しなかった場合の届出)

(Notification In Cases of Failure of Establishment of an Investment Corporation)

第百十条 投資法人が成立しなかった場合には、設立企画人は、速やかに、別紙様式第八号により作成した投資法人の不成立に関する届出書を、当該投資法人に係る投資法人設立届出書を受理した財務局長等に提出しなければならない。

Article 110 (1) In cases where an Investment Corporation has failed to be established, an organizer(s) must immediately submit a notification concerning the failure of establishment of an Investment Corporation which has been prepared using appended form No. 8 to the Director-General of the Local Finance Bureau, etc., who has accepted the notification of incorporation of an Investment Corporation for the relevant Investment Corporation.

2 設立企画人は、前項の規定による届出をしようとするときは、当該投資法人が成立しなかった理由を明らかにする書面を添付しなければならない。

(2) When making the notification under the preceding paragraph, an organizer must attach a document clarifying the reasons for the failure of establishment of the Investment Corporation.

(申込みをしようとする者に対して通知すべき事項)

(Information to Be Notified to Persons Who Intend to File Applications)

第百十一条 法第七十一条第一項第十号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 111 The information specified by Cabinet Office Order as referred to in Article 71, paragraph (1), item (x) of the Act is the following information:

一 設立時執行役員の候補者の生年月日、略歴及びその者が当該投資法人の設立時執行役員に就任した場合において投資法人の計算に関する規則（平成十八年内閣府令第四十七号）第七十四条第六号に定める重要な兼職に該当する事実があることとなるときは、その事実

(i) the dates of birth and careers of the candidates for an Executive Managing Officer at Incorporation, and, in cases where such person has assumed the office of the Executive Managing Officer at Incorporation of the relevant Investment Corporation and there are facts pertaining to such candidates which fall under a concurrent holding of important posts as provided in Article 74, item (vi) of the Regulation on Accountings of Investment Corporations (Cabinet Office Order No. 47 of 2006), such facts;

二 設立時執行役員の候補者と成立時に法第百八十八条第一項第四号に規定する委託契約（以下「資産運用委託契約」という。）を締結すべき者との利害関係の有無及び利害関係があるときは、その内容

(ii) a statement as to whether the candidate for an Executive Managing Officer at Incorporation has any special interest with the person with whom an entrustment contract referred to in Article 188, paragraph (1), item (iv) of the Act (hereinafter referred to as the "Entrustment Contract for Assets Investment") is to be concluded at the time of establishment, and the details thereof, if any;

三 設立時監督役員（法第七十一条第一項第六号に規定する設立時監督役員をいう。以下同じ。）の候補者の生年月日、略歴及びその者が当該投資法人の設立時監督役員に就任した場合において投資法人の計算に関する規則第七十四条第六号に定める重要な兼職に該当する事実があることとなるときは、その事実

(iii) the dates of birth and careers of the candidates for Supervisory Officers at Incorporation (meaning the Supervisory Officers at Incorporation as prescribed in Article 71, paragraph (1), item (vi) of the Act; the same applies hereinafter), and in cases where such person has assumed the office of the Supervisory Officers at Incorporation of the relevant Investment Corporation and there are facts pertaining to such candidates which fall under a concurrent holding of important posts as provided in Article 74, item (v) of the Regulation on Accountings of Investment Corporations, such facts;

四 設立時会計監査人（法第七十一条第一項第六号に規定する設立時会計監査人をいう。以下同じ。）の候補者について、その者が公認会計士であるときは、生年月日、略歴及び所属する事務所の所在場所、その者が監査法人であるときは、主たる事務



所の所在場所及び沿革

(iv) with regard to candidates for a Financial Auditor at Incorporation (meaning the Financial Auditor at Incorporation as prescribed in Article 71, paragraph (1), item (vi) of the Act; the same applies hereinafter), in cases where such candidates are a certified public accountant, the date of birth and career thereof, as well as the location of the office to which the candidates belong, and in cases where such candidates are an auditing firm, the location of the principal office and the history thereof;

五 設立時募集投資口（法第七十条の二第一項に規定する設立時募集投資口をいう。以下同じ。）の引受けの申込みに際して、当該申込みをした者が支払う手数料の有無及び支払う手数料があるときは、その内容

(v) information on as to whether there are any fees to be paid by the person who filed an application for subscription of investment equity for subscription at incorporation (meaning the investment equity for subscription at incorporation as prescribed in Article 70-2, paragraph (1) of the Act; the same applies hereinafter), and the details thereof, if any;

六 当該設立時募集投資口に係る投資証券の募集が、金融商品取引法第二条第三項第一号に掲げる場合に該当するものにあつては、その旨

(vi) that the Public Offering of Investment Securities related to the relevant investment equity for subscription at incorporation falls under the case set forth in Article 2, paragraph (3), item (i) of the Financial Instruments and Exchange Act, if this is the case; and

七 規約に定められた事項（法第七十一条第一項第一号から第九号まで及び前各号に掲げる事項を除く。）であつて、設立企画人に対して設立時募集投資口の引受けの申込みをしようとする者が当該者に対して通知することを請求した事項

(vii) information specified in the certificate of incorporation (excluding the information set forth in Article 71, paragraph (1), items (i) through (ix) of the Act and the preceding items), which are those for which the person who intends to file an application to subscribe the investment equity for subscription at incorporation request the organizer to notify the person.

(払込取扱機関)

(Institution for Payments)

第百十二条 法第七十一条第二項に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 112 The institutions specified by Cabinet Office Order as referred to in Article 71, paragraph (2) of the Act are as follows:

一 農業協同組合法（昭和二十二年法律第三百三十二号）第十条第一項第三号の事業を行う農業協同組合又は農業協同組合連合会

(i) the agricultural cooperatives or federations of agricultural cooperatives engaged in the business under Article 10, paragraph (1), item (iii) of the

- Agricultural Cooperatives Act (Act No. 132 of 1947);
- 二 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、第八十七条第一項第四号、第九十三条第一項第二号又は第九十七条第一項第二号の事業を行う漁業協同組合、漁業協同組合連合会、水産加工業協同組合又は水産加工業協同組合連合会
- (ii) the fisheries cooperatives, federations of fisheries cooperatives, fishery processing cooperatives, or federations of fishery processing cooperatives engaged in the business under Article 11, paragraph (1), item (iv), Article 87, paragraph (1), item (iv), Article 93, paragraph (1), item (ii) or Article 97, paragraph (1), item (ii) of the Fisheries Cooperatives Act (Act No. 242 of 1948);
- 三 信用協同組合又は中小企業等協同組合法（昭和二十四年法律第百八十一号）第九条の九第一項第一号の事業を行う協同組合連合会
- (iii) the credit cooperatives, or the federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949);
- 四 信用金庫又は信用金庫連合会
- (iv) Shinkin Banks or federation of Shinkin Banks;
- 五 労働金庫又は労働金庫連合会
- (v) labor banks or federation of labor banks;
- 六 農林中央金庫
- (vi) Norin Chukin Bank;
- 七 金融商品取引業者（金融商品取引法第二条第九項に規定する金融商品取引業者をいい、同法第二十八条第五項に規定する有価証券等管理業務を行う者に限る。）
- (vii) a Financial Instruments Business Operator (meaning the Financial Instruments Business Operator as defined in Article 2, paragraph (9) of the Financial Instruments and Exchange Act, and limited to those engaged in the Securities, etc. Management Business defined in Article 28, paragraph (5) of that Act); and
- 八 株式会社商工組合中央金庫
- (viii) Shoko Chukin Bank Limited.

（申込みをしようとする者に対する通知事項の細目）

(Details of the Information to Be Notified to Persons Who Intend to File Applications)

第百十三条 法第七十一条第三項に規定する内閣府令で定める細目は、次の各号に掲げる者の区分に応じ、当該各号に定めるものとする。

Article 113 The details specified by Cabinet Office Order as referred to in Article 71, paragraph (3) of the Act are those specified in the following items according to the category of persons listed in the respective items:

- 一 設立時執行役員の候補者 氏名及び住所並びに当該候補者が次に掲げる者の一又

は二以上に該当する場合には、次に掲げる区分に応じ、それぞれ次に定めるもの

(i) a candidate for an Executive Managing Officer at Incorporation: the name, and in cases where the relevant candidate falls under the category of persons listed in the following sub-items, the matters according to the category listed in the respective sub-items:

イ 設立企画人の親族（配偶者並びに二親等以内の血族及び姻族に限る。以下同じ。） 当該設立企画人の氏名及び親族関係の内容

(a) a relative(s) of the organizer (limited to the spouse thereof and the relatives by blood or affinity within the second degree of kinship; the same applies hereinafter): the name of the organizer as well as the details of the family relationship;

ロ 設立企画人が法人である場合におけるその役員又は使用人（以下この条において「役員等」という。） 当該設立企画人の名称並びに当該設立企画人における最終役職名及びその在職期間

(b) in cases where the organizer is a corporation, the officer or employee thereof (hereinafter collectively referred to as the "Officer, etc." in this Article): the name of the relevant organizer as well as the final title and the period of assuming the office at the corporation which is the organizer;

ハ 設立企画人が法人である場合におけるその主要株主（総株主等の議決権の百分の十以上の議決権に係る株式又は出資を自己又は他人（仮設人を含む。）の名義をもって所有している株主又は出資者をいう。） 当該設立企画人の名称及び保有している議決権の数

(c) in cases where the organizer is a corporation, the Major Shareholder (meaning shareholders or equity investors who hold shares or equity pertaining to voting rights of 10 percent or more of the Voting Rights Held by All the Shareholders, etc. in their own name or another person's name (including a fictitious name)) thereof: the name of the relevant organizer as well as the number of voting rights held thereby;

ニ 設立企画人の親会社（法人の総株主等の議決権の過半数を保有している株式会社をいう。以下ニにおいて同じ。）の役員等 当該設立企画人及び当該設立企画人の親会社の名称並びに当該親会社における最終役職名及びその在職期間

(d) the Officers, etc. of the Parent Company (meaning a stock company which holds a majority of Voting Rights Held by All the Shareholders, etc. of the corporation; hereinafter the same applies in sub-item (d)) of the organizer: the name of the relevant organizer and the Parent Company thereof as well as the final title and period of assuming office at the Parent Company;

ホ 設立企画人の子会社（法人がその総株主の議決権（法第百条第三号に規定する議決権をいう。）の過半数を保有する株式会社をいう。以下同じ。）の役員等 当該設立企画人及び当該設立企画人の子会社の名称並びに当該子会社における最終役職名及びその在職期間

(e) the Officers, etc. of a Subsidiary Company (meaning a stock company

whose majority of Voting Rights (meaning the voting rights referred to in Article 100, item (iii) of the Act) of all shareholders are held by a corporation; the same applies hereinafter): the name of the relevant organizer and the Subsidiary Company thereof as well as the final title and period of assuming office at the Subsidiary Company; and

二 設立時監督役員及び設立時会計監査人の候補者 氏名又は名称及び住所

(ii) candidates for Supervisory Officers at Incorporation or a Financial Auditor at Incorporation: the names and addresses.

(電磁的方法)

(Electronic or Magnetic Means)

第百十四条 法第七十一条第五項に規定する電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて内閣府令で定めるものは、次に掲げる方法とする。

Article 114 (1) The method using an electronic data processing system and other information and communications technology as specified by Cabinet Office Order as referred to in Article 71, paragraph (5) of the Act is the following means:

一 電子情報処理組織を使用する方法のうちイ又はロに掲げるもの

(i) the method using an Electronic Data Processing System that are listed in sub-item (a) or sub-item (d):

イ 送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) the method of transmitting information via a telecommunications line that links the computer used by the sender and the computer used by the recipient and recording such information in the file stored on the computer used by the recipient; or

ロ 送信者の使用に係る電子計算機に備えられたファイルに記録された情報の内容を電気通信回線を通じて情報の提供を受ける者の閲覧に供し、当該情報の提供を受ける者の使用に係る電子計算機に備えられたファイルに当該情報を記録する方法

(b) the method of offering the details of the information which are recorded in a file stored on the computer used by the sender to the person who receives the provision of the information for inspection via a telecommunications line and recording the information in the file stored on the computer used by the person who receives the provision of the information;

二 磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものを交付する方法

(ii) the method of delivering a file containing the information that has been

prepared using media which can securely record certain information by magnetic disks, or any other means equivalent thereto.

2 前項各号に掲げる方法は、受信者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(2) The methods listed in the items of the preceding paragraph must be one that enables the recipient to prepare documents by outputting the records in the file.

(投資信託及び投資法人に関する法律施行令に係る電磁的方法)

(Electronic or Magnetic Means Concerning the Order for Enforcement of the Act on Investment Trusts and Investment Corporations)

第百十五条 令第五十九条第一項又は第七十九条第一項の規定により示すべき電磁的方法の種類及び内容は、次に掲げるものとする。

Article 115 The types and details of the Electronic or Magnetic Means to be indicated pursuant to the provisions of Article 59, paragraph (1) or Article 79, paragraph (1) of the Order are as follows:

一 次に掲げる方法のうち、送信者が使用するもの

(i) among the following methods, those used by the sender:

イ 電子情報処理組織を使用する方法のうち次に掲げるもの

(a) the methods using an electronic data processing system which are as follows:

(1) 送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

1. the method of transmitting information via a telecommunications line that links the computer used by the sender and the computer used by the recipient and recording such information in the file stored on the computers used by the recipient;

(2) 送信者の使用に係る電子計算機に備えられたファイルに記録された情報の内容を電気通信回線を通じて情報の提供を受ける者の閲覧に供し、当該情報の提供を受ける者の使用に係る電子計算機に備えられたファイルに当該情報を記録する方法

2. the method of offering the details of the information which are recorded in a file stored on the computer used by the sender to the person who receives the provision of the information for inspection via a telecommunications line and recording the information in the files stored on the computer used by the person who receives the provision of the information;

ロ 磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものを交付する方法

(b) the method of delivering a file containing the information that has been prepared using media which can securely record certain information by

- magnetic disks, or any other means equivalent thereto; and
- 二 ファイルへの記録の方式
- (ii) the method of recording the information in the file.

(設立時執行役員等による調査の対象事項)

(Subject Matters of the Investigation by Executive Managing Officers at Incorporation)

第百十六条 法第七十三条第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 116 The particulars specified by Cabinet Office Order as referred to in Article 73, paragraph (1), item (iii) of the Act are the following particulars:

一 法第六十七条第一項第十二号、第十三号、第十七号及び第十八号に掲げる金額又は基準が、投資法人の財産の状態に照らし著しく不当である事項

(i) particulars in which the amount or criteria listed in Article 67, paragraph (1), items (xii), (xiii), (xvii) and (xviii) of the Act is extremely unreasonable in light of the status of property of the Investment Corporation;

二 投資法人の一般事務受託者として不適当な者を成立時の一般事務受託者とし、当該投資法人の適切な運営及び投資主の保護に欠けることとなるおそれがある事項

(ii) particulars which are likely to cause a person who is inappropriate for an Administrative Agent of an Investment Corporation to become an Administrative Agent at the establishment thereof, and which are likely to result in inappropriate operation of the Investment Corporation and insufficient protection of Investors; and

三 法第九十条第一項第一号に該当する事項

(iii) particulars falling under Article 190, paragraph (1), item (i) of the Act.

(招集の決定事項)

(Information Decided for a Calling)

第百十七条 法第七十三条第四項において準用する法第九十条の二第一項第四号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 117 The information specified by Cabinet Office Order as referred to in Article 90-2, paragraph (1), item (iv) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act is the following information:

一 次条第一項の規定により創立総会参考書類（法第七十三条第四項において読み替えて準用する法第九十一条第四項に規定する創立総会参考書類をいう。以下同じ。）に記載すべき事項

(i) information required to be given in the Reference Documents for an Organizational Meeting (meaning the Reference Documents for an Organizational Meeting as prescribed in Article 91, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act following the deemed replacement of terms; the same applies hereinafter)

- pursuant to the provisions of paragraph (1) of the following Article;
- 二 書面による議決権の行使の期限（創立総会（法第七十三条第三項に規定する創立総会をいう。以下同じ。）の日時以前の時であって、同条第四項において準用する法第九十一条第一項本文の規定による通知を発した日から二週間を経過した日以後の時に限る。）
- (ii) the time limit for exercising voting rights in writing (limited to the time which is before the date of the Organizational Meeting (meaning the Organizational Meeting defined in Article 73, paragraph (3) of the Act; the same applies hereinafter) but on or after the day on which two weeks have passed from the day when the notice under the main clause of Article 91, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act has been sent);
- 三 第百十九条第一項第二号の取扱いを定めるときは、その取扱いの内容
- (iii) when the handling provided in Article 119, paragraph (1), item (ii) is to be specified, the details of the handling;
- 四 一の設立時投資主（法第七十三条第三項に規定する設立時投資主をいう。以下同じ。）が同一の議案につき同条第四項において準用する会社法第七十五条第一項（法第七十三条第四項において準用する法第九十条の二第一項第三号に掲げる事項を定めた場合にあつては、法第七十三条第四項において準用する会社法第七十五条第一項又は第七十六条第一項）の規定により重複して議決権を行使した場合において、当該同一の議案に対する議決権の行使の内容が異なるものであるときにおける当該設立時投資主の議決権の行使の取扱いに関する事項を定めるときは、その事項
- (iv) in cases where a single Investor at Incorporation (meaning the Investor at Incorporation as prescribed in Article 73, paragraph (3) of the Act; the same applies hereinafter) has redundantly exercised its voting right for a single proposal pursuant to the provisions of Article 75, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act (in cases where the particulars listed in Article 90-2, paragraph (1), item (iii) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act are provided for, the provisions of Article 75, paragraph (1) or Article 76, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act) and the facts of the exercise of voting right for the single proposal differ, if particulars concerning the handling of such exercise of voting right by the Investor at Incorporation are provided, such particulars;
- 五 法第七十三条第四項において準用する法第九十条の二第一項第三号に掲げる事項を定めたときは、次に掲げる事項
- (v) when the particulars listed in Article 90-2, paragraph (1), item (iii) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act are specified, the following particulars:
- イ 電磁的方法（法第七十一条第五項に規定する電磁的方法をいう。以下同じ。）

による議決権の行使の期限（創立総会の日時以前の時であって、法第七十三条第四項において準用する法第九十一条第一項本文の規定による通知を発した日から二週間を経過した日以後の時に限る。）

(a) the time limit for exercising voting rights by Electronic or Magnetic Means (meaning the Electronic or Magnetic Means as prescribed in Article 71, paragraph (5) of the Act; the same applies hereinafter) (limited to the time which is before the date of the Organizational Meeting but on or after the day on which two weeks have passed from the day when the notice under the main clause of Article 91, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act has been sent);

ロ 法第七十三条第四項において準用する法第九十一条第二項の承諾をした設立時投資主の請求があった時に当該設立時投資主に対して同条第四項の規定による議決権行使書面（同項に規定する議決権行使書面をいう。第百十九条において同じ。）の交付（当該交付に代えて行う法第七十三条第四項において準用する法第九十一条第五項の規定による電磁的方法による提供を含む。）をすることとするときは、その旨

(b) that Voting Forms (meaning the Voting Forms as prescribed in Article 91, paragraph (4) of the Act; the same applies in Article 119) are to be delivered under that paragraph (including the provision of Voting Forms by Electronic or Magnetic Means under Article 91, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act made in lieu of the delivery thereof) to the Investors at Incorporation who have given the consent under Article 91, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act when requested by such Investors at Incorporation, if this is the case.

（創立総会参考書類）

(Reference Documents for an Organizational Meeting)

第百十八条 法第七十三条第四項において準用する法第九十一条第四項の規定により交付すべき創立総会参考書類に記載すべき事項は、次に掲げる事項とする。

Article 118 (1) The information required to be given in the Reference Documents for an Organizational Meeting which are to be delivered pursuant to the provisions of Article 91, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act is the following information:

一 議案及び提案の理由

(i) the proposal and reasons for submitting the proposal;

二 議案が設立時執行役員の選任に関する議案であるときは、当該設立時執行役員についての第百四十三条に規定する事項

(ii) when the relevant proposal is a proposal for the appointment of an Executive Managing Officer at Incorporation, information specified in Article



143 for Executive Managing Officers at Incorporation;

三 議案が設立時監督役員の選任に関する議案であるときは、当該設立時監督役員についての第百四十四条に規定する事項

(iii) when the relevant proposal is a proposal for the appointment of a Supervisory Officer at Incorporation, information specified in Article 144 for Supervisory Officers at Incorporation;

四 議案が設立時会計監査人の選任に関する議案であるときは、当該設立時会計監査人についての第百四十五条に規定する事項

(iv) when the relevant proposal is a proposal for the appointment of a Financial Auditor at Incorporation, information specified in Article 145 for the Financial Auditor at Incorporation;

五 議案が設立時役員等（設立時執行役員、設立時監督役員及び設立時会計監査人をいう。次条第一項第一号において同じ。）の解任に関する議案であるときは、解任の理由

(v) when the relevant proposal is a proposal for the dismissal of an Officer, etc. at Incorporation (meaning Executive Managing Officers at Incorporation, Supervisory Officers at Incorporation and a Financial Auditor at Incorporation; the same applies in paragraph (1), item (i) of the following Article), reasons for dismissal;

六 前各号に掲げるもののほか、設立時投資主の議決権の行使について参考となると認める事項

(vi) beyond what is listed in the preceding items, information found to serve as a reference with regard to the exercise of voting rights by Investors at Incorporation.

2 法第七十三条第四項において準用する法第九十条の二第一項第三号に掲げる事項を定めた設立企画人が行った創立総会参考書類の交付（当該交付に代えて行う電磁的方法による提供を含む。）は、法第七十三条第四項において準用する法第九十一条第四項の規定による創立総会参考書類の交付とする。

(2) The delivery of Reference Documents for an Organizational Meeting made by an organizer who provided the particulars listed in Article 90-2, paragraph (1), item (iii) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act (including the provision of Reference Documents for an Organizational Meeting by Electronic or Magnetic Means made in lieu of the delivery thereof) is the delivery of Reference Documents for an Organizational Meeting under Article 91, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act.

（議決権行使書面）

(Voting Forms)

第百十九条 法第七十三条第四項において準用する法第九十一条第四項の規定により交付すべき議決権行使書面に記載すべき事項又は法第七十三条第四項において準用する

法第九十一条第六項若しくは第七項の規定により電磁的方法により提供すべき議決権行使書面に記載すべき事項は、次に掲げる事項とする。

- Article 119 (1) The information required to be included in Voting Forms which are to be delivered pursuant to the provisions of Article 91, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act and the information required to be included in Voting Forms which are to be provided by Electronic or Magnetic Means pursuant to the provisions of Article 91, paragraph (6) or (7) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act is the following information:
- 一 各議案（次のイ又はロに掲げる場合にあつては、当該イ又はロに定めるもの）についての賛否（棄権の欄を設ける場合にあつては、棄権を含む。）を記載する欄
    - (i) a column in which the agreement or dissent (in cases of providing a column for abstention, including abstention) for each proposal is to be stated (in the cases set forth in the following sub-items (a) and (b), those specified in the respective sub-item):
      - イ 二以上の設立時役員等の選任に関する議案である場合 各候補者の選任
        - (a) in cases of a proposal for the appointment of two or more Officers, etc. at Incorporation: the appointment of each candidate;
      - ロ 二以上の設立時役員等の解任に関する議案である場合 各設立時役員等の解任
        - (b) in cases of a proposal for the dismissal of two or more Officers, etc. at Incorporation: the dismissal of each Officer, etc. at Incorporation;
    - 二 第百十七条第三号に掲げる事項を定めたときは、前号の欄に記載がない議決権行使書面が設立企画人に提出された場合における各議案についての賛成、反対又は棄権のいずれかの意思の表示があったものとする取扱いの内容
      - (ii) in cases where the information listed in Article 117, item (iii) is specified, when a Voting Form lacking an entry in the column under the preceding item has been submitted to an organizer, the details of the handling of such Voting Form as to whether it is an indication of manifestation of agreement, dissent, or abstention, for each proposal;
    - 三 第百十七条第四号に掲げる事項を定めたときは、当該事項
      - (iii) in cases where the information listed in Article 117, item (iv) of the Act are specified, such information;
    - 四 議決権の行使の期限
      - (iv) the time limit for exercising the voting rights;
    - 五 議決権を行使すべき設立時投資主の氏名又は名称及び行使することができる議決権の数（次のイ又はロに掲げる場合にあつては、当該イ又はロに定める事項を含む。）
      - (v) the names of the Investors at Incorporation who are to exercise voting rights as well as the number of exercisable voting rights (in the cases set forth in the following sub-items (a) and (b), including the information specified in the respective sub-item):

イ 議案ごとに当該設立時投資主が行使することができる議決権の数が異なる場合  
議案ごとの議決権の数

(a) cases where the number of voting rights exercisable by the relevant Investor at Incorporation differs for each proposal: the number of voting rights for each proposal;

ロ 一部の議案につき議決権を行使することができない場合 議決権を行使することができる議案又は議決権を行使することができない議案

(b) cases where voting rights may not be exercised for some of the proposals: proposals in which voting rights may be exercised or those in which may not.

2 第一百七十七条第五号ロに掲げる事項を定めた場合には、設立企画人は、法第七十三条第四項において準用する法第九十一条第二項の承諾をした設立時投資主の請求があった時に、当該設立時投資主に対して、同条第四項の規定による議決権行使書面の交付（当該交付に代えて行う同条第五項の規定による電磁的方法による提供を含む。）をしなければならない。

(2) In cases where the information listed in Article 117, item (v), sub-item (b) are provided for, an organizer must, when requested by the Investors at Incorporation who has given the consent under Article 91, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act, deliver Voting Forms under Article 91, paragraph (4) of the Act (including the provision of Voting Forms by Electronic or Magnetic Means under Article 91, paragraph (5) of the Act made in lieu of the delivery thereof) to such Investors at Incorporation.

（実質的に支配することが可能となる関係）

#### (Relationship That Enables a Substantial Control)

第二百十条 法第七十三条第四項において準用する会社法第七十二条第一項本文に規定する内閣府令で定める設立時投資主は、成立後の投資法人（当該投資法人の子法人（法第七十七条の二第一項に規定する子法人をいう。以下同じ。）を含む。）が、当該成立後の投資法人の投資主となる設立時投資主である会社等（会社（外国会社を含む。）、組合（外国における組合に相当するものを含む。）その他これらに準ずる事業体をいう。以下この条及び第六十条第一項において同じ。）の議決権（会社法第三百八条第一項その他これに準ずる同法以外の法令（外国の法令を含む。）の規定により行使することができないとされる議決権を含み、同法第四百二十三条第一項に規定する役員等（会計監査人を除く。）の選任及び定款の変更に関する議案（これらの議案に相当するものを含む。）の全部につき株主総会（これに相当するものを含む。）において議決権を行使することができない株式（これに相当するものを含む。）に係る議決権を除く。）の総数の四分の一以上を有することとなる場合における当該成立後の投資法人の投資主となる設立時投資主である会社等（当該設立時投資主であるもの以外の者が当該創立総会の議案につき議決権を行使することができない場合（当該議案を決議する場合に限る。）における当該設立時投資主を除く。）とす

る。

Article 120 The Investors at Incorporation specified by Cabinet Office Order as referred to in the main clause of Article 72, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act are, in cases where the Investment Corporation after establishment (including the Subsidiary Corporation of the relevant Investment Corporation (meaning the Subsidiary Corporation as prescribed in Article 77-2, paragraph (1) of the Act; the same applies hereinafter)) comes to hold one quarter or more of the total number of voting rights (including voting rights which are not allowed to be exercised pursuant to the provisions of Article 308, paragraph (1) of the Companies Act or any other equivalent laws and regulations (including laws and regulations of a foreign state) which are other than that Act, and excluding voting rights pertaining to shares (including those equivalent thereto) for which the voting rights may not be exercised for all the proposals for the appointment of the officers, etc. (excluding a financial auditor) prescribed in Article 423, paragraph (1) of that Act and the changes to the articles of incorporation (including those equivalent to these proposals) at a shareholders meeting (including those equivalent thereto) of the Company, etc. (meaning the company (including a foreign company), partnership (including those equivalent to partnerships in a foreign state), or any other business entity; hereinafter the same applies in this Article and Article 160, paragraph (1)) which is an Investor at Incorporation and becomes an Investor of the Investment Corporation after establishment, the Company, etc. which is an Investor at Incorporation and becomes an Investor of the Investment Corporation after establishment (in cases where persons other than the relevant Investors at Incorporation may not exercise voting rights for the proposals for the Organizational Meeting (limited to cases where such proposals are to be resolved), such Investors at Incorporation are excluded).

(書面による議決権行使の期限)

(Time Limit for Exercising Voting Rights in Writing)

第二百十一条 法第七十三条第四項において準用する会社法第七十五条第一項に規定する内閣府令で定める時は、第百十七条第二号の行使の期限とする。

Article 121 The time specified by Cabinet Office Order as referred to in Article 75, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act is the time limit for exercising voting rights provided in Article 117, item (ii).

(電磁的方法による議決権行使の期限)

(Time Limit for Exercising Voting Rights by Electronic or Magnetic Means)

第二百十二条 法第七十三条第四項において準用する会社法第七十六条第一項に規定す

る内閣府令で定める時は、第百十七条第五号イの行使の期限とする。

Article 122 The time specified by Cabinet Office Order as referred to in Article 76, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act is the time limit for exercising voting rights provided in Article 117, item (v), sub-item (a).

(設立企画人の説明義務)

(Accountability of Organizers)

第百二十三条 法第七十三条第四項において準用する会社法第七十八条に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 123 The cases specified by Cabinet Office Order as referred to in Article 78 of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act are the following cases:

一 設立時投資主が説明を求めた事項について説明をするために調査をすることが必要である場合（次に掲げる場合を除く。）

(i) cases where it is necessary to carry out an investigation to explain the information for which the Investors at Incorporation required an explanation (excluding the following cases):

イ 当該設立時投資主が創立総会の日より相当の期間前に当該事項を設立企画人に対して通知した場合

(a) cases where the relevant Investor at Incorporation has notified the organizer of the relevant information at a reasonable period prior to the day of an organizational meeting;

ロ 当該事項について説明をするために必要な調査が著しく容易である場合

(b) cases where the investigation necessary for explaining the relevant information is extremely easy;

二 設立時投資主が説明を求めた事項について説明をすることにより成立後の投資法人その他の者（当該設立時投資主を除く。）の権利を侵害することとなる場合

(ii) cases where explaining the information for which the Investor at Incorporation has required an explanation results in infringement of rights of the Investment Corporation after establishment or any other person (excluding the Investor at Incorporation);

三 設立時投資主が当該創立総会において実質的に同一の事項について繰り返して説明を求める場合

(iii) cases where an Investor at Incorporation requires an explanation for information substantially same as the relevant information at the relevant organizational meeting, in a repetitive manner; and

四 前三号に掲げる場合のほか、設立時投資主が説明を求めた事項について説明をしないことにつき正当な事由がある場合

(iv) beyond what is listed in the preceding three items, cases where there are justifiable grounds for not explaining the information for which an Investor

at Incorporation has required an explanation.

(創立総会の議事録)

(Minutes of an Organizational Meeting)

第二百二十四条 法第七十三条第四項において準用する会社法第八十一条第一項の規定による創立総会の議事録の作成については、この条の定めるところによる。

Article 124 (1) The preparation of minutes of an organizational meeting under Article 81, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act is as provided in this Article.

2 創立総会の議事録は、書面又は電磁的記録をもって作成しなければならない。

(2) The minutes of an organizational meeting must be prepared in writing or in the form of an Electronic or Magnetic Record.

3 創立総会の議事録は、次に掲げる事項を内容とするものでなければならない。

(3) The minutes of an organizational meeting must include the following information:

一 創立総会が開催された日時及び場所

(i) the date and time on which and the place where the organizational meeting was held;

二 創立総会の議事の経過の要領及びその結果

(ii) the outline and results of the proceedings at the organizational meeting;

三 創立総会に出席した設立企画人、設立時執行役員、設立時監督役員又は設立時会計監査人の氏名又は名称

(iii) the names of the organizers, Executive Managing Officers at Incorporation, Supervisory Officers at Incorporation, or a Financial Auditor at Incorporation that attended the organizational meeting;

四 創立総会の議長が存するとき、議長の氏名

(iv) when a chairperson of the organizational meeting is in place, the name of the chairperson; and

五 議事録の作成に係る職務を行った設立企画人の氏名又は名称

(v) the name(s) of the organizer(s) who performed the duties concerning the preparation of minutes.

4 次の各号に掲げる場合には、創立総会の議事録は、当該各号に定める事項を内容とするものとする。

(4) In the following cases, the minutes of an organizational meeting are to provide the information specified in the respective items:

一 法第七十三条第四項において準用する会社法第八十二条第一項の規定により創立総会の決議があったものとみなされた場合 次に掲げる事項

(i) cases where a resolution of an organizational meeting is deemed to have been adopted pursuant to the provisions of Article 82, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act: the following information:

- イ 創立総会の決議があったものとみなされた事項の内容
    - (a) the details of the information for which a resolution of an organizational meeting is deemed to have been adopted;
  - ロ イの事項の提案をした者の氏名又は名称
    - (b) the name of the person who submitted the proposal of the information prescribed in sub-item (a);
  - ハ 創立総会の決議があったものとみなされた日
    - (c) the day on which a resolution of an organizational meeting is deemed to have been adopted; and
  - ニ 議事録の作成に係る職務を行った設立企画人の氏名又は名称
    - (d) the names of the organizers who performed the duties concerning the preparation of minutes;
- 二 法第七十三条第四項において準用する会社法第八十三条の規定により創立総会への報告があったものとみなされた場合 次に掲げる事項
- (ii) cases where a report to an organizational meeting is deemed to have been made pursuant to the provisions of Article 83 of the Companies Act as applied mutatis mutandis pursuant to Article 73, paragraph (4) of the Act: the following information:
    - イ 創立総会への報告があったものとみなされた事項の内容
      - (a) the details of the information for which a report to the organizational meeting is deemed to have been made;
    - ロ 創立総会への報告があったものとみなされた日
      - (b) the day on which the report to an organizational meeting was deemed to have been made; and
    - ハ 議事録の作成に係る職務を行った設立企画人の氏名又は名称
      - (c) the name(s) of the organizer(s) who performed the duties concerning the preparation of minutes.

(投資主による責任追及等の訴えの提起の請求方法)

(Method for Investors to Claim for Filing an Action Pursuing the Liability)

第二百五条 法第七十五条第七項、第七十七条の二第六項、第八十四条第四項、第八十八条の十七第四項、第百十六条、第百十九条第三項、第二百二十七条第二項及び第二百五十四条の七において準用する会社法第八百四十七条第一項の内閣府令で定める方法は、次に掲げる事項を記載した書面の提出又は当該事項の電磁的方法による提供とする。

Article 125 The methods specified by Cabinet Office Order as referred to in Article 847, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 75, paragraph (7), Article 77-2, paragraph (6), Article 84, paragraph (4), Article 88-17, paragraph (4), Article 116, Article 119, paragraph (3), Article 127, paragraph (2), and Article 154-7 of the Act are the submission of documents containing the following information, or the provision of the

information by Electronic or Magnetic Means:

一 被告となるべき者

(i) a person who is to become a defendant; and

二 請求の趣旨及び請求を特定するのに必要な事実

(ii) the object of the claim and facts necessary to identify the claim.

(投資法人が責任追及等の訴えを提起しない理由の通知方法)

(Method for Investment Corporations to Notify the Reasons for Not Filing an Action Pursuing the Liability)

第二百六条 法第七十五条第七項、第七十七条の二第六項、第八十四条第四項、第八十八条の十七第四項、第一百六条、第一百九条第三項、第二百二十七条第二項及び第二百五十四条の七において準用する会社法第八百四十七条第四項の内閣府令で定める方法は、次に掲げる事項を記載した書面の提出又は当該事項の電磁的方法による提供とする。

Article 126 The methods specified by Cabinet Office Order as referred to in Article 847, paragraph (4) of the Companies Act as applied mutatis mutandis pursuant to Article 75, paragraph (7), Article 77-2, paragraph (6), Article 84, paragraph (4), Article 88-17, paragraph (4), Article 116, Article 119, paragraph (3), Article 127, paragraph (2), and Article 154-7 of the Act are the submission of the documents containing the following information or the provision of the information by Electronic or Magnetic Means:

一 投資法人が行った調査の内容（次号の判断の基礎とした資料を含む。）

(i) the contents of the investigation conducted by an Investment Corporation (including materials on which the judgment set forth in the following item was based);

二 法第七十五条第七項、第七十七条の二第六項、第八十四条第四項、第八十八条の十七第四項、第一百六条、第一百九条第三項、第二百二十七条第二項及び第二百五十四条の七において準用する会社法第八百四十七条第一項の規定による請求に係る訴えについての前条第一号に掲げる者の責任又は義務の有無についての判断及びその理由

(ii) judgment with regard to any liability or obligation of a person set forth in item (i) of the preceding Article related to the action pertaining to the claim under Article 847, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 75, paragraph (7), Article 77-2, paragraph (6), Article 84, paragraph (4), Article 88-17, paragraph (4), Article 116, Article 119, paragraph (3), Article 127, paragraph (2), and Article 154-7 of the Act, and the reasons therefor;

三 前号の者に責任又は義務があると判断した場合において、法第七十五条第七項、第一百六条、第一百九条第三項及び第二百五十四条の七において準用する会社法第八百四十七条第一項の責任を追及する訴え、法第七十七条の二第三項の利益の返還を求める訴え又は法第二百二十七条第一項、法第八十四条第一項において準用する会社



法第二百十二条第一項（第二号を除く。）若しくは第二百十三条の二（第一項第二号を除く。）若しくは法第八十八条の十七第三項において準用する会社法第二百八十六条の二（第一項第一号及び第三号を除く。）の規定による支払を求める訴えを提起しないときは、その理由

(iii) in cases where the person referred to in the preceding item has been judged to have liability or obligation, when an action pursuing the liability set forth in Article 847, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 75, paragraph (7), Article 116, Article 119, paragraph (3) and Article 154-7 of the Act, an action seeking the return of benefits under Article 77-2, paragraph (3) of the Act, or an action seeking the payment under Article 127, paragraph (1) of the Act, Article 212, paragraph (1) (excluding item (ii)) or Article 213-2 (excluding paragraph (1), item (ii)) of the Companies Act as applied mutatis mutandis pursuant to Article 84, paragraph (1) of the Act, or Article 286-2 (excluding paragraph (1), item (i) and item (iii)) of the Companies Act as applied mutatis mutandis pursuant to Article 88-17, paragraph (3) of the Act is not filed, the reasons therefor.

(利益の供与に関して責任をとるべき執行役員等)

(Executive Managing Officers to Be Held Liable with Regard to Providing Benefits)

第二百二十七条 法第七十七条の二第四項に規定する内閣府令で定める者は、次に掲げる者とする。

Article 127 The persons specified by Cabinet Office Order as referred to in Article 77-2, paragraph (4) of the Act are the following persons:

一 利益の供与（法第七十七条の二第一項に規定する利益の供与をいう。以下この条において同じ。）に関する職務を行った執行役員

(i) the executive managing officers who performed the duties involved in providing benefits (meaning providing benefits as referred to in Article 77-2, paragraph (1) of the Act; hereinafter the same applies in this Article);

二 利益の供与が役員会の決議に基づいて行われたときは、次に掲げる者

(ii) in cases where benefits are provided based on a resolution of a board of officers meeting, the following persons:

イ 当該役員会の決議に賛成した執行役員及び監督役員

(a) the executive managing officers and supervisory officers who agreed to the relevant resolution of the board of officers meeting; or

ロ 当該役員会に当該利益の供与に関する議案を提案した執行役員

(b) the executive managing officers who submitted proposals concerning providing the benefits to the board of officers meeting; and

三 利益の供与が投資主総会の決議に基づいて行われたときは、次に掲げる者

(iii) in cases where benefits are provided based on a resolution of an Investors'

meeting, the following persons:

- イ 当該投資主総会に当該利益の供与に関する議案を提案した執行役員
- (a) the executive managing officers who submitted proposals concerning providing the benefits to the Investors' meeting;
- ロ イの議案の提案が役員会の決議に基づいて行われたときは、当該役員会の決議に賛成した執行役員及び監督役員
- (b) in cases where the submission of the proposal prescribed in sub-item (a) had been made based on the resolution of a board of officers meeting, the executive managing officers of supervisory officers who agreed to the resolution of the board of officers meeting; or
- ハ 当該投資主総会において当該利益の供与に関する事項について説明をした執行役員及び監督役員
- (c) the executive managing officers or supervisory officers who explained the information related to providing the benefits at the relevant Investors' meeting.

(投資主名簿記載事項の記載等の請求)

(Request of Inclusion of the Information Required to Be Included in Investor Register)

第二百二十八条 法第七十九条第三項において準用する会社法第一百三十三条第二項に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 128 The cases specified by Cabinet Office Order as referred to in Article 133, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 79, paragraph (3) of the Act are the following cases:

一 投資口取得者（法第七十九条第三項において読み替えて準用する会社法第一百三十三条第一項に規定する投資口取得者をいう。次号において同じ。）が投資証券を提示して請求をしたとき。

(i) when the Acquirer of Investment Equity (meaning the Acquirer of Investment Equity as prescribed in Article 133, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 79, paragraph (3) of the Act following the deemed replacement of terms; the same applies in the following item) has made the demand by presenting the Investment Securities; and

二 投資口取得者が法第八十八条第一項又は第四百九条の十七第一項の規定による売却に係る投資口を取得した者である場合において、当該売却に係る代金の全部を支払ったことを証する書面その他の資料を提供して請求をしたとき。

(ii) in cases where the Acquirer of Investment Equity is a person who has acquired the Investment Equity subject to sales under the provisions of Article 88, paragraph (1) or Article 149-17, paragraph (1) of the Act, when the Acquirer of Investment Equity has made the demand by providing the documents certifying that the Acquirer has paid the whole purchase money

for the sales or any other materials.

(投資主との合意により自己の投資口を取得することができる投資法人が運用の目的とする資産)

(Assets Which Are the Subjects of Investment by an Investment Corporation Which Can Acquire Its Own Investment Equity by an Agreement with Its Investors)

第二百二十八条の二 令第六十九条の二に規定する不動産その他の内閣府令で定める資産は、第百五条第一号へに規定する不動産等資産とする。

Article 128-2 Real property and other assets specified by Cabinet Office Order as provided in Article 69-2 of the Order are the real property and other assets provided in Article 105, item (1), sub-item (f).

(自己の投資口を取得することができる場合)

(Cases Where Investment Corporations May Acquire Its Own Investment Equity)

第二百二十九条 法第八十条第一項第四号に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 129 The cases specified by Cabinet Office Order as referred to in Article 80, paragraph (1), item (iv) of the Act are the following cases:

一 当該投資法人の投資口を無償で取得する場合

(i) cases where the relevant Investment Corporation acquires its own Investment Equity without consideration;

二 当該投資法人が有する他の法人等の株式（持分その他これに準ずるものを含む。次号において同じ。）につき当該他の法人等が行う剰余金の配当又は残余財産の分配（これらに相当する行為を含む。）により当該投資法人の投資口の交付を受ける場合

(ii) cases where the relevant Investment Corporation receives the delivery of its own Investment Equity as a result of the distribution of dividend of surplus or distribution of residual assets (including acts equivalent thereto) made by another Corporation, etc. with regard to its shares held by the Investment Corporation (including equity and anything equivalent thereto; the same applies in the following item);

三 当該投資法人が有する他の法人等の株式につき当該他の法人等が行う次に掲げる行為に際して当該株式と引換えに当該投資法人の投資口の交付を受ける場合

(iii) cases where the relevant Investment Corporation receives the delivery of its own Investment Equity in exchange of the shares of another Corporation, etc. held by the Investment Corporation upon the following acts conducted by the relevant other Corporation, etc. with regard to the relevant shares:

イ 組織の変更

(a) changes of organization;

ロ 合併

(b) merger; or

ハ 株式交換（会社法以外の法令（外国の法令を含む。）に基づく株式交換に相当する行為を含む。）

(c) share exchange (including acts equivalent to share exchange based on laws and regulations (including laws and regulations of a foreign state) other than the Companies Act);

四 その権利の実行に当たり目的を達成するために当該投資法人の投資口を取得することが必要かつ不可欠である場合（法第八十条第一項第二号及び第三号並びに前三号に掲げる場合を除く。）

(iv) cases where it is necessary and indispensable for the relevant Investment Corporation to acquire its own Investment Equity to achieve the purpose in exercising its rights (excluding the cases set forth in Article 80, paragraph (1), items (ii) and (iii) of the Act and the preceding three items).

（自己投資口の処分の方法）

(Method for Disposal of Own Investment Equity)

第百三十条 法第八十条第三項（法第八十一条第五項において準用する場合を含む。）に規定する内閣府令で定める処分の方法は、次の各号に掲げる投資口の区分に応じ、当該各号に定める方法とする。

Article 130 The methods for disposal specified by Cabinet Office Order as referred to in Article 80, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 81, paragraph (5) of the Act) are the methods specified in the following items according to the category of Investment Equity listed in the respective items:

一 その投資証券が金融商品取引所に上場されている有価証券である投資口 取引所金融商品市場において行う取引による売却

(i) Investment Equity of which the Investment Securities are Securities listed on a Financial Instruments Exchange: sales in the transactions conducted on a Financial Instruments Exchange Market;

二 その投資証券が店頭売買有価証券である投資口 店頭売買有価証券市場において行う取引による売却

(ii) Investment Equity of which the Investment Securities are Over-the-Counter Traded Securities: sales in the transaction conducted on an Over-the-Counter Securities Market; and

三 前二号に掲げる投資口以外の投資口 当該投資口を発行する投資法人の純資産の額に照らして公正妥当な金額による売却

(iii) Investment Equity other than those listed in the preceding two items: sales at a fair and reasonable price in light of the amount of net assets of the Investment Corporation which issues the relevant Investment Equity.

(子法人による親法人投資口の取得)

(Acquisition of Investment Equity in a Parent Corporation by a Subsidiary Corporation)

第百三十一条 法第八十一条第二項第二号に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 131 The cases specified by Cabinet Office Order e as referred to in Article 81, paragraph (2), item (ii) of the Act are the following cases:

一 親法人投資口（法第八十一条第一項に規定する親法人投資口をいう。以下この条において同じ。）を無償で取得する場合

(i) cases where the relevant Subsidiary Corporation acquires the Investment Equity in a Parent Corporation (meaning the Investment Equity in a Parent Corporation defined in Article 81, paragraph (1) of the Act; hereinafter the same applies in this Article) without consideration;

二 その有する他の法人等の株式（持分その他これに準ずるものを含む。次号において同じ。）につき当該他の法人等が行う剰余金の配当又は残余財産の分配（これらに相当する行為を含む。）により親法人投資口の交付を受ける場合

(ii) cases where the relevant Subsidiary Corporation receives the delivery of the Investment Equity in the Parent Corporation as a result of the distribution of dividend of surplus or distribution of residual assets (including acts equivalent thereto) made by another Corporation, etc. with regard to its shares held by the Subsidiary Corporation (including equity and anything equivalent thereto; the same applies in the following item);

三 その有する他の法人等の株式につき当該他の法人等が行う次に掲げる行為に際して当該株式と引換えに当該親法人投資口の交付を受ける場合

(iii) cases where the relevant Subsidiary Corporation receives the delivery of the Investment Equity in the Parent Corporation in exchange of the shares of another Corporation, etc. held by the Subsidiary Corporation upon the following acts conducted by the relevant other Corporation, etc. with regard to the relevant shares:

イ 組織の変更

(a) changes of organization;

ロ 合併

(b) merger;

ハ 株式交換（会社法以外の法令（外国の法令を含む。）に基づく株式交換に相当する行為を含む。）

(c) share exchange (including acts equivalent to share exchange based on laws and regulations (including laws and regulations of a foreign state) other than the Companies Act);

ニ 株式移転（会社法以外の法令（外国の法令を含む。）に基づく株式移転に相当する行為を含む。）

(d) share transfer (including acts equivalent to shares transfer based on laws

and regulations (including laws and regulations of a foreign state) other than the Companies Act);

四 その権利の実行に当たり目的を達成するために親法人投資口を取得することが必要かつ不可欠である場合（法第八十一条第二項第一号及び前三号に掲げる場合を除く。）

(iv) cases where it is necessary and indispensable for the relevant Subsidiary Corporation to acquire the Investment Equity in the Parent Corporation to achieve the purpose in exercising its rights (excluding the cases set forth in Article 81, paragraph (2), items (i) of the Act and the preceding three items).

(投資口の併合に関する事前開示事項)

(Information Subject to Prior Disclosure Concerning Consolidation of Investment Equity)

第三百十一条の二 法第八十一条の二第二項において準用する会社法第百八十二条の二第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 131-2 Information specified by Cabinet Office Order as prescribed in Article 182-2, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 81-2, paragraph (2) of the Act is the following information:

一 次に掲げる事項その他の法第八十一条の二第二項において準用する会社法第百八十条第二項第一号に掲げる事項についての定め相当性に関する事項

(i) information concerning the adequacy of the provisions for the following information and other information listed in Article 180, paragraph (2), item (i) of the Companies Act as applied mutatis mutandis pursuant to Article 81-2, paragraph (2) of the Act:

イ 投資口の併合をする投資法人に支配投資主（投資法人の計算に関する規則第六十二条第六号に規定する支配投資主をいう。）がある場合には、当該投資法人の投資主（当該支配投資主を除く。）の利益を害さないように留意した事項（当該事項がない場合にあつては、その旨）

(a) in cases where there is a Controlling Investor (meaning the Controlling Investor provided in Article 62, item (vi) of the Regulation on Accountings of Investment Corporations) for the Investment Corporation intending to consolidate its Investment Equity, information heeded not to harm the interests of the Investors of the Investment Corporation (excluding the Controlling Investor) (or that the information does not exist, if this is the case); and

ロ 法第八十八条の規定により一口に満たない端数の処理をすることが見込まれる場合における当該処理の方法に関する事項、当該処理により投資主に交付することが見込まれる金銭の額及び当該額の相当性に関する事項

(b) in cases where fractions that are less than one unit are expected to be processed pursuant to the provisions of Article 88 of the Act, information concerning the method of the processing, the amount of money to be

delivered to the Investors as a result of the processing, and the adequacy of the amount;

二 投資口の併合をする投資法人（清算投資法人（法第百五十条の三に規定する清算投資法人をいう。以下同じ。）を除く。以下この号において同じ。）についての次に掲げる事項

(ii) the following information concerning the Investment Corporation

(excluding Investment Corporations in Liquidation (meaning the Investment Corporation in Liquidation provided in Article 150-3 of the Act; the same applies hereinafter); hereinafter the same applies in this item) intending to consolidate its Investment Equity:

イ 当該投資法人において最終営業期間（各営業期間（法第百二十九条第二項に規定する営業期間をいう。以下同じ。）に係る計算書類（同項に規定する計算書類をいう。以下同じ。））、資産運用報告及び金銭の分配に係る計算書並びにこれらの附属明細書につき法第百三十一条第二項の承認を受けた場合における当該各営業期間のうち最も遅いものをいう。以下同じ。）の末日（最終営業期間がない場合にあつては、当該投資法人の成立の日）後に重要な財産の処分、重大な債務の負担その他の投資法人の財産の状況に重要な影響を与える事象が生じたときは、その内容（備置開始日（法第八十一条の二第二項において準用する会社法第百八十二条の二第一項第一号に規定する日をいう。次号において同じ。）後投資口の併合がその効力を生ずる日までの間に新たな最終営業期間が存することとなる場合にあつては、当該新たな最終営業期間の末日後に生じた事象の内容に限る。）

(a) in cases where the disposition of important property or the assumption of a material obligation has been made, or any other event that may have a significant influence on the status of the property of the Investment Corporation has occurred after the last day of the Latest Business Period (meaning, in cases where the approval under Article 131, paragraph (2) of the Act is obtained for the Financial Statements (meaning the financial statements as prescribed in Article 129, paragraph (2) of the Act; the same applies hereinafter), asset investment reports, and statements related to the distribution of money, as well as the annexed detailed statements thereof for each Business Period (meaning the Business Period provided in that paragraph; the same applies hereinafter), the latest among such each Business Period; the same applies hereinafter) (in cases where there is no Latest Business Period, the day of establishment of the Investment Corporation), the details thereof (in cases where the Latest Business Period is to be replaced with a New Latest Business Period during the period from the Day of Commencement of Keeping Documents (meaning the day provided in Article 182-2, paragraph (1), item (i) of the Companies Act as applied mutatis mutandis pursuant to Article 81-2, paragraph (2) of the Act; the same applies in the following item) by the day on which the consolidation of Investment Equity becomes effective, limited to the details

of events occurred after the last day of the New Latest Business Period);  
and

ロ 当該投資法人において最終営業期間がないときは、当該投資法人の成立の日における貸借対照表

(b) in cases where there is no Latest Business Period in regard to the Investment Corporation, the balance sheet as of the day of establishment of the Investment Corporation;

三 備置開始日後投資口の併合がその効力を生ずる日までの間に、前二号に掲げる事項に変更が生じたときは、変更後の当該事項

(iii) in cases where any changes to the information listed in the preceding two items have occurred during the period from the Day of Commencement of Keeping Documents by the day on which the consolidation of Investment Equity becomes effective, the information after the change.

(投資口の併合に関する事後開示事項)

(Information Subject to Ex-Post Facto Disclosure Concerning Consolidation of Investment Equity)

第三百三十一条の三 法第八十一条の二第二項において準用する会社法第百八十二条の六第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 131-3 Information specified by Cabinet Office Order as prescribed in Article 182-6, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 81-2, paragraph (2) of the Act is the following information:

一 投資口の併合が効力を生じた日

(i) the day on which the consolidation of the Investment Equity has become effective;

二 法第八十一条の二第二項において準用する会社法第百八十二条の三の規定による請求に係る手続の経過

(ii) the progress of the procedure in regard to the request provided in Article 182-3 of the Companies Act as applied mutatis mutandis pursuant to Article 81-2, paragraph (2) of the Act;

三 法第八十八条の規定による手続の経過

(iii) the progress of the procedure provided in Article 88 of the Act;

四 投資口の併合が効力を生じた時における発行済投資口の総口数

(iv) the total number of units of Issued Investment Equity on the day on which the consolidation of the Investment Equity has become effective; and

五 前各号に掲げるもののほか、投資口の併合に関する重要な事項

(v) beyond those listed in the preceding items, material information concerning the consolidation of the Investment Equity.

(投資口の分割に関する規約の記載事項)

(Particulars Required to Be Included in the Certificate of Incorporation in



Relation to Split of Investment Equity)

第百三十二条 法第八十一条の四第二項第四号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 132 The particulars specified by Cabinet Office Order as referred to in Article 81-4, paragraph (2), item (iv) of the Act are the following particulars:

一 投資口の分割により投資口の口数に一口に満たない端数が生ずる場合における当該端数の部分の処理の方法に関する事項

(i) in cases where a fraction less than one unit of Investment Equity is produced in the number of units of Investment Equity as a result of split of Investment Equity, particulars concerning the method of processing such fraction;

二 前号の処理を経て法第八十一条の四第二項第三号に規定する投資主に交付される金銭の取扱いに関する事項

(ii) particulars concerning the handling of money to be delivered to the Investors referred to in Article 81-4, paragraph (2), item (iii) of the Act through the processing under the preceding item;

三 前号の金銭を新たに発行する投資口と引換えにする金銭の払込みに充てることにより、同号の投資主に当該新たに発行する投資口を取得させることとするときは、その旨及びその投資口の発行に関する事項

(iii) when having the Investors under the preceding item acquire Investment Equity to be newly issued by appropriating the money under that item for the payment of money to be made in exchange of the Investment Equity to be newly issued, an indication of this and particulars concerning the issuance of such Investment Equity;

四 その他法第八十一条の四第一項の規定による投資口の分割に関する事項

(iv) other particulars concerning the split of Investment Equity under the provisions of Article 81-4, paragraph (1) of the Act.

(投資口の分割の通知)

(Notice of Split of Investment Equity)

第百三十三条 法第八十一条の四第三項に規定する内閣府令で定める期間は、当該投資法人の営業期間とし、当該営業期間が六月を超える投資法人にあっては、六月とする。

Article 133 (1) The period specified by Cabinet Office Order as referred to in Article 81-4, paragraph (3) of the Act is the Business Period of the relevant Investment Corporation, and for Investment Corporations whose Business Period is six months or more, six months.

2 法第八十一条の四第三項に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The information specified by Cabinet Office Order as referred to in Article 81-4, paragraph (3) of the Act is the following information:

一 法第八十一条の四第二項第三号に規定する投資主に対し、前項の期間中になされ

た投資口の分割により生じた投資口の口数の一口に満たない端数の部分に相当するものとして交付されるべき金銭の額

(i) the amount of money to be delivered to the Investors referred to in Article 81-4, paragraph (2), item (iii) of the Act as those equivalent to the fraction of less than one unit of the Investment Equity produced as a result of split of Investment Equity which had been effected during the period under the preceding paragraph;

二 前条第三号に掲げる事項を規約で定めた投資法人にあつては、前号の投資主が前項の期間中に取得した投資口の総口数並びに当該投資口の発行の日及び払込金額（法第八十二条第一項第二号に規定する払込金額をいう。次条において同じ。）

(ii) with regard to Investment Corporations that have provided the particulars listed in item (iii) of the preceding Article in its certificate of incorporation, the total number of units of Investment Equity acquired by the Investors under the preceding item during the period under the preceding paragraph as well as the day of issuance of and the amount to be paid in (meaning the amount to be paid in as prescribed in Article 82, paragraph (1), item (ii) of the Act; the same applies in the following Article) for the Investment Equity; and

三 第一号の投資主が前項の期間の末日において保有する投資口の総口数

(iii) the total number of units of Investment Equity held by the Investors under item (i) as of the last day of the period prescribed in the preceding paragraph.

（払込金額の公示の方法）

（Method of Public Notice of the Amount to Be Paid in）

第三百三十四条 法第八十二条第四項の規定による払込金額の公示は、当該払込金額が適用される募集投資口（法第八十二条第一項に規定する募集投資口をいう。以下同じ。）と引換えにする金銭の払込みの期日の前日までに、次の各号のいずれかの方法により行わなければならない。

Article 134 (1) The public notice of the amount to be paid in under the provisions of Article 82, paragraph (4) of the Act must be made by any of the following methods by the day immediately preceding the due date for the payment of money to be made in exchange for the Investment Equity for Subscription (meaning the Investment Equity for Subscription provided in Article 82, paragraph (1) of the Act; the same applies hereinafter) to which the amount to be paid in is applied:

一 国内において時事に関する事項を総合して報道する日刊新聞紙への掲載

(i) publication in a daily newspaper that collectively report information on current affairs in Japan; or

二 募集投資口を引き受ける者の募集に関する事務を行う全ての一般事務受託者の営業所における掲示

(ii) posting the amount to be paid in at the business offices of all the

Administrative Agents that are in charge of the administrative processes related to the solicitation of persons to subscribe for the Investment Equity for Subscription.

2 前項の払込金額の公示は、当該払込金額が適用される募集投資口と引換えにする金銭の払込みの期日を明示してしなければならない。

(2) The public notice of the amount to be paid in under the preceding paragraph must be given by clearly indicating the due date for the payment of money to be made in exchange for the Investment Equity to which the relevant amount to be paid in is applied.

(申込みをしようとする者に対して通知すべき事項)

(Information to Be Notified to Persons Who Intend to File Applications)

第百三十五条 法第八十三条第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 135 The information specified by Cabinet Office Order as referred to in Article 83, paragraph (1), item (vii) of the Act is the following information:

一 規約に定められた事項（法第八十三条第一項第一号から第六号までに掲げる事項を除く。）であって、当該投資法人に対して募集投資口の引受けの申込みをしようとする者が当該者に対して通知することを請求した事項

(i) information specified in the certificate of incorporation (excluding those listed in Article 83, paragraph (1), items (i) through (vi) of the Act) which are those for which the person who intends to apply for the subscription of Investment Equity for Subscription has requested the relevant Investment Corporation to notify the person;

二 投資法人の資産に属する不動産（以下この号において「投資不動産」という。）に関する次に掲げる事項

(ii) the following information concerning the real property belonging to the assets of an Investment Corporation (hereinafter referred to as the "Real Property for Investment" in this item):

イ 地域別、用途別及び賃貸の用又はそれ以外の用の別に区分した投資不動産について、各物件の名称、所在地、用途、面積、構造、所有権又はそれ以外の権利の別及び価格（規約に定める評価方法及び基準により評価した価格又は鑑定評価額、公示価格、路線価、販売公表価格その他これらに準じて公正と認められる価格をいう。以下この号において同じ。）

(a) with regard to the Real Property for Investment classified by area, by use, and by for lease or non-lease, the name, location, use, area, structure, whether it is held with ownership or other rights, and the Price (meaning the price as appraised by the appraisal method or standard specified in the certificate of incorporation, or appraised and estimated value, posted price, road ratings, published selling price, or other price deemed to be fair in accordance thereto; hereinafter the same applies in this item), for each

- property;
- ロ 価格の評価方法及び評価者の氏名又は名称
- (b) the appraisal method of the Price as well as the name of the appraiser;
- ハ 担保の内容
- (c) details of the collateral;
- ニ 不動産の状況（不動産の構造、現況その他の投資不動産の価格に重要な影響を及ぼす事項をいう。ホにおいて同じ。）
- (d) Status of the Real Property (meaning the structure and current status of the real property, and other information that have a material influence on the Price of the Real Property for Investment; the same applies in sub-item (e));
- ホ 不動産の状況に関する第三者による調査結果の概要（行っていない場合には、その旨）及び調査者の氏名又は名称
- (e) a summary of the investigation on the status of the real property made by a third party (or that the investigation has not been made, if this is the case) as well as the name of the investigator;
- ヘ 各物件の投資比率（当該物件の価格が全ての物件の価格の合計額に占める割合をいう。）
- (f) the Investment Ratio (meaning the ratio of the Price of the relevant property to the total of the Prices of all of the property) of each property;
- ト 投資不動産に関して賃貸借契約を締結した相手方（以下トにおいて「テナント」という。）がある場合には、次に掲げる事項（やむを得ない事情により記載できないものにあつては、その旨）
- (g) in cases where there is a counterparty with whom a lease contract for the relevant Real Property for Investment has been concluded (such counterparty is hereinafter referred to as the "Tenant" in this sub-item (g)), the following information (and that some information cannot be stated due to unavoidable circumstances, if this is the case):
- (1) テナントの総数、賃料収入の合計、賃貸面積の合計、賃貸可能面積の合計及び過去五年間の一定の日における稼働率
1. the total number of Tenants, total lease revenue, total leased area, and total leasable area, as well as Occupancy Rates on a fixed day over the most recent five years;
- (2) 主要な物件（一体として使用されていると認められる土地に係る建物又は施設であつて、その賃料収入の合計が全ての投資不動産に係る賃料収入の合計の百分の十以上であるものをいう。）がある場合には、当該主要な物件ごとのテナントの総数、賃料収入の合計、賃貸面積の合計、賃貸可能面積の合計及び過去五年間の一定の日における稼働率
2. in cases where there is a Major Property (meaning buildings and facilities pertaining to one piece of land which are found to be used collectively and for which the total lease revenue consists of 10 percent

or more of all the lease revenues of all Real Property for Investment), the total number of Tenants, total lease revenue, total leased area, total leasable area, and Occupancy Rates on a fixed day over the most recent five years of each Major Property; and

(3) 主要なテナント（当該テナントの賃貸面積の合計が全ての投資不動産に係る賃貸面積の合計の百分の十以上であるものをいう。）がある場合には、その名称、業種、年間賃料、賃貸面積、契約満了日、契約更改の方法、敷金又は保証金その他賃貸借契約に関して特記すべき事項

3. in cases where there are Major Tenants (meaning Tenants for which the leased area is 10 percent or more of the whole leased area of all of the Real Property for Investment), the name and type of business of the Tenant, annual lease, leased area, expiration date of the contract, method for renewing the contract, security deposit, and any other information to be noted with regard to the lease contract therefor;

三 海外不動産保有法人の発行済株式又は出資を有する場合（当該発行済株式又は出資（当該海外不動産保有法人が有する自己の株式又は出資を除く。）の総数又は総額に第二百二十一条に規定する率を乗じて得た数又は額を超えて当該発行済株式又は出資を有する場合に限る。）には、当該発行済株式又は出資に関する次に掲げる事項

(iii) in cases where the Investment Corporation holds Issued Shares or equity in a Foreign Real Property Holding Corporation (limited to cases where the number or the amount of the Issued Shares or equity in a Foreign Real Property Holding Corporation held exceeds the number or the amount obtained by multiplying the total number or the total amount of the Issued Shares or equity (excluding shares or equity in the Foreign Real Property Holding Corporation owned by that Foreign Real Property Holding Corporation itself) by the rate specified in Article 221), the following information concerning the Issued Shares or equity:

イ 当該海外不動産保有法人に対する投資額

(a) the amount of investment in the Foreign Real Property Holding Corporation;

ロ 当該海外不動産保有法人の組織形態、目的、事業内容及び利益の分配方針

(b) the organizational form, purpose, business contents, and profit distribution policy of the Foreign Real Property Holding Corporation;

ハ 当該投資法人の資産に属する当該海外不動産保有法人の株式又は出資の数又は額の当該海外不動産保有法人の発行済株式又は出資（当該海外不動産保有法人が有する自己の株式又は出資を除く。）の総数又は総額に対する割合

(c) the ratio of the number or the amount of shares or equity in the Foreign Real Property Holding Corporation belonging to the assets of the Investment Corporation to the total number or the total amount of Issued Shares or equity in the Foreign Real Property Holding Corporation

- (excluding shares or equity in the Foreign Real Property Holding Corporation owned by that Foreign Real Property Holding Corporation itself); and
- ニ 当該海外不動産保有法人が所在する国における配当に係る規制の内容
- (d) details of the regulations on dividend in the state where the Foreign Real Property Holding Corporation is located;
- 四 前号に規定する場合において海外不動産保有法人が有する不動産（以下この号において「間接投資不動産」という。）に関する次に掲げる事項
- (iv) in the cases referred to in the preceding item, the following information concerning real property held by the Foreign Real Property Holding Corporation (hereinafter referred to as "Real Property for Indirect Investment" in this item):
- イ 地域別、用途別及び賃貸の用又はそれ以外の用の別に区分した間接投資不動産について、各物件の名称、所在地、所有者、用途、面積、構造、所有権又はそれ以外の権利の別及び価格（鑑定評価額、公示価格、路線価、販売公表価格その他これらに準じて公正と認められる価格をいう。以下この号において同じ。）
- (a) with regard to the Real Property for Indirect Investment classified by geographic area, by use, and by for lease or non-lease, the name, location, owner, use, area, structure, whether it is held with ownership or other rights, and the Price (meaning the appraised and estimated value, posted price, road ratings, published selling price, or other price deemed to be fair in accordance thereto; hereinafter the same applies in this item), for each property;
- ロ 価格の評価方法及び評価者の氏名又は名称
- (b) the appraisal method of the Price as well as the name of the appraiser;
- ハ 担保の内容
- (c) the details of the collateral;
- ニ 不動産の状況（不動産の構造、現況その他の間接投資不動産の価格に重要な影響を及ぼす事項をいう。ホにおいて同じ。）
- (d) status of the real property (meaning the structure and current status of the real property, and other information that have a material influence on the Price of the Real Property for Indirect Investment; the same applies in sub-item (e));
- ホ 不動産の状況に関する第三者による調査結果の概要（行っていない場合には、その旨）及び調査者の氏名又は名称
- (e) a summary of the results of the investigation on the status of the real property made by a third party (or that the investigation has not been made, if this is the case) as well as the name of the investigator;
- ヘ 各物件の投資比率（当該物件の価格が全ての物件の価格の合計額に占める割合をいう。）
- (f) the Investment Ratio (meaning the ratio of the Price of the relevant

property to the total of the Prices of all of the property) of each property;  
ト 間接投資不動産に関して賃貸借契約を締結した相手方（以下トにおいて「テナント」という。）がある場合には、次に掲げる事項（やむを得ない事情により記載できないものにあつては、その旨）

(g) in cases where there is a counterparty with whom a lease contract for the relevant Real Property for Indirect Investment has been concluded (hereinafter referred to as the "Tenant" in this sub-item (g)), the following information (and that some information cannot be stated due to unavoidable circumstances, if this is the case):

- (1) テナントの総数、賃料収入の合計、賃貸面積の合計、賃貸可能面積の合計及び過去五年間の一定の日における稼働率
1. the total number of Tenants, total lease revenue, total leased area, and total leasable area, as well as the Occupancy Rates on a fixed day over the most recent five years;
- (2) 物件ごとのテナントの総数、賃料収入の合計、賃貸面積の合計、賃貸可能面積の合計及び過去五年間の一定の日における稼働率
2. the total number of Tenants, total lease revenue, total leased area, and total leasable area, as well as the Occupancy Rates on a fixed day over the most recent five years of each property; and
- (3) 主要なテナント（当該テナントの賃貸面積の合計が全ての間接投資不動産に係る賃貸面積の合計の百分の十以上であるものをいう。）がある場合には、その名称、業種、年間賃料、賃貸面積、契約満了日、契約更改の方法、敷金又は保証金その他賃貸借契約に関して特記すべき事項
3. in cases where there are Major Tenants (meaning Tenants for which the total leased area is 10 percent or more of the whole leased area of all of the Real Property for Indirect Investment), the name and type of business of the Tenant, annual lease, leased area, expiration date of the contract, method for renewing the contract, security deposit, and any other information to be noted with regard to the lease contract therefor;

五 投資法人の資産に属する再生可能エネルギー発電設備（以下この号において「投資再生可能エネルギー発電設備」という。）に関する次に掲げる事項

(v) the following information concerning a Renewable Energy Power Generation Facility which belongs to the assets of the Investment Corporation (hereinafter referred to as the "Renewable Energy Power Generation Facilities for Investment" in this item):

イ 設備の区分等の別、地域別及び賃貸の用又はそれ以外の用の別に区分した投資再生可能エネルギー発電設備について、各再生可能エネルギー発電設備の名称、所在地、構造、所有権又はそれ以外の権利の別及び価格（規約に定める評価方法及び基準により評価した価格その他これに準じて公正と認められる価格をいう。ロ及びト並びに次号イ及びロにおいて同じ。）

(a) with regard to the Renewable Energy Power Generation Facilities for Investment classified by the Classification, etc. of Facilities, by area, and by for lease or non-lease: the name, location and structure of each Renewable Energy Power Generation Facilities, whether it is held with ownership or other rights, and its Price (meaning the price as appraised by the appraisal method or standard specified in the certificate of incorporation, or any other price deemed to be fair in accordance thereto; hereinafter the same applies in sub-items (b) and (g), and the following item, sub-items (a) and (b));

ロ 価格の評価方法及び評価者の氏名又は名称

(b) the appraisal method of the Price as well as the name of the appraiser;

ハ 担保の内容

(c) the details of the collateral;

ニ 再生可能エネルギー発電設備の状況（次に掲げる場合の区分に応じ、それぞれ次に定める事項をいう。ホにおいて同じ。）

(d) Status of the Renewable Energy Power Generation Facilities (meaning the information specified according to the cases set forth below; the same applies in sub-item (e)):

(1) 投資再生可能エネルギー発電設備が認定発電設備に該当する場合 再生可能エネルギー発電設備に係る特定契約の内容（特定供給者の名称、当該特定供給者と特定契約を締結した電気事業者の名称、調達価格、調達期間その他当該特定契約に関する重要な事項をいう。）、再生可能エネルギー発電設備の構造、現況その他投資再生可能エネルギー発電設備の価格に重要な影響を及ぼす事項

1. in cases where the Renewable Energy Power Generation Facilities falls under the category of Certified Power Generation Facility: the details of the Specified Contract (meaning the name of the Specified Supplier, the name of the Electricity Utilities which has concluded the Specified Contract with the Specified Supplier, the Procurement Price, the Procurement Period, and other material information concerning the Specified Contract), the structure and current status of the Renewable Energy Power Generation Facilities, and other information that have a material influence on the Price of the Renewable Energy Power Generation Facilities for Investment; and

(2) (1)に掲げる場合以外の場合 再生可能エネルギー発電設備に係る電力受給契約の内容（供給者の名称、当該供給者と電力受給契約を締結した電気事業者の名称、当該電力受給契約に基づき供給される再生可能エネルギー電気の一キロワット時当たりの価格、契約期間その他当該電力受給契約に関する重要な事項をいう。）、再生可能エネルギー発電設備の構造、現況その他投資再生可能エネルギー発電設備の価格に重要な影響を及ぼす事項

2. in cases other than those set forth in 1.: the details of the Power



Purchase Contract regarding the Renewable Energy Power Generation Facilities (meaning the name of the Supplier, the name of the Electricity Utilities which has concluded the Power Purchase Contract with the Supplier, the price of Electricity from Renewable Energy Sources per kilowatt to be supplied under the Power Purchase Contract, the contract period, and other material information concerning the Power Purchase Contract), the structure and current status of the Renewable Energy Power Generation Facilities, and other information that have a material influence on the Price of the Renewable Energy Power Generation Facilities for Investment;

ホ 再生可能エネルギー発電設備の状況に関する第三者による調査結果の概要（行っていない場合には、その旨）及び調査者の氏名又は名称

(e) a summary of the results of the investigation on the status of the Renewable Energy Power Generation Facilities made by a third party (or that the investigation has not been made, if this is the case), as well as the name of the investigator;

へ 特定供給者又は供給者に関する事項

(f) information Concerning the Specified Supplier and the Supplier;

ト 各再生可能エネルギー発電設備の投資比率（当該再生可能エネルギー発電設備の価格が全ての再生可能エネルギー発電設備の価格の合計額に占める割合をいう。）

(g) the Investment Ratio of each Renewable Energy Power Generation Facilities (meaning the ratio of the Price of the relevant Renewable Energy Power Generation Facilities to the total of the Prices of all Renewable Energy Power Generation Facilities); and

チ 投資再生可能エネルギー発電設備に関して賃貸借契約を締結した相手方がある場合には、年間賃料、契約満了日、契約更改の方法、保証金その他賃貸借契約に関して特記すべき事項

(h) in cases where there is a counterparty with whom a lease contract for the Renewable Energy Power Generation Facilities for Investment has been concluded, the annual lease, expiration date of the contract, method for renewing the contract, security deposit, and any other information to be noted with regard to the lease contract;

六 投資法人の資産に属する公共施設等運営権（以下この号において「投資公共施設等運営権」という。）に関する次に掲げる事項

(vi) the following information concerning a Right to Operate Public Facility, etc. which belongs to the assets of the Investment Corporation (hereinafter referred to as the "Right to Operate Public Facility, etc. for Investment" in this item):

イ 公共施設等の種類の別及び地域別に区分した投資公共施設等運営権に係る公共施設等について各公共施設等の名称、立地、運営等の内容及び公共施設等の管理

者等の名称並びに投資公共施設等運営権の存続期間及び価格

(a) with regard to the Public Facility, etc. covered by the Right to Operate Public Facility, etc. for Investment, classified by type of Public Facility, etc. and by area: the name, location, and details of the Operation, etc. the name of the Administrator, etc. of Public Facility, etc. of each Public Facility, etc., as well as the duration and Price of the Right to Operate Public Facility, etc. for Investment;

ロ 価格の評価方法及び評価者の氏名又は名称

(b) the appraisal method of the Price as well as the name of the appraiser;

ハ 担保の内容

(c) the details of the collateral;

ニ 公共施設等運営権の状況（公共施設等の運営等に係る委託契約の内容、年間運営事業収入の実績、公共施設等の現況その他投資公共施設等運営権の価格に重要な影響を及ぼす事項をいう。ホにおいて同じ。）

(d) Status of the Right to Operate Public Facility, etc. (meaning the details of the entrustment contract for the Operation, etc. of the Public Facility, etc., annual revenue from the facility business, current status of the Public Facility, etc., and other information that have a material influence on the Price of the Right to Operate Public Facility, etc. for Investment; the same applies in sub-item (e));

ホ 公共施設等運営権の状況に関する第三者による調査結果の概要（行っていない場合には、その旨）及び調査者の氏名又は名称

(e) a summary of the results of the investigation on the Status of the Right to Operate Public Facility, etc. made by a third party (or that the investigation has not been made, if this is the case), as well as the name of the investigator; and

ヘ 公共施設等の運営等に係る委託契約の相手方に関する事項

(f) information concerning the Counterparty to the entrustment contract for the Operation, etc. of the Public Facility, etc.

（資産運用委託契約の概要として記載する内容）

(Contents to Be Stated as an Outline of an Entrustment Contract for Assets Investment)

第三百三十六条 法第八十三条第二項に規定する内閣府令で定める細目は、全ての資産運用会社につき、それぞれ次に掲げるものとする。

Article 136 The details specified by Cabinet Office Order as referred to in Article 83, paragraph (2) of the Act are as follows with regard to all Asset Management Companies:

一 名称（当該資産運用会社が適格投資家向け投資運用業を行うことにつき金融商品取引法第二十九条の登録を受けた金融商品取引業者であるときは、その旨を含む。）及び住所

(i) the name (including an indication that the relevant Asset Management Company is a Financial Instruments Business Operator registered under Article 29 of the Financial Instruments and Exchange Act for engaging in the Investment Management Business for Qualified Investors, if this is the case) and address; and

二 それらの者との間の契約において定める事項のうち、委託すべき業務の内容、契約期間及び当該期間中の解約に関する事項、契約の変更に関する事項、それらの者に支払う報酬又は手数料の額（具体的な金額又はその計算方法）並びにその支払の時期及び方法その他重要な事項（これらの者との間の契約に、資産の運用に係る権限の一部の再委託に関する規定を設ける場合においては、当該規定の内容（資産の運用に係る権限の一部を適格投資家向け投資運用業を行うことにつき金融商品取引法第二十九条の登録を受けた金融商品取引業者に再委託することを内容とするものであるときは、その旨を含む。）を含む。）

(ii) among the information specified in the contracts concluded with the Asset Management Companies, information concerning the contents of the business to be entrusted, contract period, and cancellation of the contract during the period, information related to the changes to the contract, the amount of remuneration or fees to be paid to such Asset Management Companies (the concrete amount or the method of calculation thereof), the timing for the payment thereof, and any other material information (in cases where stipulating provisions concerning the partial re-entrustment of the authority for assets investments in the contract to be concluded with such Asset Management Companies, including the details of the provisions (including an indication that it is stipulated in the contract that the authority for asset investments is partially re-entrusted to a Financial Instruments Business Operator registered under Article 29 of the Financial Instruments and Exchange Act for engaging in the Investment Management Business for Qualified Investors, if this is the case)).

(申込みをしようとする者に対する通知を要しない場合)

(Cases Where Notice to Persons Who Intend to File Applications Is Not Required)

第百三十七条 法第八十三条第五項に規定する内閣府令で定める場合は、次に掲げる場合であって、投資法人が同条第一項の申込みをしようとする者に対して同項各号に掲げる事項を提供している場合とする。

Article 137 The cases specified by Cabinet Office Order as referred to in Article 83, paragraph (5) of the Act are the following cases where an Investment Corporation has provided the persons who intend to file applications under paragraph (1) of that Article with the information listed in the items of that paragraph:

一 当該投資法人が金融商品取引法の規定に基づき目論見書に記載すべき事項を電磁

的方法により提供している場合

- (i) cases where the relevant Investment Corporation has provided the information to be stated in the prospectus pursuant to the provisions of the Financial Instruments and Exchange Act by Electronic or Magnetic Means;  
or

二 当該投資法人が外国の法令に基づき目論見書その他これに相当する書面その他の資料を提供している場合

- (ii) cases where the relevant Investment Corporation has provided the prospectus, documents equivalent thereto, or any other materials under laws and regulations of a foreign state.

(出資の履行の仮装に関して責任をとるべき執行役員等)

**(Executive Managing Officers to Be Held Liable with Regard to Falsifying Performance of Contribution)**

第三百三十七条の二 法第八十四条第一項において準用する会社法第二百十三条の三第一項に規定する内閣府令で定める者は、次に掲げる者とする。

Article 137-2 The persons specified by Cabinet Office Order as referred to in Article 213-3 paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 84, paragraph (1) of the Act are the following persons:

一 出資の履行（法第八十四条第一項において準用する会社法第二百八条第三項に規定する出資の履行をいう。次号において同じ。）の仮装に関する職務を行った執行役員

- (i) the executive managing officers who performed the duties concerning falsifying a Performance of Contribution (meaning the Performance of Contribution provided in Article 208, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 84, paragraph (1) of the Act; the same applies in the following item);

二 出資の履行の仮装が役員会の決議に基づいて行われたときは、次に掲げる者

- (ii) in cases where the Performance of Contribution has been falsified based on a resolution of a board of officers meeting, the following persons:

イ 当該役員会の決議に賛成した執行役員及び監督役員

- (a) the executive managing officers and supervisory officers who agreed to the relevant resolution of the board of officers meeting; and

ロ 当該役員会に当該出資の履行の仮装に関する議案を提案した執行役員

- (b) the executive managing officers who submitted proposals concerning falsifying the Performance of Contribution, to the board of officers meeting.

(投資口の端数処理の方法)

**(Method of Processing Fractions of Investment Equity)**

第三百三十八条 法第八十八条第一項に規定する内閣府令で定める方法は、次の各号に掲げる投資口の区分に応じ、当該各号に定める方法とする。

Article 138 The methods specified by Cabinet Office Order as referred to in Article 88, paragraph (1) of the Act are the methods specified in the following items according to the category of Investment Equity listed in the respective items:

一 その投資証券が金融商品取引所に上場されている有価証券である投資口 取引所金融商品市場において行う取引による売却

(i) Investment Equity of which the Investment Securities are Securities listed on a Financial Instruments Exchange: sales through the transactions conducted on a Financial Instruments Exchange Market;

二 その投資証券が店頭売買有価証券である投資口 店頭売買有価証券市場において行う取引による売却

(ii) Investment Equity of which the Investment Securities are Over-the-Counter Traded Securities: sales through the transactions conducted on an Over-the-Counter Securities Market; and

三 前二号に掲げる投資口以外の投資口 当該投資口を発行する投資法人の純資産の額に照らして公正妥当な金額による売却

(iii) Investment Equity other than those listed in the preceding two items: sales at a fair and reasonable price in light of the amount of net assets of the Investment Corporation which issues the relevant Investment Equity.

(投資口の端数払戻しの場合の控除方法)

(Method of Deduction in Cases of Refunding the Fractions of Investment Equity)

第百三十九条 法第八十八条第二項（法第百四十九条の十七第二項において準用する場合を含む。）又は第二百二十四条第一項の規定により投資口の払戻しをした投資法人は、払戻しの直前における一口当たり出資総額に払戻しをした投資口の口数を乗じて得た額を出資総額から、払戻しの直前における一口当たり出資剰余金の額に払戻しをした投資口の口数を乗じて得た額を出資剰余金の額から、それぞれ控除しなければならない。

Article 139 (1) The Investment Corporation that refunded Investment Equity pursuant to the provisions of Article 88, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 149-17, paragraph (2) of the Act) or Article 124, paragraph (1) of the Act must deduct the amount obtained by multiplying the Total Amount of Investment Per Unit as of the time immediately prior to the refund by the number of units of Investment Equity refunded from the total amount of investment, and must deduct the amount obtained by multiplying the Amount of Investment Surplus Per Unit as of the time immediately prior to the refund by the number of units of Investment Equity refunded from the Amount of Investment Surplus, respectively.

2 前項の一口当たり出資総額とは、出資総額を発行済投資口（法第七十七条の二第一

項に規定する発行済投資口をいう。以下この条において同じ。)の総口数で除して得た額をいい、前項の一口当たり出資剰余金の額とは、出資剰余金の額を発行済投資口の総口数で除して得た額をいう。

(2) The term "Total Amount of Investment Per Unit" as used in the preceding paragraph means the amount obtained by dividing the total amount of investment by the total number of units of Issued Investment Equity (meaning the Issued Investment Equity as prescribed in Article 77-2, paragraph (1) of the Act; hereinafter the same applies in this Article), and the term "Amount of Investment Surplus Per Unit" as used in the preceding paragraph is the amount obtained by dividing the amount of investment surplus by the total number of units of Issued Investment Equity.

3 法第二百二十四条第一項の規定により投資口の払戻しをした投資法人は、その投資主名簿に、当該投資口につき払戻しをした旨、払戻しをした年月日及び払戻金額を記載し、又は記録し、かつ、当該投資口を有していた投資主の有する投資口の口数及び発行済投資口の総口数に係る記載又は記録の変更をしなければならない。

(3) The Investment Corporation that refunded Investment Equity pursuant to the provisions of Article 124, paragraph (1) of the Act must include or record in its investor register a statement to the effect that it has made refund with regard to the relevant Investment Equity, the date on which the refund was made, and the refunded amount, and must change the statement or records on the number of units of Investment Equity held by the Investors who held the relevant Investment Equity, and on the total number of units of Issued Investment Equity.

(新投資口予約権原簿記載事項の記載等の請求)

(Request of Inclusion of the Information Required to Be Included in the Investment Equity Options Register)

第三百十九条の二 法第八十八条の八第四項において準用する会社法第二百六十条第二項に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 139-2 (1) The cases specified by Cabinet Office Order as referred to in Article 260 paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 88-8, paragraph (4) of the Act are the following cases:

一 新投資口予約権を当該新投資口予約権を発行した投資法人以外の者から取得した者(当該投資法人を除く。以下この条において「新投資口予約権取得者」という。)が、新投資口予約権者として新投資口予約権原簿に記載若しくは記録がされた者又はその一般承継人に対して当該新投資口予約権取得者の取得した新投資口予約権に係る法第八十八条の八第四項において準用する会社法第二百六十条第一項の規定による請求をすべきことを命ずる確定判決を得た場合において、当該確定判決の内容を証する書面その他の資料を提供して請求をしたとき。

(i) in cases where the person who acquired Investment Equity Options from persons other than the Investment Corporation that issued the Investment

Equity Options (excluding the Investment Corporation; hereinafter referred to as "Acquirer of Investment Equity Options" in this Article) has received a final and binding judgment ordering the Acquirer of Investment Equity Options to make the request under Article 260, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 88-8, paragraph (4) of the Act related to the Investment Equity Options acquired by the Acquirer of Investment Equity Options against the person who has been stated or recorded in the Investment Equity Options Register as a holder of Investment Equity Options or the general successor thereof, when the Acquirer of Investment Equity Options has made the request by providing a document evidencing the contents of the final and binding judgment or any other materials;

二 新投資口予約権取得者が前号の確定判決と同一の効力を有するものの内容を証する書面その他の資料を提供して請求をしたとき。

(ii) when the Acquirer of Investment Equity Options has made the request by providing a document evidencing the contents of a decision having the same effect as the final and binding judgment under the preceding item or any other materials;

三 新投資口予約権取得者が一般承継により当該投資法人の新投資口予約権を取得した者である場合において、当該一般承継を証する書面その他の資料を提供して請求をしたとき。

(iii) in cases where the Acquirer of Investment Equity Options is a person who has acquired the Investment Equity Options of the relevant Investment Corporation by general succession, when such Acquirer of Investment Equity Options has made the request by providing a document evidencing the general succession or any other materials; and

四 新投資口予約権取得者が当該投資法人の新投資口予約権を競売により取得した者である場合において、当該競売により取得したことを証する書面その他の資料を提供して請求をしたとき。

(iv) in cases where the Acquirer of Investment Equity Options is a person who has acquired the Investment Equity Options of the relevant Investment Corporation by auction, when such Acquirer of Investment Equity Options has made the request by providing a document evidencing that the acquisition was made by auction, or any other materials.

2 前項の規定にかかわらず、新投資口予約権取得者が取得した新投資口予約権が証券発行新投資口予約権（法第八十八条の五第一項第二号ニに規定する証券発行新投資口予約権をいう。）である場合には、法第八十八条の八第四項において準用する会社法第二百六十条第二項に規定する内閣府令で定める場合は、新投資口予約権取得者が新投資口予約権証券を提示して請求をした場合とする。

(2) Notwithstanding the provisions of the preceding paragraph, in cases where the Investment Equity Options acquired by the Acquirer of Investment Equity

Options are investment equity options for which certificates are issued (meaning the investment equity options for which certificates are issued provided in Article 88-5, paragraph (1), item (ii), sub-item (d) of the Act), the cases specified by Cabinet Office Order as referred to in Article 260, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 88-8, paragraph (4) of the Act are the cases where the Acquirer of Investment Equity Options has made the request by presenting the Investment Equity Option Certificate.

(新投資口予約権に係る払込みの仮装に関して責任をとるべき執行役員等)

(Executive Managing Officers to Be Held Liable with Regard to Falsifying Payment for Investment Equity Options)

第百三十九条の三 法第八十八条の十七第三項において準用する会社法第二百八十六条の三第一項に規定する内閣府令で定める者は、次に掲げる者とする。

Article 139-3 Persons specified by Cabinet Office Order as prescribed in Article 286-3, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 88-17, paragraph (3) of the Act are the following persons:

一 払込み（法第八十八条の十七第三項において準用する会社法第二百八十六条の二第一項第二号の払込みをいう。次号において同じ。）の仮装に関する職務を行った執行役員

(i) the executive managing officers who performed the duties concerning falsifying a payment (meaning the payment provided in Article 286-2, paragraph (1), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 88-17, paragraph (3) of the Act; the same applies in the following item);

二 払込みの仮装が役員会の決議に基づいて行われたときは、次に掲げる者

(ii) in cases where the payment has been falsified based on a resolution of a board of officers meeting, the following persons:

イ 当該役員会の決議に賛成した執行役員及び監督役員

(a) the executive managing officers and supervisory officers who agreed to the relevant resolution of the board of officers meeting; and

ロ 当該役員会に当該払込みの仮装に関する議案を提案した執行役員

(b) the executive managing officers who submitted proposals concerning falsifying the payment, to the board of officers meeting.

(新投資口予約権の行使により投資口に端数が生ずる場合)

(Cases Where a Fraction Less Than One Unit of Investment Equity Is Produced by the Exercise of Investment Equity Options)

第百三十九条の四 法第八十八条の十九第一号に規定する内閣府令で定める方法は、次に掲げる額のうちいずれか高い額をもって同号に規定する投資口の価格とする方法とする。



Article 139-4 The methods specified by Cabinet Office Order as referred to in Article 88-19, item (i) of the Act are the method whereby the higher of the following amounts are treated as the price of Investment Equity prescribed in that item:

一 新投資口予約権の行使の日（以下この条において「行使日」という。）における当該投資口を取引する市場における最終の価格（当該行使日に売買取引がない場合又は当該行使日が当該市場の休業日に当たる場合にあっては、その後最初になされた売買取引の成立価格）

(i) the closing price of the relevant Investment Equity on the market in which the Investment Equity is traded, as of the date of the exercise of Investment Equity Options (hereinafter referred to as the "Exercise Date" in this Article) (in cases where no sale and purchase transaction has been made on the relevant Exercise Date, or the relevant Exercise Date falls on a non-business day of the relevant market, the concluded price of the first sale and purchase transaction conducted after the relevant Exercise Date); or

二 行使日において当該投資口が公開買付け等（金融商品取引法第二十七条の二第六項（同法第二十七条の二十二の二第二項において準用する場合を含む。）に規定する公開買付け及びこれに相当する外国の法令に基づく制度をいう。第二百四条第一項第二号において同じ。）の対象であるときは、当該行使日における当該公開買付け等に係る契約における当該投資口の価格

(ii) when the relevant Investment Equity is subject to a Tender Offer, etc. (meaning the tender offer as prescribed in Article 27-2, paragraph (6) of the Financial Instruments and Exchange Act (including the cases where it is applied mutatis mutandis pursuant to Article 27-22-2, paragraph (2) of that Act), and systems equivalent thereto based on laws and regulations of a foreign state; the same applies in Article 204, paragraph (1), item (ii) as of the Exercise Date, the price of the relevant Investment Equity in the contract for Tender Offer, etc. as of the relevant Exercise Date.

（招集の決定事項）

（Particulars Decided for a Calling）

第四百十条 法第九十条の二第一項第四号に規定する内閣府令で定める事項は、次に掲げる事項（規約に第三号又は第五号から第七号までに掲げる事項についての定めがある場合における当該事項を除く。）とする。

Article 140 The particulars specified by Cabinet Office Order as referred to in Article 90-2, paragraph (1), item (iv) of the Act are the following particulars (in cases where there are provisions on the particulars listed in items (iii) or (v) through (vii) in the certificate of incorporation, such particulars are excluded):

一 法第九十条の二第一項第一号に規定する投資主総会の場所が過去に開催した投資主総会のいずれの場所とも著しく離れた場所であるとき（次に掲げる場合を除く。）は、その場所を決定した理由

- (i) when the place of the Investors' meeting as provided in Article 90-2, paragraph (1), item (i) of the Act is extremely far from any of the place at which the past Investors' meetings have been held (excluding the following cases), the reasons for deciding such place:
- イ 当該場所が規約で定められたものである場合
  - (a) cases where the relevant place is a place specified in the certificate of incorporation; and
  - ロ 当該場所で開催することについて投資主総会に出席しない投資主全員の同意がある場合
  - (b) cases where the consent of all Investors who do not attend the Investors' meeting are obtained for holding the Investors' meeting at the relevant place;
- 二 第百四十二条から第百五十四条までの規定により投資主総会参考書類（法第九十一条第四項に規定する投資主総会参考書類をいう。以下同じ。）に記載すべき事項（第百四十二条の二第三号、第百四十九条第三号及び第四号並びに第百五十条第三号に掲げる事項を除く。）
- (ii) information required to be given in the Reference Documents for the Investors' Meeting (meaning the Reference Documents for the Investors' Meeting as prescribed in Article 91, paragraph (4) of the Act; the same applies hereinafter) pursuant to the provisions of Article 142 through Article 154 (excluding information listed in Article 142-2, item (iii), Article 149, items (iii) and (iv), and Article 150, item (iii));
- 三 特定の時（投資主総会の日時以前の時であって、法第九十一条第一項本文の規定により通知を発した日から二週間を経過した日以後の時に限る。）をもって書面による議決権の行使の期限とする旨を定めるときは、その特定の時
- (iii) when it is to be provided for that a specific time (limited to the time which is before the date of the Investors' meeting but on or after the day on which two weeks have passed from the day on which the notice has been sent pursuant to the provisions of the main clause of Article 91, paragraph (1) of the Act) is the time limit for exercising the voting rights in writing, such specific time;
- 四 第百五十四条第一項の措置をとることにより投資主に対して提供する投資主総会参考書類に記載しないものとする事項
- (iv) information which is not to be given in the Reference Documents for the Investors' Meeting to be delivered to Investors by taking the measure set forth in Article 154, paragraph (1);
- 五 第百五十五条第一項第二号の取扱いを定めるときは、その取扱いの内容
- (v) when the handling provided in Article 155, paragraph (1), item (ii) is to be specified, the details of the handling;
- 六 一の投資主が同一の議案につき法第九十二条第一項（法第九十条の二第一項第三号に掲げる事項を定めた場合）にあつては、法第九十二条第一項又は第九十二条の二

第一項)の規定により重複して議決権を行使した場合において、当該同一の議案に対する議決権の行使の内容が異なるものであるときにおける当該投資主の議決権の行使の取扱いに関する事項を定めるときは、その事項

(vi) in cases where a single Investor has redundantly exercised its voting right for a single proposal pursuant to the provisions of Article 92, paragraph (1) of the Act (in cases where the particulars listed in Article 90-2, paragraph (1), item (iii) of the Act are provided for, the provisions of Article 92, paragraph (1) or Article 92-2, paragraph (1) of the Act) and the facts of the exercise of voting right for the single proposal differ, when particulars concerning the handling of such exercise of voting right by the Investor are provided, such particulars;

七 法第九十条の二第一項第三号に掲げる事項を定めたときは、次に掲げる事項

(vii) when the particulars listed in Article 90-2, paragraph (1), item (iii) of the Act are specified, the following particulars:

イ 特定の時（投資主総会の日時以前の時であって、法第九十一条第一項本文の規定により通知を発した日から二週間を経過した日以後の時に限る。）をもって電磁的方法による議決権の行使の期限とする旨を定めるときは、その特定の時

(a) when it is to be provided for that a specific time (limited to the time which is before the date of the Investors' meeting but on or after the day on which two weeks have passed from the day on which the notice has been sent pursuant to the provisions of the main clause of Article 91, paragraph (1) of the Act) is the time limit for exercising voting rights by Electronic or Magnetic Means, such specific time;

ロ 法第九十一条第二項の承諾をした投資主の請求があった時に当該投資主に対して同条第四項の規定による議決権行使書面（同項に規定する議決権行使書面をいう。第百五十五条において同じ。）の交付（当該交付に代えて行う法第九十一条第五項の規定による電磁的方法による提供を含む。）をすることとするときは、その旨

(b) that Voting Forms (meaning the Voting Forms as prescribed in Article 91, paragraph (4) of the Act; the same applies in Article 155) are to be delivered under that paragraph (including the provision of Voting Forms by Electronic or Magnetic Means under Article 91, paragraph (5) of the Act made in lieu of the delivery thereof) to the Investors who have given the consent under Article 91, paragraph (2) of the Act when requested by such Investors, if this is the case;

八 法第九十四条第一項において準用する会社法第三百十条第一項の規定による代理人による議決権の行使について、代理権（代理人の資格を含む。）を証明する方法、代理人の数その他代理人による議決権の行使に関する事項を定めるとき（規約に当該事項についての定めがある場合を除く。）は、その事項

(viii) when particulars concerning the method of proving the right of representation (including the qualification of agents), the number of agents,

and any other particulars related to the exercise of voting rights by the agents are to be provided with regard to the exercise of voting rights by agents under the provisions of Article 310, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act (excluding cases where there are provisions on such particulars in the certificate of incorporation), such particulars; and

九 法第九十四条第一項において準用する会社法第三百十三条第二項の規定による通知の方法を定めるとき（規約に当該通知の方法についての定めがある場合を除く。）は、その方法

(ix) when the method of notice under the provisions of Article 313, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act (excluding cases where there are provisions on the method of notice in the certificate of incorporations), such method.

（投資主総会参考書類）

(Reference Documents for the Investors' Meeting)

第百四十一条 法第九十一条第四項の規定により交付すべき投資主総会参考書類に記載すべき事項については、次条から第百五十四条までに定めるところによる。

Article 141 (1) The information required to be given in the Reference Documents for the Investors' Meeting which are to be delivered pursuant to the provisions of Article 91, paragraph (4) of the Act is to be governed by the provisions of the following Article through Article 154.

2 法第九十条の二第一項第三号に掲げる事項を定めた投資法人が行った投資主総会参考書類の交付（当該交付に代えて行う電磁的方法による提供を含む。）は、法第九十一条第四項の規定による投資主総会参考書類の交付とする。

(2) The delivery of Reference Documents for the Investors' Meeting (including the provision thereof by Electronic or Magnetic Means made in lieu of the delivery) made by an Investment Corporation which has provided the particulars listed in Article 90-2, paragraph (1), item (iii) of the Act, is the delivery of Reference Documents for the Investors' Meeting under Article 91, paragraph (4) of the Act.

3 執行役員は、投資主総会参考書類に記載すべき事項について、招集通知（法第九十一条第一項本文又は第二項の規定による通知をいう。以下この項、次条第五項、第百五十四条第一項並びに第百五十五条第三項及び第四項において同じ。）を発出した日から投資主総会の前日までの間に修正をすべき事情が生じた場合における修正後の事項を投資主に周知させる方法を、当該招集通知と併せて通知することができる。

(3) With regard to the information required to be given in the Reference Documents for the Investors' Meeting, an executive managing officer may, in cases where any circumstance which requires an amendment occurs during the period from the day on which the Notice of Calling (meaning the notice under the main clause of Article 91, paragraph (1) or (2) of the Act; hereinafter the

same applies in this paragraph, paragraph (5) of the following Article, Article 154, paragraph (1), and Article 155, paragraphs (3) and (4)) was sent to the day immediately preceding the date of Investors' meeting, notify the method of making public the information after the amendment to the Investors along with the Notice of Calling.

(投資主総会参考書類の一般的記載事項)

(General Information Required to Be Given in the Reference Documents for the Investors' Meeting)

第四百二十二条 投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 142 (1) The following information must be given in the Reference Documents for the Investors' Meeting:

一 議案

(i) the proposal;

二 提案の理由（議案が執行役員の提出に係るものに限りに、投資主総会において一定の事項を説明しなければならない議案の場合における当該説明すべき内容を含む。）

(ii) the reasons for submitting a proposal (only for proposals related to the submission by an executive managing officer, in cases where such proposal is that for which certain information is to be explained at an Investors' meeting, the contents to be explained are included); and

三 議案につき法第百十一条第三項において準用する会社法第三百八十四条の規定により投資主総会に報告すべき調査の結果があるときは、その結果の概要

(iii) when there is a result of the investigation to be reported to the Investors' meeting pursuant to the provisions of Article 384 of the Companies Act as applied mutatis mutandis pursuant to Article 111, paragraph (3) of the Act with regard to the proposal, the outline of such outcome.

2 前項各号に掲げるもののほか、投資主総会参考書類には、法第九十三条第一項の規定による定め（以下この項において「みなし賛成の定め」という。）をした投資法人の投資主総会に提出される議案のうちに相反する趣旨の議案があるときは、当該議案のいずれにもみなし賛成の定め適用がない旨を記載しなければならない。

(2) Beyond what is listed in the items of the preceding paragraph, when the proposals to be submitted to the Investors' meeting of an Investment Corporation which has included provisions under Article 93, paragraph (1) of the Act (hereinafter referred to as the "Provisions of Deemed Agreement" in this paragraph) includes conflicting proposals, the Reference Documents for the Investors' Meeting must include to the effect that the Provisions of Deemed Agreement are not applied to any of such proposals.

3 投資主総会参考書類には、この条から第百五十四条までに定めるもののほか、投資主の議決権の行使について参考となると認める事項を記載することができる。

(3) Beyond what is provided for in this Article through Article 154, the Reference

Documents for the Investors' Meeting may include the information which is found to serve as a reference for the exercise of voting rights by Investors.

4 同一の投資主総会に関して投資主に対して提供する投資主総会参考書類に記載すべき事項のうち、他の書面に記載している事項又は電磁的方法により提供する事項がある場合には、これらの事項は、投資主に対して提供する投資主総会参考書類に記載することを要しない。この場合においては、他の書面に記載している事項又は電磁的方法により提供する事項があることを明らかにしなければならない。

(4) In cases where some of the information required to be given in the Reference Documents for the Investors' Meeting which are to be provided to Investors in relation to a single Investors' meeting is given in other documents or is provided by Electronic or Magnetic Means, such information is not required to be given in the Reference Documents for an Investors' Meeting which are to be provide to Investor. In this case, it must be clearly stated in the Reference Documents for the Investors' Meeting that there is information given in other documents or information provided by Electronic or Magnetic Means.

5 同一の投資主総会に関して投資主に対して提供する招集通知の内容とすべき事項のうち、投資主総会参考書類に記載している事項がある場合には、当該事項は、投資主に対して提供する招集通知の内容とすることを要しない。

(5) In cases where some of the information required to be included in the content of the Notice of Calling which is to be provided to Investors in relation to a single Investors' meeting is given in the Reference Documents for the Investors' Meeting, such information is not required to be included in the contents of the Notice of Calling which is to be provided to the Investors.

(投資口の併合に関する議案)

(Proposals for the Consolidation of Investment Equity)

第四百二十二条の二 執行役員が投資口の併合に関する議案を提出する場合には、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 142-2 In cases where an executive managing officer submits a proposal for the consolidation of the Investment Equity, the following information must be given in the Reference Documents for the Investors' Meeting:

一 当該投資口の併合を行う理由

(i) the reasons for effecting the relevant consolidation of the Investment Equity;

二 法第八十一条の二第二項において準用する会社法第八十条第二項第一号及び第二号に掲げる事項の内容

(ii) contents of the particulars listed in Article 180, paragraph (2), item (i) and item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 81-2, paragraph (2) of the Act; and

三 法第九十条の二第一項の決定をした日における第三百十一条の二第一号及び第二号に掲げる事項があるときは、当該事項の内容の概要

(iii) in cases where there is information listed in Article 131-2, item (i) and item (ii) as of the day on which the decision under Article 90-2, paragraph (1) of the Act, the summary of contents of such information.

(執行役員を選任に関する議案)

(Proposals for the Appointment of Executive Managing Officers)

第四百四十三条 執行役員が執行役員を選任に関する議案を提出する場合には、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 143 (1) In cases where an executive managing officer submits a proposal for the appointment of an executive managing officer, the following information must be given in the Reference Documents for the Investors' Meeting:

一 候補者の氏名、生年月日及び略歴

(i) the name, date of birth, and career of the candidate;

二 候補者の有する当該投資法人の投資口の口数

(ii) the number of units of Investment Equity of the relevant Investment Corporation held by the candidate;

三 候補者が当該投資法人の執行役員に就任した場合において投資法人の計算に関する規則第七十四条第六号に定める重要な兼職に該当する事実があることとなるときは、その事実

(iii) in cases where the candidate assumes the office of the executive managing officer of the relevant Investment Corporation and there are facts pertaining to such candidates which fall under a concurrent holding of important posts as provided in Article 74, item (vi) of the Regulation on Accountings of Investment Corporations, such facts;

四 候補者と投資法人との間に特別の利害関係があるときは、その事実の概要

(iv) in cases where the candidate has any special interest with the Investment Corporation, the summary of such facts;

五 候補者が現に当該投資法人の執行役員であるときは、当該投資法人における地位及び担当

(v) in cases where the candidate is actually an executive managing officer of the relevant Investment Corporation, the position and duty at the Investment Corporation;

六 就任の承諾を得ていないときは、その旨

(vi) that the consent for assuming office has yet to be obtained, if this is the case; and

七 法第九十九条第二項の規定を適用するときは、その旨

(vii) that the provisions of Article 99, paragraph (2) of the Act are applied, if this is the case.

2 前項に規定する場合において、投資法人が他の投資法人の子法人であるときは、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

(2) In the case referred to in the preceding paragraph, when the Investment

Corporation is a Subsidiary Corporation of another Investment Corporation, the following information must be given in the Reference Documents for the Investors' Meeting:

一 候補者が現に当該他の投資法人（当該他の投資法人の子法人（当該投資法人を除く。）を含む。以下この項において同じ。）の役員（法第九十六条第一項に規定する役員をいう。第百六十四条及び第二百条を除き、以下この節において同じ。）であるときは、当該他の投資法人における地位及び担当

(i) when the candidate is actually an Officer (meaning the Officer as prescribed in Article 96, paragraph (1) of the Act; except in Article 164 and Article 200, hereinafter the same applies in this Section) of the relevant other Investment Corporation (including a Subsidiary Corporation (excluding the relevant Investment Corporation) of the relevant other Investment Corporation; hereinafter the same applies in this paragraph), the position and duty at the relevant other Investment Corporation;

二 候補者が過去五年間に当該他の投資法人の役員であったことを当該投資法人が知っているときは、当該他の投資法人における地位及び担当

(ii) when the relevant Investment Corporation is aware of the fact that the candidate was an Officer of the relevant other Investment Corporation in the past five years, the position and duty at the relevant other Investment Corporation.

3 議案が、監督役員の全員の同意によって提出されたものであるときは、その旨を記載しなければならない。

(3) When the proposal is one submitted with the consent of all supervisory officers, such fact must be stated therein.

（監督役員の選任に関する議案）

(Proposals for the Appointment of Supervisory Officers)

第百四十四条 執行役員が監督役員の選任に関する議案を提出する場合には、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 144 (1) In cases where an executive managing officer submits a proposal for the appointment of a supervisory officer, the following information must be given in the Reference Documents for the Investors' Meeting:

一 候補者の氏名、生年月日及び略歴

(i) the name, date of birth, and career of the candidate;

二 候補者の有する当該投資法人の投資口の口数

(ii) the number of units of Investment Equity of the relevant Investment Corporation held by the candidate;

三 候補者が当該投資法人の監督役員に就任した場合において投資法人の計算に関する規則第七十四条第六号に定める重要な兼職に該当する事実があることとなるときは、その事実

(iii) in cases where the candidates assumes the office of the supervisory officer



of the relevant Investment Corporation and there are facts pertaining to such candidates which fall under a concurrent holding of important posts as provided in Article 74, item (vi) of the Regulation on Accountings of Investment Corporations, such facts;

四 投資法人との間に特別の利害関係があるときは、その事実の概要

(iv) in cases where the candidate has any special interest with the Investment Corporation, the summary of such facts;

五 候補者が現に当該投資法人の監督役員であるときは、当該投資法人における地位

(v) in cases where the candidate is actually a supervisory officer of the relevant Investment Corporation, the position and duty at the Investment Corporation;

六 就任の承諾を得ていないときは、その旨

(vi) that the consent for assuming office has yet to be obtained, if this is the case; and

七 法第百一条第二項において準用する法第九十九条第二項の規定を適用するときは、その旨

(vii) that the provisions of Article 99, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 101, paragraph (2) of the Act are applied, if this is the case.

2 前項に規定する場合において、投資法人が他の投資法人の子法人であるときは、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

(2) In the case referred to in the preceding paragraph, when the Investment Corporation is a Subsidiary Corporation of another Investment Corporation, the following information must be given in the Reference Documents for the Investors' Meeting:

一 候補者が現に当該他の投資法人（当該他の投資法人の子法人（当該投資法人を除く。）を含む。以下この項において同じ。）の役員であるときは、当該他の投資法人における地位及び担当

(i) when the candidate is actually an Officer of the relevant other Investment Corporation (including a Subsidiary Corporation (excluding the relevant Investment Corporation) of the relevant other Investment Corporation; hereinafter the same applies in this paragraph), the position and duty at the relevant other Investment Corporation; and

二 候補者が過去五年間に当該他の投資法人の役員であったことを当該投資法人が知っているときは、当該他の投資法人における地位及び担当

(ii) when the relevant Investment Corporation is aware of the fact that the candidate was an Officer of the relevant other Investment Corporation in the past five years, the position and duty at the relevant other Investment Corporation.

(会計監査人の選任に関する議案)

(Proposals for the Appointment of Financial Auditors)

第四百五十五条 執行役員が会計監査人の選任に関する議案を提出する場合には、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 145 In cases where an executive managing officer submits a proposal for the appointment of a financial auditor, the following information must be given in the Reference Documents for the Investors' Meeting:

一 次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項

(i) information specified in the following sub-item (a) or (b) according to the category of cases set forth in the respective sub-items:

イ 候補者が公認会計士である場合 その氏名、事務所の所在場所、生年月日及び略歴

(a) in cases where the candidate is a certified public accountant: the candidate's name, location of the office, date of birth and career; or

ロ 候補者が監査法人である場合 その名称、主たる事務所の所在場所及び沿革

(b) in cases where the candidate is an auditing firm: its name, location of the principal office, and history;

二 就任の承諾を得ていないときは、その旨

(ii) that the consent for assuming office has yet to be obtained, if this is the case;

三 法第七条第一項の規定による会計監査人の意見があるときは、その意見の内容の概要

(iii) when there are opinions from a financial auditor under the provisions of Article 107, paragraph (1) of the Act, the summary of the contents of such opinion;

四 候補者と当該投資法人との間で法第一百五十六条の六第十二項において準用する会社法第四百二十七条第一項の契約を締結しているとき又は当該契約を締結する予定があるときは、その契約の内容の概要

(iv) in cases where the contract under Article 427, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 115-6, paragraph (12) of the Act has been or is scheduled to be concluded between the candidate and the Investment Corporation, the summary of the contents of the contract;

五 当該候補者が現に業務の停止の処分を受け、その停止の期間を経過しない者であるときは、当該処分に係る事項

(v) when the relevant candidate is a person who has actually been subject to a disposition of suspension of business and for whom the period of suspension has yet to elapse, information related to such disposition;

六 当該候補者が過去二年間に業務の停止の処分を受けた者である場合における当該処分に係る事項のうち、当該投資法人が投資主総会参考書類に記載することが適切であるものと判断した事項

(vi) in cases where the relevant candidate is a person who has been subject to a

disposition of suspension of business in the past two years, information related to the disposition which are found appropriate to be stated in the Reference Documents for the Investors' Meeting by the relevant Investment Corporation; and

七 当該候補者が次のイ又はロに掲げる区分に応じ、当該イ又はロに定めるものから多額の金銭その他の財産上の利益（これらの者から受ける会計監査人（法以外の法令の規定によるこれに相当するものを含む。）としての報酬、賞与その他の職務執行の対価として投資法人から受ける財産上の利益及び公認会計士法（昭和二十三年法律第百三十三号）第二条第一項に規定する業務の対価を除く。）を受ける予定があるとき又は過去二年間に受けていたときは、その内容

(vii) when the relevant candidate is expected to receive or have received in the past two years a large amount of money or any other property benefits from the persons specified in the following sub-item (a) or (b) according to the categories specified in the respective sub-items (remunerations, bonuses, or any other property benefits from an Investment Corporation as the consideration for the execution of business to be received from the Investment Corporations, Parent Corporation thereof, Subsidiary Corporation of the Parent Corporation as a financial auditor (including those equivalent thereto under the provisions of laws and regulations other than the Act), and consideration for the services prescribed in Article 2, paragraph (1) of the Certified Public Accountant Acts (Act No. 103 of 1948) are excluded from the above-mentioned property benefits), the details thereof:

イ 当該投資法人に親法人（法第八十一条第一項に規定する親法人をいう。ロにおいて同じ。）がある場合 当該投資法人、当該親法人又は当該親法人の子法人（当該投資法人を除く。）

(a) in cases where there is a Parent Corporation (meaning the Parent Corporation as prescribed in Article 81, paragraph (1) of the Act; hereinafter the same applies in sub-item (b)) of the relevant Investment Corporation, the relevant Investment Corporation, the Parent Corporation, or a Subsidiary Corporation of the Parent Corporation (excluding the relevant Investment Corporation); or

ロ 当該投資法人に親法人がない場合 当該投資法人又は当該投資法人の子法人

(b) in cases where there is no Parent Corporation of the relevant Investment Corporation, the Investment Corporation or a Subsidiary Corporation of the Investment Corporation.

（執行役員 の 解任に関する議案）

(Proposals for the Dismissal of Executive Managing Officers)

第百四十六条 執行役員が執行役員 の 解任に関する議案を提出する場合には、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 146 In cases where an executive managing officer submits a proposal for

the dismissal of an executive managing officer, the following information must be given in the Reference Documents for the Investors' Meeting:

一 執行役員の名

(i) the name of the executive managing officer; and

二 解任の理由

(ii) the reasons for dismissal.

(監督役員解任に関する議案)

(Proposals for the Dismissal of Supervisory Officers)

第四百七条 執行役員が監督役員解任に関する議案を提出する場合には、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 147 In cases where an executive managing officer submits a proposal for the dismissal of a supervisory officer, the following information must be given in the Reference Documents for the Investors' Meeting:

一 監督役員の名

(i) the name of the supervisory officer; and

二 解任の理由

(ii) the reasons for dismissal.

(会計監査人の解任又は不再任に関する議案)

(Proposals for the Dismissal or Refusal of Reappointment of Financial Auditors)

第四百八条 執行役員が会計監査人の解任又は不再任に関する議案を提出する場合には、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 148 In cases where an executive managing officer submits a proposal for the dismissal or refusal of reappointment of a financial auditor, the following information must be given in the Reference Documents for the Investors' Meeting:

一 会計監査人の名又は名称

(i) the name of the financial auditor;

二 解任又は不再任の理由

(ii) the reasons for dismissal or refusal of reappointment; and

三 法第七十条第一項の規定による会計監査人の意見があるときは、その意見の内容の概要

(iii) when there are opinions from a financial auditor under the provisions of Article 107, paragraph (1) of the Act, the summary of the contents of such opinion.

(責任免除を受けた役員等に対し退職慰労金等を与える議案等)

(Proposals of Giving Retirement Allowances to Officers, etc. Exempted from Liability)

第四百四十八条の二 次の各号に掲げる場合において、執行役員が法第百十五条の六第六項（同条第十一項又は第十二項において読み替えて準用する会社法第四百二十七条第五項において準用する場合を含む。）に規定する承認の決議に関する議案を提出するときは、投資主総会参考書類には、責任を免除し、又は責任を負わないとされた役員等（法第百十五条の六第一項に規定する役員等をいう。第百六十条第一項及び第二百四十四条を除き、以下同じ。）に与える第百六十八条に規定する財産上の利益の内容を記載しなければならない。

Article 148-2 In the cases listed in the following items, when an executive managing officer submits a proposal related to the resolution for the approval prescribed in Article 115-6, paragraph (6) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 427, paragraph (5) of the Companies Act as applied mutatis mutandis pursuant to Article 115-6, paragraph (11) or (12) of the Act following the deemed replacement of terms), the details of the property benefits prescribed in Article 168 which are to be given to officers or similar persons (meaning the officer or similar person provided in Article 115-6, paragraph (1) of the Act; the same applies hereinafter except for Article 160, paragraph (1) and Article 244) exempted from the liability or arranged not to be liable must be given in the Reference Documents for the Investors' Meeting:

一 法第百十五条の六第三項に規定する決議に基づき役員等の責任を免除した場合

(i) cases where the officers or similar persons have been exempted from liability based on the resolution prescribed in Article 115-6, paragraph (3) of the Act;

二 法第百十五条の六第七項の規定により定めた規約に基づき役員等の責任を免除した場合

(ii) cases where the officers or similar persons have been exempted from liability based on the certificate of incorporation provided pursuant to the provisions of Article 115-6, paragraph (7) of the Act; and

三 法第百十五条の六第十二項において読み替えて準用する会社法第四百二十七条第一項の契約によって同項に規定する限度を超える部分について会計監査人が損害を賠償する責任を負わないとされた場合

(iii) cases where it is arranged that a financial auditor is not liable for damages in excess of the limit provided for in Article 427, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 115-6, paragraph (12) of the Act following the deemed replacement of terms under the contract prescribed in Article 427, paragraph (1) of the Companies Act.

（吸収合併契約の承認に関する議案）

(Proposals for the Approval of Absorption-Type Merger Agreement)

第四百四十九条 執行役員が吸収合併契約の承認に関する議案を提出する場合には、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 149 In cases where an executive managing officer submits a proposal for the approval of an absorption-type merger agreement, the following information must be given in the Reference Documents for the Investors' Meeting:

一 当該吸収合併（法第百四十七条第一項に規定する吸収合併をいう。以下同じ。）を行う理由

(i) the reasons for effecting the relevant Absorption-Type Merger (meaning the Absorption-Type Merger as prescribed in Article 147, paragraph (1) of the Act; the same applies hereinafter);

二 吸収合併契約の内容の概要

(ii) the outline of the contents of the absorption-type merger agreement;

三 当該投資法人が吸収合併消滅法人（法第百四十七条第一項第一号に規定する吸収合併消滅法人をいう。以下同じ。）である場合において、法第九十条の二第一項の決定をした日における第百九十三条第一項各号（第四号及び第五号を除く。）に掲げる事項があるときは、当該事項の内容の概要

(iii) in cases where the relevant Investment Corporation is a Corporation Disappearing in an Absorption-Type Merger (meaning the Corporation Disappearing in an Absorption-Type Merger as prescribed in Article 147, paragraph (1), item (i) of the Act; the same applies hereinafter), when there are particulars listed in the items (excluding items (iv) and (v)) of Article 193, paragraph (1) as of the day on which the decision under Article 90-2, paragraph (1) of the Act has been made, the summary of contents of such particulars; and

四 当該投資法人が吸収合併存続法人（法第百四十七条第一項第一号に規定する吸収合併存続法人をいう。以下同じ。）である場合において、法第九十条の二第一項の決定をした日における第百九十四条各号（第四号及び第五号を除く。）に掲げる事項があるときは、当該事項の内容の概要

(iv) in cases where the relevant Investment Corporation is a Corporation Surviving an Absorption-Type Merger (meaning the Corporation Surviving an Absorption-Type Merger as prescribed in Article 147, paragraph (1), item (i) of the Act; the same applies hereinafter), when there are particulars listed in the items (excluding items (iv) and (v)) of Article 194 as of the day on which the decision under Article 90-2, paragraph (1) of the Act has been made, the summary of the contents of such particulars.

（新設合併契約の承認に関する議案）

(Proposals for the Approval of Consolidation-Type Merger Agreement)

第百五十条 執行役員が新設合併契約の承認に関する議案を提出する場合には、投資主総会参考書類には、次に掲げる事項を記載しなければならない。

Article 150 In cases where an executive managing officer submits a proposal for the approval of a consolidation-type merger agreement, the following

information must be given in the Reference Documents for the Investors' Meeting:

一 当該新設合併（法第百四十八条第一項に規定する新設合併をいう。以下同じ。）を行う理由

(i) the reasons for effecting the relevant Consolidation-Type Merger (meaning the Consolidation-Type Merger as prescribed in Article 148, paragraph (1) of the Act; the same applies hereinafter);

二 新設合併契約の内容の概要

(ii) the summary of the contents of the Consolidation-Type Merger agreement;

三 当該投資法人が新設合併消滅法人（法第百四十八条第一項第一号に規定する新設合併消滅法人をいう。以下同じ。）である場合において、法第九十条の二第一項の決定をした日における第百九十六条各号（第四号及び第五号を除く。）に掲げる事項があるときは、当該事項の内容の概要

(iii) in cases where the relevant Investment Corporation is a Corporation Disappearing in a Consolidation-Type Merger (meaning the Corporation Disappearing in a Consolidation-Type Merger as prescribed in Article 148, paragraph (1), item (i) of the Act; the same applies hereinafter), when there are particulars listed in the items (excluding items (iv) and (v)) of Article 196, as of the day on which the decision under Article 90-2, paragraph (1) of the Act has been made, the summary of contents of such particulars; and

四 新設合併設立法人（法第百四十八条第一項第二号に規定する新設合併設立法人をいう。以下同じ。）の執行役員となる者についての第百四十三条に規定する事項

(iv) information provided in Article 143 with regard to persons to become the executive managing officer of a Corporation Incorporated in a Consolidation-Type Merger (meaning the Corporation Incorporated in a Consolidation-Type Merger as prescribed in Article 148, paragraph (1), item (ii) of the Act; the same applies hereinafter);

五 新設合併設立法人の監督役員となる者についての第百四十四条に規定する事項

(v) information provided in Article 144 with regard to the persons to become the supervisory officers of a Corporation Incorporated in a Consolidation-Type Merger; and

六 新設合併設立法人の会計監査人となる者についての第百四十五条に規定する事項

(vi) information provided in Article 145 with regard to persons to become the financial auditor of a Corporation Incorporated in a Consolidation-Type Merger.

（資産運用委託契約の承認に関する議案）

(Proposals for the Approval of the Entrustment Contract for Assets Investment)

第百五十一条 執行役員が資産運用会社との資産運用委託契約の承認に関する議案を提出する場合には、投資主総会参考書類には、当該資産運用委託契約を締結しようとする

る資産運用会社（法第二百七条第三項に規定する承認については、資産運用委託契約を締結した資産運用会社）の名称、住所及び沿革並びに当該委託契約書の内容を記載しなければならない。

Article 151 In cases where an executive managing officer submits a proposal for the approval of Entrustment Contract for Assets Investment to be concluded with an Asset Management Company, the name, address, and history of the Asset Management Company with which the Entrustment Contract for Assets Investment is intended to be concluded (with regard to the approval prescribed in Article 207, paragraph (3) of the Act, the Asset Management Company with which an Entrustment Contract for Assets Investment has been concluded), as well as the details of the written entrustment contract must be stated in the Reference Documents for the Investors' Meeting.

（資産運用委託契約の解約に関する議案）

(Proposals for the Cancellation of Entrustment Contract for Asset Management)

第百五十二条 執行役員が資産運用委託契約の解約に関する議案を提出する場合には、投資主総会参考書類には、解約の理由を記載しなければならない。

Article 152 In cases where an executive managing officer submits a proposal for the cancellation of the Entrustment Contract for Assets Investment, the reasons for the cancellation must be stated in the Reference Documents for the Investors' Meeting.

（投資主提案の場合における記載事項）

(Information Required to Be Given in Cases of Proposals Submitted Investors)

第百五十三条 議案が投資主の提出に係るものである場合には、投資主総会参考書類には、次に掲げる事項（第三号から第五号までに掲げる事項が投資主総会参考書類にその全部を記載することが適切でない程度の多数の文字、記号その他のものをもって構成されている場合（投資法人がその全部を記載することが適切であるものとして定めた分量を超える場合を含む。）にあっては、当該事項の概要）を記載しなければならない。

Article 153 (1) In cases where the proposal is that submitted by an Investor, the following information (in cases where the information listed in items (iii) through (v) is composed of a large number of characters, letters, marks or any other thing that are inappropriate to state the whole in the Reference Documents for the Investors' Meeting (including cases where the volume thereof exceeds the volume specified by the Investment Corporation as being appropriate to state the whole), a summary of such information) must be given in the Reference Documents for the Investors' Meeting:

一 議案が投資主の提出に係るものである旨

(i) a statement to the effect that the proposal is that submitted by an Investor;



- 二 議案に対する役員会の意見があるときは、その意見の内容
- (ii) when there are opinions of the board of officers meeting to the proposal, the contents of such opinion;
- 三 投資主が法第九十四条第一項において準用する会社法第三百五条第一項本文の規定による請求に際して提案の理由（当該提案の理由が明らかに虚偽である場合又は専ら人の名誉を侵害し、若しくは侮辱する目的によるものと認められる場合における当該提案の理由を除く。）を投資法人に対して通知したときは、その理由
- (iii) when the Investor has notified the Investment Corporation of the reasons for submitting the proposal (in cases where the reasons for submitting the proposal are clearly false or are found to be based on the sole purpose of infringing or insulting persons' reputation, such reasons for submitting the proposal are excluded) in making the demand under the main clause of Article 305, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act, such reasons;
- 四 議案が次のイからハまでに掲げる者の選任に関するものである場合において、投資主が法第九十四条第一項において準用する会社法第三百五条第一項本文の規定による請求に際して当該イからハまでに定める事項（当該事項が明らかに虚偽である場合における当該事項を除く。）を投資法人に対して通知したときは、その内容
- (iv) in cases where the proposal is that concerning the appointment of persons listed in the following sub-items (a) through (c), when the Investor has notified the Investment Corporation of the information specified in the respective sub-items (in cases where such information is clearly false, such information is excluded) in making the demand under the main clause of Article 305, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act, the contents thereof:
- イ 執行役員 第百四十三条に規定する事項
- (a) executive managing officers: information provided in Article 143;
- ロ 監督役員 第百四十四条に規定する事項
- (b) supervisory officers: information provided in Article 144; and
- ハ 会計監査人 第百四十五条に規定する事項
- (c) a financial auditor: information provided in Article 145;
- 五 議案が投資口の併合に関するものである場合において、投資主が法第九十四条第一項において準用する会社法第三百五条第一項本文の規定による請求に際して第百四十二条の二に規定する事項（当該事項が明らかに虚偽である場合における当該事項を除く。）を投資法人に対して通知したときは、その内容
- (v) in cases where the proposal is that concerning the consolidation of the Investment Equity, when the Investor has notified the Investment Corporation of the information specified in Article 142-2 (in cases where such information are clearly false, such information is excluded) in making the demand under the main clause of Article 305, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 94,

paragraph (1) of the Act, the contents thereof.

2 二以上の投資主から同一の趣旨の議案が提出されている場合には、投資主総会参考書類には、その議案及びこれに対する役員会の意見の内容は、各別に記載することを要しない。ただし、二以上の投資主から同一の趣旨の提案があった旨を記載しなければならない。

(2) In cases where proposals of the same purport are submitted by two or more Investors, a separate statement for such proposals and the contents of the opinions of the board of officers meeting thereto in the Reference Documents for the Investors' Meeting are not required; provided, however, that, a statement to the effect that proposals of the same purport have been submitted by two or more Investors must be given.

3 二以上の投資主から同一の趣旨の提案の理由が提出されている場合には、投資主総会参考書類には、その提案の理由は、各別に記載することを要しない。

(3) In cases where proposals of the same purport have been submitted by two or more Investors, a separate statement for the reasons for submitting such proposals in the Reference Documents for the Investors' Meeting is not required.

(投資主総会参考書類の記載の特則)

(Special Provisions on the Statement in the Reference Documents for the Investors' Meeting)

第百五十四条 投資主総会参考書類に記載すべき事項（次に掲げるものを除く。）に係る情報を、当該投資主総会に係る招集通知を発出する時から当該投資主総会の日から三月が経過する日までの間、継続して電磁的方法により投資主が提供を受けることができる状態に置く措置（第百十四条第一項第一号ロに掲げる方法のうち、インターネットに接続された自動公衆送信装置（公衆の用に供する電気通信回線に接続することにより、その記録媒体のうち自動公衆送信の用に供する部分に記録され、又は当該装置に入力される情報を自動公衆送信する機能を有する装置をいう。次項において同じ。）を使用する方法によって行われるものに限る。第三項において同じ）をとる場合には、当該事項は、当該事項を記載した投資主総会参考書類を投資主に対して提供したものとみなす。ただし、この項の措置をとる旨の規約の定めがある場合に限る。

Article 154 (1) In cases where the Investment Corporation takes measures (among the methods listed in Article 114, paragraph (1), item (i), sub-item (b), limited to those made by the method using an Automatic Public Transmission Server (meaning the device which, when connected with a telecommunications line provided for the use by the public, has the function to perform the automatic public transmission of information recorded in the recording medium of such device used for the automatic public transmission, or inputted in such device; the same applies in the following paragraph) connected to the Internet; the same applies in paragraph (3)) to make the information related to the information required to be given in the Reference Documents for the

Investors' Meeting (excluding the following information) continuously available to the Investors by Electronic or Magnetic Means, for a period from the time when the Notice of Calling pertaining to the relevant Investors' meeting is sent until the day on which three months have elapsed from the day of the Investors' meeting, such information is deemed to have been provided to Investors as the provision of the Reference Documents for the Investors' Meeting containing such information; provided, however, that, it is limited to cases where it is provided for in the certificate of incorporation that measures under this paragraph is to be taken:

一 議案

(i) the proposal;

二 投資法人の計算に関する規則第七十三条第一項第一号から第二十五号まで、第七十四条第一号から第四号まで（会計監査人に係るものを除く。）及び第七十五条第一号に掲げる事項を投資主総会参考書類に記載することとしている場合における当該事項

(ii) in cases where the information listed in the provisions of Article 73, paragraph (1), items (i) through (xxv), Article 74, items (i) through (iv) (excluding those related to a financial auditor), and Article 75, item (i) of the Regulation on Accountings of Investment Corporations is to be given in the Reference Documents for the Investors' Meeting, such information;

三 次項の規定により投資主総会参考書類に記載すべき事項

(iii) information required to be given in the Reference Documents for the Investors' Meeting pursuant to the following paragraph; and

四 投資主総会参考書類に記載すべき事項（前各号に掲げるものを除く。）につきこの項の措置をとることについて監督役員が異議を述べている場合における当該事項

(iv) in cases where any supervisory officer has stated objection to take the measure under this paragraph for the information required to be given in the Reference Documents for the Investors' Meeting (excluding the information listed in the preceding items), such matters.

2 前項の場合には、投資主に対して提供する投資主総会参考書類に、同項の措置をとるために使用する自動公衆送信装置のうち当該措置をとるための用に供する部分をインターネットにおいて識別するための文字、記号その他の符号又はこれらの結合であって、情報の提供を受ける者がその使用に係る電子計算機に入力することによって当該情報の内容を閲覧し、当該電子計算機に備えられたファイルに当該情報を記録することができるものを記載しなければならない。

(2) In the case referred to in the preceding paragraph, the characters, letters, marks or other codes or any combination thereof which are assigned for the identification, on the Internet, of the Automatic Public Transmission Server used to take the measures set forth in that paragraph, and which allow the person who receives the information to inspect the details of such information by the input thereof in the computer used by such person, and to record such

information in the file stored on the computer, must be given in the Reference Documents for the Investors' Meeting which are to be provided to Investors.

3 第一項の規定は、同項各号に掲げる事項に係る情報についても、電磁的方法により投資主が提供を受けることができる状態に置く措置をとることを妨げるものではない。

(3) The provisions of paragraph (1) do not preclude the Investment Corporation from taking measures to make the information related to the particulars listed in the items of that paragraph available to the Investors by Electronic or Magnetic Means.

(議決権行使書面)

(Voting Forms)

第百五十五条 法第九十一条第四項の規定により交付すべき議決権行使書面に記載すべき事項又は同条第六項若しくは第七項の規定により電磁的方法により提供すべき議決権行使書面に記載すべき事項は、次に掲げる事項とする。

Article 155 (1) The information required to be included in the Voting Forms which are to be delivered pursuant to the provisions of Article 91, paragraph (4) of the Act, or information required to be included in the Voting Forms which are to be provided by Electronic or Magnetic Means pursuant to the provisions of paragraph (6) or (7) of that Article is the following information:

一 各議案（次のイからハまでに掲げる場合にあっては、当該イからハまでに定めるもの）についての賛否（棄権の欄を設ける場合にあっては、棄権を含む。）を記載する欄

(i) a column in which the agreement or dissent (in cases of providing a column for abstention, including abstention) for each proposal is to be stated (in the cases set forth in the following sub-items (a) and (c), those specified in the respective sub-item):

イ 二以上の役員等の選任に関する議案である場合 各候補者の選任

(a) in cases of a proposal for the appointment of two or more officers or similar persons: the appointment of each candidate;

ロ 二以上の役員等の解任に関する議案である場合 各役員等の解任

(b) in cases of a proposal for the dismissal of two or more officers or similar persons: the dismissal of each officer or similar person;

ハ 二以上の会計監査人の不再任に関する議案である場合 各会計監査人の不再任

(c) in cases of a proposal for the refusal of reappointment of two or more financial auditors: the refusal of each financial auditor;

二 第百四十条第五号に掲げる事項についての定めがあるときは、前号の欄に記載がない議決権行使書面が当該投資法人に提出された場合における各議案についての賛成、反対又は棄権のいずれかの意思の表示があったものとする取扱いの内容

(ii) when there are provisions on the particulars listed in Article 140, item (v), when a Voting Form lacking an entry in the column under the preceding item has been submitted to the relevant Investment Corporation, the details of

- the handling of such Voting Form as to whether it is an indication of manifestation of agreement, dissent, or abstention, for each proposal;
- 三 第百四十条第六号に掲げる事項についての定めがあるときは、当該事項 (iii) when there are provisions on the particulars listed in Article 140, item (vi) of the Act, such particulars;
- 四 議決権の行使の期限 (iv) the time limit for exercising the voting rights;
- 五 議決権を行使すべき投資主の氏名又は名称及び行使することができる議決権の数 (次のイ又はロに掲げる場合にあっては、当該イ又はロに定める事項を含む。)
- (v) the names of the Investors who are to exercise voting rights as well as the number of exercisable voting rights (in the cases set forth in the following sub-items (a) and (b), including the information specified in the respective sub-item):
- イ 議案ごとに当該投資主が行使することができる議決権の数が異なる場合 議案ごとの議決権の数
- (a) cases where the number of voting rights exercisable by the relevant Investor differs for each proposal: the number of voting rights for each proposal;
- ロ 一部の議案につき議決権を行使することができない場合 議決権を行使することができる議案又は議決権を行使することができない議案
- (b) cases where voting rights may not be exercised for some of the proposals: proposals in which voting rights may be exercised or those in which may not.
- 2 第百四十条第七号ロに掲げる事項についての定めがある場合には、投資法人は、法第九十一条第二項の承諾をした投資主の請求があった時に、当該投資主に対して、同条第四項の規定による議決権行使書面の交付（当該交付に代えて行う同条第五項の規定による電磁的方法による提供を含む。）をしなければならない。
- (2) When there are provisions on the particulars listed in Article 140, item (vii), sub-item (b), an Investment Corporation must, when requested by the Investors who have given the consent under Article 91, paragraph (2) of the Act, deliver Voting Forms under Article 91, paragraph (4) of the Act (including the provision of Voting Forms by Electronic or Magnetic Means under Article 91, paragraph (5) of the Act made in lieu of the delivery thereof) to such Investors.
- 3 同一の投資主総会に関して投資主に対して提供する招集通知の内容とすべき事項のうち、議決権行使書面に記載している事項がある場合には、当該事項は、招集通知の内容とすることを要しない。
- (3) In cases where some of the information to be included in the content of the Notice of Calling which is to be provided to Investors in relation to a single Investors' meeting is included in the Voting Form, such information is not required to be included in the content of the Notice of Calling.
- 4 同一の投資主総会に関して投資主に対して提供する議決権行使書面に記載すべき事

項（第一項第二号から第四号までに掲げる事項に限る。）のうち、招集通知の内容としている事項がある場合には、当該事項は、議決権行使書面に記載することを要しない。

(4) In cases where some of the information required to be included in the Voting Form which is to be provided to Investors in relation to a single Investors' meeting (limited to the information listed in paragraph (1), items (ii) through (iv)) is included in the contents of the Notice of Calling, such information is not required to be stated in the Reference Documents for an Investors' Meeting.

（書面による議決権行使の期限）

**(Time Limit for Exercising Voting Rights in Writing)**

第百五十六条 法第九十二条第一項に規定する内閣府令で定める時は、投資主総会の日時の直前の営業時間の終了時（第百四十条第三号に掲げる事項についての定めがある場合にあつては、同号の特定の時）とする。

Article 156 The time specified by Cabinet Office Order as referred to in Article 92, paragraph (1) of the Act is at the close of the business hours immediately before the date of the Investors' meeting (in cases where there are provisions on the particulars listed in Article 140, item (iii), the specific time provided in that item).

（電磁的方法による議決権行使の期限）

**(Time Limit for Exercising Voting Rights by Electronic or Magnetic Means)**

第百五十七条 法第九十二条の二第一項に規定する内閣府令で定める時は、投資主総会の日時の直前の営業時間の終了時（第百四十条第七号イに掲げる事項についての定めがある場合にあつては、同号イの特定の時）とする。

Article 157 The time specified by Cabinet Office Order as referred to in Article 92-2, paragraph (1) of the Act is at the close of the business hours immediately before the date of the Investors' meeting (in cases where there are provisions on the particulars listed in Article 140, item (vii), sub-item (a), the specific time provided in sub-item (a) of that item).

（検査役が提供する電磁的記録）

**(Electronic or Magnetic Records Provided by Inspectors)**

第百五十八条 次に掲げる規定に規定する内閣府令で定めるものは、磁気ディスク（電磁的記録に限る。）及び次に掲げる規定により電磁的記録の提供を受ける者が定める電磁的記録とする。

Article 158 (1) The Electronic or Magnetic Records specified by Cabinet Office Order as provided in the following provisions are Magnetic Disks (limited to Electronic or Magnetic Records), and the Electronic or Magnetic Records specified by the person who receives the Electronic or Magnetic Record pursuant to the following provisions:

一 法第九十四条第一項において準用する会社法第三百六条第五項

(i) Article 306, paragraph (5) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act; and

二 法第十條第二項において準用する会社法第三百五十八條第五項

(ii) Article 358, paragraph (5) of the Companies Act as applied mutatis mutandis pursuant to Article 110, paragraph (2) of the Act.

2 前項に規定する磁気ディスクとは、次のいずれかに該当するものをいう。

(2) The "Magnetic Disks" as referred to in the preceding paragraph means that which falls under any of the following:

一 日本工業規格X六二二三に適合する九〇ミリメートルフレキシブルディスクカートリッジ

(i) a 90mm flexible magnetic disk cartridge in conformity with JIS X6223; or

二 日本工業規格X〇六〇六に適合する一二〇ミリメートル光ディスク

(ii) a 120mm optical disk in conformity with JIS X0606.

(検査役による電磁的記録に記録された事項の提供)

(Provision of the Information Recorded in the Electronic or Magnetic Record by Inspectors)

第百五十九條 次に掲げる規定（以下この条において「検査役提供規定」という。）に規定する内閣府令で定める方法は、電磁的方法のうち、検査役提供規定により当該検査役提供規定の電磁的記録に記録された事項の提供を受ける者が定めるものとする。

Article 159 The methods specified by Cabinet Office Order as provided in the following provisions (hereinafter referred to as the "Provisions for the Inspectors' Provision" in this Article) are the Electronic or Magnetic Means specified by the person who receives the information recorded in the Electronic or Magnetic Record provided in the Provisions for the Inspectors' Provision pursuant to the Provisions for the Inspectors' Provision:

一 法第九十四条第一項において準用する会社法第三百六条第七項

(i) Article 306, paragraph (7) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act; and

二 法第十條第二項において準用する会社法第三百五十八條第七項

(ii) Article 358, paragraph (7) of the Companies Act as applied mutatis mutandis pursuant to Article 110, paragraph (2) of the Act.

(実質的に支配することが可能となる関係)

(Relationship That Enables a Substantial Control)

第百六十條 法第九十四条第一項において準用する会社法第三百八条第一項（ただし書を除く。）に規定する内閣府令で定める投資主は、投資法人（当該投資法人の子法人を含む。）が、当該投資法人の投資主である会社等の議決権（会社法第三百八条第一項その他これに準ずる同法以外の法令（外国の法令を含む。）の規定により行使することができないとされる議決権を含み、同法第四百二十三条第一項に規定する役員等

(会計監査人を除く。)の選任及び定款の変更に関する議案(これらの議案に相当するものを含む。)の全部につき株主総会(これに相当するものを含む。)において議決権を行使することができない株式(これに相当するものを含む。)に係る議決権を除く。以下この条において「相互保有対象議決権」という。)の総数の四分の一以上を有する場合における当該投資主である会社等(当該投資主であるもの以外の者が当該投資法人の投資主総会の議案につき議決権を行使することができない場合(当該議案を決議する場合に限る。))における当該投資主を除く。)とする。

Article 160 (1) The Investors specified by Cabinet Office Order as referred to in Article 308, paragraph (1) (excluding the proviso) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act are, in cases where the Investment Corporation (including the Subsidiary Corporation of the relevant Investment Corporation) holds one quarter or more of the total number of voting rights of the Company, etc. which is an Investor of the Investment Corporation (including voting rights which are not allowed to be exercised pursuant to the provisions of Article 308, paragraph (1) of the Companies Act or any other equivalent laws and regulations (including laws and regulations of a foreign state) which are other than that Act, and excluding voting rights pertaining to shares (including those equivalent thereto) of which the voting rights may not be exercised for all the proposals for the appointment of the Officers, etc. (excluding a financial auditor) prescribed in Article 423, paragraph (1) of that Act and the changes to the articles of incorporation (including those equivalent to these proposals) at a shareholders meeting (including those equivalent thereto); hereinafter such voting rights are referred to as "Voting Rights for Mutual Holding" in this Article), the Company, etc. which is an Investor of the Investment Corporation after establishment (in cases where persons other than the relevant Investors may not exercise voting rights for the proposals for the Investors' meeting of the Investment Corporation (limited to cases where such proposals are to be resolved), such Investors are excluded).

2 前項の場合には、投資法人及びその子法人の有する相互保有対象議決権の数並びに相互保有対象議決権の総数(以下この条において「対象議決権数」という。)は、当該投資法人の投資主総会の日における対象議決権数とする。

(2) In the case referred to in the preceding paragraph, the number of Voting Rights for Mutual Holding held by the Investment Corporation and its Subsidiary Corporation and the total number of Voting Rights for Mutual Holding (hereinafter referred to as the "Number of Subject Voting Rights" in this Article) are the Number of Subject Voting Rights held by the Investment Corporation as of the day of Investors' meeting.

3 前項の規定にかかわらず、特定基準日(当該投資主総会において議決権を行使することができる者を定めるための法第七十七条の三第二項に規定する基準日をいう。以下この条において同じ。)を定めた場合には、対象議決権数は、当該特定基準日にお



ける対象議決権数とする。ただし、対象議決権数の増加又は減少が生じた場合において、当該増加又は減少により第一項の投資主であるものが有する当該投資法人の投資口につき議決権を行使できることとなること又は議決権を行使できないこととなることを特定基準日から当該投資主総会についての法第九十条の二第一項各号に掲げる事項の全部を決定した日（投資法人が当該日後の日を定めた場合にあっては、その日）までの間に当該投資法人が知った場合には、当該投資法人が知った日における対象議決権数とする。

(3) Notwithstanding the provisions of the preceding paragraph, in cases where a Specific Record Date (meaning the record date defined in Article 77-3, paragraph (2) of the Act for specifying the persons who may exercise their voting rights at the relevant Investors' meeting; hereinafter the same applies in this Article) is provided for, the Number of Subject Voting Rights is the Number of Subject Voting Rights as of the Specific Record Date; provided, however, that, in cases where the Number of Subject Voting Rights has increased or decreased, if the relevant Investment Corporation comes to know that, as a result of such increase or decrease, voting rights may be exercised or may not be exercised with regard to the Investment Equity of the Investment Corporation held by a person who is an Investor under paragraph (1) during the period from the Specific Record Date to the day on which all the particulars listed in the items of Article 90-2, paragraph (1) of the Act concerning the Investors' meeting have been decided, the Number of Subject Voting Rights is that as of the day on which the Investment Corporation came to know such fact.

4 前項の規定にかかわらず、当該投資法人は、当該投資主総会についての法第九十条の二第一項各号に掲げる事項の全部を決定した日（投資法人が当該日後の日を定めた場合にあっては、その日）から当該投資主総会の日までの間に生じた事項（当該投資法人が前項の増加又は減少の事実を知ったことを含む。）を勘案して、対象議決権数を算定することができる。

(4) Notwithstanding the provisions of the preceding paragraph, the relevant Investment Corporation may calculate the Number of Subject Voting Rights by taking into consideration the particulars occurred during the period from the day on which all the particulars listed in the items of Article 90-2, paragraph (1) of the Act concerning the relevant Investors' meeting have been decided (in cases where the Investment Corporation has specified a day after the first-mentioned day, such day) to the day of the Investors' meeting (including the fact that the Investment Corporation came to know the fact of increase or decrease under the preceding paragraph).

（執行役員等の説明義務）

(Accountability of Executive Managing Officers)

第六十一条 法第九十四条第一項において準用する会社法第三百十四条に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 161 The cases specified by Cabinet Office Order as referred to in Article 314 of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act are the following cases:

一 投資主が説明を求めた事項について説明をするために調査をすることが必要である場合（次に掲げる場合を除く。）

(i) cases where it is necessary to carry out an investigation to explain the information for which the Investors required explanation (excluding the following cases):

イ 当該投資主が投資主総会の日より相当の期間前に当該事項を投資法人に対して通知した場合

(a) cases where the relevant Investor has notified the Investment Corporation of the relevant information at a reasonable period prior to the day of an Investors' meeting;

ロ 当該事項について説明をするために必要な調査が著しく容易である場合

(b) cases where the investigation necessary for explaining the relevant information is extremely easy;

二 投資主が説明を求めた事項について説明をすることにより投資法人その他の者（当該投資主を除く。）の権利を侵害することとなる場合

(ii) cases where explaining the information for which the Investor has required an explanation results in infringement of rights of the Investment Corporation or any other person (excluding the Investor);

三 投資主が当該投資主総会において実質的に同一の事項について繰り返して説明を求める場合

(iii) cases where an Investor requires an explanation for matters substantially same as the relevant information at the relevant organizational meeting in a repetitive manner; and

四 前三号に掲げる場合のほか、投資主が説明を求めた事項について説明をしないことにつき正当な理由がある場合

(iv) beyond what is listed in the preceding three items, cases where there are justifiable grounds for not explaining the information for which an Investor has required an explanation.

（投資主総会の議事録）

(Minutes of the Investors' Meeting)

第百六十二条 法第九十四条第一項において準用する会社法第三百十八条第一項の規定による投資主総会の議事録の作成については、この条の定めるところによる。

Article 162 (1) The preparation of minutes of an Investors' meeting under Article 318, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 94, paragraph (1) of the Act is as provided in this Article.

2 投資主総会の議事録は、書面又は電磁的記録をもって作成しなければならない。

(2) The minutes of an Investors' meeting must be prepared in writing or in the

form of an Electronic or Magnetic Record.

3 投資主総会の議事録は、次に掲げる事項を内容とするものでなければならない。

(3) The minutes of an Investors' meeting must include the following information:

一 投資主総会が開催された日時及び場所（当該場所に存しない執行役員、監督役員、会計監査人又は投資主が投資主総会に出席をした場合における当該出席の方法を含む。）

(i) the date and time on which and place where the Investors' meeting was held (in cases where executive managing officers, supervisory officers, a financial auditor, or Investors who were not present at the place have attended the Investors' meeting, the method of such attendance is included);

二 投資主総会の議事の経過の要領及びその結果

(ii) the outline and results of the proceedings at the Investors' meeting;

三 次に掲げる規定により投資主総会において述べられた意見又は発言があるときは、その意見又は発言の内容の概要

(iii) when there are any opinions or oral statements stated at the Investors' meeting pursuant to the following provisions, the summary of the contents of such opinions or oral statements:

イ 法第百七条第一項

(a) Article 107, paragraph (1) of the Act;

ロ 法第百七条第二項

(b) Article 107, paragraph (2) of the Act;

ハ 法第百十一条第三項において準用する会社法第三百八十四条

(c) Article 384 of the Companies Act as applied mutatis mutandis pursuant to Article 111, paragraph (3) of the Act;

ニ 法第百十四条第六項

(d) Article 114, paragraph (6) of the Act;

ホ 法第百十五条の四

(e) Article 115-4 of the Act;

四 投資主総会に出席した執行役員、監督役員又は会計監査人の氏名又は名称

(iv) the names of the executive managing officers, supervisory officers, or a financial auditor who attended the Investors' meeting;

五 投資主総会の議長が存するときは、議長の氏名

(v) when a chairperson of the Investors' meeting is in place, the name of the chairperson; and

六 議事録の作成に係る職務を行った執行役員の名

(vi) the name(s) of the executive managing officers who performed the duties concerning the preparation of minutes.

(補欠の役員を選任)

(Appointment of Substitute Officers)

第百六十三条 法第九十六条第二項において準用する会社法第三百二十九条第三項の規

定による補欠の役員を選任については、この条の定めるところによる。

Article 163 (1) The appointment of substitute officers under Article 329, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 96, paragraph (2) of the Act is as provided in this Article.

2 法第九十六条第二項において準用する会社法第三百二十九条第三項に規定する決議により補欠の役員を選任する場合には、次に掲げる事項も併せて決定しなければならない。

(2) In cases of appointing substitute officers by a resolution under Article 329, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 96, paragraph (2) of the Act, the following information must be decided as well:

一 当該候補者が補欠の役員である旨

(i) a statement to the effect that the relevant candidate is a substitute officer;

二 当該候補者を一人又は二人以上の特定の役員の子補欠の役員として選任するときは、その旨及び当該特定の役員の氏名

(ii) when appointing the relevant candidate as a substitute officer for one or more specific officers, an indication of this and the name of the specific officer;

三 同一の役員（二以上の役員の子補欠として選任した場合にあっては、当該二以上の役員）につき二人以上の補欠の役員を選任するときは、当該補欠の役員相互間の優先順位

(iii) when appointing two or more substitute officers for one officer (in cases of appointing substitute officers for two or more officers, those two or more officers), the priority order among the relevant substitute officers;

四 補欠の役員について、就任前にその選任の取消しを行う場合があるときは、その旨及び取消しを行うための手続

(iv) when the appointment of a substitute officer is to be cancelled before assuming office, an indication of this and procedures for effecting the cancellation.

3 補欠の役員の子選任に係る決議が効力を有する期間は、規約に別段の定めがある場合を除き、当該決議後最初に開催する投資主総会の開始の時までとする。ただし、投資主総会の決議によってその期間を短縮することを妨げない。

(3) The period during which the resolution related to the appointment of substitute officers is effective is, unless otherwise provided for in the certificate of incorporation, until the time of commencement of the first Investors' meeting held after such resolution; provided, however, that the foregoing sentence does not preclude the resolution of Investors' meeting from shortening such period.

(監督役員の子職務の子遂行に支障を来すおそれがある者)

(Persons Who Are Likely to Hinder the Performance of Duties of Supervisory Officers)

第百六十四条 法第百条第六号に規定する監督役員の職務の遂行に支障を来すおそれがある者として内閣府令で定めるものは、次に掲げる者とする。

Article 164 The persons specified by Cabinet Office Order as being likely to hinder the performance of duties of a supervisory officer as referred to in Article 100, item (vi) of the Act are the following persons:

一 当該投資法人の設立企画人又は執行役員であった者

(i) persons who were organizers or executive managing officers of the relevant Investment Corporation;

二 当該投資法人の設立企画人若しくは執行役員又はこれらであった者の親族

(ii) the relatives of the organizers, executive managing officers, or persons who were in such position of the relevant Investment Corporation;

三 当該投資法人の設立企画人等（設立企画人及び設立企画人たる法人の役員又は過去二年以内に役員であった者をいう。以下この条において同じ。）及び執行役員が総株主等の議決権の百分の五十を超える議決権を保有している法人の役員若しくは使用人又はこれらの者のうちの一若しくは二以上であったもの（法第百条第三号に該当する者を除く。）

(iii) an officer or employee of the corporation whose voting rights exceeding 50 percent of the Voting Rights Held by All the Shareholders are held by an Organizer, etc. (meaning the organizer, and officers or persons who was an officer within the past two years of the corporation that is an organizer, hereinafter the same applies in this Article) or executive managing officer of the relevant Investment Corporation, or persons who has held one or more of such position (excluding persons falling under the category of person referred to in Article 100, item (iii) of the Act);

四 当該投資法人の設立企画人等又は執行役員から継続的な報酬を受けている者

(iv) a person who is continuously receiving remuneration from the Organizer, etc. or executive managing officer of the relevant Investment Corporation;

五 当該投資法人の設立企画人等又は執行役員から無償又は通常取引価格より低い対価による事務所又は資金の提供その他の特別の経済的利益の供与を受けている者

(v) a person who receives the provision of office or funds without charge or for a consideration lower than the ordinary market price or any other special economic benefits from the Organizer, etc. or executive managing officer of the relevant Investment Corporation;

六 当該投資法人の設立企画人たる法人の役員又は過去二年以内に役員であった者及び執行役員が、その取締役、執行役員若しくはその代表権を有する取締役若しくは執行役の過半数を占めている法人の役員若しくは使用人又はこれらの者のうちの一若しくは二以上であったもの

(vi) an officer or employee of the corporation whose majority of directors, executive officers, or directors or executive officers who have the right to represent, consists of officers or persons who were officers within the past two years and executive managing officers of the corporation that is an

organizer of the relevant Investment Corporation, or a person who has held one or more of such position;

七 当該投資法人の執行役員が、その役員であり若しくは過去二年以内に役員であった法人若しくはその子会社の役員若しくは使用人又はこれらの者のうちの一若しくは二以上であったもの（前号又は法第百条第三号に該当する者を除く。）

(vii) an officer or employee of a corporation for which the executive managing officer of the relevant Investment Corporation is an officer or was an officer within the past two years, or of the Subsidiary Company of the corporation, or a person who has held one or more of such position (excluding persons falling under the category of persons referred to in the preceding item and Article 100, item (iii) of the Act);

八 当該投資法人の発行する投資法人債を引き受ける者の募集の委託を受けた金融商品取引業者等若しくは金融商品仲介業者（金融商品取引法第二条第十二項に規定する金融商品仲介業者をいう。以下この号及び第二百条第八号において同じ。）若しくはこれらの子会社の役員若しくは使用人若しくは個人である金融商品仲介業者又はこれらの者のうちの一若しくは二以上であったもの

(viii) an officer or employee of the Financial Instruments Business Operator, etc. or Financial Instruments Intermediary Service Provider (meaning the Financial Instruments Intermediary Service Provider as prescribed in Article 2, paragraph (12) of the Financial Instruments and Exchange Act; hereinafter the same applies in this item and Article 200, item (viii)) that has been entrusted with the solicitation of persons to subscribe Investment Corporation Bonds issued by the relevant Investment Corporation, or of the Subsidiary Company thereof, a Financial Instruments Intermediary Service Provider that is an individual, or a person who has held one or more of such position; and

九 第三号から前号まで又は法第百条第三号若しくは第五号のいずれかに該当する者の配偶者

(ix) spouse of the person who falls under any of the category of persons prescribed in item (iii) through the preceding item of this Order of the Prime Minister's Office, or Article 100, item (iii) or (v) of the Act.

（監督役員の調査の対象）

(Subject of the Investigation by Supervisory Officers)

第百六十五条 法第百十一条第三項において準用する会社法第三百八十四条に規定する内閣府令で定めるものは、電磁的記録その他の資料とする。

Article 165 The items specified by Cabinet Office Order as referred to in Article 384 of the Companies Act as applied mutatis mutandis pursuant to Article 111, paragraph (3) of the Act are Electronic or Magnetic Records and any other materials.

(役員会の議事録)

(Minutes of the Board of Officers Meeting)

第百六十六条 法第一百五十五条第一項において準用する会社法第三百六十九条第三項の規定による役員会の議事録の作成については、この条の定めるところによる。

Article 166 (1) The preparation of the minutes of board of officers meeting under Article 369, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 115, paragraph (1) of the Act is as provided in this Article.

2 役員会の議事録は、書面又は電磁的記録をもって作成しなければならない。

(2) The minutes of a board of officers meeting must be prepared in writing or in the form of an Electronic or Magnetic Record.

3 役員会の議事録は、次に掲げる事項を内容とするものでなければならない。

(3) The minutes of a board of officers meeting must include the following information:

一 役員会が開催された日時及び場所（当該場所に存しない執行役員、監督役員又は会計監査人が役員会に出席をした場合における当該出席の方法を含む。）

(i) the date and time on which and place where the board of officers meeting was held (in cases where executive managing officers, supervisory officers, or a financial auditor who were not present at the place have attended the board of officers meeting, the method of such attendance is included);

二 役員会が次に掲げるいずれかのものに該当するときは、その旨

(ii) that the board of officers meeting fall under any of the following category, if this is the case:

イ 法百十三条第二項の規定による執行役員 の請求を受けて招集されたもの

(a) a board of officers meeting called upon the request of an executive managing officer under Article 113, paragraph (2) of the Act;

ロ 法百十三条第三項の規定による監督役員 の請求を受けて招集されたもの

(b) a board of officers meeting called upon the request of supervisory officers under Article 113, paragraph (3) of the Act; or

ハ 法百十三条第四項の規定により執行役員又は監督役員が招集したもの

(c) a board of officers meeting called by the executive managing officer or supervisory officer pursuant to the provisions of Article 113, paragraph (4) of the Act;

三 役員会の議事の経過の要領及びその結果

(iii) the outline and results of the proceedings at the board of officers meeting;

四 決議を要する事項について特別の利害関係を有する役員があるときは、当該役員 の氏名

(iv) when there are officers with special interest with regard to the matters required to be resolved, the name of such officers;

五 役員会に出席した会計監査人の氏名又は名称

(v) the name(s) of the financial auditor that attended the board of officers meeting; and

六 役員会の議長が存するときは、議長の氏名

(vi) when a chairperson of the board of officers meeting is in place, the name of the chairperson.

(報酬等の額の算定方法)

(Method for Calculating the Amount of Remuneration)

第百六十七条 法第百十五条の六第三項に規定する内閣府令で定める方法により算定される額は、次に掲げる額の合計額とする。

Article 167 The amount calculated by the method specified by Cabinet Office Order as referred to in Article 115-6, paragraph (3) of the Act is the total amount of the following amounts:

一 役員等がその在職中に報酬、賞与その他の職務執行の対価として投資法人から受け、又は受けるべき財産上の利益（次号に定めるものを除く。）の額の営業期間（次のイからハまでに掲げる場合の区分に応じ、当該イからハまでに定める日を含む営業期間及びその前の各営業期間に限る。）ごとの合計額（当該営業期間が一年でない場合にあつては、当該合計額を一年当たりの額に換算した額）のうち最も高い額

(i) among the total amount of property benefits (excluding those specified in the following item) that the officers or similar persons receives or are to receive from an Investment Corporation as a remuneration, bonus or any other consideration for the execution of duties while they are in office for each business period (limited to the business period that includes the day specified in the following sub-items (a) through (c) according to the category of cases listed in the respective sub-items, and each business period immediately prior thereto) (in cases where the relevant business period is not one year, the amount obtained by converting the total amount to an amount per one year), the highest amount:

イ 法第百十五条の六第三項の投資主総会の決議を行った場合 当該投資主総会の決議の日

(a) in cases where a resolution of Investors' meeting under Article 115-6, paragraph (3) of the Act has been adopted: the day of the resolution of the Investors' meeting;

ロ 法第百十五条の六第七項の規定による規約の定めに基づいて責任を免除する旨の役員会の決議を行った場合 当該役員会の決議の日

(b) in cases where a resolution of the board of officers meeting exempting the liability of Officers based on the provisions of the certificate of incorporation under Article 115-6, paragraph (7) of the Act: the day of the resolution of the board of officers meeting; or

ハ 法第百十五条の六第十二項において準用する会社法第四百二十七条第一項の契約を締結した場合 責任の原因となる事実が生じた日（二以上の日がある場合にあつては、最も遅い日）



(c) in cases where the contract under Article 427, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 115-6, paragraph (12) of the Act has been concluded: the day on which the facts which may be the cause for liability occurred (in cases where there are two or more of such day, the latest day);

二 イに掲げる額をロに掲げる数で除して得た額

(ii) the amount obtained by dividing the amount listed in sub-item (a) by the amount listed in sub-item (b):

イ 当該役員等が当該投資法人から受けた退職慰労金及びその性質を有する財産上の利益の額

(a) the amount of retirement allowances or other property benefits with the nature thereof that the relevant officers or similar persons have received from the relevant Investment Corporation;

ロ 当該役員等がその職に就いていた年数（当該役員等が次に掲げるものに該当する場合における次に定める数が当該年数を超過している場合にあっては、当該数）

(b) the period of office of the relevant officers or similar persons in such position (in cases where the relevant officers or similar persons fall under the following category, if the number specified in the following exceed the period of service, such number):

(1) 執行役員又は監督役員 四

1. executive managing officers or supervisory officers: four;

(2) 会計監査人 二

2. a financial auditor: two.

(責任の免除の決議後に受ける退職慰労金等)

(Retirement Allowances, etc. to be Received After the Resolution of Exempting Liability)

第百六十八条 法第百十五条の六第六項（同条第十一項において準用する場合及び同条第十二項において準用する会社法第四百二十七条第五項において読み替えて準用する場合を含む。）に規定する内閣府令で定める財産上の利益とは、退職慰労金及びその性質を有する財産上の利益とする。

Article 168 The property benefits specified by Cabinet Office Order as referred to in Article 115-6, paragraph (6) of the Act (including the cases where it is applied mutatis mutandis pursuant to paragraph (11) of that Article, and the cases where it is applied mutatis mutandis pursuant to Article 427, paragraph (5) of the Companies Act as applied mutatis mutandis pursuant to Article 115-6, paragraph (12) of the Act following the deemed replacement of terms) are retirement allowances or other property benefits with the nature thereof.

(投資法人のその他一般事務)

(Other Administrative Processes of an Investment Corporation)

第百六十九条 法第百十七条第一号に掲げる事務（新投資口予約権無償割当て（法第八十八条の十三に規定する新投資口予約権無償割当てをいう。）に関する事務を除く。）を委託する契約においては、次に掲げる事項を定めなければならない。

Article 169 (1) The following particulars must be provided in the contract for entrusting the administrative processes listed in Article 117, item (i) of the Act (excluding administrative processes concerning the Free Allotment of Investment Equity Options (meaning the Free Allotment of Investment Equity Options provided in Article 88-13 of the Act)):

一 当該事務を受託する一般事務受託者は、顧客の知識、経験、財産の状況及び投資口又は投資法人債を引き受ける目的を十分勘案して、投資口又は投資法人債の引受けの申込みの勧誘を行うべき旨

(i) a statement to the effect that the Administrative Agent entrusted with the relevant administrative processes is to make the solicitation of application to subscribe Investment Equity or Investment Corporation Bonds by sufficiently taking into consideration the customer's knowledge, experience, status of property, and purpose of subscribing the Investment Equity or Investment Corporation Bonds;

二 当該事務を受託する一般事務受託者は、投資口又は投資法人債の引受けの申込みの勧誘を行うに当たり、顧客に対し、次に掲げる事項について説明する義務を負う旨

(ii) a statement to the effect that the Administrative Agent entrusted with the relevant administrative processes is liable to explain the following information to the customer in conducting solicitation of an application to subscribe Investment Equity or Investment Corporation Bonds:

イ 法第七十一条第一項各号、第八十三条第一項各号又は第百三十九条の四第一項各号に掲げる事項の内容

(a) the contents of the information listed in the items of Article 71, paragraph (1), the items of Article 83, paragraph (1), or the items of Article 139-4, paragraph (1) of the Act;

ロ 投資主又は投資法人債権者（法第百三十九条の三第一項第七号に規定する投資法人債権者をいう。以下同じ。）となった場合に有すべき権利

(b) rights to be held when the customer becomes an Investor or Investment Corporation's Bondholder (meaning the Investment Corporation's Bondholder defined in Article 139-3, paragraph (1), item (vii) of the Act; the same applies hereinafter);

ハ 一般事務受託者に対して支払われる手数料その他の費用のうち、投資口若しくは投資法人債の引受けをしようとする者又は投資主若しくは投資法人債権者の直接の負担により支払われるべきものがあるときは、その内容

(c) in cases where the fees or any other costs to be paid to an Administrative Agent include those which are to be paid at the direct expense of the person who intends to subscribe for the Investment Equity or Investment

Corporation Bonds, or of the Investor or Investment Corporation's Bondholder, the details thereof; and

ニ 投資口又は投資法人債の価額の変動その他の理由により発生し得る危険の内容

(d) the details of risk that may occur due to the fluctuations in the value of Investment Equity or Investment Corporation, or for any other reasons.

2 法第百十七条第六号に規定する内閣府令で定める事務は、次に掲げる事務とする。

(2) The administrative processes specified by Cabinet Office Order as referred to in Article 117, item (vi) of the Act are the following administrative processes:

一 投資主に対して分配又は払戻しをする金銭の支払に関する事務

(i) the administrative processes related to the payment of money which is to be distributed or refunded to the Investors;

二 法第八十六条第一項に規定する投資法人にあつては、投資口の払戻請求の受け及び払戻しに関する事務

(ii) with regard to the Investment Corporation set forth in Article 86, paragraph (1) of the Act, the administrative processes related to the acceptance of requests for refund of Investment Equity, and the refund thereof;

三 前二号並びに法第百十七条第二号及び第四号に掲げるもののほか、投資主の権利行使に関する請求その他の投資主からの申出の受付に関する事務

(iii) beyond what is listed in the preceding two items and Article 117, items (ii) and (iv) of the Act, the administrative processes related to the acceptance of requests for the exercise of voting rights by Investors or any other applications from Investors;

四 投資法人債権者に対する利息又は償還金の支払に関する事務

(iv) the administrative processes related to the payment of interests and amount of redemption to the Investment Corporation's Bondholders;

五 前号並びに法第百十七条第二号及び第四号に掲げるもののほか、投資法人債権者の権利行使に関する請求その他の投資法人債権者からの申出の受付に関する事務

(v) beyond what is listed in the preceding item and Article 117, items (ii) and (iv) of the Act, the administrative processes related to the acceptance of requests for the exercise of voting rights by Investment Corporation's Bondholders or any other applications from the Investment Corporation's Bondholders;

五の二 法第百十七条第二号及び第四号に掲げるもののほか、新投資口予約権者の権利行使に関する請求その他の新投資口予約権者からの申出の受付に関する事務

(v)-2 beyond what is listed in Article 117, items (ii) and (iv) of the Act, the administrative processes related to the acceptance of requests for the exercise of voting rights by holders of Investment Equity Options or any other applications from the holders of Investment Equity Options;

五の三 自己の投資口の取得に関する事務（自己の投資口の取得の対価である金銭の支払に関する事務を含む。）

(v)-3 the administrative processes related to the acquisition of its own Investment Equity (including administrative processes related to the payment of money that is the consideration for the acquisition of its own Investment Equity);

六 会計帳簿の作成に関する事務

(vi) the administrative processes related to the preparation of accounting books;

七 納税に関する事務

(vii) the administrative processes related to tax payment; and

八 その他金融庁長官が定める事務

(viii) any other administrative processes specified by the Commissioner of the Financial Services Agency.

3 投資法人は、前項第一号から第三号まで、第五号の三又は法第百十七条第二号（投資主名簿に係るものに限る。）若しくは第四号に掲げる事務を委託する一般事務受託者に係る事務の委託の内容に変更があったときは、その変更の内容（新たな一般事務受託者にこれらの事務を委託したときは、その者の氏名又は名称及び住所並びにその者に委託する事務の内容を含む。）を投資主に通知しなければならない。ただし、軽微な変更であって、法第百二十九条第二項に規定する資産運用報告（当該変更の日の属する営業期間に係る資産運用報告に限る。）に記載するものについては、この限りでない。

(3) When there are any changes to the contents of the entrustment of administrative processes related to the Administrative Agent to which the administrative processes listed in items (i) through (iii), item (v)-3 of the preceding paragraph or Article 117, item (ii) (limited to those related to the investor register) of the Act or item (iv) of that Article are entrusted, an Investment Corporation must notify the details of such change (when such administrative processes are entrusted to a new Administrative Agent, the name and address of the new Administrative Agent, as well as the details of the administrative processes to be entrusted thereto are included) to the Investors; provided, however, that this does not apply to minor changes that are to be stated in the asset investment reports provided in Article 129, paragraph (2) of the Act (limited to asset investment reports pertaining to the Business Period that includes the date of the changes).

4 投資法人は、第二項第四号若しくは第五号又は法第百十七条第二号（投資法人債原簿に係るものに限る。）若しくは第四号に掲げる事務を委託する一般事務受託者に係る事務の委託の内容に変更があったときは、その変更の内容（新たな一般事務受託者にこれらの事務を委託したときは、その者の氏名又は名称及び住所並びにその者に委託する事務の内容を含む。）を当該変更があった種類（法第百三十九条の七において準用する会社法第六百八十一条第一号に規定する種類をいう。）の投資法人債権者に通知しなければならない。

(4) When there are any changes to the contents of the entrustment of

administrative processes related to the Administrative Agent to which the administrative processes listed in item (iv) or (v) of paragraph (2), Article 117, item (ii) (limited to those related to the investment corporation bond register) of the Act, and item (iv) of that Article are entrusted, an Investment Corporation must notify the details of the changes (in cases where such administrative processes are entrusted to a new Administrative Agent, the name and address of the new Administrative Agent, as well as the details of the administrative processes to be entrusted thereto are included) to the Investment Corporation's Bondholders of the Class (meaning the Class as prescribed in Article 681, item (i) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act) to which the changes were made.

5 投資法人は、第二項第五号の二又は法第百十七条第二号（新投資口予約権原簿に係るものに限る。）若しくは第四号に掲げる事務を委託する一般事務受託者に係る事務の委託の内容に変更があったときは、その変更の内容（新たな一般事務受託者にこれらの事務を委託したときは、その者の氏名又は名称及び住所並びにその者に委託する事務の内容を含む。）を当該変更があった新投資口予約権に係る新投資口予約権者に通知しなければならない。

(5) When there are any changes to the contents of the entrustment of administrative processes related to the Administrative Agent to which the administrative processes listed in item (v)-2 of paragraph (2), Article 117, item (ii) (limited to those related to the Investment Equity Options Register) of the Act, or item (iv) of that Article are entrusted, an Investment Corporation must notify the details of the changes (in cases where such administrative processes are entrusted to a new Administrative Agent, the name and address of the new Administrative Agent, as well as the details of the administrative processes to be entrusted thereto are included) to the holder of Investment Equity Options of the Investment Equity Options to which the changes were made.

（設立時募集投資口を引き受ける者の募集に関する事務の委託契約の締結）

(Conclusion of an Entrustment Contract for Administrative Processes Related to the Solicitation of Persons to Subscribe for Investment Equity for Subscription at Incorporation)

第百七十条 設立時募集投資口を引き受ける者の募集に関する事務に係る委託契約の締結は、設立企画人が行うものとする。

Article 170 The conclusion of an entrustment contract for the administrative processes related to the solicitation of persons to subscribe for investment equity for subscription at incorporation is to be effected by an organizer.

（払戻金額の公示の方法）

(Method of Public Notice of the Refund Amount)

第百七十一条 法第百二十六条の規定による払戻金額の公示は、第百三十四条第一項各

号のいずれかの方法により行わなければならない。

Article 171 (1) The public notice of refund amount under the provisions of Article 126 of the Act must be made by any of the method set forth in the items of Article 134, paragraph (1).

2 前項の払戻金額の公示は、当該払戻金額が適用される投資口の払戻しの期間を明示してしなければならない。

(2) The public notice of refund amount under the preceding paragraph must be made by clearly indicating the refund period for the Investment Equity to which the relevant refund amount is applied.

(違法な払戻しに関して責任をとるべき執行役員等)

(Executive Managing Officers to Be Held Liable with Regard to Illegal Refund)

第百七十二条 法第二百六条の二第一項に規定する内閣府令で定める者は、次に掲げる者とする。

Article 172 The persons specified by Cabinet Office Order as referred to in Article 126-2, paragraph (1) of the Act are the following persons:

一 違法な払戻し（法第二百四条第一項第三号に掲げる場合において、投資法人が行った投資口の払戻しをいう。以下この条において同じ。）に関する職務を行った執行役員

(i) an executive managing officer that performed the duties related to Illegal Refunds (meaning the refunds of Investment Equity made by an Investment Corporation in the cases listed in Article 124, paragraph (1), item (iii) of the Act; hereinafter the same applies in this Article);

二 違法な払戻しが役員会の決議に基づいて行われたときは、次に掲げる者

(ii) when the Illegal Refund has been made based on the resolution of a board of officers meeting, the following persons:

イ 当該役員会の決議に賛成した役員

(a) an officer(s) that agreed to the resolution of the board of officers meeting; and

ロ 当該役員会に当該違法な払戻しに関する議案を提案した執行役員

(b) an executive managing officer that submitted the proposal concerning the illegal refund to the board of officers meeting; and

三 違法な払戻しが投資主総会の決議に基づいて行われたときは、次に掲げる者

(iii) when the illegal refund has been made based on the resolution of an Investors' meeting, the following persons:

イ 当該投資主総会に当該違法な払戻しに関する議案を提案した執行役員

(a) an executive managing officer that submitted the proposal concerning the illegal refund to the Investors' meeting;

ロ イの議案の提案が役員会の決議に基づいて行われたときは、当該役員会の決議に賛成した役員

(b) when the submission of proposal under sub-item (a) has been made based

on the resolution of a board of officers meeting, the officer(s) that agreed to the resolution of the board of officers meeting; and

ハ 当該投資主総会において当該違法な払戻しに関する事項について説明をした役員

(c) the officer(s) who explained the information concerning the illegal refund at the relevant Investors' meeting.

(計算書類等の承認の通知に係る電磁的方法)

(Electronic or Magnetic Means for Notice of Approval of Financial Statements)

第七十三条 法第三十一条第四項（法第六十条第二項において準用する場合を含む。）に規定する電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて内閣府令で定めるものは、次に掲げる方法とする。

Article 173 (1) The methods using an electronic data processing system and other information and communications technology as specified by Cabinet Office Order as referred to in Article 131, paragraph (4) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 160, paragraph (2) of the Act) are the following methods:

一 電子情報処理組織を使用する方法のうちイ又はロに掲げるもの

(i) the methods using an electronic data processing system that are listed in sub-item (a) or sub-item (b):

イ 送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) the method of transmitting information via a telecommunications line that links the computer used by the sender and the computer used by the recipient and recording such information in the file stored on the computers used by the recipient; or

ロ 送信者の使用に係る電子計算機に備えられたファイルに記録された情報の内容を電気通信回線を通じて情報の提供を受ける者の閲覧に供し、当該情報の提供を受ける者の使用に係る電子計算機に備えられたファイルに当該情報を記録する方法

(b) the method of offering the details of the information which are recorded in a file stored on the computer used by the sender to the person who receives the provision of the information for inspection via a telecommunications line, and recording the information in the files stored on the computer used by the person who receives the provision of the information;

二 磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものを交付する方法

(ii) the method of delivering a file containing the information that has been prepared using media which can securely record certain information by

magnetic disks, or any other means equivalent thereto.

2 前項各号に掲げる方法は、受信者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(2) The methods listed in the items of the preceding paragraph must be one that enables the recipient to prepare documents by outputting the records in the file.

(投資信託及び投資法人に関する法律施行令に係る電磁的方法)

(Electronic or Magnetic Means Concerning the Order for Enforcement of the Act on Investment Trusts and Investment Corporations)

第七十四条 令第九十二条第一項の規定により示すべき電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法の種類及び内容は、次に掲げるものとする。

Article 174 The types and details of method using an electronic data processing system and other information and communications technology which are to be indicated pursuant to the provisions of Article 92, paragraph (1) of the Order are as follows:

一 次に掲げる方法のうち、送信者が使用するもの

(i) among the following methods, those used by the sender:

イ 電子情報処理組織を使用する方法のうち次に掲げるもの

(a) the methods using an electronic data processing system which are as follows:

(1) 送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

1. the method of transmitting information via a telecommunications line that links the computer used by the sender and the computer used by the recipient and recording such information in the file stored on the computers used by the recipient;

(2) 送信者の使用に係る電子計算機に備えられたファイルに記録された情報の内容を電気通信回線を通じて情報の提供を受ける者の閲覧に供し、当該情報の提供を受ける者の使用に係る電子計算機に備えられたファイルに当該情報を記録する方法

2. the method of offering the details of the information which are recorded in a file stored on the computer used by the sender to the person who receives the provision of the information for inspection via a telecommunications line and recording the information in the files stored on the computer used by the person who receives the provision of the information;

ロ 磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものを交付する方法

(b) the method of delivering a file containing the information that has been



prepared using media which can securely record certain information by magnetic disks, or any other means equivalent thereto; and

二 ファイルへの記録の方式

(ii) the method of recording the information in the file.

(金銭の分配等に関して責任をとるべき執行役員等)

(Executive Managing Officers to Be Held Liable with Regard to Distribution of Monies)

第百七十五条 法第百三十八条第一項第一号に規定する内閣府令で定めるものは、次に掲げる者とする。

Article 175 (1) The persons specified by Cabinet Office Order as referred to in Article 138, paragraph (1), item (i) of the Act are the following persons:

一 剰余金の配当による金銭等の交付に関する職務を行った執行役員

(i) an executive managing officer who performed the duties related to the delivery of money, etc. in relation to the distribution of dividend of surplus;

二 法第百三十一条第二項の金銭の分配に係る計算書の承認に賛成した役員

(ii) the officer(s) who agreed to the approval of statements related to the distribution of money under Article 131, paragraph (2) of the Act; and

三 分配可能額の計算に関する報告を監督役員又は会計監査人が請求したときは、当該請求に応じて報告をした執行役員

(iii) when a supervisory officer or financial auditor has demanded a report on the calculation of the distributable amount, the executive managing officer that has made the report in response to the demand.

2 法第百三十八条第一項第二号に規定する内閣府令で定めるものは、役員会に議案を提案した執行役員とする。

(2) The executive managing officer specified by Cabinet Office Order as referred to in Article 138, paragraph (1), item (ii) of the Act is an executive managing officer who has submitted a proposal to the board of officers meeting.

3 法第八十条の二第二項の規定により、同条第一項の規定による投資口の取得を金銭の分配とみなして法第百三十八条の規定を適用する場合には、第一項第一号中「剰余金の配当による金銭等」とあるのは「法第八十条の二第一項の規定による投資口の取得による金銭」と、同項第二号中「法第百三十一条第二項の金銭の分配に係る計算書の承認」とあるのは「法第八十条の二第三項に規定する役員会の決議」と、同項第三号中「分配可能額」とあるのは「投資口の取得可能額」とする。

(3) In cases where the provisions of Article 138 of the Act are applied by deeming the acquisition of Investment Equity under the provisions of Article 80-2, paragraph (1) of the Act to be the distribution of monies pursuant to the provisions of paragraph (2) of that Article, the phrase "money, etc. in relation to the distribution of dividend of surplus" in paragraph (1), item (i) is deemed to be replaced with "money in relation to the acquisition of Investment Equity under the provisions of Article 80-2, paragraph (1) of the Act," the phrase

"approval of statements related to the distribution of money under Article 131, paragraph (2) of the Act" in item (ii) of that paragraph is deemed to be replaced with "resolution of the board of officers meeting provided in Article 80-2, paragraph (3) of the Act," and the phrase "distributable amount" in item (iii) of that paragraph is deemed to be replaced with "amount available for the acquisition of Investment Equity."

(募集事項)

(Subscription Requirements)

第百七十六条 法第百三十九条の三第一項第十三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 176 The particulars specified by Cabinet Office Order as referred to in Article 139-3, paragraph (1), item (xiii) of the Act are the following particulars:  
一 数回に分けて募集投資法人債（法第百三十九条の三第一項に規定する募集投資法人債をいう。以下同じ。）と引換えに金銭の払込みをさせるときは、その旨及び各払込みの期日における払込金額（同項第十一号に規定する払込金額をいう。次条第四号において同じ。）

(i) when having the payment of money made in exchange for Investment Corporation Bonds for Subscription (meaning the Investment Corporation Bonds for Subscription as prescribed in Article 139-3, paragraph (1) of the Act; the same applies hereinafter) in installments, an indication of this and the amount to be paid in (meaning the amount to be paid in as prescribed in item (xi) of that paragraph; the same applies in item (iv) of the following Article) on the due date for each payment;  
二 法第百三十九条の八の規定による委託に係る契約において法に規定する投資法人債管理者の権限以外の権限を定めるときは、その権限の内容

(ii) when the authority other than the authority of the investment corporation bond administrator provided in the Act is to be specified in the contract for entrustment under the provisions of Article 139-8 of the Act; the details of such authority; and  
三 法第百三十九条の九第八項において準用する会社法第七百十一条第二項本文に規定するとき、同項本文に規定する事由

(iii) in the case as prescribed in the main clause of Article 711, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-9, paragraph (8) of the Act, the grounds prescribed in the main clause of Article 711, paragraph (2) of the Companies Act.

(投資法人債を引き受ける者の募集に際して役員会が定めるべき事項)

(Particulars to Be Specified by Board of Officers Meeting in Soliciting Persons to Subscribe for Investment Corporation Bonds)

第百七十七条 法第百三十九条の三第二項に規定する内閣府令で定める事項は、次に掲

げる事項とする。

**Article 177** The particulars specified by Cabinet Office Order as referred to in Article 139-3, paragraph (2) of the Act are the following particulars:

一 二以上の募集（法第百三十九条の三第一項の募集をいう。以下この条において同じ。）に係る同項各号に掲げる事項の決定を委任するときは、その旨

(i) when entrusting the decision on the particulars listed in the items of Article 139-3, paragraph (1) of the Act related to two or more Solicitation (meaning the solicitation as referred to in Article 139-3, paragraph (1) of the Act; hereinafter the same applies in this Article), an indication of this;

二 募集投資法人債の総額の上限（前号に規定する場合にあっては、各募集に係る募集投資法人債の総額の上限の合計額）

(ii) the maximum amount for the total amount of Investment Corporation Bonds for Subscription (in the case referred to in the preceding item, the total of the maximum amount for the total amount of Investment Corporation Bonds for Subscription for each Solicitation);

三 募集投資法人債の利率の上限その他の利率に関する事項の要綱

(iii) the upper limit of the interest rate of the Investment Corporation Bonds for Subscription and the outline of other particulars related to interest rates; and

四 募集投資法人債の払込金額の総額の最低金額その他の払込金額に関する事項の要綱

(iv) the minimum amount for the total amount to be paid in for the Investment Corporation Bonds for Subscription and the outline of other particulars related to the amount to be paid in.

（申込みをしようとする者に対して通知すべき事項）

**(Information to Be Notified to Persons Who Intend to File Applications)**

第百七十八条 法第百三十九条の四第一項第七号に規定する内閣府令で定める事項は、投資法人債管理者を定めたときのその名称及び住所とする。

**Article 178** The information specified by Cabinet Office Order as referred to in Article 139-4, paragraph (1), item (vii) of the Act is, when an investment corporation bond administrator has been specified, the name and address thereof.

（申込みをしようとする者に対する通知を要しない場合）

**(Cases Where Notice to Persons Who Intend to File Applications Is Not Required)**

第百七十九条 法第百三十九条の四第四項に規定する内閣府令で定める場合は、次に掲げる場合であって、投資法人が同条第一項の申込みをしようとする者に対して同項各号に掲げる事項を提供している場合とする。

**Article 179** The cases specified by Cabinet Office Order as referred to in Article

139-4, paragraph (4) of the Act are the following cases where the Investment Corporation has provided the information listed in the items of paragraph (1) of that Article to persons who intend to file applications under that paragraph:

一 当該投資法人が金融商品取引法の規定に基づき目論見書に記載すべき事項を電磁的方法により提供している場合

(i) cases where the relevant Investment Corporation has provided the information to be given in the prospectus based on the provisions of the Financial Instruments and Exchange Act by Electronic or Magnetic Means;  
or

二 当該投資法人が外国の法令に基づき目論見書その他これに相当する書面その他の資料を提供している場合

(ii) cases where the relevant Investment Corporation has provided the prospectus, other documents equivalent thereto, or any other materials based on the provisions of laws and regulations of a foreign state.

(投資法人債の種類)

(Class of Investment Corporation Bonds)

第百八十条 法第百三十九条の七において準用する会社法第六百八十一条第一号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 180 The particulars specified by Cabinet Office Order as referred to in Article 681, item (i) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act are the following particulars:

一 投資法人債の利率

(i) the interest rate of the Investment Corporation Bond;

二 投資法人債の償還の方法及び期限

(ii) the method of and time limit for the redemption of Investment Corporation Bond;

三 利息支払の方法及び期限

(iii) the method of and time limit for the payment of interest;

四 投資法人債券を発行するときは、その旨

(iv) that Investment Corporation Bond Certificates are to be issued, if this is the case;

五 投資法人債権者が法第百三十九条の七において準用する会社法第六百九十八条の規定による請求の全部又は一部をすることができないこととするときは、その旨

(v) that it is to be provided for that Investment Corporation's Bondholders may not make the demand under Article 698 of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act in whole or in part, if this is the case;

六 投資法人債管理者が投資法人債権者集会の決議によらずに法第百三十九条の九第四項第二号に掲げる行為をすることができることとするときは、その旨

(vi) that it is to be provided for that an investment corporation bond

administrator may conduct the acts listed in Article 139-9, paragraph (4), item (ii) of the Act without the resolution of the meeting of Investment Corporation's Bondholders, if this is the case;

七 投資法人債管理者を定めたときは、その名称及び住所並びに法第百三十九条の八の規定による委託に係る契約の内容

(vii) when an investment corporation bond administrator is specified, the name and address thereof as well as the contents of the contract for entrustment under Article 139-8 of the Act;

八 法第百六十六条第二項第八号に規定する投資主名簿等管理人の氏名又は名称及び住所

(viii) the name and address of the administrator of the investor register as prescribed in Article 166, paragraph (2), item (viii) of the Act; and

九 投資法人債が担保付投資法人債であるときは、法第百三十九条の十一において適用する担保付社債信託法（明治三十八年法律第五十二号）第十九条第一項第一号、第十一号及び第十三号に掲げる事項

(ix) when the Investment Corporation Bonds are Secured Investment Corporation Bonds, the particulars listed in the provisions of Article 19, paragraph (1), items (i), (xi), and (xiii) of the Secured Corporate Bonds Trust Act (Act No. 52 of 1905) to be applied pursuant to Article 139-11 of the Act.

（投資法人債原簿記載事項）

**(Information Required to Be Included in Investment Corporation Bond Register)**

第百八十一条 法第百三十九条の七において準用する会社法第六百八十一条第七号に規定する内閣府令で定める事項は、投資法人債権者が募集投資法人債と引換えにする金銭の払込みをする債務と投資法人に対する債権とを相殺したときの、債権の額及び相殺をした日とする。

Article 181 The particulars specified by Cabinet Office Order as referred to in Article 681, item (vii) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act are, when the Investment Corporation's Bondholder sets off its obligations to pay money in exchange for Investment Corporation Bonds for Subscription against its claim against the Investment Corporation, the amount of claim and the day on which the set off was made.

（閲覧権者）

**(Persons with Right to Inspect)**

第百八十二条 法第百三十九条の七において準用する会社法第六百八十四条第二項に規定する内閣府令で定める者は、投資法人債権者その他の投資法人債発行人（法第百三十九条の九第六項に規定する投資法人債発行人をいう。以下同じ。）の債権者及び投資主とする。

Article 182 The persons specified by Cabinet Office Order as referred to in

Article 684, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act are Investment Corporation's Bondholders, and creditors and Investors of another corporation issuing the investment corporation bonds (meaning the corporation issuing the investment corporation bonds defined in Article 139-9, paragraph (6) of the Act; the same applies hereinafter).

(投資法人債原簿記載事項の記載等の請求)

(Request of Inclusion of the Information Required to Be Included in the Investment Corporation Bond Register)

第百八十三条 法第百三十九条の七において準用する会社法第六百九十一条第二項に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 183 (1) The cases specified by Cabinet Office Order as referred to in Article 691, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act are the following matters:

一 投資法人債取得者（投資法人債を投資法人債発行法人以外の者から取得した者（当該投資法人債発行法人を除く。）をいう。以下この条において同じ。）が、投資法人債権者として投資法人債原簿に記載若しくは記録がされた者又はその一般承継人に対して当該投資法人債取得者の取得した投資法人債に係る法第百三十九条の七において準用する会社法第六百九十一条第一項の規定による請求をすべきことを命ずる確定判決を得た場合において、当該確定判決の内容を証する書面その他の資料を提供して請求をしたとき。

(i) in cases where the Acquirer of Investment Corporation Bonds (meaning the person who acquired Investment Corporation Bonds from persons other than the corporation issuing the investment corporation bonds (excluding the relevant corporation issuing the investment corporation bonds); hereinafter the same applies in this Article) has received a final and binding judgment ordering the Acquirer of Investment Corporation Bonds to make the request under Article 691, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act related to the Investment Corporation Bonds acquired by the Acquirer of Investment Corporation Bonds against the person who has been stated or recorded in the Investment Corporation Bond Register as an Investment Corporation's Bondholder or the general successor thereof, when the Acquirer of Investment Corporation Bonds has made the request by providing a document evidencing the contents of the final and binding judgment or any other materials;

二 投資法人債取得者が前号の確定判決と同一の効力を有するものの内容を証する書面その他の資料を提供して請求をしたとき。

(ii) when the Acquirer of Investment Corporation Bonds has made the request by providing a document evidencing the contents of a decision having the same effect as the final and binding judgment under the preceding item or

any other materials;

三 投資法人債取得者が一般承継により当該投資法人の投資法人債を取得した者である場合において、当該一般承継を証する書面その他の資料を提供して請求をしたとき。

(iii) in cases where the Acquirer of Investment Corporation Bonds is a person who has acquired the Investment Corporation Bonds of the relevant Investment Corporation by general succession, when such Acquirer of Investment Corporation Bonds has made the request by providing a document evidencing the general succession or any other materials; and

四 投資法人債取得者が当該投資法人の投資法人債を競売により取得した者である場合において、当該競売により取得したことを証する書面その他の資料を提供して請求をしたとき。

(iv) in cases where the Acquirer of Investment Corporation Bonds is a person who has acquired the Investment Corporation Bonds of the relevant Investment Corporation by auction, when such Acquirer of Investment Corporation Bonds has made the request by providing a document evidencing that the acquisition was made by auction, or any other materials.

2 前項の規定にかかわらず、投資法人債取得者が取得した投資法人債が投資法人債券を発行する定めがあるものである場合には、法第百三十九条の七において準用する会社法第六百九十一条第二項に規定する内閣府令で定める場合は、投資法人債取得者が投資法人債券を提示して請求をした場合とする。

(2) Notwithstanding the provisions of the preceding paragraph, in cases where the Investment Corporation Bonds acquired by the Acquirer of Investment Corporation Bonds are those provided for that Investment Corporation Bond Certificates are issued, the cases specified by Cabinet Office Order as referred to in Article 691, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-7 of the Act are the cases where the Acquirer of Investment Corporation Bonds has made the request by presenting the Investment Corporation Bond Certificate.

(投資法人債管理者の資格)

(Qualification of Investment Corporation Bond Administrators)

第百八十四条 法第百三十九条の九第八項において準用する会社法第七百三条第三号に規定する内閣府令で定める者は、次に掲げる者とする。

Article 184 The persons specified by Cabinet Office Order as referred to in Article 703, item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 139-9, paragraph (8) of the Act are the following persons:

一 担保付社債信託法第三条の免許を受けた者

(i) persons who have obtained the license under Article 3 of the Secured Corporate Bonds Trust Act;

二 農業協同組合法第十条第一項第二号及び第三号の事業を併せ行う農業協同組合又

- は農業協同組合連合会
- (ii) the agricultural cooperatives or federation of agricultural cooperatives that conducts both the businesses set forth in Article 10, paragraph (1), items (ii) and (iii) of the Agricultural Cooperatives Act;
- 三 信用協同組合又は中小企業等協同組合法第九条の九第一項第一号の事業を行う協同組合連合会
- (iii) the credit cooperatives, or the federation of credit cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act;
- 四 信用金庫又は信用金庫連合会
- (iv) Shinkin Banks or federation of Shinkin Banks;
- 五 労働金庫連合会
- (v) federation of labor banks;
- 六 長期信用銀行法（昭和五十七年法律第百八十七号）第二条に規定する長期信用銀行
- (vi) the long-term credit bank defined in Article 2 of the Long-Term Credit Bank Act (Act No. 187 of 1982);
- 七 保険業法（平成七年法律第百五号）第二条第二項に規定する保険会社
- (vii) the insurance company defined in Article 2, paragraph (2) of the Insurance Business Act (Act No. 105 of 1995);
- 八 農林中央金庫
- (viii) Norin Chukin Bank; and
- 九 株式会社商工組合中央金庫
- (ix) Shoko Chukin Bank Limited.

（特別の関係）

(Special Relationship)

第百八十五条 法第百三十九条の九第八項において準用する会社法第七百十条第二項第二号（法第百三十九条の九第八項において準用する会社法第七百十二条において準用する場合を含む。）に規定する内閣府令で定める特別の関係は、次に掲げる関係とする。

Article 185 (1) The special relationships specified by Cabinet Office Order as referred to in Article 710, paragraph (2), item (ii) of the Companies Act (including the cases where it is applied mutatis mutandis pursuant to Article 712 of the Companies Act as applied mutatis mutandis pursuant to Article 139-9, paragraph (8) of the Act) as applied mutatis mutandis pursuant to Article 139-9, paragraph (8) of the Act are the following relationships:

一 法人の総社員又は総株主の議決権の百分の五十を超える議決権を有する者（以下この条において「支配社員」という。）と当該法人（以下この条において「被支配法人」という。）との関係

(i) the relationship between the person who holds voting rights exceeding 50



percent of the voting rights of all members or shareholders of a corporation (hereinafter referred to as the "Controlling Member" in this Article) and the corporation (hereinafter referred to as the "Controlled Corporation" in this Article); and

二 被支配法人とその支配社員の他の被支配法人との関係

(ii) the relationship between the Controlled Corporation and another Controlled Corporation of the Controlling Member of the first-mentioned Controlled Corporation.

2 支配社員とその被支配法人が合わせて他の法人の総社員又は総株主の議決権の百分の五十を超える議決権を有する場合には、当該他の法人も、当該支配社員の被支配法人とみなして前項の規定を適用する。

(2) In cases where the Controlling Member and its Controlled Corporation jointly holds voting rights exceeding 50 percent of the voting rights of all members or shareholders of another corporation, the relevant other corporation is deemed to be the Controlled Corporation of the Controlling Member and the provisions of the preceding paragraph apply.

(投資法人債権者集会の招集の決定事項)

(Information Decided for Calling a Meeting of Investment Corporation's Bondholders)

第百八十六条 法第百三十九条の十第二項において準用する会社法第七百十九条第四号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 186 The particulars specified by Cabinet Office Order as referred to in Article 719, item (iv) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act are the following particulars:

一 次条の規定により投資法人債権者集会参考書類（法第百三十九条の十第二項において読み替えて準用する会社法第七百二十一条第一項に規定する投資法人債権者集会参考書類をいう。以下同じ。）に記載すべき事項

(i) information to be given in the Reference Documents for a Meeting of Investment Corporation's Bondholders (meaning the Reference Documents for a Meeting of Investment Corporation's Bondholders as referred to in Article 721, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act following the deemed replacement of terms; the same applies hereinafter) pursuant to the provisions of the following Article;

二 書面による議決権の行使の期限（投資法人債権者集会の日時以前の時であって、法第百三十九条の十第二項において準用する会社法第七百二十条第一項の規定による通知を発した日から二週間を経過した日以後の時に限る。）

(ii) the time limit for exercising voting rights in writing (limited to the time which is before the date of the meeting of Investment Corporation's

Bondholders but on or after the day on which two weeks have passed from the day when the notice under Article 720, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act has been sent);

三 一の投資法人債権者が同一の議案につき法第百三十九条の十第二項において準用する会社法第七百二十六条第一項（法第百三十九条の十第二項において準用する会社法第七百十九条第三号に掲げる事項を定めた場合にあっては、法第百三十九条の十第二項において準用する会社法第七百二十六条第一項又は第七百二十七条第一項）の規定により重複して議決権を行使した場合において、当該同一の議案に対する議決権の行使の内容が異なるものであるときにおける当該投資法人債権者の議決権の行使の取扱いに関する事項を定めるときは、その事項

(iii) in cases where a single Investment Corporation's Bondholder has redundantly exercised its voting right for a single proposal pursuant to the provisions of Article 726, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act (in cases where the particulars listed in Article 719, item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act are provided for, the provisions of Article 726, paragraph (1) and Article 727, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act) and the facts of the exercise of voting right for the single proposal differ, when particulars concerning the handling of such exercise of voting right by the Investment Corporation's Bondholder are provided, such particulars;

四 第百八十八条第一項第三号の取扱いを定めるときは、その取扱いの内容

(iv) when the handling provided in Article 188, paragraph (1), item (iii) is to be specified, the details of the handling;

五 法第百三十九条の十第二項において準用する会社法第七百十九条第三号に掲げる事項を定めたときは、次に掲げる事項

(v) when the particulars listed in Article 719, item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act are specified, the following particulars:

イ 電磁的方法による議決権の行使の期限（投資法人債権者集会の日時以前の時にあって、法第百三十九条の十第二項において準用する会社法第七百二十条第一項の規定による通知を發した日から二週間を経過した日以後の時に限る。）

(a) the time limit for exercising voting rights by Electronic or Magnetic Means (limited to the time which is before the date of the meeting of Investment Corporation's Bondholders but on or after the day on which two weeks have passed from the day when the notice under Article 720, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act has been sent);

ロ 法第百三十九条の十第二項において準用する会社法第七百二十条第二項の承諾

をした投資法人債権者の請求があった時に当該投資法人債権者に対して法第百三十九条の十第二項において準用する会社法第七百二十一条第一項の規定による議決権行使書面（同項に規定する議決権行使書面をいう。第百八十八条において同じ。）の交付（当該交付に代えて行う法第百三十九条の十第二項において準用する会社法第七百二十一条第二項の規定による電磁的方法による提供を含む。）をすることとするときは、その旨

- (b) that Voting Forms (meaning the Voting Forms as prescribed in Article 721, paragraph (1) of the Companies Act; the same applies in Article 188) are to be delivered under that paragraph as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act (including the provision of Voting Forms by Electronic or Magnetic Means under Article 721, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act made in lieu of the delivery thereof) to the Investment Corporation's Bondholders that have given the consent under Article 720, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act when requested by that Investment Corporation's Bondholders, if this is the case.

(投資法人債権者集会参考書類)

(Reference Documents for a Meeting of Investment Corporation's Bondholders)

第百八十七条 投資法人債権者集会参考書類には、次に掲げる事項を記載しなければならない。

Article 187 (1) The following information must be given in the Reference Documents for a Meeting of Investment Corporation's Bondholders:

一 議案及び提案の理由

(i) the proposal and reasons for submitting the proposal; and

二 議案が代表投資法人債権者の選任に関する議案であるときは、次に掲げる事項

(ii) when the proposal is a proposal for the appointment of the representative bondholder of an investment corporation, the following information:

イ 候補者の氏名又は名称

(a) the name of the candidate;

ロ 候補者の略歴又は沿革

(b) the career or history of the candidate; and

ハ 候補者が投資法人債発行法人又は投資法人債管理者と特別の利害関係があるときは、その事実の概要

(c) when the candidate has any special interest with the corporation issuing the investment corporation bonds or investment corporation bond administrator, the summary of such facts.

2 投資法人債権者集会参考書類には、前項に定めるもののほか、投資法人債権者の議決権の行使について参考となると認める事項を記載することができる。

- (2) Beyond what is provided for in the preceding paragraph, the information found to serve as a reference with regard to the exercise of voting rights by Investment Corporation's Bondholders may be given in the Reference Documents for a Meeting of Investment Corporation's Bondholders.
- 3 同一の投資法人債権者集会に関して投資法人債権者に対して提供する投資法人債権者集会参考書類に記載すべき事項のうち、他の書面に記載している事項又は電磁的方法により提供している事項がある場合には、これらの事項は、投資法人債権者集会参考書類に記載することを要しない。
- (3) In cases where some of the information to be given in the Reference Documents for a meeting of Investment Corporation's Bondholders which are to be provided to Investment Corporation's Bondholders in relation to a single meeting of Investment Corporation's Bondholders is given in other documents or is provided by Electronic or Magnetic Means among, such information is not required to be given in the Reference Document for a meeting of Investment Corporation's Bondholders.
- 4 同一の投資法人債権者集会に関して投資法人債権者に対して提供する招集通知（法第百三十九条の十第二項において準用する会社法第七百二十条第一項又は第二項の規定による通知をいう。以下この項並びに次条第三項及び第四項において同じ。）の内容とすべき事項のうち、投資法人債権者集会参考書類に記載している事項がある場合には、当該事項は、招集通知の内容とすることを要しない。
- (4) In cases where some of the information to be included in the contents of the Notice of Calling (meaning the notice under Article 720, paragraph (1) or (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act; hereinafter the same applies in this paragraph and paragraphs (3) and (4) of the following Article) which is to be provided to Investment Corporation's Bondholders in relation to a single meeting of Investment Corporation's Bondholders is given in the Reference Documents for a Meeting of Investment Corporation's Bondholders, such information is not required to be included in the Notice of Calling.

（議決権行使書面）

(Voting Forms)

第百八十八条 法第百三十九条の十第二項において準用する会社法第七百二十一条第一項の規定により交付すべき議決権行使書面に記載すべき事項又は法第百三十九条の十第二項において準用する会社法第七百二十二条第一項若しくは第二項の規定により電磁的方法により提供すべき議決権行使書面に記載すべき事項は、次に掲げる事項とする。

Article 188 (1) The information to be included in the Voting Forms which are to be delivered pursuant to the provisions of Article 721, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act, or the information to be included in the Voting Forms

which are to be provided by Electronic or Magnetic Means pursuant to the provisions of Article 722, paragraph (1) or (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act is the following information:

一 各議案についての賛否（棄権の欄を設ける場合にあっては、棄権を含む。）を記載する欄

(i) a column in which the agreement or dissent (in cases of providing a column for abstention, including abstention) for each proposal is to be stated;

二 第百八十六条第三号に掲げる事項を定めたときは、当該事項

(ii) in cases where the particulars listed in Article 186, item (iii) are specified, such particulars;

三 第百八十六条第四号に掲げる事項を定めたときは、第一号の欄に記載がない議決権行使書面が招集者（法第百三十九条の十第二項において準用する会社法第七百十九条に規定する招集者をいう。次項において同じ。）に提出された場合における各議案についての賛成、反対又は棄権のいずれかの意思の表示があったものとする取扱いの内容

(iii) in cases where the particulars listed in Article 186, item (iv) are specified, when a Voting Form lacking an entry in the column under item (i) has been submitted to the Convener (meaning the Convener defined in Article 719 of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act; the same applies in the following paragraph), the details of the handling of such Voting Form as to whether it is an indication of manifestation of agreement, dissent, or abstention, for each proposal;

四 議決権の行使の期限

(iv) the time limit for exercising the voting rights; and

五 議決権を行使すべき投資法人債権者の氏名又は名称及び行使することができる議決権の数

(v) the names of the Investment Corporation's Bondholders that are to exercise voting rights as well as the number of exercisable voting rights.

2 第百八十六条第五号ロに掲げる事項を定めた場合には、招集者は、法第百三十九条の十第二項において準用する会社法第七百二十条第二項の承諾をした投資法人債権者の請求があった時に、当該投資法人債権者に対して、法第百三十九条の十第二項において準用する会社法第七百二十一条第一項の規定による議決権行使書面の交付（当該交付に代えて行う同条第二項の規定による電磁的方法による提供を含む。）をしなければならない。

(2) In cases where the particulars listed in Article 186, item (v), sub-item (b) are provided for, a Convener must, when requested by the Investment Corporation's Bondholders that have given the consent under Article 720, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act, deliver Voting Forms under Article 721, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant

to Article 139-10, paragraph (2) of the Act (including the provision of Voting Forms by Electronic or Magnetic Means under Article 721, paragraph (2) of the Companies Act made in lieu of the delivery thereof) to that Investment Corporation's Bondholders.

3 同一の投資法人債権者集会に関して投資法人債権者に対して提供する議決権行使書面に記載すべき事項（第一項第二号から第四号までに掲げる事項に限る。）のうち、招集通知の内容としている事項がある場合には、当該事項は、投資法人債権者に対して提供する議決権行使書面に記載することを要しない。

(3) In cases where some of the information (limited to the information listed in paragraph (1), items (ii) through (iv)) to be included in the Voting Forms which are to be provided to Investment Corporation's Bondholders in relation to a single meeting of Investment Corporation's Bondholders is included in the Notice of Calling, such information is not required to be stated in the Voting Form which is to be provided to Investment Corporation's Bondholders.

4 同一の投資法人債権者集会に関して投資法人債権者に対して提供する招集通知の内容とすべき事項のうち、議決権行使書面に記載している事項がある場合には、当該事項は、投資法人債権者に対して提供する招集通知の内容とすることを要しない。

(4) In cases where some of the information to be included in the Notice of Calling which is to be provided to Investment Corporation's Bondholders in relation to a single meeting of Investment Corporation's Bondholders is given in the Voting Form, such information is not required to be included in the Notice of Calling which is to be provided to the Investment Corporation's Bondholders.

（書面による議決権行使の期限）

(Time Limit for Exercising Voting Rights in Writing)

第百八十九条 法第百三十九条の十第二項において準用する会社法第七百二十六条第二項に規定する内閣府令で定める時は、第百八十六条第二号の行使の期限とする。

Article 189 The time specified by Cabinet Office Order as referred to in Article 726, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act is the time limit for exercising voting rights provided in Article 186, item (ii).

（電磁的方法による議決権行使の期限）

(Time Limit for Exercising Voting Rights by Electronic or Magnetic Means)

第百九十条 法第百三十九条の十第二項において準用する会社法第七百二十七条第一項に規定する内閣府令で定める時は、第百八十六条第五号イの行使の期限とする。

Article 190 The time specified by Cabinet Office Order as referred to in Article 727, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act is the time limit for exercising voting rights provided in Article 186, item (v), sub-item (a).

(投資法人債権者集会の議事録)

(Minutes of a Meeting of Investment Corporation's Bondholders)

第百九十一条 法第百三十九条の十第二項において準用する会社法第七百三十一条第一項の規定による投資法人債権者集会の議事録の作成については、この条の定めるところによる。

Article 191 (1) The preparation of minutes of a meeting of Investment Corporation's Bondholders under Article 731, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act is as provided in this Article.

2 投資法人債権者集会の議事録は、書面又は電磁的記録をもって作成しなければならない。

(2) The minutes of a meeting of Investment Corporation's Bondholders must be prepared in writing or in the form of an Electronic or Magnetic Record.

3 投資法人債権者集会の議事録は、次に掲げる事項を内容とするものでなければならない。

(3) The minutes of a meeting of Investment Corporation's Bondholders must include the following information:

一 投資法人債権者集会が開催された日時及び場所

(i) the date and time on which and the place where the meeting of Investment Corporation's Bondholders was held;

二 投資法人債権者集会の議事の経過の要領及びその結果

(ii) the outline and results of the proceedings of the meeting of Investment Corporation's Bondholders;

三 法第百三十九条の十第二項において準用する会社法第七百二十九条第一項の規定により投資法人債権者集会において述べられた意見があるときは、その意見の内容の概要

(iii) when there are any opinions stated at the meeting of Investment Corporation's Bondholders pursuant to Article 729, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 139-10, paragraph (2) of the Act, the summary of the contents of such opinions;

四 投資法人債権者集会に出席した投資法人債発行法人の代表者又は投資法人債管理者の氏名又は名称

(iv) the names of the representative person of the corporation issuing the investment corporation bonds or investment corporation bond administrator thereof that attended the meeting of Investment Corporation's Bondholders;

五 投資法人債権者集会の議長が存するときは、議長の氏名

(v) when a chairperson of the meeting of Investment Corporation's Bondholders is in place, the name of the chairperson; and

六 議事録の作成に係る職務を行った者の氏名又は名称

(vi) the name(s) of the person(s) that performed the duties related to the preparation of minutes.

(短期投資法人債の発行の要件)

(Requirements for Issuance of Short-Term Investment Corporation Bonds)

第百九十二条 法第百三十九条の十三第一号イに規定する内閣府令で定める目的は、次に掲げるものとする。

Article 192 (1) The purpose specified by Cabinet Office Order as referred to in Article 139-13, item (i), sub-item (a) of the Act is as follows:

一 特定資産（令第九十八条の二各号に掲げる資産に限る。次項第一号において同じ。）の取得に必要な資金の調達

(i) procurement of funds necessary for the acquisition of Specified Assets (limited to the assets listed in the items of Article 98-2 of the Order; the same applies in item (i) of the following paragraph);

二 次に掲げる不動産の修繕（事故、災害その他の事由により緊急に必要となったものに限る。）に必要な資金の調達

(ii) procurement of funds necessary for the repair of the following real property (limited to those with urgent necessity due to accidents, disasters or any other reasons):

イ 投資法人が有する不動産

(a) the real property held by an Investment Corporation;

ロ 投資法人が有する令第九十八条の二第二号に規定する信託の受益権に係る信託財産に属する不動産

(b) the real property belonging to the trust property pertaining to the beneficial interest of a trust prescribed in Article 98-2, item (ii) of the Order held by an Investment Corporation; and

ハ 令第百十六条の二に定める場合において、海外不動産保有法人の発行済株式を有する場合（当該発行済株式（当該海外不動産保有法人が有する自己の株式を除く。）の総数に第二百二十一条に規定する率を乗じて得た数を超えて当該発行済株式を有する場合に限る。）において当該海外不動産保有法人が有する不動産

(c) in the cases referred to in Article 116-2 of the Order, in cases of holding Issued Shares of a Foreign Real Property Holding Corporation (limited to cases where the number of Issued Shares in the Foreign Real Property Holding Corporation acquired exceeds the number obtained by multiplying the total number of the Issued Shares (excluding shares in the Foreign Real Property Holding Corporation owned by that Foreign Real Property Holding Corporation itself) by the rate specified in Article 221), the real property held by the Foreign Real Property Holding Corporation;

三 前号イ又はロに掲げる不動産の賃借人に対する敷金又は保証金の返還に必要な資金の調達

(iii) procurement of funds necessary for refunding the security deposit or deposit to the lessee of the real property set forth in sub-item (a) or (b) of the preceding item; and



四 投資証券、新投資口予約権証券又は投資法人債の発行により資金の調達をしようとする場合における当該発行までの間に必要な資金の調達

(iv) in cases of procuring funds by issuing Investment Securities, Investment Equity Option Certificates, or Investment Corporation Bonds, procurement of funds necessary by the time of such issuance.

2 法第百三十九条の十三第一号ハに規定する内閣府令で定める要件は、次に掲げるものとする。

(2) The requirements specified by Cabinet Office Order as referred to in Article 139-13, item (i), sub-item (c) of the Act are as follows:

一 前項第一号の目的により短期投資法人債を発行する場合にあっては、同号の特定資産の取得に係る契約を締結し、又は当該契約の締結の見込みが確実であること。

(i) that, in cases of issuing Short-Term Investment Corporation Bonds for the purpose set forth in item (i) of the preceding paragraph, a contract for the acquisition of Specified Assets set forth in that item is or is fully expected to be concluded;

二 前項第二号の目的により短期投資法人債を発行する場合にあっては、同号の不動産の修繕に係る契約を締結し、又は当該契約の締結の見込みが確実であること。

(ii) that, in cases of issuing Short-Term Investment Corporation Bonds for the purpose set forth in item (ii) of the preceding paragraph, a contract for the repair of the real property set forth in that item is or is fully expected to be concluded;

三 前項第三号の目的により短期投資法人債を発行する場合にあっては、賃貸借契約の終了の見込みが確実であること。

(iii) that, in cases of issuing Short-Term Investment Corporation Bonds for the purpose set forth in item (iii) of the preceding paragraph, the lease contract is fully expected to terminate; and

四 前項第四号の目的により短期投資法人債を発行する場合にあっては、元本の償還について、当該短期投資法人債の総額の払込みのあった日から六月未満の日とする確定期限の定めがあること。

(iv) that, in cases of issuing Short-Term Investment Corporation Bonds for the purpose set forth in item (iv) of the preceding paragraph, with regard to the redemption of principal, a fixed due date that comes in less than six months from the day of payment of the total amount of the Short-Term Investment Corporation Bonds is provided.

3 法第百三十九条の十三第二号に規定する内閣府令で定める場合は、次の各号に掲げる場合とする。

(3) The cases specified by Cabinet Office Order as referred to in Article 139-13, item (ii) of the Act are cases listed in the following items:

一 いずれかの特定短期投資法人債（発行を予定する短期投資法人債の発行により調達した資金をもって償還が行われる短期投資法人債をいう。以下本条において同じ。）が第一項第一号から第三号までに掲げる目的により発行された場合であって、

発行を予定する短期投資法人債の元本の償還について、当該特定短期投資法人債の総額の払込みのあった日から一年未満の日とする確定期限の定めがあること。

(i) cases where any of the Specified Short-Term Investment Corporation Bonds (meaning Short-Term Investment Corporation Bonds of which the redemption is made by the funds procured by the issuance of Short-Term Investment Corporation Bonds planned to be issued; hereinafter the same applies in this Article) have been issued for the purposes set forth in paragraph (1), items (i) through (iii), and with regard to the redemption of principal of the Short-Term Investment Corporation Bonds planned to be issued, a fixed due date that comes in less than one year from the day of payment of total amount of the relevant Specified Short-Term Investment Corporation Bonds is provided; or

二 いずれかの特定短期投資法人債が第一項第四号に掲げる目的により発行された場合であって、発行を予定する短期投資法人債の元本の償還について、当該特定短期投資法人債の総額の払込みのあった日から六月未満の日とする確定期限の定めがあること。

(ii) cases where any of the Specified Short-Term Investment Corporation Bonds have been issued for the purpose set forth in paragraph (1), item (iv), and with regard to the redemption of principal of the Short-Term Investment Corporation Bonds planned to be issued, a fixed due date that comes in less than six months from the day of payment of the total amount of the relevant Specified Short-Term Investment Corporation is provided.

4 前項において、特定短期投資法人債（この項の規定により特定短期投資法人債とみなされる短期投資法人債を含む。）の発行により調達した資金をもって償還が行われる短期投資法人債は、特定短期投資法人債とみなす。

(4) In the case referred to in the preceding paragraph, the Short-Term Investment Corporation Bonds of which the redemption is made by the funds procured by the issuance of Specified Short-Term Investment Corporation Bonds (including Short-Term Investment Corporation Bonds deemed to be Specified Short-Term Investment Corporation Bonds pursuant to this paragraph) are deemed to be Specified Short-Term Investment Corporation Bonds.

(吸収合併消滅法人の事前開示事項)

(Information Subject to Prior Disclosure by a Corporation Disappearing in an Absorption-Type Merger)

第百九十三条 法第百四十九条第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 193 (1) The particulars specified by Cabinet Office Order as referred to in Article 149, paragraph (1) of the Act are the following particulars:

一 合併対価の相当性に関する事項

- (i) particulars concerning the adequacy of consideration for merger;  
二 合併対価について参考となるべき事項
- (ii) particulars that will serve as a reference with regard to the consideration for merger;  
二の二 吸収合併に係る新投資口予約権の定め相当性に関する事項
- (ii)-2 particulars concerning the adequacy of the provisions for Investment Equity Options pertaining to Absorption-Type Merger;  
三 計算書類等に関する事項
- (iii) particulars related to financial statements, etc.;
- 四 吸収合併が効力を生ずる日以後における吸収合併存続法人の債務（法第百四十九条の四第一項の規定により吸収合併について異議を述べることができる債権者に対して負担する債務に限る。）の履行の見込みに関する事項
- (iv) particulars related to the prospective performance of obligations of the Corporation Surviving an Absorption-Type Merger (limited to the obligations which the Corporation Surviving an Absorption-Type Merger bears against creditors that may state their objections to the absorption-type merger pursuant to Article 149-4, paragraph (1) of the Act) on or after the day on which the absorption-type merger becomes effective; and
- 五 吸収合併契約等備置開始日（法第百四十九条第一項各号に掲げる日のいずれか早い日をいう。第五項において同じ。）後、前各号に掲げる事項に変更が生じたときは、変更後の当該事項
- (v) when any changes to the particulars listed in the preceding items have occurred after the Day of Commencement of Keeping an Absorption-Type Merger Agreement, etc. (meaning the earliest of the days listed in the items of Article 149, paragraph (1) of the Act; the same applies in paragraph (5)), the particulars after the change.
- 2 この条において「合併対価」とは、吸収合併存続法人が吸収合併に際して吸収合併消滅法人の投資主に対してその投資口に代えて交付する当該吸収合併存続法人の投資口又は金銭をいう。
- (2) The term "Consideration for Merger" as used in this Article means Investment Equity of a Corporation Surviving an Absorption-Type Merger or money to be delivered by the Corporation Surviving an Absorption-Type Merger to the Investors of a Corporation Disappearing in an Absorption-Type Merger in lieu of the Investment Equity thereof.
- 3 第一項第一号に規定する「合併対価の相当性に関する事項」とは、次に掲げる事項その他法第百四十七条第一項第二号及び第三号に掲げる事項についての定め（当該定めがない場合にあっては、当該定めがないこと）の相当性に関する事項とする。
- (3) The term "particulars concerning the adequacy of consideration for merger" as used in paragraph (1), item (i) means the particulars related to the adequacy of the provisions on the following particulars and the particulars set forth in Article 147, paragraph (1), items (ii) and (iii) of the Act (in cases where there

are no such provisions, the adequacy of the lack of such provisions):

一 合併対価の総計（投資口の総数及び金銭の総額をいう。）の相当性に関する事項

(i) particulars related to the adequacy of the Total (meaning the total number of units of Investment Equity and total amount of money) of the Consideration for Merger;

二 吸収合併存続法人と吸収合併消滅法人とが共通支配下関係（投資法人の計算に関する規則第二条第二項第四号に規定する共通支配下関係をいう。以下この号において同じ。）にあるときは、当該吸収合併消滅法人の投資主（当該吸収合併消滅法人と共通支配下関係にある投資主を除く。）の利益を害さないように留意した事項（当該事項がない場合にあつては、その旨）

(ii) when the Corporation Surviving an Absorption-Type Merger and Corporation Disappearing in an Absorption-Type Merger has an Under Common Control Relationship (meaning the Under Common Control Relationship as prescribed in Article 2, paragraph (2), item (iv) of the Regulation on Accountings of Investment Corporations; hereinafter the same applies in this item), particulars heeded not to harm the interests of the Investors of the Corporation Disappearing in an Absorption-Type Merger (excluding Investors that have an Under Common Control Relationship with the Corporation Disappearing in an Absorption-Type Merger) (or that those particulars do not exist, if this is the case);

三 合併対価として金銭を選択した場合にあつては、その理由

(iii) in cases where money is chosen as the Consideration for Merger, the reason therefor.

4 第一項第二号に規定する「合併対価について参考となるべき事項」とは、次に掲げる事項その他これに準ずる事項（法第四百四十九条第一項に規定する書面又は電磁的記録にこれらの事項の全部又は一部の記載又は記録をしないことにつき吸収合併消滅法人の総投資主の同意がある場合にあつては、当該同意があつたものを除く。）とする。

(4) The term "particulars that will serve as a reference with regard to the consideration for merger" as used in paragraph (1), item (ii) means the following particulars and any other particulars equivalent thereto (in cases where all the Investors of the Corporation Disappearing in an Absorption-Type Merger have given their consent not to state or record all or part of the such particulars in the documents or Electronic or Magnetic Records provided in Article 149, paragraph (1) of the Act, excluding the particulars with such consent):

一 当該吸収合併存続法人の規約の定め

(i) the provisions of the certificate of incorporation of the relevant Corporation Surviving an Absorption-Type Merger;

二 次に掲げる事項その他の合併対価として交付される投資口の換価の方法に関する事項

(ii) the following particulars, and any other particulars related to the method

of realization of Investment Equity to be delivered as the Consideration for Merger:

イ 当該投資口を取引する市場

(a) the market on which the relevant Investment Equity is to be traded;

ロ 当該投資口の取引の媒介、取次ぎ又は代理を行う者

(b) the person who provides the intermediary, brokerage, or agency service for the transactions of the relevant Investment Equity; and

三 合併対価として交付される投資口に市場価格があるときは、その価格に関する事項

(iii) when there are any market prices for the Investment Equity to be delivered as the Consideration for Merger, particulars related to such price.

5 第一項第二号の二に規定する「吸収合併に係る新投資口予約権の定めに関する事項」とは、法第百四十七条第一項第四号に掲げる事項についての定めに関する事項とする。

(5) The "particulars concerning the adequacy of the provisions for Investment Equity Options pertaining to Absorption-Type Merger" provided in paragraph (1), item (ii)-2 are the particulars concerning the adequacy of the provisions for the particulars listed in Article 147, paragraph (1), item (iv) of the Act.

6 第一項第三号に規定する「計算書類等に関する事項」とは、次に掲げる事項とする。

(6) The term "particulars related to financial statements, etc." as used in paragraph (1), item (iii) means the following particulars:

一 吸収合併存続法人についての次に掲げる事項

(i) the following particulars with regard to a Corporation Surviving an Absorption-Type Merger:

イ 最終営業期間に係る計算書類、資産運用報告及び金銭の分配に係る計算書（最終営業期間がない場合にあつては、吸収合併存続法人の成立の日における貸借対照表）の内容

(a) the contents of the financial statements, asset investment reports, and statements related to the distribution of money pertaining to the Latest Business Period (in cases where there is no Latest Business Period, the balance sheet as of the day of establishment of the Corporation Surviving an Absorption-Type Merger);

ロ 最終営業期間の末日（最終営業期間がない場合にあつては、吸収合併存続法人の成立の日）後に重要な財産の処分、重大な債務の負担その他の投資法人の財産の状況に重要な影響を与える事象が生じたときは、その内容（吸収合併契約等備置開始日後吸収合併の効力が生ずる日までの間に新たな最終営業期間が存することとなる場合にあつては、当該新たな最終営業期間の末日後に生じた事象の内容に限る。）

(b) when the disposition of important property or the assumption of a material obligation has been made, or any other event that may have a significant influence on the status of the property of the Investment

Corporation has occurred after the last day of the Latest Business Period (in cases where there is no Latest Business Period, the day of establishment of the Corporation Surviving an Absorption-Type Merger), the details thereof (in cases where the Latest Business Period is to be replaced with a New Latest Business Period during the period from the Day of Commencement of Keeping Absorption-Type Merger Agreement, etc. by the day on which the Absorption-Type Merger becomes effective, limited to the details of events occurred after the last day of the New Latest Business Period);

二 吸収合併消滅法人についての次に掲げる事項

(ii) the following particular us with regard to a Corporation Disappearing in an Absorption-Type Merger:

イ 吸収合併消滅法人において最終営業期間の末日（最終営業期間がない場合にあつては、吸収合併消滅法人の成立の日）後に重要な財産の処分、重大な債務の負担その他の投資法人の財産の状況に重要な影響を与える事象が生じたときは、その内容（吸収合併契約等備置開始日後吸収合併の効力が生ずる日までの間に新たな最終営業期間が存することとなる場合にあつては、当該新たな最終営業期間の末日後に生じた事象の内容に限る。）

(a) when the disposition of important property or the assumption of a material obligation has been made, or any other event that may have a significant influence on the status of the property of the Investment Corporation has occurred to the Corporation Disappearing in an Absorption-Type Merger after the last day of the Latest Business Period (in cases where there is no Latest Business Period, the day of establishment of the Corporation Disappearing in an Absorption-Type Merger), the details thereof (in cases where the Latest Business Period is to be replaced with a New Latest Business Period during the period from the Day of Commencement of Keeping Absorption-Type Merger Agreement, etc. by the day on which the Absorption-Type Merger becomes effective, limited to the details of events occurred after the last day of the New Latest Business Period);

ロ 吸収合併消滅法人において最終営業期間がないときは、吸収合併消滅法人の成立の日における貸借対照表

(b) when there is no Latest Business Period in regard to a Corporation Disappearing in an Absorption-Type Merger, the balance sheet as of the day of establishment of the Corporation Disappearing in an Absorption-Type Merger.

(吸収合併存続法人の事前開示事項)

(Information Subject to Prior Disclosure by a Corporation Surviving an Absorption-Type Merger)

第百九十四条 法第百四十九条の六第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 194 The particulars specified by Cabinet Office Order as referred to in Article 149-6, paragraph (1) of the Act are the following particulars:

一 法第百四十七条第一項第二号及び第三号に掲げる事項についての定め（当該定めがない場合にあつては、当該定めがないこと。）の相当性に関する事項

(i) particulars related to the adequacy of the provisions (in cases where there are no such provisions, the adequacy of lack of such provisions) on the particulars listed in Article 147, paragraph (1), items (ii) and (iii) of the Act;

一の二 法第百四十七条第一項第四号に掲げる事項を定めたときは、当該事項についての定め（全部の新投資口予約権の新投資口予約権者に対して交付する金銭の額を零とする旨の定めを除く。）の相当性に関する事項

(i)-2 in cases where the particulars listed in Article 147, paragraph (1), item (iv) of the Act are specified, particulars concerning the adequacy of the provisions for the particulars (excluding provisions to the effect that the amount of money to be delivered to the holder of Investment Equity Options of all Investment Equity Options is zero);

二 吸収合併消滅法人についての次に掲げる事項

(ii) the following particulars with regard to a Corporation Disappearing in an Absorption-Type Merger:

イ 最終営業期間に係る計算書類、資産運用報告及び金銭の分配に係る計算書（最終営業期間がない場合にあつては、吸収合併消滅法人の成立の日における貸借対照表）の内容

(a) the details of the financial statements, asset investment reports and statements related to the distribution of money pertaining to the Latest Business Period (in cases where there is no Latest Business Period, the balance sheet as of the day of establishment of the Corporation Disappearing in an Absorption-Type Merger);

ロ 最終営業期間の末日（最終営業期間がない場合にあつては、吸収合併消滅法人の成立の日）後に重要な財産の処分、重大な債務の負担その他の投資法人の財産の状況に重要な影響を与える事象が生じたときは、その内容（吸収合併契約等備置開始日（法第百四十九条の六第一項各号に掲げる日のいずれか早い日をいう。次号イ及び第五号において同じ。）後吸収合併の効力が生ずる日までの間に新たな最終営業期間が存することとなる場合にあつては、当該新たな最終営業期間の末日後に生じた事象の内容に限る。）

(b) when the disposition of important property or the assumption of a material obligation has been made, or any other event that may have a significant influence on the status of the property of the Investment Corporation has occurred after the last day of the Latest Business Period (in cases where there is no Latest Business Period, the day of establishment of the Corporation Disappearing in an Absorption-Type

Merger), the details thereof (in cases where the Latest Business Period is to be replaced with a New Latest Business Period during the period from the Day of Commencement of Keeping Absorption-Type Merger Agreement, etc. (meaning the earliest of the days listed in the items of Article 149-6, paragraph (1) of the Act; the same applies in sub-item (a) of the following item and item (v)) by the day on which the absorption-type merger becomes effective, limited to the details of events occurred after the last day of the New Latest Business Period);

三 吸収合併存続法人についての次に掲げる事項

(iii) the following particulars with regard to a Corporation Surviving an Absorption-Type Merger:

イ 吸収合併存続法人において最終営業期間の末日（最終営業期間がない場合にあつては、吸収合併存続法人の成立の日）後に重要な財産の処分、重大な債務の負担その他の投資法人の財産の状況に重要な影響を与える事象が生じたときは、その内容（吸収合併契約等備置開始日後吸収合併の効力が生ずる日までの間に新たな最終営業期間が存することとなる場合にあつては、当該新たな最終営業期間の末日後に生じた事象の内容に限る。）

(a) when the disposition of important property or the assumption of a material obligation has been made, or any other event that may have a significant influence on the status of the property of the Investment Corporation has occurred to the Corporation Surviving an Absorption-Type Merger after the last day of the Latest Business Period (in cases where there is no Latest Business Period, the day of establishment of the Corporation Surviving an Absorption-Type Merger), the details thereof (in cases where the Latest Business Period is to be replaced with a New Latest Business Period during the period from the Day of Commencement of Keeping Absorption-Type Merger Agreement, etc. by the day on which the Absorption-Type Merger becomes effective, limited to the details of events occurred after the last day of the New Latest Business Period);

ロ 吸収合併存続法人において最終営業期間がないときは、吸収合併存続法人の成立の日における貸借対照表

(b) when there is no Latest Business Period in regard to a Corporation Surviving an Absorption-Type Merger, the balance sheet as of the day of establishment of the Corporation Surviving an Absorption-Type Merger;

四 吸収合併が効力を生ずる日以後における吸収合併存続法人の債務（法第百四十九条の九において準用する法第百四十九条の四第一項の規定により吸収合併について異議を述べることができる債権者に対して負担する債務に限る。）の履行の見込みに関する事項

(iv) particulars related to the prospective performance of obligations of the Corporation Surviving an Absorption-Type Merger (limited to the obligations which the Corporation Surviving an Absorption-Type Merger bears against



creditors that may state their objections to the absorption-type merger pursuant to Article 149-4, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 149-9 of the Act) on or after the day on which the absorption-type merger becomes effective; and

五 吸収合併契約等備置開始日後吸収合併が効力を生ずる日までの間に、前各号に掲げる事項に変更が生じたときは、変更後の当該事項

(v) when any changes to the particulars listed in the preceding items have occurred within the period from the Day of Commencement of Keeping an Absorption-Type Merger Agreement, etc. by the day on which the absorption-type merger becomes effective, the particulars after the change.

(吸収合併存続法人の事後開示事項)

(Information Subject to Ex-Post Facto Disclosure by a Corporation Surviving an Absorption-Type Merger)

第百九十五条 法第百四十九条の十第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 195 The information specified by Cabinet Office Order as referred to in Article 149-10, paragraph (1) of the Act is the following information:

一 吸収合併が効力を生じた日

(i) the day on which the absorption-type merger has become effective;

二 吸収合併消滅法人における次に掲げる事項

(ii) the following information in regard to the Corporation Disappearing in an Absorption-Type Merger:

イ 法第百四十九条の三及び第百四十九条の三の二の規定並びに法第百四十九条の四の規定による手続の経過

(a) the progress of the procedures pursuant to the provisions of Article 149-3, Article 149-3-2, and Article 149-4 of the Act; and

ロ 法第百五十条において準用する会社法第七百八十四条の二の規定による請求に係る手続の経過

(b) the progress of the procedure in regard to the request provided in Article 784-2 of the Companies Act as applied mutatis mutandis pursuant to Article 150 of the Act;

三 吸収合併存続法人における次に掲げる事項

(iii) the following information in regard to the Corporation Surviving an Absorption-Type Merger:

イ 法第百四十九条の八の規定及び法第百四十九条の九において準用する法第百四十九条の四の規定による手続の経過

(a) the progress of the procedures pursuant to the provisions of Article 149-8 of the Act and Article 149-4 of the Act as applied mutatis mutandis pursuant to Article 149-9 of the Act; and

ロ 法第百五十条において準用する会社法第七百九十六条の二の規定による請求に

係る手続の経過

(b) the progress of the procedure in regard to the request provided in Article 796-2 of the Companies Act as applied mutatis mutandis pursuant to Article 150 of the Act;

四 吸収合併により吸収合併存続法人が吸収合併消滅法人から承継した重要な権利義務に関する事項

(iv) information related to the important rights and obligations which the Corporation Surviving an Absorption-Type Merger has succeeded to from the Corporation Disappearing in an Absorption-Type Merger as a result of the absorption-type merger;

五 法第百四十九条第一項の規定により吸収合併消滅法人が備え置いた書面又は電磁的記録に記載又は記録がされた事項（吸収合併契約の内容を除く。）

(v) information stated or recorded in the documents or Electronic or Magnetic Record kept by the Corporation Disappearing in an Absorption-Type Merger pursuant to the provisions of Article 149, paragraph (1) of the Act (excluding the contents of the absorption-type merger agreement);

六 法第百六十九条第一項の変更の登記をした日

(vi) the day on which the changes under Article 169, paragraph (1) of the Act was registered; and

七 前各号に掲げるもののほか、吸収合併に関する重要な事項

(vii) beyond what is listed in the preceding items, material information related to the absorption-type merger.

(新設合併消滅法人の事前開示事項)

(Particulars Subject to Prior Disclosure by Corporation Disappearing in a Consolidation-Type Merger)

第百九十六条 法第百四十九条の十一第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 196 The particulars specified by Cabinet Office Order as referred to in Article 149-11, paragraph (1) of the Act are the following particulars:

一 法第百四十八条第一項第五号及び第六号に掲げる事項についての定め相当性に関する事項

(i) particulars related to the adequacy of the provisions on the particulars listed in Article 148, paragraph (1), items (v) and (vi) of the Act;

一の二 新設合併消滅法人の全部又は一部が新投資口予約権を発行しているときは、法第百四十八条第一項第七号に掲げる事項についての定め相当性に関する事項

(i)-2 in cases where all or some of Corporations Disappearing in the Consolidation-Type Merger have issued Investment Equity Options, the particulars concerning the adequacy of the provisions for the particulars listed in Article 148, paragraph (1), item (vii) of the Act;

二 他の新設合併消滅法人についての次に掲げる事項

(ii) the following particulars with regard to another Corporation Disappearing in a Consolidation-Type Merger:

イ 最終営業期間に係る計算書類、資産運用報告及び金銭の分配に係る計算書（最終営業期間がない場合にあつては、他の新設合併消滅法人の成立の日における貸借対照表）の内容

(a) the details of the financial statements, asset investment reports, and statements related to the distribution of money pertaining to the Latest Business Period (in cases where there is no Latest Business Period, the balance sheet as of the day of establishment of another Corporation Disappearing in a Consolidation-Type Merger);

ロ 他の新設合併消滅法人において最終営業期間の末日（最終営業期間がない場合にあつては、他の新設合併消滅法人の成立の日）後に重要な財産の処分、重大な債務の負担その他の投資法人の財産の状況に重要な影響を与える事象が生じたときは、その内容（新設合併契約等備置開始日（法第百四十九条の十一第一項各号に掲げる日のいずれか早い日をいう。次号イ及び第五号において同じ。）後新設合併の効力が生ずる日までの間に新たな最終営業期間が存することとなる場合にあつては、当該新たな最終営業期間の末日後に生じた事象の内容に限る。）

(b) when the disposition of important property or the assumption of a material obligation has been made, or any other event that may have a significant influence on the status of the property of the Investment Corporation has occurred to another Corporation Disappearing in a Consolidation-Type Merger after the last day of the Latest Business Period (in cases where there is no Latest Business Period, the day of establishment of the Corporation Disappearing in a Consolidation-Type Merger), the details thereof (in cases where the Latest Business Period is to be replaced with a New Latest Business Period during the period from the Day of Commencement of Keeping Consolidation-Type Merger Agreement, etc. (meaning the latest of the days listed in the items of Article 149-11, paragraph (1) of the Act; the same applies in sub-item (a) of the following item and item (v)) by the day on which the Consolidation-Type Merger becomes effective, limited to the details of events occurred after the last day of the New Latest Business Period);

三 当該新設合併消滅法人についての次に掲げる事項

(iii) the following particulars with regard to the relevant Corporation Disappearing in a Consolidation-Type Merger:

イ 当該新設合併消滅法人において最終営業期間の末日（当該最終営業期間がない場合にあつては、新設合併消滅法人の成立の日）後に重要な財産の処分、重大な債務の負担その他の投資法人の財産の状況に重要な影響を与える事象が生じたときは、その内容（新設合併契約等備置開始日後新設合併の効力が生ずる日までの間に新たな最終営業期間が存することとなる場合にあつては、当該新たな最終営業期間の末日後に生じた事象の内容に限る。）

(a) when the disposition of important property or the assumption of a material obligation has been made, or any other event that may have a significant influence on the status of the property of the Investment Corporation has occurred to the relevant Corporation Disappearing in a Consolidation-Type Merger after the last day of the Latest Business Period (in cases where there is no Latest Business Period, the day of establishment of the Corporation Disappearing in a Consolidation-Type Merger), the details thereof (in cases where the Latest Business Period is to be replaced with a New Latest Business Period during the period from the Day of Commencement of Keeping Consolidation-Type Merger Agreement, etc. by the day on which the Consolidation-Type Merger becomes effective, limited to the details of events occurred after the last day of the New Latest Business Period);

ロ 当該新設合併消滅法人において最終営業期間がないときは、当該新設合併消滅法人の成立の日における貸借対照表

(b) when there is no Latest Business Period in regard to the relevant Corporation Disappearing in a Consolidation-Type Merger, the balance sheet as of the day of establishment of the Corporation Disappearing in a Consolidation-Type Merger;

四 新設合併が効力を生ずる日以後における新設合併設立法人の債務（他の新設合併消滅法人から承継する債務を除く。）の履行の見込みに関する事項

(iv) particulars related to the prospective performance of obligations of the Corporation Incorporated in a Consolidation-Type Merger (excluding obligations to be succeeded to from another Corporation Disappearing in a Consolidation-Type Merger) on or after the day on which the consolidation-type merger becomes effective;

五 新設合併契約等備置開始日後、前各号に掲げる事項に変更が生じたときは、変更後の当該事項

(v) when any changes to the particulars listed in the preceding items have occurred after the Day of Commencement of Keeping a Consolidation-Type Merger Agreement, etc., the particulars after the change.

(新設合併設立法人の作成事項)

(Particulars to Be Prepared by a Corporation Incorporated in a Consolidation-Type Merger)

第百九十七条 法第百四十九条の十六第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 197 The information specified by Cabinet Office Order as referred to in Article 149-16, paragraph (1) of the Act is the following information:

一 新設合併が効力を生じた日

(i) the day on which the consolidation-type merger has become effective;

二 法第百四十九条の十三及び第百四十九条の十三の二の規定並びに法第百四十九条の十四において準用する法第百四十九条の四の規定による手続の経過

(ii) the progress of the procedures under the provisions of Article 149-13 of the Act, Article 149-13-2 of the Act, and Article 149-4 of the Act as applied mutatis mutandis pursuant to Article 149-14 of the Act;

三 法第百五十条において準用する会社法第八百五条の二の規定による請求に係る手続の経過

(iii) the progress of the procedure in regard to the request provided in Article 805-2 of the Companies Act as applied mutatis mutandis pursuant to Article 150 of the Act;

四 新設合併により新設合併設立法人が新設合併消滅法人から承継した重要な権利義務に関する事項

(iv) information related to the important rights and obligations which the Corporation Incorporated in a Consolidation-Type Merger has succeeded to from the Corporation Disappearing in a Consolidation-Type Merger as a result of the consolidation-type merger; and

五 前各号に掲げるもののほか、新設合併に関する重要な事項

(v) beyond what is listed in the preceding items, material information related to the consolidation-type merger.

(新設合併設立法人の事後開示事項)

(Information Subject to Ex-Post Facto Disclosure by a Corporation Incorporated in a Consolidation-Type Merger)

第百九十八条 法第百四十九条の十六第二項に規定する内閣府令で定める事項は、法第百四十九条の十一第一項の規定により新設合併消滅法人が備え置いた書面又は電磁的記録に記載又は記録がされた事項（新設合併契約の内容を除く。）とする。

Article 198 The information specified by Cabinet Office Order as referred to in Article 149-16, paragraph (2) of the Act is the information stated or recorded in the documents or Electronic or Magnetic Record kept by a Corporation Disappearing in a Consolidation-Type Merger pursuant to the provisions of Article 149-11, paragraph (1) of the Act (excluding the contents of the Consolidation-Type Merger Agreement).

(投資口の端数処理の方法)

(Method of Processing Fractions of Investment Equity)

第百九十九条 法第百四十九条の十七第一項に規定する内閣府令で定める方法は、次の各号に掲げる投資口の区分に応じ、当該各号に定める方法とする。

Article 199 The methods specified by Cabinet Office Order as referred to in Article 149-17, paragraph (1) of the Act are the methods specified in the following items according to the category of Investment Equity listed in the respective items:

一 その投資証券が金融商品取引所に上場されている有価証券である投資口 取引所金融商品市場において行う取引による売却

(i) Investment Equity of which the Investment Securities are Securities listed on a Financial Instruments Exchange: sales through the transactions conducted on a Financial Instruments Exchange Market;

二 その投資証券が店頭売買有価証券である投資口 店頭売買有価証券市場において行う取引による売却

(ii) Investment Equity of which the Investment Securities are Over-the-Counter Traded Securities: sales through the transactions conducted on an Over-the-Counter Securities Market; and

三 前二号に掲げる投資口以外の投資口 当該投資口を発行する投資法人の純資産の額に照らして公正妥当な金額による売却

(iii) Investment Equity other than those listed in the preceding two items: sales at a fair and reasonable price in light of the amount of net assets of the Investment Corporation which issues the relevant Investment Equity.

(清算監督人の職務遂行に支障を来すおそれのある者)

(Persons Likely to Hinder the Performance of Duties of a Liquidation Supervisor)

第二百条 法第一百五十一条第六項において準用する法第百条第六号に規定する清算監督人の職務の遂行に支障を来すおそれがある者として内閣府令で定めるものは、次に掲げる者とする。

Article 200 The persons specified by Cabinet Office Order as being likely to hinder the performance of duties of a liquidation supervisor as referred to in Article 100, item (vi) of the Act as applied mutatis mutandis pursuant to Article 151, paragraph (6) of the Act are the following persons:

一 第百六十四条各号に掲げる者

(i) the persons listed in the items of Article 164;

二 当該清算投資法人の清算執行人の親族

(ii) the relatives of the operating liquidator(s) of the relevant Investment Corporation in Liquidation;

三 当該清算投資法人の設立企画人、設立企画人たる法人の役員（過去二年以内に役員であった者を含む。）、執行役員及び清算執行人が総株主等の議決権の百分の五十を超える議決権を保有している法人の役員若しくは使用人又はこれらの者のうちの一若しくは二以上であったもの（法第一百五十一条第六項において準用する法第百条第三号に該当する者を除く。）

(iii) an officer or employee of the corporation whose voting rights exceeding 50 percent of the Voting Rights Held by All the Shareholders are held by an organizer, officers of the corporation that is an organizer (including persons who were officers within the past two years), executive managing officers and operating liquidators of the relevant Investment Corporation in Liquidation,

or persons who have held one or more of such position (excluding persons falling under the category of person referred to in Article 100, item (iii) of the Act as applied mutatis mutandis pursuant to Article 151, paragraph (6) of the Act);

四 当該清算投資法人の清算執行人から継続的な報酬を受けている者

(iv) a person who is continuously receiving remuneration from an operating liquidator of the relevant Investment Corporation in Liquidation;

五 当該清算投資法人の清算執行人から無償又は通常取引価格より低い対価による事務所又は資金の提供その他の特別の経済的利益の供与を受けている者

(v) a person who receives the provision of office or funds without charge or for a consideration lower than the ordinary market price or any other special economic benefits from an operating liquidator of the relevant Investment Corporation in Liquidation;

六 当該清算投資法人の設立企画人たる法人の役員又は過去二年以内に役員であった者、執行役員及び清算執行人が、その取締役、執行役員若しくはその代表権を有する取締役若しくは執行役の過半数を占めている法人の役員若しくは使用人又はこれらの者のうちの一若しくは二以上であったもの

(vi) an officer or employee of the corporation whose majority of directors, executive officers, or directors or executive officers who have the right to represent, consists of officers or persons who were officers within the past two year of the corporation that is an organizer of the relevant Investment Corporation in Liquidation, executive managing officers and operating liquidators thereof, or a person who has held one or more of such position;

七 当該清算投資法人の清算執行人が、その役員であり若しくは過去二年以内に役員であった法人若しくはその子会社の役員若しくは使用人又はこれらの者のうちの一若しくは二以上であったもの（前号又は法第百五十一条第六項において準用する法第百条第三号に該当する者を除く。）

(vii) an officer or employee of a corporation for which the operating liquidator of the relevant Investment Corporation in Liquidation is an officer or was an officer within the past two years thereof, or of the Subsidiary Company of the corporation, or a person who has held one or more of such position (excluding persons falling under the category of persons referred to in the preceding item, and Article 100, item (iii) of the Act as applied mutatis mutandis pursuant to Article 151, paragraph (6) of the Act);

八 当該清算投資法人の発行する投資法人債を引き受ける者の募集の委託を受けた金融商品取引業者等若しくは金融商品仲介業者若しくはこれらの子会社の役員若しくは使用人若しくは個人である金融商品仲介業者又はこれらの者のうちの一若しくは二以上であったもの

(viii) an officer or employee of the Financial Instruments Business Operator, etc. or Financial Instruments Intermediary Service Provider that has been entrusted with the solicitation of persons to subscribe for Investment

Corporation Bonds issued by the relevant Investment Corporation in Liquidation, or of the Subsidiary Company thereof, a Financial Instruments Intermediary Service Provider that is an individual, or a person who has held one or more of such position; and

九 第三号から前号までのいずれかに該当する者の配偶者

(ix) the spouse of the person who falls under any of the category of persons prescribed in item (iii) through the preceding item.

(清算執行人等の報酬の額の決定)

**(Determination of the Amount of Remuneration for Operating Liquidators)**

第二百一条 管轄財務局長等（投資法人の本店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っては、福岡財務支局長）をいう。以下同じ。）は、清算執行人及び清算監督人の意見を聴いた上で、法第百五十四条第二項（法第百五十四条の二第二項において準用する場合を含む。）の規定による報酬の額を定めるものとする。

**Article 201 The Competent Director-General of a Local Finance Bureau, etc.**  
(meaning the Director-General of a Local Finance Bureau who has jurisdiction over the location of the head office of the Investment Corporation (in cases where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director-General of the Fukuoka Local Finance Branch Bureau); the same applies hereinafter) is to fix the amount of remuneration under the provisions of Article 154, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 154-2, paragraph (2) of the Act), after hearing the opinions of the operating liquidator(s) and liquidation supervisor(s).

(清算監督人の調査の対象)

**(Subject of the Investigation by Liquidation Supervisors)**

第二百二条 法第百五十四条の二第二項において準用する会社法第三百八十四条に規定する内閣府令で定めるものは、電磁的記録その他の資料とする。

**Article 202 The items specified by Cabinet Office Order as referred to in Article 384 of the Companies Act as applied mutatis mutandis pursuant to Article 154-2, paragraph (2) of the Act are Electronic or Magnetic Records and any other materials.**

(清算人会の議事録)

**(Minutes of Board of Liquidators Meeting)**

第二百三条 法第百五十四条の三第二項において準用する会社法第三百六十九条第三項の規定による清算人会の議事録の作成については、この条の定めるところによる。

**Article 203 (1) The preparation of minutes of a board of liquidators meeting under Article 369, paragraph (3) of the Companies Act as applied mutatis**



mutandis pursuant to Article 154-3, paragraph (2) of the Act is as provided in this Article.

2 清算人会の議事録は、書面又は電磁的記録をもって作成しなければならない。

(2) The minutes of a board of liquidators meeting must be prepared in writing or in the form of an Electronic or Magnetic Record.

3 清算人会の議事録は、次に掲げる事項を内容とするものでなければならない。

(3) The minutes of a board of liquidators meeting must include the following information:

一 清算人会が開催された日時及び場所（当該場所に存しない清算執行人、清算監督人又は会計監査人が清算会に出席をした場合における当該出席の方法を含む。）

(i) the date and time on which and place where the board of liquidators meeting was held (in cases where operating liquidators, liquidation supervisors, or financial auditors who were not present at the place have attended the board of liquidators meeting, the method of such attendance is included);

二 清算会が次に掲げるいずれかのものに該当するときは、その旨

(ii) that the board of liquidators meeting falls under any of the following category, if this is the case:

イ 法第百五十四条の三第二項において準用する法第百十三条第二項の規定による清算執行人の請求を受けて招集されたもの

(a) a board of liquidators meeting called upon the request of operating liquidators under Article 113, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 154-3, paragraph (2) of the Act;

ロ 法第百五十四条の三第二項において準用する法第百十三条第三項の規定による清算監督人の請求を受けて招集されたもの

(b) a board of liquidators meeting called upon the request of liquidation supervisors under Article 113, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 154-3, paragraph (2) of the Act;

ハ 法第百五十四条の三第二項において準用する法第百十三条第四項の規定により清算執行人又は清算監督人が招集したもの

(c) a board of liquidators meeting called by the operating liquidators or liquidation supervisors pursuant to the provisions of Article 113, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 154-3, paragraph (2) of the Act;

三 清算会の議事の経過の要領及びその結果

(iii) the outline and results of the proceedings of the board of liquidators meeting;

四 決議を要する事項について特別の利害関係を有する清算執行人又は清算監督人があるときは、その氏名

(iv) when there are operating liquidators or liquidation supervisors with special interest with regard to the matters required to be resolved, the names

thereof;

五 清算人会に出席した会計監査人の氏名又は名称

(v) the name of the financial auditor that attended the board of liquidators meeting; and

六 清算人会の議長が存するときは、議長の氏名

(vi) when a chairperson of the board of liquidators meeting is in place, the name of the chairperson.

(金銭分配請求権が行使される場合における残余財産の価格)

(Prices of the Residual Assets in Cases Where Right to Demand Distribution of Money Is to Be Exercised)

第二百四条 法第一百五十八条第三項において準用する会社法第五百五条第三項第一号に規定する内閣府令で定める方法は、次に掲げる額のうちいずれか高い額をもって同号に規定する残余財産の価格とする方法とする。

Article 204 (1) The methods specified by Cabinet Office Order as referred to in Article 505, paragraph (3), item (i) of the Companies Act as applied mutatis mutandis pursuant to Article 158, paragraph (3) of the Act are the method whereby the higher of the following amounts is treated as the price of residual assets prescribed in that item:

一 法第一百五十八条第三項において準用する会社法第五百五条第一項第一号の期間の末日（以下この項において「行使期限日」という。）における当該残余財産を取引する市場における最終の価格（当該行使期限日に売買取引がない場合又は当該行使期限日が当該市場の休業日に当たる場合にあっては、その後最初になされた売買取引の成立価格）

(i) the closing price of the relevant residual assets on the market in which the residual assets are traded, as of the last day of the period set forth in Article 505, paragraph (1), item (i) of the Companies Act as applied mutatis mutandis pursuant to Article 158, paragraph (3) of the Act (hereinafter referred to as the "Expiration Date" in this paragraph) (in cases where no sale and purchase transaction has been made on the relevant Expiration Date, or the relevant Expiration Date falls on a non-business day of the relevant market, the concluded price of the first sale and purchase transaction conducted after the relevant Expiration Date); or

二 行使期限日において当該残余財産が公開買付け等の対象であるときは、当該行使期限日における当該公開買付け等に係る契約における当該残余財産の価格

(ii) when the relevant residual assets are subject to a Tender Offer, etc. as of the Expiration Date, the price of the relevant residual assets in the contract for Tender Offer, etc. as of the relevant Expiration Date.

2 法第一百五十八条第三項において準用する会社法第五百六条の規定により法第一百五十八条第三項において準用する会社法第五百五条第三項後段の規定の例によることとされる場合における前項第一号の規定の適用については、同号中「法第一百五十八条第三

項において準用する会社法第五百五条第一項第一号の期間の末日」とあるのは、「残余財産の分配をする日」とする。

(2) With regard to the application of the provisions of item (i) of the preceding paragraph in cases where the second sentence of Article 505, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 158, paragraph (3) of the Act apply pursuant to the provisions of Article 506 of the Companies Act as applied mutatis mutandis pursuant to Article 158, paragraph (3) of the Act, the phrase "the last day of the period set forth in Article 505, paragraph (1), item (i) of the Companies Act as applied mutatis mutandis pursuant to Article 158, paragraph (3) of the Act" in item (i) of the preceding paragraph is deemed to be replaced with "the day on which the residual assets are distributed."

(総資産額)

(Amount of Total Assets)

第二百五条 法第百六十四条第四項において準用する会社法第五百三十六条第一項第二号に規定する内閣府令で定める方法は、法第百五十五条第一項の規定により作成した貸借対照表の資産の部に計上した額を総資産額とする方法とする。

Article 205 The methods specified by Cabinet Office Order as referred to in Article 536, paragraph (1), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act are the method whereby the amount recorded in the assets section in the balance sheet prepared pursuant to the provisions of Article 155, paragraph (1) of the Act is treated as the amount of total assets.

(債権者集会の招集の決定事項)

(Particulars Decided for Calling a Creditors Meeting)

第二百六条 法第百六十四条第四項において準用する会社法第五百四十八条第一項第四号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 206 The particulars specified by Cabinet Office Order as referred to in Article 548, paragraph (1), item (iv) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act are the following particulars:

一 次条の規定により債権者集会参考書類（法第百六十四条第四項において準用する会社法第五百五十条第一項に規定する債権者集会参考書類をいう。以下同じ。）に記載すべき事項（次条第一項第一号に掲げる事項を除く。）

(i) information to be given in the Reference Documents for Creditors' Meeting (meaning the Reference Documents for Creditors' Meeting defined in Article 550, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act; the same applies hereinafter) pursuant to the following Article (excluding information listed in

- paragraph (1), item (i) of the following Article);
- 二 書面による議決権の行使の期限（債権者集会（法第百六十四条第四項において準用する会社法第二編第九章第二節第八款の規定の適用のある債権者の集会をいう。以下同じ。）の日時以前の時であって、同項において準用する会社法第五百四十九条第一項の規定による通知を発した日から二週間を経過した日以後の時に限る。）
- (ii) the time limit for exercising voting rights in writing (limited to the time which is before the date of Creditors' Meeting (meaning the meeting of creditors to which the provisions of Part II, Chapter IX, Section 2, Subsection 8 of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act apply; the same applies hereinafter) but after the day on which two weeks have passed from the day when the notice under Article 549, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act was sent);
- 三 一の協定債権者（法第百六十四条第四項において準用する会社法第五百七条第一項に規定する協定債権者をいう。以下同じ。）が同一の議案につき法第百六十四条第四項において準用する会社法第五百五十六条第一項（法第百六十四条第四項において準用する会社法第五百四十八条第一項第三号に掲げる事項を定めた場合にあつては、法第百六十四条第四項において準用する会社法第五百五十六条第一項又は第五百五十七条第一項）の規定により重複して議決権を行使した場合において、当該同一の議案に対する議決権の行使の内容が異なるものであるときにおける当該協定債権者の議決権の行使の取扱いに関する事項を定めるときは、その事項
- (iii) in cases where a single Agreement Claim Creditor (meaning the Agreement Claim Creditor provided in Article 517, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act; the same applies hereinafter) has redundantly exercised its voting right for a single proposal pursuant to the provisions of Article 556, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act (in cases where the particulars listed in Article 548, paragraph (1), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act are provided for, the provisions of Article 556, paragraph (1) or Article 557, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act), and the facts of the exercise of voting right for the single proposal differ, if particulars related to the handling of such exercise of voting right by the beneficiary are provided, such particulars;
- 四 第二百八条第一項第三号の取扱いを定めるときは、その取扱いの内容
- (iv) when the handling provided in Article 208, paragraph (1), item (iii) is to be specified, the details of the handling;
- 五 法第百六十四条第四項において準用する会社法第五百四十八条第一項第三号に掲げる事項を定めたときは、次に掲げる事項

- (v) when the particulars listed in Article 548, paragraph (1), item (iii) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act are specified, the following particulars:
- イ 電磁的方法による議決権の行使の期限（債権者集会の日時以前の時であって、法第百六十四条第四項において準用する会社法第五百四十九条第一項の規定による通知を發した日から二週間を経過した日以後の時に限る。）
- (a) the time limit for exercising voting rights by Electronic or Magnetic Means (limited to the time which is before the date of Creditors' Meeting but after the day on which two weeks have passed from the day when the notice under Article 549, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act was sent);
- ロ 法第百六十四条第四項において準用する会社法第五百四十九条第二項の承諾をした協定債権者の請求があった時に当該協定債権者に対して法第百六十四条第四項において準用する会社法第五百五十条第一項の規定による議決権行使書面（同項に規定する議決権行使書面をいう。第二百八条において同じ。）の交付（当該交付に代えて行う法第百六十四条第四項において準用する会社法第五百五十条第二項の規定による電磁的方法による提供を含む。）をすることとするときは、その旨
- (b) that Voting Forms (meaning the Voting Forms as prescribed in Article 550, paragraph (1) of the Companies Act; the same applies in Article 208) are to be delivered under that paragraph as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act (including the provision of Voting Forms by Electronic or Magnetic Means under Article 550, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act made in lieu of the delivery thereof) to the Agreement Claim Creditor who has given the consent under Article 549, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act when requested by such Agreement Claim Creditor, if this is the case.

（債権者集会参考書類）

(Reference Documents for a Creditors' Meeting)

第二百七条 債権者集会参考書類には、次に掲げる事項を記載しなければならない。

Article 207 (1) The following information must be given in the Reference

Documents for a Creditors' Meeting:

- 一 当該債権者集会参考書類の交付を受けるべき協定債権者が有する協定債権（法第百六十四条第四項において準用する会社法第五百十五条第三項に規定する協定債権をいう。）について法第百六十四条第四項において準用する会社法第五百四十八条第二項又は第三項の規定により定められた事項

(i) information specified pursuant to the provisions of Article 548, paragraph

(2) or (3) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act with regard to the Agreement Claim (meaning the agreement claim defined in Article 515, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act) held by the Agreement Claim Creditor that is to receive the delivery of the relevant Reference Documents for a Creditors' Meeting; and

二 議案

(ii) the proposal.

2 債権者集会参考書類には、前項に定めるもののほか、協定債権者の議決権の行使について参考となると認める事項を記載することができる。

(2) Beyond what is provided for in the preceding paragraph, the information found to serve as a reference with regard to the exercise of voting rights by Agreement Claim Creditors may be given in the Reference Documents for a Creditors' Meeting.

3 同一の債権者集会に関して協定債権者に対して提供する債権者集会参考書類に記載すべき事項（第一項第二号に掲げる事項に限る。）のうち、他の書面に記載している事項又は電磁的方法により提供している事項がある場合には、これらの事項は、債権者集会参考書類に記載することを要しない。

(3) In cases where some of the information required to be given in the Reference Documents for a Creditors' Meeting (limited to the information set forth in paragraph (1), item (ii)) which are to be provided to Agreement Claim Creditors in relation to a single Creditors' Meeting is given in other documents or is provided by Electronic or Magnetic Means, such information is not required to be given in the Reference Document for a Creditors' Meeting.

4 同一の債権者集会に関して協定債権者に対して提供する招集通知（法第百六十四条第四項において準用する会社法第五百四十九条第一項又は第二項の規定による通知をいう。以下この項並びに次条第三項及び第四項において同じ。）の内容とすべき事項のうち、債権者集会参考書類に記載している事項がある場合には、当該事項は、招集通知の内容とすることを要しない。

(4) In cases where some of the information required to be included in the Notice of Calling (meaning the notice under Article 549, paragraph (1) or (2) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act; hereinafter the same applies in this paragraph and paragraphs (3) and (4) of the following Article) which are to be provided to Agreement Claim Creditors in relation to a single Creditors' Meeting is given in the Reference Documents for a Creditors' Meeting, such information is not required to be included in the Notice of Calling.

（議決権行使書面）

(Voting Forms)

第二百八条 法第百六十四条第四項において準用する会社法第五百五十条第一項の規定により交付すべき議決権行使書面に記載すべき事項又は法第百六十四条第四項において準用する会社法第五百五十一条第一項若しくは第二項の規定により電磁的方法により提供すべき議決権行使書面に記載すべき事項は、次に掲げる事項とする。

Article 208 (1) The information required to be included in the Voting Forms which are to be delivered pursuant to the provisions of Article 550, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act, or the information required to be included in the Voting Forms which are to be provided by Electronic or Magnetic Means pursuant to the provisions of Article 551, paragraph (1) or (2) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act is the following information:

一 各議案についての同意の有無（棄権の欄を設ける場合にあっては、棄権を含む。）を記載する欄

(i) a column in which the approval or disapproval (in cases of providing a column for abstention, including abstention) to each proposal is to be stated;

二 第二百六条第三号に掲げる事項を定めたときは、当該事項

(ii) in cases where the particulars listed in Article 206, item (iii) are specified, such particulars;

三 第二百六条第四号に掲げる事項を定めたときは、第一号の欄に記載がない議決権行使書面が招集者（法第百六十四条第四項において準用する会社法第五百四十八条第一項に規定する招集者をいう。次項において同じ。）に提出された場合における各議案についての賛成、反対又は棄権のいずれかの意思の表示があったものとする取扱いの内容

(iii) in cases where the particulars listed in Article 206, item (iv) are specified, when a Voting Form lacking an entry in the column under item (i) has been submitted to the Convener (meaning the Convener defined in Article 548, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act; the same applies in the following paragraph), the details of the handling of such Voting Form as to whether it is an indication of manifestation of agreement, dissent, or abstention, for each proposal;

四 議決権の行使の期限

(iv) the time limit for exercising the voting rights; and

五 議決権を行使すべき協定債権者の氏名又は名称及び当該協定債権者について法第百六十四条第四項において準用する会社法第五百四十八条第二項又は第三項の規定により定められた事項

(v) the name(s) of the Agreement Claim Creditor(s) who is to exercise voting rights as well as the particulars specified pursuant to the provisions of Article 548, paragraph (2) or (3) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act with regard to

such Agreement Claim Creditors.

- 2 第二百六条第五号ロに掲げる事項を定めた場合には、招集者は、法第百六十四条第四項において準用する会社法第五百四十九条第二項の承諾をした協定債権者の請求があった時に、当該協定債権者に対して、法第百六十四条第四項において準用する会社法第五百五十条第一項の規定による議決権行使書面の交付（当該交付に代えて行う同条第二項の規定による電磁的方法による提供を含む。）をしなければならない。
- (2) In cases where the particulars listed in Article 206, item (v), sub-item (b) are provided for, a Convener must, when requested by the Agreement Claim Creditor who has given the consent under Article 549, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act, deliver Voting Forms under Article 550, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act (including the provision of Voting Forms by Electronic or Magnetic Means under Article 550, paragraph (2) of the Companies Act made in lieu of the delivery thereof) to such Agreement Claim Creditor.
- 3 同一の債権者集会に関して協定債権者に対して提供する招集通知の内容とすべき事項のうち、議決権行使書面に記載している事項がある場合には、当該事項は、招集通知の内容とすることを要しない。
- (3) In cases where some of the information required to be included in the Notice of Calling which is to be provided to Agreement Claim Creditors in relation to a single Creditors' Meeting is included in the Voting Form, such information is not required to be included in the Notice of Calling.
- 4 同一の債権者集会に関して協定債権者に対して提供する議決権行使書面に記載すべき事項（第一項第二号から第四号までに掲げる事項に限る。）のうち、招集通知の内容としている事項がある場合には、当該事項は、議決権行使書面に記載することを要しない。
- (4) In cases where some of the information (limited to the information listed in paragraph (1), items (ii) through (iv)) to be included in the Voting Forms which are to be provided to Agreement Claim Creditors in relation to a single Creditors' Meeting is included in the Notice of Calling, such information is not required to be included in the Voting Form.

（書面による議決権行使の期限）

(Time Limit for Exercising Voting Rights in Writing)

第二百九条 法第百六十四条第四項において準用する会社法第五百五十六条第二項に規定する内閣府令で定める時は、第二百六条第二号の行使の期限とする。

Article 209 The time specified by Cabinet Office Order as referred to in Article 556, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act is the time limit for exercising voting rights provided in Article 206, item (ii).



(電磁的方法による議決権行使の期限)

(Time Limit for Exercising Voting Rights by Electronic or Magnetic Means)

第二百十条 法第百六十四条第四項において準用する会社法第五百五十七条第一項に規定する内閣府令で定める時は、第二百六条第五号イの行使の期限とする。

Article 210 The time specified by Cabinet Office Order as referred to in Article 557, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act is the time limit for exercising voting rights provided in Article 206, item (v), sub-item (a).

(債権者集会の議事録)

(Minutes of a Creditors' Meeting)

第二百十一条 法第百六十四条第四項において準用する会社法第五百六十一条の規定による債権者集会の議事録の作成については、この条の定めるところによる。

Article 211 (1) The preparation of minutes of a Creditors' Meeting under Article 561 of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act is as provided in this Article.

2 債権者集会の議事録は、書面又は電磁的記録をもって作成しなければならない。

(2) The minutes of a Creditors' Meeting must be prepared in writing or in the form of an Electronic or Magnetic Record.

3 債権者集会の議事録は、次に掲げる事項を内容とするものでなければならない。

(3) The minutes of a Creditors' Meeting must include the following information:

一 債権者集会が開催された日時及び場所

(i) the date and time on which and the place where the Creditors' Meeting was held;

二 債権者集会の議事の経過の要領及びその結果

(ii) the outline and results of the proceedings at the Creditors' Meeting;

三 法第百六十四条第四項において準用する会社法第五百五十九条の規定により債権者集会において述べられた意見があるときは、その意見の内容の概要

(iii) when there are any opinions stated at the Creditors' Meeting pursuant to Article 559 of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act, the summary of the contents of such opinions;

四 法第百六十四条第四項において準用する会社法第五百六十二条の規定により債権者集会に対する報告及び意見の陳述がされたときは、その報告及び意見の内容の概要

(iv) when reports or statement of opinions against the Creditors' Meeting has been made pursuant to the provisions of Article 562 of the Companies Act as applied mutatis mutandis pursuant to Article 164, paragraph (4) of the Act, the summary of the contents of such reports or opinions;

五 債権者集会に出席した清算執行人の氏名

(v) the name(s) of the operating liquidator(s) that attended the Creditors'

Meeting;

六 債権者集会の議長が存するときは、議長の氏名

(vi) when a chairperson of the Creditors' Meeting is in place, the name of the chairperson; and

七 議事録の作成に係る職務を行った者の氏名又は名称

(vii) the name(s) of the person(s) that performed the duties concerning the preparation of minutes.

(検査役等の報酬の額の算定手続)

(Procedures for the Calculation of the Amount of Remuneration for Inspectors)

第二百十二条 管轄財務局長等は、次の各号に掲げる者の区分に応じ、当該各号に定める者の意見を聴いた上で、法第百八十三条において準用する法第百五十四条第二項の規定による報酬の額を定めるものとする。

Article 212 The Competent Director-General of a Local Finance Bureau, etc. is to fix the amount of remuneration under Article 154, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 183 of the Act, after hearing the opinions of the persons specified in the following items according to the category of persons listed in the respective items:

一 検査役 執行役員及び監督役員（清算投資法人にあつては清算執行人及び清算監督人）

(i) inspector: executive managing officers and supervisory officers (in cases of an Investment Corporation in Liquidation, operating liquidators and liquidation supervisors);

二 執行役員又は監督役員の職務を一時行うべき者 執行役員及び監督役員

(ii) persons who are to temporarily perform the duties of an executive managing officer or supervisory officer: executive managing officers and supervisory officers; and

三 清算執行人又は清算監督人の職務を一時行うべき者及び鑑定人 清算執行人及び清算監督人

(iii) persons who are to temporarily perform the duties of an operating liquidator or liquidation supervisor, and appraiser: operating liquidators and liquidation supervisors.

## 第二節 投資法人の登録等

### Section 2 Registration of Investment Corporations

(投資法人の登録申請手続)

(Application Procedure for Registration of Investment Corporations)

第二百十三条 法第百八十七条の登録を受けようとする投資法人は、別紙様式第九号により作成した登録申請書に、当該登録申請書の写し二通及び法第百八十八条第二項に規定する書類一部を添付して、管轄財務局長等に提出しなければならない。

Article 213 An Investment Corporation that intends to obtain the registration under Article 187 of the Act must submit a written application prepared using appended form No. 9 to the Competent Director-General of the Local Finance Bureau, etc. with two copies of the written application and one copy of the documents set forth in Article 188, paragraph (2) of the Act attached thereto.

(投資法人の登録申請書の記載事項)

(Information Required to Be Given in the Written Application for Registration of Investment Corporations)

第二百十四条 法第百八十八条第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 214 The information specified by Cabinet Office Order as referred to in Article 188, paragraph (1), item (vii) of the Act is the following information:

一 投資法人の設立に係る届出受理年月日及び受理番号

(i) the date on which the notification for the incorporation of an Investment Corporation was accepted and the acceptance number;

二 投資法人の成立年月日

(ii) the date of establishment of the Investment Corporation;

三 投資法人の成立時の出資総額及び投資口の総口数並びに投資主数

(iii) the total amount of investments, total number of units of Investment Equity, and the number of Investors at the time of establishment of the Investment Corporation;

四 主要な投資主の氏名又は名称及び住所

(iv) the names and addresses of major Investors;

五 執行役員又は監督役員が他の法人の業務に従事し、又は事業を営んでいるときは、当該執行役員又は監督役員の氏名及び当該他の法人における役職名並びに当該他の法人の商号又は名称及び業務の種類又は当該事業の種類

(v) when the executive managing officer or supervisory officer is engaged in the service of another corporation, or is conducting business, the name of the relevant executive managing officer or supervisory officer, the title at the relevant other corporation, and the trade name or name and type of service of the relevant other corporation, or the type of the business;

六 払込取扱機関の名称及び住所

(vi) the name and address of the institution handling payments;

七 一般事務受託者の名称及び住所並びに沿革

(vii) the name, address, and history of the Administrative Agent;

八 一般事務受託者と締結した事務の委託契約の概要

(viii) the outline of the entrustment contract for administrative processes which has been concluded with the Administrative Agent; and

九 創立総会を開催した場合は、創立総会の開催日及びその理由

(ix) when an organizational meeting has been held, the date of the

organizational meeting and the reasons for the holding;

十 令第一百十六條の二に定める場合において、海外不動産保有法人の発行済株式又は出資（当該海外不動産保有法人が有する自己の株式又は出資を除く。）の総数又は総額に第二百二十一条に規定する率を乗じて得た数又は額を超えて当該発行済株式又は出資を取得する場合には、当該海外不動産保有法人に係る次に掲げる事項

(x) in the cases referred to in Article 116-2 of the Order, in cases where the number or the amount of Issued Shares or equity in a Foreign Real Property Holding Corporation to be acquired exceeds the number or the amount obtained by multiplying the total number or the total amount of the Issued Shares or equity (excluding shares or equity in the Foreign Real Property Holding Corporation owned by that Foreign Real Property Holding Corporation itself) by the rate specified in Article 221, the following information pertaining to the Foreign Real Property Holding Corporation:

イ 目的、商号及び住所

(a) its purpose, trade name, and address;

ロ 組織及び役員に関する事項

(b) information concerning its organization and officers;

ハ 資産の管理及び処分に関する事項（取得する資産の内容、取得の時期及び譲受人に関する事項を含む。）

(c) information concerning the management and investment of its assets (including the matters concerning the details of the assets to be acquired, the timing of the acquisition, and the transferee);

ニ 計算及び利益の分配に関する事項

(d) information concerning the accounting for and distribution of profits; and

ホ 株主又は出資者が有する権利に関する事項

(e) information concerning the rights of its shareholders or equity investors.

(投資法人の登録申請書の添付書類)

(Documents to Be Attached to Written Application for Registration of Investment Corporations)

第二百十五條 法第百八十八條第二項第四号に規定する内閣府令で定める書類は、次に掲げる書類（官公署が証明する書類の場合には、申請の日前三月以内に作成されたものに限る。）とする。

Article 215 The documents specified by Cabinet Office Order as referred to in Article 188, paragraph (2), item (iv) of the Act are the following documents (in cases of documents certified by public agencies, limited to those prepared within three months before the date of application):

一 規約

(i) the certificate of incorporation;

二 投資法人の登記事項証明書

(ii) a certificate of registered information of the Investment Corporation;

三 払込取扱機関による払込金の保管に関する証明書

(iii) a certificate for the custody of paid money by the institution handling payments;

四 執行役員及び監督役員の住民票の抄本（当該執行役員又は監督役員が外国人であり、かつ、国内に居住している場合には、在留カードの写し、特別永住者証明書の写し又は住民票の抄本）又はこれに代わる書面

(iv) extracts of residence certificates of the executive managing officers and supervisory officers (in cases where the relevant executive managing officers or supervisory officers is a foreign national and has a residence in Japan, a copy of the Residence Card, a copy of the Special Permanent Resident Certificate, or an extract of the residence certificate), or substitute documents therefor;

五 執行役員及び監督役員が法第九十八条第二号及び第三号に該当しない旨の官公署の証明書（当該執行役員又は監督役員が外国人である場合を除く。）

(v) certificates issued by a public agency providing to the effect that the executive managing officers and supervisory officers do not fall under the category of persons listed in Article 98, items (ii) and (iii) of the Act (excluding cases where the relevant executive managing officers or supervisory officers is a foreign national);

六 別紙様式第十号により作成した執行役員が法第九十八条第四号及び第五号（当該執行役員が外国人である場合には、同条第二号から第五号まで）のいずれにも該当しないことを誓約する書面

(vi) a document pledging that the executive managing officer does not fall under any of the category of persons listed in Article 98, items (iv) and (v) of the Act (in cases where the relevant executive managing officer is a foreign national, items (ii) through (v) of that Article) which has been prepared using appended form No. 10;

七 別紙様式第十一号により作成した監督役員が法第百条第一号から第五号まで（同条第一号の規定に基づく法第九十八条第二号及び第三号を除く。）及びこの府令第百六十四条各号（当該監督役員が外国人である場合には、法第百条第一号から第五号まで及びこの府令第百六十四条各号）のいずれにも該当しないことを誓約する書面

(vii) a document pledging that the supervisory officers do not fall under any of the category of persons listed in Article 100, items (i) through (v) of the Act (excluding Article 98, items (ii) and (iii) of the Act based on the provisions of Article 100, item (i) of the Act), and the items of Article 164 of this Order of the Prime Minister's Office (in cases where the relevant supervisory officer(s) is a foreign national, Article 100, items (i) through (v) of the Act and the items of Article 164 of this Order of the Prime Minister's Office) which has been prepared using appended form No. 11;

八 別紙様式第十二号又は第十三号により作成した執行役員及び監督役員並びに設立

- 企画人（法人である場合には、その法人の役員及び設立企画人としての職務を行う  
 使用人）の履歴書又は沿革
- (viii) a resume or history of the executive managing officers, supervisory  
 officers and organizer(s) (in cases where the organizer is a corporation, the  
 officer of such corporation, and employee who is to perform the duties as an  
 organizer) which has been prepared using appended form No. 12 or No. 13;
- 九 資産運用会社との間で締結した資産の運用に係る委託契約書の写し
- (ix) a copy of the written entrustment contract for assets investment concluded  
 with an Asset Management Company;
- 十 資産保管会社との間で締結した保管契約書の写し
- (x) a copy of the custody contract concluded with the Asset Custody Company;
- 十一 一般事務受託者との間で締結した事務の委託契約書の写し
- (xi) a copy of the entrustment contract for administrative processes concluded  
 with the Administrative Agent;
- 十二 資産運用会社が資産の運用に係る権限の一部を再委託した場合には、その再委  
 託契約書の写し
- (xii) in cases where the Asset Management Company re-entrusts part of the  
 authority for assets investment, a copy of such re-entrustment contract; and
- 十三 創立総会を開催した場合には、創立総会の議事録
- (xiii) in cases where an organizational meeting is held, the minutes of the  
 organizational meeting;
- 十四 令第百十六条の二に定める場合において、海外不動産保有法人の発行済株式又  
 は出資（当該海外不動産保有法人が有する自己の株式又は出資を除く。）の総数又  
 は総額に第二百二十一条に規定する率を乗じて得た数又は額を超えて当該発行済株  
 式又は出資を取得する場合には、当該海外不動産保有法人に係る次に掲げるもの
- (xiv) in the cases referred to in Article 116-2 of the Order, in cases where the  
 number or the amount of Issued Shares or equity in a Foreign Real Property  
 Holding Corporation to be acquired exceeds the number or the amount  
 obtained by multiplying the total number or the total amount of the Issued  
 Shares or equity (excluding shares or equity in the Foreign Real Property  
 Holding Corporation owned by that Foreign Real Property Holding  
 Corporation itself) by the rate specified in Article 221, the following  
 documents pertaining to the Foreign Real Property Holding Corporation:
- イ 定款又はこれに相当する書類
- (a) the articles of incorporation or documents equivalent thereto;
- ロ 当該海外不動産保有法人が所在する国の法令に基づき当該海外不動産保有法人  
 の設立について承認、認可、許可若しくは届出又はこれらに相当するものが行わ  
 れている場合には、その承認書、認可書、許可書若しくは届出書又はこれらに相  
 当する書面の写し
- (b) in cases where an approval, authorization, permission, notification or the  
 equivalent thereto has been made with regard to the incorporation of the

Foreign Real Property Holding Corporation based on laws and regulations of the state where the Foreign Real Property Holding Corporation is located, a copy of the written approval, written authorization, written permission, notification or documents equivalent thereto;

ハ 当該海外不動産保有法人について登記が行われている場合には、登記事項証明書又はこれに相当する書面の写し

(c) in cases where any registration has been made with regard to the Foreign Real Property Holding Corporation, a copy of the certificate of registered information or documents equivalent thereto;

ニ 株主名簿又はこれに相当する書類

(d) the shareholder register or documents equivalent thereto;

ホ 直近の事業年度に係る貸借対照表（当該事業年度がない場合には、当該海外不動産保有法人の設立の日における貸借対照表）

(e) the balance sheet for the latest business year (in cases where there is no such business year, the balance sheet as of the date of the incorporation of the Foreign Real Property Holding Corporation); and

ヘ 当該海外不動産保有法人が所在する国における会社制度等の概要を説明する書面

(f) documents explaining the outline of the company system, etc. of the state where the Foreign Real Property Holding Corporation is located.

(登録の実施)

(Implementation of Registration)

第二百十六条 財務局長等は、法第百八十九条第一項の規定により登録をするときは、別紙様式第九号の第二面から第八面までを投資法人登録簿につづることにより行うものとする。

Article 216 (1) When effecting the registration pursuant to the provisions of Article 189, paragraph (1) of the Act, the Director-General of a Local Finance Bureau, etc. is to effect such registration by placing the pages No. 2 through No. 8 of the appended table No. 9 in the investment corporation register.

2 財務局長等は、法第百八十九条第二項の規定による通知をするときは、別紙様式第十四号により作成した登録済通知書により行うものとする。

(2) When giving the notice under Article 189, paragraph (2) of the Act, the Director-General of a Local Finance Bureau, etc. is to give such notice by the written notice of completion of registration prepared using appended form No. 14.

(投資法人登録簿等の縦覧)

(Public Inspection of the Investment Corporation Register)

第二百十七条 投資法人の登録をした財務局長等は、その登録をした投資法人に係る投資法人登録簿及び投資法人登録簿に登録された事項を、当該投資法人の本店の所在地

を管轄する財務局（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っては、福岡財務支局）に備え置き、公衆の縦覧に供するものとする。

**Article 217** The Director-General of a Local Finance Bureau, etc. who has registered an Investment Corporation is to keep and offer for public inspection the investment corporation register related to the registered Investment Corporation and information registered in the investment corporation register at the Local Finance Bureau that has jurisdiction over the location of the head office of the Investment Corporation (in cases where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director-General of the Fukuoka Local Finance Branch Bureau).

（登録の拒否の通知）

(Notice of Refusal of Registration)

第二百十八条 財務局長等は、法第九十条第二項の規定による通知をするときは、別紙様式第十五号により作成した登録拒否通知書により行うものとする。

**Article 218** When giving the notice under Article 190, paragraph (2) of the Act, the Director-General of a Local Finance Bureau, etc. is to give such notice by the written notice of refusal of registration prepared using appended form No. 15.

（登録事項変更の届出）

(Notification of Changes to Registered Information)

第二百十九条 登録投資法人は、法第九十一条第一項の規定による届出をしようとするときは、別紙様式第十六号により作成した変更届出書に、当該変更届出書の写し二通及び次の各号に掲げる場合に依り当該各号に定める書類を添付して、管轄財務局長等に提出しなければならない。

**Article 219** When a Registered Investment Corporation intends to make the notification under Article 191, paragraph (1) of the Act, it must submit a notification of changes prepared using appended form No. 16 to the Competent Director-General of the Local Finance Bureau, etc. with two copies of the notification of changes and the documents specified in the following items according to the cases listed in the respective items attached thereto:

- 一 商号を変更した場合 当該変更に係る事項を記載した投資法人の登記事項証明書  
(i) in cases of changing the trade name: the certificate of registered information of the Investment Corporation including the information related to the relevant changes;
- 二 本店の所在場所の変更をした場合 当該変更に係る事項を記載した投資法人の登記事項証明書  
(ii) in cases of changing the location of the head office: the certificate of registered information of the Investment Corporation including the information related to the relevant changes;



三 執行役員又は監督役員に変更があった場合 新たに執行役員又は監督役員となった者に係る第二百十五号第四号から第八号までに掲げる書面

(iii) in cases where there were any changes to the executive managing officer or supervisory officer(s): the documents listed in Article 215, items (iv) through (viii) related to the person who has newly become an executive managing officer or supervisory officer;

四 資産運用会社、資産保管会社又は一般事務受託者に変更があった場合 新たに資産運用会社、資産保管会社又は一般事務受託者となった者に係る第二百十五号第九号から第十一号までに掲げる書面のうちそれぞれ該当する書面

(iv) in cases where there were any changes to the Asset Management Company, Asset Custody Company, or Administrative Agent: among the documents listed in Article 215, items (ix) through (xi) related to the persons who have newly become an Asset Management Company, Asset Custody Company, or Administrative Agent, the respective documents therefor;

五 資産運用会社が資産の運用に係る権限の一部を再委託した場合の当該再委託を受けた者に変更があった場合 新たに再委託を受けることとなった者に係る第二百十五号第十二号に掲げる書面

(v) in cases where the Asset Management Company has re-entrusted part of the authority for assets investment, in the case where there were any changes to the person who has accepted the re-entrustment: the documents listed in Article 215, item (xii) related to the person who has newly come to accept the re-entrustment;

六 執行役員又は監督役員が新たに他の法人の業務に従事し、又は事業を営むこととなった場合 当該執行役員又は監督役員の氏名並びに当該他の法人の商号又は名称及び業務の種類又は当該事業の種類を記載した書面

(vi) in cases where the executive managing officer or supervisory officer(s) has newly come to engage in the service of another corporation, or to conduct business: the documents stating the name(s) of the relevant executive managing officer or supervisory officer(s) as well as the trade name or name, and type of service of the relevant other corporation, or the type of the business.

(解散の届出)

(Notification of Dissolution)

第二百二十条 法第九十二条第一項の規定による届出をしようとする者は、別紙様式第十七号により作成した解散届出書の正本及び副本に、次に掲げる書類を添付して、管轄財務局長等に提出しなければならない。

Article 220 A person who intends to make the notification under Article 192, paragraph (1) of the Act must submit the original copy and duplicate copy of the notification of dissolution prepared using appended form No. 17 to the Competent Director-General of the Local Finance Bureau, etc. with the

following documents attached thereto:

一 投資法人の資産の内容を明らかにした書面

(i) the documents clarifying the contents of the assets of the Investment Corporation; and

二 投資主総会が開催された場合は、投資主総会議事録

(ii) in cases where an Investors' meeting has been held, the minutes of the Investors' meeting.

### 第三節 投資法人の業務等

#### Section 3 Business of Investment Corporations

(登録投資法人が行うことができる取引)

(Transactions Allowed for Registered Investment Corporations)

第二百二十条の二 令第百十六条第二号に規定する内閣府令で定める行為は、採鉱、採取、製錬、精製その他これらに類する行為とする。

Article 220-2 The acts specified by Cabinet Office Order as referred to in Article 116, item (ii) of the Order are mining, extracting, smelting, refining, and any other acts similar thereto.

(同一法人の発行する株式の投資法人による取得割合)

(Ratio of Acquisition by an Investment Corporation of Shares Issued by One and the Same Corporation)

第二百二十一条 法第百九十四条第一項第二号に規定する内閣府令で定める率は、百分の五十とする。

Article 221 The ratio specified by Cabinet Office Order as referred to in Article 194, paragraph (1), item (ii) of the Act is 50 percent.

(資産運用の制限の例外となる法人)

(Corporations That Are Exceptions to Restrictions on Investment in Assets)

第二百二十一条の二 令第百十六条の二に定める場合において、登録投資法人が、法第百九十四条第一項第二号に定める数を超えてその株式を取得することができる法人は、次に掲げる全ての要件を満たす法人とする。

Article 221-2 (1) In the cases referred to in Article 116-2 of the Order, corporations whose shares may be acquired by a Registered Investment Corporation in a number exceeding the number specified in Article 194, paragraph (1), item (ii) of the Act are those corporations that satisfy all of the following requirements:

一 外国に所在する法人であって、所在する国において専ら法第百九十三条第一項第三号から第五号までに掲げる取引を行うことをその目的とすること。

(i) that they are corporations located in a foreign state and established solely for the purpose of carrying out the transactions listed in Article 193,

paragraph (1), item (iii) through item (v) of the Act in the state where it is located; and

二 各事業年度（一年を超えることができないものとする。）経過後六月以内に、その配当可能な額のうち、当該登録投資法人の有する株式の数又は出資の額に応じて按分した額その他の当該法人の所在する国における法令又は慣行により、割り当てることができる額の金銭（端数があるときは、その端数を切り捨てたもの）を当該登録投資法人に支払うこと。

(ii) that they pay to the Registered Investment Corporation money in the amount prorated in accordance with the number of shares or the amount of equity held by the Registered Investment Corporation and any other amount that can be allocated to the Registered Investment Corporation in accordance with laws and regulations or practices of the state where they are located (any fraction is rounded off) out of their distributable amount within six months from the end of each business year (which may not exceed one year).

2 前項第二号に規定する配当可能な額は、各事業年度において直前の事業年度の末日における第一号に掲げる額から第二号から第六号までに掲げる額の合計額を減じて得た額をいう。

(2) The distributable amount provided in item (ii) of the preceding paragraph is the amount obtained for each business year by deducting the total of the amounts listed in items (ii) through (vi) from the amount listed in item (i) as of the last day of the latest business year:

一 資産の額

(i) the amount of assets;

二 負債の額

(ii) the amount of liabilities;

三 資本金の額

(iii) the amount of stated capital;

四 資本準備金、利益準備金その他の法定の準備金の額の合計額

(iv) the total of the amounts of capital reserves, retained earnings reserves, and other statutory reserves;

五 資産につき時価を付すものとした場合においてその付した時価の総額が当該資産の取得価額の総額を超えるときは、時価を付したことにより増加した貸借対照表上の純資産の額

(v) in cases where assets are valued at market value, if the total of such market values exceeds the total of the acquisition values of the assets, the amount of increase in net assets stated on the balance sheet resulting from such valuation; and

六 前各号に掲げる額のほか、当該法人の所在する国の法令又は慣行により、配当することができない金額

(vi) beyond the amounts listed in the preceding items, the amount that cannot be distributed in accordance with laws and regulations or practices of the

state where the corporations are located.

3 前項の規定による配当可能な額は、他人の求めに応じ報酬を得て、財務書類の監査又は証明をすることを業とする者による監査又は証明を受けた当該法人の直近の貸借対照表に計上された資産の額、負債の額、資本金の額、準備金の額及び純資産の額に基づき算定されるものとする。

(3) The distributable amount provided in the preceding paragraph is to be calculated based on the amounts of assets, liabilities, stated capital, reserves, and net assets stated on the latest balance sheet of the corporations that have been audited or attested by a person who audits or attests financial documents in the course of trade for a fee at the request of others.

(投資主の保護に欠けるおそれのない場合)

(Cases Unlikely to Result in Insufficient Protection of Investors)

第二百二十二条 令第百十七条第十号に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 222 The cases specified by Cabinet Office Order as referred to in Article 117, item (x) of the Order are the following cases:

一 資産運用会社が賃借している不動産を登録投資法人の資産に組み入れる場合において、当該不動産の賃貸借を継続する場合

(i) in cases of incorporating the real property rented from an Asset Management Company into the assets of a Registered Investment

Corporation, cases where continuing the lease of the relevant real property;

二 資産運用会社が登録投資法人の不動産について賃借人の募集を行ったにもかかわらず、当該不動産を賃貸するに至らない場合において、他の賃借人の賃借条件と著しく異なる条件で当該不動産を賃借する場合

(ii) in cases where the lease of real property fails in spite of the solicitation of lessee for the real property of a Registered Investment Corporation by an Asset Management Company, cases where renting the relevant real property with conditions not so different from the conditions for lease for other lessees.

(広告類似行為)

(Acts Similar to Advertisement)

第二百二十三条 法第百九十七条において準用する金融商品取引法第三十七条各項に規定する内閣府令で定める行為は、郵便、信書便（民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者又は同条第九項に規定する特定信書便事業者の提供する同条第二項に規定する信書便をいう。）、ファクシミリ装置を用いて送信する方法、電子メール（特定電子メールの送信の適正化等に関する法律（平成十四年法律第二十六号）第二条第一号に規定する電子メールをいう。）を送信する方法、ビラ又はパンフレットを配布する方法その他の方法（次に掲げるものを除く。）により多数の者に対して同様の内容で行う情報の提供とする。

Article 223 The acts specified by Cabinet Office Order e as referred to in the of Article 37 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are the provision of identical information to a large number of persons, by means of postal mail, Correspondence Delivery (meaning the correspondence delivery as prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) that is provided by a general correspondence delivery operator as prescribed in paragraph (6) of that Article or by a specified correspondence delivery operator as prescribed in paragraph (9) of that Article), transmission by facsimile machine, transmission by Electronic Mails (meaning the electronic mail prescribed in Article 2, item (i) of the Act on Regulation of Transmission of Specified Electronic Mail (Act No. 26 of 2002)), distribution of leaflets or pamphlets or by any other means (excluding those listed in the following):

- 一 法令又は法令に基づく行政官庁の処分に基づき作成された書類を配布する方法  
(i) distribution of documents prepared in accordance with laws and regulations, or in accordance with the dispositions rendered by a government agency under the laws and regulations;
- 二 個別の企業の分析及び評価に関する資料であつて、投資証券募集等契約（法第九十七条において読み替えて準用する金融商品取引法第三十七条の三第一項に規定する投資証券募集等契約をいう。以下同じ。）の締結の勧誘に使用しないものを配布する方法  
(ii) distribution of materials on the analysis and appraisal of the respective companies not intended to be used for solicitation for the conclusion of a Contract for Public Offering, etc. of Investment Securities (meaning the Contract on Public Offering, etc. of Investment Securities as prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act following the deemed replacement of terms; the same applies hereinafter);
- 三 次に掲げるすべての事項のみが表示されている景品その他の物品（口からニまでに掲げる事項について明瞭かつ正確に表示されているものに限る。）を提供する方法（当該事項のうち景品その他の物品に表示されていない事項がある場合にあつては、当該景品その他の物品と当該事項が表示されている他の物品とを一体のものとして提供する方法を含む。）  
(iii) provision of premiums or any other goods only indicating all of the following information (limited to premiums or goods clearly and accurately indicating the matters listed in sub-items (b) through (d)) (in cases where any of the following matters is not indicated on the premiums or other goods, such provision includes the case of provision of such premiums or other goods with other goods indicating such matters as an integral part thereof):
  - イ 投資証券募集等契約に係る投資証券の名称、銘柄又は通称

(a) the name, issue or common name of the Investment Securities subject to the Contract for Public Offering, etc. of Investment Securities;

ロ この号に規定する方法により多数の者に対して同様の内容で行う情報の提供をする設立企画人の商号、名称若しくは氏名又はこれらの通称

(b) the trade name, name or common name of the organizer that provides identical information to a large number of persons by the means specified in this item;

ハ 令第二百二十一条第四項第一号に掲げる事項（当該事項の文字又は数字が当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示されているものに限る。）

(c) the matters set forth in Article 121, paragraph (4), item (i) of the Order (limited to the case where the characters, letters or numbers representing such matter are indicated in a size which does not differ substantially from the size of the largest characters, letters or numbers representing matters other than such matters);

ニ 次に掲げるいずれかの書面の内容を十分に読むべき旨

(d) a notice to the effect that the recipient thereof should read any of the following documents comprehensively:

(1) 法第九十七条において準用する金融商品取引法第三十七条の三第一項に規定する書面（以下「契約締結前交付書面」という。）

1. the document prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act (hereinafter referred to as the "Document for Delivery Prior to Conclusion of Contract"); and

(2) 第二百三十条に規定する目論見書（同条の規定により当該目論見書と一体のものとして交付される書面がある場合には、当該目論見書及び当該書面）

2. the prospectus prescribed in Article 230 (in cases where there is any document to be delivered as an integral part of such Prospectus pursuant to the provisions of that Article, such Prospectus and such document).

(投資証券の募集等の業務の内容についての広告等の表示方法)

(Methods of Indication of Advertisement, etc. on Contents of Business of Public Offering, etc. of Investment Securities)

第二百二十四条 特定設立企画人等（法第九十七条に規定する特定設立企画人等をいう。以下同じ。）がその行う投資証券の募集等の業務の内容について広告又は前条に規定する行為（次項において「広告等」という。）をするとき、法第九十七条において準用する金融商品取引法第三十七条第一項各号に掲げる事項について明瞭かつ正確に表示しなければならない。

Article 224 (1) When a specified organizer or its officers or employees (meaning

the specified organizer or its officers or employees defined in Article 197 of the Act; the same applies hereinafter) make an advertisement on the contents of its business of Public Offering, etc. of Invested Securities or conducts the acts prescribed in the preceding Article (collectively referred to as the "Advertisement, etc." in the following paragraph), the specified organizer or its officers or employees must clearly and accurately indicate the matters listed in the items of Article 37, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act.

2 特定設立企画人等がその行う投資証券の募集等の業務の内容について広告等をするときは、令第百二十一条第三項第二号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(2) When a specified organizer or its officers or employees make an Advertisement, etc. on the contents of its business of Public Offering, etc. of Investment Securities, the characters, letters or numbers representing the matters listed in Article 121, paragraph (3), item (ii) of the Order are to be indicated in a size which does not differ substantially from the size of the largest characters, letters or numbers representing matters other than such matters.

3 特定設立企画人等がその行う投資証券の募集等の業務の内容について基幹放送事業者（放送法（昭和二十五年法律第百三十二号）第二条第二十三号に規定する基幹放送事業者をいい、日本放送協会及び放送大学学園（放送大学学園法（平成十四年法律第百五十六号）第三条に規定する放送大学学園をいう。）を除く。第二百二十七条第一項第二号において同じ。）の放送設備により放送をさせる方法又は同項各号に掲げる方法（音声により放送をさせる方法を除く。）により広告をするときは、前項の規定にかかわらず、令第百二十一条第四項第一号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(3) Notwithstanding the provisions of the preceding paragraph, when a specified organizer or its officers or employees make an advertisement on the contents of its business of Public Offering, etc. of Investment Securities by way of broadcasting, using the broadcast equipment of a Key Broadcaster (meaning the Key Broadcaster as prescribed in Article 2, item (xxiii) of the Broadcast Act (Act No. 132 of 1950), excluding NHK (Japan Broadcasting Corporation) and the Open University of Japan (meaning the Open University of Japan as prescribed in Article 3 of the Act on the Open University of Japan (Act No. 156 of 2002); the same applies in Article 227, paragraph (1), item (ii)), or the methods listed in the items of Article 227, paragraph (1), the characters, letters or numbers representing the information listed in Article 121, paragraph (4), item (i) of the Order are to be indicated in a size which does not differ substantially from the size of the largest characters, letters or number

representing information other than such information.

(顧客が支払うべき対価に関する事項)

(Matters Concerning Consideration Payable by Customers)

第二百二十五条 令第二百二十一条第三項第一号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、投資証券募集等契約に関して顧客が支払うべき対価（当該投資証券募集等契約に係る投資証券の価格を除く。以下この条、第二百二十八条第七号、第二百三十一条及び第二百三十四条第四号において「手数料等」という。）の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該投資証券募集等契約に係る投資証券の価格に対する割合を含む。以下この項において同じ。）の概要及び当該金額の合計額若しくはその上限額又はこれらの計算方法の概要とする。ただし、これらの表示をすることができない場合にあっては、その旨及びその理由とする。

Article 225 (1) The matters specified by Cabinet Office Order as referred to in Article 121, paragraph (3), item (i) of the Order are the amount of consideration payable by customers with regard to a Contract for Public Offering, etc. of Investment Securities irrespective of its name such as fees, remunerations, expenses, or others (excluding the price of the Investment Securities subject to the relevant Contract for Public Offering, etc. of Investment Securities; hereinafter collectively referred to as "Fees, etc." in this Article, Article 228, item (vii), Article 231, and Article 234, item (iv)) for each type or the maximum amount thereof, or the outline of the method of calculation thereof (including the ratio to the price of Investment Securities subject to the relevant Contract for Public Offering, etc. of Investment Securities; hereinafter the same applies in this paragraph), and the total of such amount or the maximum amount thereof, or the outline of the method of calculation thereof; provided, however, that in cases where these details cannot be indicated, that fact and the reason therefor is indicated.

2 前項の投資証券募集等契約に係る投資法人の資産が金融商品取引法第二条第一項第十号若しくは第十一号に掲げる有価証券に表示されるべき権利又は同条第二項第五号若しくは第六号に掲げる権利（当該投資法人の発行する投資証券等（法第一百七条第三号に規定する投資証券等をいう。）を除く。以下この条において「投資信託受益権等」という。）に対して出資され、又は拠出されるものである場合には、前項の手数料等には、当該投資信託受益権等に係る信託報酬その他の手数料等を含むものとする。

(2) In cases where the assets of an Investment Corporation subject to the Contract for Public Offering, etc. of Investment Securities under the preceding paragraph are to be invested or contributed in rights to be indicated on the Securities set forth in Article 2, paragraph (1), item (x) or (xi) of the Financial Instruments and Exchange Act or the rights set forth in paragraph (2), item (v) or (vi) of that Article (excluding Investment Securities and Similar Certificates (meaning the Investment Securities and Similar Certificates defined in Article



117, item (iii) of the Act) issued by the Investment Corporation; hereinafter collectively referred to as "Beneficial Interest of an Investment Trust, etc." in this Article), trust fees and other Fees, etc. related to the relevant Beneficial Interest of an Investment Trust, etc. are to be included in the Fees, etc. under the preceding paragraph.

3 前項の投資信託受益権等に係る財産が他の投資信託受益権等に対して出資され、又は拠出される場合には、当該他の投資信託受益権等を同項の投資信託受益権等とみなして、前二項の規定を適用する。

(3) In cases where the property pertaining to the Beneficial Interest of an Investment Trust, etc. under the preceding paragraph is to be invested or contributed in another Beneficial Interest of an Investment Trust, etc., the relevant other Beneficial Interest of an Investment Trust is deemed to be the Beneficial Interest of an Investment Trust under that paragraph, and the provisions of the preceding two paragraphs apply.

4 前項の規定は、同項（この項において準用する場合を含む。）の規定により第二項の投資信託受益権等とみなされた投資信託受益権等に係る財産が他の投資信託受益権等に対して出資され、又は拠出される場合について準用する。

(4) The provisions of the preceding paragraph apply mutatis mutandis to the cases where the property pertaining to the Beneficial Interest of an Investment Trust, etc. deemed as the Beneficial Interest of an Investment Trust, etc. under paragraph (2) pursuant to the preceding paragraph (including the cases where it is applied mutatis mutandis pursuant to this paragraph) is to be invested or contributed in another Beneficial Interest of an Investment Trust, etc.

（顧客の判断に影響を及ぼす重要事項）

(Material Matters Which May Have Impact on Customers' Decision)

第二百二十六条 令第二百十一条第三項第三号に規定する内閣府令で定める事項は、当該投資証券募集等契約に関する重要な事項について顧客の不利益となる事実とする。

Article 226 The matters specified by Cabinet Office Order as referred to in Article 121, paragraph (3), item (iii) of the Order are facts that may be disadvantageous to customers with regard to material matters concerning the relevant Contract for Public Offering, etc. of Investment Securities.

（基幹放送事業者の放送設備により放送をさせる方法に準ずる方法等）

(Methods Equivalent to Broadcasting by Using Broadcast Equipment of Key Broadcasters)

第二百二十七条 令第二百十一条第四項に規定する内閣府令で定める方法は、次に掲げるものとする。

Article 227 (1) The methods specified by Cabinet Office Order as referred to in Article 121, paragraph (4) of the Order are as follows:

一 一般放送事業者（放送法第二条第二十五号に規定する一般放事業者をいう。）の

放送設備により放送をさせる方法

(i) the method of broadcasting by using the broadcast equipment of Private Broadcasters (meaning Private Broadcasters as prescribed in Article 2, item (xxv) of the Broadcast Act);

二 特定設立企画人等又は当該特定設立企画人等が行う広告等に係る業務の委託を受けた者の使用に係る電子計算機に備えられたファイルに記録された情報の内容（基幹放送事業者の放送設備により放送をさせる方法又は前号に掲げる方法により提供される事項と同一のものに限る。）を電気通信回線を利用して顧客に閲覧させる方法

(ii) the method of offering the details of the information which are recorded in a file stored on the computer used by the specified organizer or its officers or employees or the person entrusted with the business pertaining to the Advertisement, etc. to be made by the specified organizer or its officers or employees (limited to information identical to the information provided by the method of broadcasting using broadcast equipment of a Key Broadcaster or by the methods listed in the preceding item) to the customers for inspection via a telecommunications line;

三 常時又は一定の期間継続して屋内又は屋外で公衆に表示させる方法であつて、看板、立看板、はり紙及びはり札並びに広告塔、広告板、建物その他の工作物等に掲出させ、又は表示させるもの並びにこれらに類するもの

(iii) the method of indicating information to the public either indoors or outdoors regularly or continuously for a certain period, by posting or indicating on signboards, standing signboards, bills, placards, advertising pillar, advertising boards, buildings or any other structures, or any other methods similar thereto.

2 令第百二十一条第四項第二号に規定する内閣府令で定める事項は、第二百二十三条第三号ニに掲げる事項とする。

(2) The matters specified by Cabinet Office Order as referred to in Article 121, paragraph (4), item (ii) of the Order are the matters listed in Article 223, item (iii), sub-item (d).

(誇大広告をしてはならない事項)

(Matters Prohibited from Misleading Advertisement)

第二百二十八条 法第九十七条において準用する金融商品取引法第三十七条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 228 The matters specified by Cabinet Office Order as referred to in Article 37, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are the following matters:

一 投資証券募集等契約の解除に関する事項

(i) the matters related to the cancellation of the Contract for Public Offering,

etc. of Investment Securities;

二 投資証券募集等契約に係る損失の全部若しくは一部の負担又は利益の保証に関する事項

(ii) the matters related to the bearing of all or part of losses or guarantee of profits, in relation to the Contract for Public Offering, etc. of Investment Securities;

三 投資証券募集等契約に係る損害賠償額の予定（違約金を含む。）に関する事項

(iii) the matters related to the agreement for liquidated damages (including penalties) in relation to the Contract for Public Offering, etc. of Investment Securities;

四 投資証券募集等契約に係る金融商品市場（金融商品取引法第二条第十四項に規定する金融商品市場をいう。以下同じ。）又は金融商品市場に類似する市場で外国に所在するものに関する事項

(iv) the matters related to the Financial Instruments Market (meaning the Financial Instruments Market as prescribed in Article 2, paragraph (14) of the Financial Instruments and Exchange Act; the same applies hereinafter) or other markets similar to a Financial Instruments Market located in a foreign state, in relation to the Contract for Public Offering, etc. of Investment Securities;

五 設立企画人の資力又は信用に関する事項

(v) the matters concerning the financial resources or credit of the organizer;

六 設立企画人の投資証券の募集等の業務の実績に関する事項

(vi) the matters related to the performances of the business of Public Offering, etc. of Investment Securities by the organizer; and

七 投資証券募集等契約に関して顧客が支払うべき手数料等の額又はその計算方法、支払の方法及び時期並びに支払先に関する事項

(vii) the matters related to the amount of Fees, etc. payable by customers with regard to the Contract for Public Offering, etc. of Investment Securities or the method of calculation thereof, method and timing of payment thereof, and the payee.

(契約締結前交付書面の記載方法)

(Method of Statement of Documents for Delivery Prior to Conclusion of Contract)

第二百二十九条 契約締結前交付書面には、法第百九十七条において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項を日本工業規格Z八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

Article 229 (1) The matters listed in the items of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act must be stated clearly and accurately by

using characters, letters and numbers larger than 8-point as provided in JIS Z8305 in the Document for Delivery Prior to Conclusion of a Contract.

2 前項の規定にかかわらず、契約締結前交付書面には、法第百九十七条において準用する金融商品取引法第三十七条の三第一項第四号に掲げる事項の概要並びに同項第五号並びに第二百三十二条第三号及び第四号に掲げる事項を枠の中に日本工業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載し、かつ、次項に規定する事項の次に記載するものとする。

(2) Notwithstanding the provisions of the preceding paragraph, the summary of the matters listed in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act and the matters listed in Article 37-3, paragraph (1), item (v) of the Financial Instruments and Exchange Act and Article 232, items (iii) and (iv) of this Order of the Prime Minister's Office are to be stated clearly and accurately in the frame by using character, letters, and numbers larger than 12-points as provided in JIS Z8305 following the matters prescribed in the following paragraph in the Document for Delivery Prior to Conclusion of a Contract.

3 特定設立企画人等は、契約締結前交付書面には、第二百三十二条第一号に掲げる事項及び法第百九十七条において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項のうち顧客の判断に影響を及ぼすこととなる特に重要なものを、日本工業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて当該契約締結前交付書面の最初に平易に記載するものとする。

(3) A specified organizer or its officers or employees are to state plainly the matters listed in Article 232, item (i) of this Order of the Prime Minister's Office, and, among the matters listed in the items of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act, those which are especially important as having an impact on the customers' decision, by using characters, letters, and numbers larger than 12-points as provided in JIS Z8305 at the beginning of the Document for Delivery Prior to Conclusion of a Contract.

(契約締結前交付書面の交付を要しない場合)

(Cases Where Delivery of Document for Deliver Prior to Conclusion of Contract Is Not Required)

第二百三十条 法第百九十七条において準用する金融商品取引法第三十七条の三第一項ただし書に規定する内閣府令で定める場合は、当該顧客に対し同法第二条第十項に規定する目論見書（前条に規定する方法に準ずる方法により当該契約締結前交付書面に記載すべき事項のすべてが記載されているものに限る。）を交付している場合（目論見書に当該事項のすべてが記載されていない場合にあつては、当該目論見書及び当該事項のうち当該目論見書に記載されていない事項のすべてが記載されている書面を一体のものとして交付している場合を含む。）又は同法第十五条第二項第二号に掲げる

場合とする。

Article 230 (1) The cases specified by Cabinet Office Order as referred to in the proviso to Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are the case where the organizer has delivered the prospectus prescribed in Article 2, paragraph (10) of the Financial Instruments and Exchange Act (limited to the prospectus in which all of the information required to be given in the relevant Document for Delivery Prior to Conclusion of a Contract is given by the method equivalent to the methods prescribed in the preceding Article) to the relevant customer(s) (in cases where all of such information is not given in the prospectus, including the cases where such prospectus is delivered with a document giving all of the information not contained therein as an integral part thereof), or the cases listed in Article 15, paragraph (2), item (ii) of that Act.

2 金融商品取引法第三十四条の二第四項、金融商品取引法施行令第十五条の二十二及び金融商品取引業等に関する内閣府令第五十六条の規定は、前項の規定による書面の交付について準用する。

(2) The provisions of Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, Article 15-22 of the Order for Enforcement of the Financial Instruments and Exchange Act, and Article 56 of the Cabinet Office Order on Financial Instruments Business, etc. apply mutatis mutandis to the delivery of documents under the preceding paragraph.

(顧客が支払うべき対価に関する事項)

(Particulars Concerning Consideration Payable by Customers)

第二百三十一条 法第九十七条において準用する金融商品取引法第三十七条の三第一項第四号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、投資証券募集等契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該投資証券募集等契約に係る投資証券の価格に対する割合を含む。以下この項において同じ。）及び当該金額の合計額若しくはその上限額又はこれらの計算方法とする。ただし、これらの記載をすることができない場合にあつては、その旨及びその理由とする。

Article 231 (1) The matters specified by Cabinet Office Order as referred to in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are the amount of Fees, etc. payable by customers with regard to a Contract for Public Offering, etc. of Investment Securities, irrespective of its name such as fees, remunerations, expenses, or others, for each type or the maximum amount thereof, or the outline of the method of calculation thereof (including the ratio to the price of Investment Securities subject to the relevant Contract for Public Offering, etc. of Investment Securities; hereinafter the same applies

in this paragraph), and the total of such amount or the maximum amount thereof, or the outline of the method of calculation thereof; provided, however, that in cases these details cannot be indicated, that fact and the reason therefor are stated.

- 2 第二百二十五条第二項から第四項までの規定は、前項の手数料等について準用する。  
(2) The provisions of Article 225, paragraphs (2) through (4) apply mutatis mutandis to the Fees, etc. under the preceding paragraph.

(契約締結前交付書面の記載事項)

(Information Required to Be Given in the Document for Delivery Prior to Conclusion of a Contract)

第二百三十二条 法第九十七条において準用する金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 232 The information specified by Cabinet Office Order as referred to in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act is the following information:

一 当該契約締結前交付書面の内容を十分に読むべき旨

(i) a notice to the effect that the recipient thereof should read the contents of the relevant Document for Delivery Prior to Conclusion of a Contract comprehensively;

二 当該投資証券募集等契約に係る投資証券の譲渡に制限がある場合にあっては、その旨及び当該制限の内容

(ii) in cases where any restrictions are imposed on the transfer of Investment Securities subject to the relevant Contract for Public Offering, etc. of Investment Securities, an indication of this and the details of the restriction;

三 顧客が行う投資証券の募集等に係る取引について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあっては、次に掲げる事項

(iii) in cases where the transaction conducted by the customer in relation to the Public Offering, etc. of Investment Securities involves the risk of incurring a loss due to fluctuations in the money rate, value of currencies, quotations on a Financial Instruments Market, or any other indicator as the direct cause thereof, the following information:

イ 当該指標

(a) the relevant indicator; and

ロ 当該指標に係る変動により損失が生ずるおそれがある理由

(b) the reasons for the risk of causing a loss due to fluctuations in the relevant indicator;

四 顧客が行う投資証券の募集等に係る取引について当該設立企画人その他の者の業務又は財産の状況の変化を直接の原因として損失が生ずることとなるおそれがある

場合にあつては、次に掲げる事項

(iv) in cases where the transaction conducted by the customer in relation to the Public Offering, etc. of Investment Securities involves the risk of causing a loss due to changes in the status of business or property of the relevant organizer or any other person as the direct cause thereof, the following information:

イ 当該者

(a) the relevant person;

ロ 当該者の業務又は財産の状況の変化により損失が生ずるおそれがある旨及びその理由

(b) the fact that there is a risk of causing a loss due to changes to the status of business or property of the relevant person and the reason therefor;

五 当該投資証券募集等契約に関する租税の概要

(v) an outline of the taxation related to the relevant Contract for Public Offering, etc. of Investment Securities;

六 当該投資証券募集等契約の終了の事由がある場合にあつては、その内容

(vi) in cases where there are any grounds for the termination of the relevant Contract for Public Offering, etc. of Investment Securities, the details thereof;

七 当該設立企画人の概要

(vii) an outline of the relevant organizer;

八 顧客が当該設立企画人に連絡する方法

(viii) the method for the customer to contact the relevant organizer; and

九 当該設立企画人が対象事業者（金融商品取引法第七十九条の十一第一項に規定する対象事業者をいう。以下この号において同じ。）となっている認定投資者保護団体（同法第七十九条の十第一項に規定する認定投資者保護団体をいい、当該投資証券募集等契約が当該認定投資者保護団体の認定業務（同項に規定する認定業務をいう。）の対象となるものである場合における当該認定投資者保護団体に限る。）の有無（対象事業者となっている場合にあつては、その名称）

(ix) information as to whether the relevant organizer is a Target Business Operator (meaning the Target Business Operator as prescribed in Article 79-11, paragraph (1) of the Financial Instruments and Exchange Act; hereinafter the same applies in this item) of any Certified Investor Protection Organization (meaning the Certified Investor Protection Organization defined in Article 79-10, paragraph (1) of that Act, and limited to the Certified Investor Protection Organization in cases where the relevant Contract for Public Offering, etc. of Investment Securities are subject to the Certified Business (meaning the Certified Business defined in that paragraph) of the relevant Certified Investor Protection Organization) (in cases where the organizer is a Target Business Operator of any organization, the name thereof).

(情報通信の技術を利用した提供)

(Provision of Information Using Information and Communications Technology)

第二百三十三条 金融商品取引業等に関する内閣府令第五十六条の規定は、法第九十七條において準用する金融商品取引法第三十七條の三第二項及び第三十七條の四第二項において同法第三十四條の二第四項の規定を準用する場合について準用する。

Article 233 (1) The provisions of Article 56 of the Cabinet Office Order on Financial Instruments Business, etc. apply mutatis mutandis to the cases where the provisions of Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act are applied mutatis mutandis pursuant to Article 37-3, paragraph (2) and Article 37-4, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 197 of the Act.

2 金融商品取引業等に関する内閣府令第五十七條の規定は、令第二百一十一條第五項において金融商品取引法施行令第十五條の二十二の規定を準用する場合について準用する。

(2) The provisions of Article 57 of the Cabinet Office Order on Financial Instruments Business, etc. apply mutatis mutandis to the cases where the provisions of Article 15-22 of the Order for Enforcement of the Financial Instruments and Exchange Act are applied mutatis mutandis pursuant to Article 121, paragraph (5) of the Order.

(契約締結時交付書面の記載事項)

(Information Required to Be Given in Document for Delivery upon Conclusion of a Contract)

第二百三十四條 投資証券募集等契約が成立したときに作成する法第九十七條において準用する金融商品取引法第三十七條の四第一項に規定する書面（次条において「契約締結時交付書面」という。）には、次に掲げる事項を記載して作成しなければならない。

Article 234 The documents prescribed in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act which are to be prepared when the Contract for Public Offering, etc. of Investment Securities is effected (referred to as the "Document for Delivery Upon Conclusion of a Contract" in the following Article) must be prepared by giving the following information:

一 当該設立企画人の商号、名称又は氏名

(i) the trade name or name of the relevant organizer;

二 当該投資証券募集等契約の概要（当該投資証券募集等契約に係る投資証券の銘柄、数及び価格を含む。）

(ii) an outline of the relevant Contract for Public Offering, etc. of Investment Securities (including the issue, numbers, and price of the Investment Securities subject to the relevant Contract for Public Offering, etc. of



Investment Securities);

三 当該投資証券募集等契約の成立の年月日

(iii) the date on which the relevant Contract for Public Offering, etc. of Investment Securities was effected;

四 当該投資証券募集等契約に係る手数料等に関する事項

(iv) information concerning the Fees, etc. related to the relevant Contract for Public Offering, etc. of Investment Securities;

五 顧客の氏名又は名称

(v) the names of the customers; and

六 顧客が当該設立企画人に連絡する方法

(vi) the method for the customers to contact the relevant organizer.

(投資者の保護に欠けるおそれが少ないと認められる信用格付)

(Credit Rating Found Unlikely to Result in Insufficient Protection of Investors)

第二百三十四条の二 法第百九十七条において準用する金融商品取引法第三十八条第三号に規定する内閣府令で定めるものは、投資証券募集等契約に係る投資証券以外の有価証券又は当該投資証券の発行者以外の者の信用状態に関する評価を主たる対象とする信用格付（金融商品取引法第二条第三十四項に規定する信用格付をいい、実質的に当該投資証券又はその発行者の信用状態に関する評価を対象とする信用格付と認められる信用格付を除く。）とする。

Article 234-2 The credit rating specified by Cabinet Office Order as referred to in Article 38, item (iii) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act is a Credit Rating (meaning the Credit Rating as prescribed in Article 2, paragraph (34) of the Financial Instruments and Exchange Act, and excluding Credit Ratings deemed to be substantially a Credit Rating for the assessment of the credit status of the Investment Securities related to the Contract for Public Offering, etc. of Investment Securities or the issuer thereof) for the assessment mainly on the credit status of Securities other than the Investment Securities or persons other than the issuer of the Investment Securities.

(信用格付業者の登録の意義その他の事項)

(Significance of Registration of Credit Rating Agency and Other Particulars)

第二百三十四条の三 法第百九十七条において準用する金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げるものとする。

Article 234-3 The particulars specified by Cabinet Office Order as referred to in Article 38, item (iii) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are as follows:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration under Article 66-27 of the Financial Instruments and Exchange Act;

二 信用格付（金融商品取引法第二条第三十四項に規定する信用格付をいう。以下この条において同じ。）を付与した者に関する次に掲げる事項

(ii) the following particulars related to the person who has assigned the Credit Rating (meaning the Credit Rating as prescribed in Article 2, paragraph (34) of the Financial Instruments and Exchange Act; hereinafter the same applies in this Article):

イ 商号、名称又は氏名

(a) the trade name or name;

ロ 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。）であるときは、役員（法人でない団体で代表者又は管理人の定めのあるものにあつては、その代表者又は管理人）の氏名又は名称

(b) in cases where such person is a corporation (including an organization without legal personality for which a representative person or administrator has been designated), the name of the officers (in cases of an organization without legal personality for which a representative person or administrator has been designated, the representative person or administrator); and

ハ 本店その他の主たる営業所又は事務所の名称及び所在地

(c) the name and location of the head office and other principal business office or office;

三 信用格付を付与した者が当該信用格付を付与するために用いる方針及び方法の概要

(iii) an outline of the policies and methods used by the person who has assigned the Credit Rating in assigning such Credit Rating; and

四 信用格付の前提、意義及び限界

(iv) the preconditions, significance and limits of Credit Rating.

（禁止行為）

(Prohibited Acts)

第二百三十五条 法第百九十七条において準用する金融商品取引法第三十八条第八号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 235 The acts specified by Cabinet Office Order as referred to in Article 38, item (viii) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are the following acts:

一 次に掲げる書面の交付に関し、あらかじめ、顧客（特定投資家（金融商品取引法第二条第三十一項に規定する特定投資家をいう。）を除く。以下この号において同じ。）に対して、法第百九十七条において準用する金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項について顧客の知識、経験、財産の状況及び投資証券募集等契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をすることなく、投資証券募集等契約を締結する行為

- (i) an act of concluding a Contract for Public Offering, etc. of Investment Securities without explaining the particulars listed in Article 37-3, paragraph (1), items (iii) through (v) and (vii) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act to the customers (excluding Professional Investors (meaning the Professional Investors as prescribed in Article 2, paragraph (31) of the Financial Instruments and Exchange Act); hereinafter the same applies in this item) in advance in relation to the delivery of the following documents, in a manner and to the extent necessary for such particulars to be understood by the relevant customers in light of the customer's knowledge, experience, status of property and purpose of concluding a Contract for Public Offering, etc. of Investment Securities:
- イ 契約締結前交付書面
- (a) a Document for Delivery Prior to Conclusion of Contract;
- ロ 第二百三十条に規定する場合にあっては、同条に規定する目論見書（同条の規定により当該目論見書と一体のものとして交付される書面がある場合には、当該目論見書及び当該書面）
- (b) in the case prescribed in Article 230, the prospectus provided in that Article (in cases where there are any documents to be delivered with the prospectus as an integral part thereof pursuant to that Article, such prospectus and document);
- 二 投資証券募集等契約の締結又はその勧誘に関して、虚偽の表示をし、又は重要な事項につき誤解を生ぜしめるべき表示をする行為
- (ii) an act of making a false indication, or an indication that may lead the material information to be misunderstood in relation to the conclusion of a Contract for Public Offering, etc. of Investment Securities or the solicitation thereof;
- 三 投資証券募集等契約につき、顧客若しくはその指定した者に対し、特別の利益の提供を約し、又は顧客若しくは第三者に対し特別の利益を提供する行為（第三者をして特別の利益の提供を約させ、又はこれを提供させる行為を含む。）
- (iii) an act of promising the customers or persons designated thereby to provide special benefits, or providing the customers or a third party with special benefits (including acts of having a third party promise to provide or provide special benefits), in relation to a Contract for Public Offering, etc. of Investment Securities;
- 四 投資証券募集等契約の締結又は解約に関し、顧客（個人に限る。）に迷惑を覚えさせるような時間に電話又は訪問により勧誘する行為
- (iv) an act of soliciting, in relation to the conclusion or cancellation of a Contract for Public Offering, etc. of Investment Securities, customers (limited to individuals) by phone calls or visits at times in which the customer will be annoyed.

(事故)

**(Problematic Conducts)**

第二百三十六条 法第百九十七条において準用する金融商品取引法第三十九条第三項に規定する内閣府令で定めるものは、投資証券の募集等に係る取引につき、特定設立企画人等が、当該特定設立企画人等が行う投資証券の募集等の業務に関し、次に掲げる行為を行うことにより顧客に損失を及ぼしたものとする。

Article 236 The problematic conducts specified by Cabinet Office Order as referred to in Article 39, paragraph (3) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are, with regard to transactions related to Public Offering, etc. of Investment Securities conducted by a specified organizer or its officers or employees, that the specified organizer or its officers or employees have caused a loss to a customer(s) by conducting the following acts in relation to its business of Public Offering, etc. of Investment Securities:

一 次に掲げるものについて顧客を誤認させるような勧誘をすること。

(i) an act of soliciting customers in a manner which would make the customers misunderstand the following matters:

イ 投資証券の商品内容

(a) the contents of the Investment Securities;

ロ 取引の条件

(b) the conditions for the transaction;

ハ 投資証券の価格の騰貴又は下落

(c) the rise or fall of the price of Investment Securities;

二 過失又は電子情報処理組織の異常により事務処理を誤ること。

(ii) to make errors in handling administrative processes due to negligence or disorders in the electronic data processing system;

三 その他法令に違反する行為を行うこと。

(iii) to conduct any other acts in violation of laws and regulations.

(事故の確認を要しない場合)

**(Cases Where Confirmation of Problematic Conducts Is Not Required)**

第二百三十七条 法第百九十七条において準用する金融商品取引法第三十九条第三項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 237 (1) The cases specified by Cabinet Office Order as referred to in the proviso to Article 39, paragraph (3) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are the following cases:

一 裁判所の確定判決を得ている場合

(i) cases where a final and binding judgment from the court has been obtained;

二 裁判上の和解（民事訴訟法（平成八年法律第九号）第二百七十五条第一項に定

- めるものを除く。)が成立している場合
- (ii) cases where a judicial settlement (excluding those specified in Article 275, paragraph (1) of the Code of Civil Procedure (Act No. 109 of 1996)) has been reached;
- 三 民事調停法（昭和二十六年法律第二百二十二号）第十六条に規定する調停が成立している場合又は同法第十七条の規定により裁判所の決定が行われ、かつ、同法第十八条第一項に規定する期間内に異議の申立てがない場合
- (iii) cases where a conciliation as prescribed in Article 16 of the Civil Conciliation Act (Act No. 222 of 1951) has been concluded or where a court order has been made pursuant to Article 17 of that Act, and no objection has been made within the period prescribed in Article 18, paragraph (1) of that Act;
- 四 認定投資者保護団体（金融商品取引法第七十九条の十第一項に規定する認定投資者保護団体をいう。）のあっせん（同法第七十九条の十三において準用する同法第七十七条の二第一項に規定するあっせんをいう。）による和解が成立している場合
- (iv) cases where a settlement has been reached through Mediation (meaning the mediation as referred to in Article 77-2, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 79-13 of that Act) by a Certified Investor Protection Organization (meaning the Certified Investor Protection Organization defined in Article 79-10, paragraph (1) of the Financial Instruments and Exchange Act);
- 五 弁護士法（昭和二十四年法律第二百五号）第三十三条第一項に規定する会則若しくは当該会則の規定により定められた規則に規定する機関におけるあっせんによる和解が成立している場合又は当該機関における仲裁手続による仲裁判断がされている場合
- (v) cases where a settlement has been reached through mediation by an organization provided in the articles of association referred to in Article 33, paragraph (1) of the Attorney Act (Act No. 205 of 1949) or rules provided pursuant to the provisions of the articles of association, or where an arbitral award under arbitration procedure by such organization has been issued;
- 六 消費者基本法（昭和四十三年法律第七十八号）第十九条第一項若しくは第二十五条に規定するあっせんによる和解が成立している場合又は同条に規定する合意による解決が行われている場合
- (vi) cases where a settlement has been reached through the mediation provided in Article 19, paragraph (1) or Article 25 of the Consumer Basic Act (Act No. 78 of 1968), or where a settlement has been reached through agreement as prescribed in that Article;
- 七 認証紛争解決事業者（裁判外紛争解決手続の利用の促進に関する法律（平成十六年法律第百五十一号）第二条第四号に規定する認証紛争解決事業者をいい、投資証券の募集等に係る取引に係る紛争が同法第六条第一号に規定する紛争の範囲に含まれるものに限る。）が行う認証紛争解決手続（同法第二条第三号に規定する認証紛

- 争解決手続をいう。)による和解が成立している場合
- (vii) cases where a settlement has been reached through Certified Dispute Resolution Procedure (meaning the certified dispute resolution procedure as prescribed in Article 2, item (iii) of the Act on Promotion of Use of Alternative Dispute Resolution (Act No. 151 of 2004)) carried out by a Certified Dispute Resolution Business Operator (meaning the certified dispute resolution business operator as prescribed in Article 2, item (iv) of that Act, and limited to cases where the dispute pertaining to the transaction related to the Contract on Public Offering, etc. of Investment Securities falls within the scope of dispute referred to in Article 6, item (i) of that Act);
- 八 和解が成立している場合であって、次に掲げるすべての要件を満たす場合
- (viii) cases where a settlement has been reached, and in which all of the following requirements are satisfied:
- イ 当該和解の手続について弁護士又は司法書士（司法書士法（昭和二十五年法律第九十七号）第三条第一項第七号に掲げる事務を行う者に限る。）が顧客を代理していること。
- (a) that an attorney or judicial scrivener (limited to those in charge of the administrative processes listed in Article 3, paragraph (1), item (vii) of the Judicial Scrivener Act (Act No. 197 of 1950)) is representing the customer with regard to the procedures for settlement;
- ロ 当該和解の成立により特定設立企画人等が顧客に対して支払をすることとなる額が千万円（イの司法書士が代理する場合にあっては、司法書士法第三条第一項第七号に規定する額）を超えないこと。
- (b) that the amount to be paid to customers by the specified organizer or its officers or employees as a result of effectuation of the relevant settlement does not exceed 10 million yen (in cases where the judicial scrivener set forth in sub-item (a) represents the customer, the amount provided in Article 3, paragraph (1), item (vii) of the Judicial Scrivener Act);
- ハ ロの支払が事故（法第九十七条において準用する金融商品取引法第三十九条第三項に規定する事故をいう。以下この条から第二百三十九条までにおいて同じ。）による損失の全部又は一部を補てんするために行われるものであることをイの弁護士又は司法書士が調査し、確認したことを証する書面が特定設立企画人等に交付されていること。
- (c) that a document evidencing that the attorney or judicial scrivener set forth in sub-item (a) has examined and confirmed that the payment set forth in sub-item (b) has been made to compensate all or part of the losses caused by the Problematic Conduct (meaning the Problematic Conduct as prescribed in Article 39, paragraph (3) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act; hereinafter the same applies in this Article through Article 239) is delivered to the specified organizer or its officers or employees;

九 特定設立企画人等が前条各号に掲げる行為により顧客に損失を及ぼした場合で、一日の取引において顧客に生じた損失について顧客に対して申し込み、約束し、又は提供する財産上の利益が十万円に相当する額を上回らないとき（前各号に掲げる場合を除く。）。

(ix) cases where the specified organizer or its officers or employees have caused any loss to a customer due to the acts listed in the items of the preceding Article, and where the amount of property benefit offered, promised, or provided to a customer for the loss suffered thereby does not exceed the amount equivalent to 100 thousand yen (excluding the cases set forth in the preceding items);

十 特定設立企画人等が前条第二号に掲げる行為により顧客に損失を及ぼした場合（顧客の注文の内容の記録により事故であることが明らかである場合に限り、第一号から第八号までに掲げる場合を除く。）

(x) cases where the specified organizer or its officers or employees have caused any loss to a customer due to the acts listed in item (ii) of the preceding Article (limited to cases where it is obvious from the record of the contents of the customer's order that the act falls under Problematic Conduct, and excluding the cases listed in items (i) through (viii)).

2 前項第九号の利益は、前条各号に掲げる行為の区分ごとに計算するものとする。この場合において、同条第二号に掲げる行為の区分に係る利益の額については、前項第十号に掲げる場合において申し込み、約束し、又は提供する財産上の利益の額を控除するものとする。

(2) The benefits under item (ix) of the preceding paragraph are to be calculated for each category of acts listed in the items of the preceding Article. In this case, in calculating the amount of benefits for the category of acts listed in item (ii) of that Article, the amount of property benefits offered, promised, or provided in the case set forth in item (x) of the preceding paragraph is to be deducted.

3 設立企画人は、第一項第九号又は第十号に掲げる場合において、法第百九十七条において準用する金融商品取引法第三十九条第三項ただし書の確認を受けなくて、顧客に対し、財産上の利益を提供する旨を申し込み、若しくは約束し、又は財産上の利益を提供したときは、その申込み若しくは約束又は提供をした日の属する月の翌月末日までに、第二百三十九条各号に掲げる事項を、所管金融庁長官等に報告しなければならない。

(3) In the case referred to in paragraph (1), item (ix) or (x), when an organizer has offered or promised to provide property benefits, or provided property benefits to a customer without obtaining confirmation referred to in the proviso to Article 39, paragraph (3) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act, the organizer must report the particulars listed in the items of Article 239 to the Commissioner of the Financial Services Agency or Other Competent Official by

the last day of a month following the month which includes the day on which such offer, promise, or provision has been made.

(事故の確認の申請)

(Application for Confirmation of Problematic Conduct)

第二百三十八条 法第百九十七条において準用する金融商品取引法第三十九条第三項ただし書の確認を受けようとする者は、同条第五項の規定による申請書及びその添付書類の正本一通並びにこれらの写し一通を、所管金融庁長官等に提出しなければならない。

Article 238 A person who intends to obtain the confirmation referred to in the proviso to Article 39, paragraph (3) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act must submit the written application under Article 39, paragraph (5) of the Financial Instruments and Exchange Act and an original copy of the document attached thereto as well as the copies thereof to the Commissioner of the Financial Services Agency or Other Competent Official.

(確認申請書の記載事項)

(Information Required to Be Given in the Written Application for Confirmation)

第二百三十九条 法第百九十七条において準用する金融商品取引法第三十九条第五項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 239 The information specified by Cabinet Office Order as referred to in Article 39, paragraph (5) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act is the following information:

一 設立企画人の商号、名称又は氏名

(i) the trade name(s) or name(s) of the organizer(s);

二 事故の発生した本店その他の営業所又は事務所の名称及び所在地

(ii) the name and location of the head office or other business offices or offices at which the Problematic Conduct took place;

三 確認を受けようとする事実に関する次に掲げる事項

(iii) the following information related to the facts for which confirmation is sought:

イ 事故となる行為に関係した者の氏名又は部署の名称

(a) the name of the person who was involved in the acts falling under a Problematic Conduct, as well as the name of the section thereof;

ロ 顧客の氏名及び住所（法人にあっては、商号又は名称、主たる営業所又は事務所の所在地及び代表者の氏名）

(b) the name and address of the customer (in cases of a corporation, its trade name or name, location of the principal business office or office, and the



name of the representative person thereof);

ハ 事故の概要

(c) the outline of the Problematic Conduct;

ニ 補てんに係る顧客の損失が事故に起因するものである理由

(d) the grounds proving that the customer's loss which is to be compensated for results from the Problematic Conduct;

ホ 申込み若しくは約束又は提供をしようとする財産上の利益の額

(e) the amount of property benefits to be offered, promised, or provided; and

四 その他参考となるべき事項

(iv) any other information that will serve as a reference.

(確認申請書の添付書類)

(Documents to Be Attached to a Written Application for Confirmation)

第二百四十条 法第百九十七条において準用する金融商品取引法第三十九条第五項に規定する内閣府令で定めるものは、顧客が前条各号に掲げる事項の内容を確認したことを証明する書類その他参考となるべき資料とする。

Article 240 (1) The documents specified by Cabinet Office Order as referred to in Article 39, paragraph (5) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are documents evidencing that the customer has confirmed the contents of the information listed in the items of the preceding Article and other materials that will serve as a reference.

2 前項の規定は、法第百九十七条において準用する金融商品取引法第三十九条第五項の規定による申請書が同条第一項第二号の申込みに係るものである場合には、適用しない。

(2) The provisions of the preceding paragraph do not apply in cases where the written application under Article 39, paragraph (5) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act is related to the offer under Article 39, paragraph (1), item (ii) of the Financial Instruments and Exchange Act.

(業務の運営の状況が公益に反し又は投資者の保護に支障を生ずるおそれがあるもの)

(Cases Where the State of Operation of Business Is Likely to Go Against Public Interest or Hinder Protection of Investors)

第二百四十一条 法第百九十七条において準用する金融商品取引法第四十条第二号に規定する内閣府令で定める状況は、次に掲げる状況とする。

Article 241 The circumstances specified by Cabinet Office Order as referred to in Article 40, item (ii) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are the following circumstances:

一 その取り扱う個人である顧客に関する情報の安全管理、従業者の監督及び当該情報の取扱いを委託する場合にはその委託先の監督について、当該情報の漏えい、滅失又はき損の防止を図るために必要かつ適切な措置を講じていないと認められる状況

(i) a circumstance where it is found that the specified organizer or its officers or employees, in relation to the security management and supervision of workers related to the information of individual customers handled thereby, and supervision of the entrusted party if such handling of information is entrusted, has not taken necessary and appropriate measures to prevent the leakage, loss, or damage of such information; and

二 その取り扱う個人である顧客に関する人種、信条、門地、本籍地、保健医療又は犯罪経歴についての情報その他業務上知り得た公表されていない特別の情報を、適切な業務の運営の確保その他必要と認められる目的以外の目的のために利用しないことを確保するための措置を講じていないと認められる状況

(ii) a circumstance where it is found that the specified organizer or its officers or employees has not taken measures to ensure the use of information on the individual customer's race, creed, family origin, registered domicile, health and medical care, or criminal records, or any other undisclosed and special information handled thereby which may come to its knowledge in the course of business for purposes other than the assurance of proper operation or any other purpose found to be necessary.

(投資証券の募集等に係る設立企画人の親法人等又は子法人等が関与する行為の制限)

(Restrictions on the Acts in Which the Parent Corporation, etc. or Subsidiary Corporation, etc. of Organizer Related to the Public Offering, etc. of Investment Securities Are Involved)

第二百四十二条 法第百九十七条において準用する金融商品取引法第四十四条の三第一項第四号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 242 The acts specified by Cabinet Office Order as referred to in Article 44-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are the following acts:

一 通常取引の条件と著しく異なる条件で、当該設立企画人の親法人等（令第十七条第一号に規定する親法人等をいう。以下同じ。）又は子法人等（同条第二号に規定する子法人等をいう。以下同じ。）と資産の売買その他の取引を行うこと。

(i) an act to conduct sale and purchase or other transaction of assets with the Parent Corporation, etc. (meaning the Parent Corporation, etc. as prescribed in Article 17, item (i) of the Order; the same applies hereinafter) or Subsidiary Corporation, etc. (meaning the Subsidiary Corporation, etc. as prescribed in item (ii) of that Article; the same applies hereinafter) of the

relevant organizer under conditions extremely different from those for ordinary transactions;

二 当該設立企画人との間で投資証券募集等契約を締結することを条件としてその親法人等又は子法人等がその顧客に対して通常の取引の条件よりも有利な条件で資産の売買その他の取引を行っていることを知りながら、当該顧客との間で当該投資証券募集等契約を締結すること。

(ii) an act of concluding a Contract for Public Offering, etc. of Investment Securities with a customer, knowing that the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant organizer has conducted sale and purchase or other transaction of assets with the customer thereof under conditions more favorable than those for ordinary transactions on the condition that the customer concludes the Contract for Public Offering, etc. of Investment Securities with the organizer;

三 何らの名義によってするかを問わず、法第百九十七条において準用する金融商品取引法第四十四条の三第一項の規定による禁止を免れること。

(iii) an act of evading the prohibitions under Article 44-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act, irrespective of the name under which the act is to be conducted.

(行為規制の適用除外の例外)

(Exceptions for Exclusion from Application of Conduct Control)

第二百四十三条 法第百九十七条において準用する金融商品取引法第四十五条ただし書に規定する内閣府令で定める場合は、同法第三十七条の四の規定の適用について顧客からの投資証券の募集等に係る取引に関する照会に対して速やかに回答できる体制が整備されていない場合とする。

Article 243 The cases specified by Cabinet Office Order as referred to in the proviso to Article 45 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act are the case where a system which enables a prompt response to the customers' inquiries on the transaction related to the Public Offering, etc. of Investment Securities with regard to the application of the provisions of Article 37-4 of the Financial Instruments and Exchange Act has not been established.

(監督役員と利害関係を有する金融商品取引業者)

(Financial Instruments Business Operator Having Interests in a Supervisory Officer)

第二百四十四条 法第二百条第三号に規定する登録投資法人の監督役員と利害関係を有する金融商品取引業者として内閣府令で定めるものは、次に掲げるものとする。

Article 244 The Financial Instruments Business Operator specified by Cabinet Office Order as having interests in the supervisory officer of a Registered

Investment Corporation as referred to in Article 200, item (iii) of the Act is as follows:

一 当該登録投資法人の監督役員の親族を、その役員若しくは使用人（以下この号、第三号及び第四号において「役員等」という。）又は子会社の役員等としている金融商品取引業者（法第二条第十一項に規定する金融商品取引業者をいう。以下この条において同じ。）

(i) a Financial Instruments Business Operator (meaning the Financial Instruments Business Operator as prescribed in Article 2, paragraph (11) of the Act; the same applies in this Article) who has a relative(s) of the supervisory officer of the relevant Registered Investment Corporation as its officer or employee (hereinafter collectively referred to as the "Officer, etc." in this item, item (iii), and item (iv)), or Officer, etc. of the Subsidiary Company;

二 当該登録投資法人の監督役員に無償又は通常取引価格より低い対価による事務所又は資金の提供その他の特別の経済的利益の供与をしている金融商品取引業者

(ii) a Financial Instruments Business Operator that is providing an office or funds without charge or for a consideration lower than the ordinary market price or any other special economic benefits to the supervisory officer of the relevant Registered Investment Corporation;

三 当該金融商品取引業者の親会社等（金融商品取引法施行令第十五条の十六第三項に規定する親会社等をいう。）に該当する法人が、次のいずれかに掲げる法人に該当する場合における当該金融商品取引業者

(iii) a Financial Instruments Business Operator in cases where a corporation that falls under a Parent Company, etc. (meaning the Parent Company, etc. provided in Article 15-16, paragraph (3) of the Order for Enforcement of the Financial Instruments and Exchange Act) of the Financial Instruments Business Operator falls under any of the following corporations:

イ 当該登録投資法人の監督役員を、その役員等若しくは子会社の役員等としている法人又はその役員等としたことのある法人

(a) a corporation in cases where a supervisory officer of the relevant Registered Investment Corporation is an Officer, etc. of the corporation or its Subsidiary Company or was an Officer, etc. of the corporation;

ロ 当該登録投資法人の監督役員に対して継続的な報酬を与えている法人

(b) a corporation that continuously gives remuneration to a supervisory officer of the relevant Registered Investment Corporation;

ハ 当該登録投資法人の監督役員の親族を、その役員等又は子会社の役員等としている法人

(c) a corporation in cases where a relative of a supervisory officer of the relevant Registered Investment Corporation is an Officer, etc. of the corporation or its Subsidiary Company; and

ニ 当該登録投資法人の監督役員に無償又は通常取引価格より低い対価による事

- 務所又は資金の提供その他の特別の経済的利益の供与をしている法人
- (d) a corporation that is providing an office or funds without charge or for a consideration lower than the ordinary market price or any other special economic benefits to a supervisory officer of the relevant Registered Investment Corporation;
- 四 当該金融商品取引業者の主要株主（金融商品取引法第二十九条の四第二項に規定する主要株主をいう。以下この号及び第二百四十四条の三において同じ。）に該当する者が、前号イからニまでのいずれかに掲げる法人又は次のいずれかに掲げる個人に該当する場合における当該金融商品取引業者
- (iv) a Financial Instruments Business Operator in cases where a person who falls under a Major Shareholder (meaning the Major Shareholder provided in Article 29-4, paragraph (2) of the Financial Instruments and Exchange Act; hereinafter the same applies in this item and Article 244-3) of the Financial Instruments Business Operator falls under any of the corporations listed in sub-item (a) through sub-item (d) of the preceding item or any of the following individuals:
- イ 当該登録投資法人の監督役員である者
- (a) a person who is a supervisory officer of the relevant Registered Investment Corporation;
- ロ 当該登録投資法人の監督役員を、当該主要株主が総株主等の議決権の過半数を保有する株式会社の役員等としている者
- (b) a person in cases where a supervisory officer of the relevant Registered Investment Corporation is an Officer, etc. of a stock company in which the Major Shareholder holds the majority of all shareholders', etc. voting rights;
- ハ 当該登録投資法人の監督役員の親族である者
- (c) a person who is a relative of a supervisory officer of the relevant Registered Investment Corporation;
- ニ 当該登録投資法人の監督役員の親族を、当該主要株主が総株主等の議決権の過半数を保有する株式会社の役員等としている者
- (d) a person in cases where a relative of a supervisory officer of the relevant Registered Investment Corporation is an Officer, etc. of a stock company in which the Major Shareholder holds the majority of all shareholders', etc. voting rights;
- ホ 当該登録投資法人の監督役員に対して継続的な報酬を与えている者
- (e) a person that continuously gives remuneration to a supervisory officer of the relevant Registered Investment Corporation; and
- ヘ 当該登録投資法人の監督役員に無償又は通常取引価格より低い対価による事務所又は資金の提供その他の特別の経済的利益の供与をしている者
- (f) a person who is providing an office or funds without charge or for a consideration lower than the ordinary market price or any other special

economic benefits to the supervisory officer of the relevant Registered Investment Corporation.

(特定資産に係る不動産の鑑定評価)

(Appraisal of Real Property Pertaining to Specified Assets)

第二百四十四条の二 法第二百一条第一項の規定による不動産の鑑定評価は、不動産鑑定士であって次に掲げる者以外のものに行わせるものとする。

Article 244-2 An appraisal of real property under Article 201, paragraph (1) of the Act is to be assigned to a real estate appraiser who does not fall under any of the following:

一 当該投資法人の資産運用会社の利害関係人等（法第二百一条第一項に規定する利害関係人等をいう。第二百四十五条の二第一項において同じ。）

(i) an interested person or other close affiliate (meaning the interested person or other close affiliate as prescribed in Article 201, paragraph (1) of the Act; the same applies in Article 245-2, paragraph (1) of the Asset Management Company of the relevant Investment Corporation;

二 当該投資法人の資産保管会社の利害関係人等（令第二百二十四条に規定する利害関係人等をいう。）

(ii) an interested person or other close affiliate (meaning the interested person or other close affiliate as prescribed in Article 124 of the Order) of the Asset Custody Company of the relevant Investment Corporation;

三 当該投資法人又はその資産運用会社若しくは資産保管会社の役員又は使用人

(iii) an officer or employee of the relevant Investment Corporation or of the Asset Management Company or Asset Custody Company thereof; or

四 不動産の鑑定評価に関する法律の規定により、法第二百一条第一項の規定による不動産の鑑定評価に係る業務をすることができない者

(iv) a person who is, pursuant to the provisions of the Act on Real Estate Appraisal, unqualified to engage in the business concerning an appraisal of real property under Article 201 paragraph (1) of the Act.

(資産運用会社の利害関係人等の範囲)

(Scope of Interested Person or Other Close Affiliate of Asset Management Company)

第二百四十四条の三 令第二百二十三条第四号に規定する内閣府令で定める者は、当該資産運用会社の主要株主とする。

Article 244-3 The persons specified by Cabinet Office Order as referred to in Article 123, item (iv) of the Order are the Major Shareholder of the relevant Asset Management Company.

(特定資産の価格の調査等)

(Investigation of Value of Specified Assets)

第二百四十五条 法第二百一条第二項に規定する内閣府令で定める行為は、第二十二條第二項各号に掲げる行為とする。

Article 245 (1) The acts specified by Cabinet Office Order as referred to in Article 201, paragraph (2) of the Act are the acts listed in the items of Article 22, paragraph (2).

2 法第二百一条第二項に規定する内閣府令で定める事項は、第二十二條第三項各号に掲げる特定資産の区分に応じ、当該各号に定める事項とする。

(2) The matters specified by Cabinet Office Order as referred to in Article 201, paragraph (2) of the Act are the matters specified in the items of Article 22, paragraph (3) according to the category of Specified Assets listed in the respective items.

3 法第二百一条第一項の鑑定評価又は同條第二項の調査が行われたときは、資産運用会社は、当該鑑定評価又は調査の結果を当該鑑定評価又は調査に係る資産の運用を行う投資法人に通知しなければならない。

(3) When the appraisal under Article 201, paragraph (1) of the Act or the investigation under paragraph (2) of that Article has been made, the Asset Management Company must notify the results of such appraisal or investigation to the Investment Corporation investing assets subject to the appraisal or investigation.

(利害関係人等との取引の制限の例外)

(Exceptions to Restriction on Transactions with Interested Person or Other Close Affiliate)

第二百四十五条の二 法第二百一条の二第一項に規定する内閣府令で定める取引は、次の各号に掲げる取引とする。

Article 245-2 (1) The transactions specified by Cabinet Office Order as provided in Article 201-2, paragraph (1) of the Act are the transactions listed in the following items:

一 登録投資法人と資産運用会社の利害関係人等との法第九十三条第一項第一号に掲げる取引のうち、有価証券の取得にあつては、当該有価証券の取得価額が、当該登録投資法人の最近営業期間の末日における固定資産の帳簿価額の百分の十に相当する額未満であると見込まれる取引

(i) transactions listed in Article 193, paragraph (1), item (i) of the Act that are carried out between a Registered Investment Corporation and an interested person or other close affiliate of the Asset Management Company, where the relevant transaction is the acquisition of Securities and the acquisition value of the Securities is expected to be less than an amount equivalent to 10 percent of the book value of the fixed assets of the relevant Registered Investment Corporation as of the last day of its latest business period;

二 登録投資法人と資産運用会社の利害関係人等との法第九十三条第一項第一号に掲げる取引のうち、有価証券の譲渡にあつては、当該有価証券の譲渡価額が、当該

登録投資法人の最近営業期間の末日における固定資産の帳簿価額の百分の十に相当する額未満であると見込まれる取引

(ii) transactions listed in Article 193, paragraph (1), item (i) of the Act that are carried out between a Registered Investment Corporation and an interested person or other close affiliate of the Asset Management Company, where the relevant transaction is the transfer of Securities and the transfer value of the Securities is expected to be less than an amount equivalent to 10 percent of the book value of the fixed assets of the relevant Registered Investment Corporation as of the last day of its latest business period;

三 登録投資法人と資産運用会社の利害関係人等との法第百九十三条第一項第二号に掲げる取引にあつては、当該有価証券の貸借が行われる予定日の属する当該登録投資法人の営業期間開始の日から三年以内に開始する当該登録投資法人の各営業期間においていずれも当該貸借が行われることによる当該登録投資法人の営業収益の増加額が当該登録投資法人の最近営業期間の営業収益の百分の十に相当する額未満であると見込まれる取引

(iii) transactions listed in Article 193, paragraph (1), item (ii) of the Act that are carried out between a Registered Investment Corporation and an interested person or other close affiliate of the Asset Management Company in cases where the amount of increase in operating profit of the relevant Registered Investment Corporation due to the lending and borrowing of Securities for each business period commencing within three years from the day of the commencement of the business period of the relevant Registered Investment Corporation that includes the scheduled date of the lending and borrowing is expected to be less than an amount equivalent to 10 percent of operating profit of the relevant Registered Investment Corporation for the latest business period;

四 登録投資法人と資産運用会社の利害関係人等との法第百九十三条第一項第三号に掲げる取引のうち、不動産の取得にあつては、当該不動産の取得価額が、当該登録投資法人の最近営業期間の末日における固定資産の帳簿価額の百分の十に相当する額未満であると見込まれる取引

(iv) transactions listed in Article 193, paragraph (1), item (iii) of the Act that are carried out between a Registered Investment Corporation and an interested person or other close affiliate of the Asset Management Company in cases where the relevant transaction is the acquisition of real property and the acquisition value of the real property is expected to be less than an amount equivalent to 10 percent of the book value of the fixed assets of the relevant Registered Investment Corporation as of the last day of its latest business period;

五 登録投資法人と資産運用会社の利害関係人等との法第百九十三条第一項第三号に掲げる取引のうち、不動産の譲渡にあつては、当該不動産の譲渡価額が、当該登録投資法人の最近営業期間の末日における固定資産の帳簿価額の百分の十に相当する



額未満であると見込まれる取引

(v) transactions listed in Article 193, paragraph (1), item (iii) of the Act that are carried out between a Registered Investment Corporation and an interested person or other close affiliate of the Asset Management Company in cases where the relevant transaction is the transfer of real property and the transfer value of the real property is expected to be less than an amount equivalent to 10 percent of the book value of the fixed assets of the relevant Registered Investment Corporation as of the last day of its latest business period; and

六 登録投資法人と資産運用会社の利害関係人等との法第九十三条第一項第四号に掲げる取引にあっては、当該不動産の貸借が行われる予定日の属する当該登録投資法人の営業期間開始の日から三年以内に開始する当該登録投資法人の各営業期間においていずれも当該貸借が行われることによる当該登録投資法人の営業収益の増加額が当該登録投資法人の最近営業期間の営業収益の百分の十に相当する額未満であると見込まれる取引

(vi) transactions listed in Article 193, paragraph (1), item (iv) of the Act that are carried out between a Registered Investment Corporation and an interested person or other close affiliate of the Asset Management Company in cases where the amount of increase in operating profit of the relevant Registered Investment Corporation due to the lending and borrowing of real property for each business period commencing within three years from the day of the commencement of the business period of the relevant Registered Investment Corporation that includes the scheduled date of the lending and borrowing is expected to be less than an amount equivalent to 10 percent of operating profit of the relevant Registered Investment Corporation for the latest business period.

2 前項第三号及び第六号において、登録投資法人の営業期間が六月であるときは、同項第三号中「各営業期間」とあるのは「各特定営業期間（連続する二営業期間をいう。以下この号及び第六号において同じ。）（一の特定営業期間の末日の翌日に開始するものに限る。第六号において同じ。））」と、「最近営業期間の営業収益」とあるのは「最近二営業期間の営業収益の合計額」と、同項第六号中「各営業期間」とあるのは「各特定営業期間」と、「最近営業期間の営業収益」とあるのは「最近二営業期間の営業収益の合計額」と読み替えて同項第三号及び第六号の規定を適用する。

(2) In applying the provisions of item (iii) and item (vi) of the preceding paragraph, if the business period of the Registered Investment Corporation is a period of six months, the term "each business period" in item (iii) of that paragraph is deemed to be replaced with "each Specific Business Period (meaning two consecutive business periods; hereinafter the same applies in this item and item (vi)) (limited to those commencing on the day immediately following the last day of a Specific Business Period; the same applies in item (vi))," the term "operating profit for the latest business period" in that item is

deemed to be replaced with "the total of the amounts of operating profit for the last two business periods," the term "each business period" in item (vi) of that paragraph is deemed to be replaced with "each Specific Business Period," and the term "operating profit for the latest business period" in that item is deemed to be replaced with "the total of the amounts of operating profit for the last two business periods"

(書面の交付)

(Delivery of Documents)

第二百四十六条 法第二百三条第一項第二号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 246 (1) The particulars specified by Cabinet Office Order as referred to in Article 203, paragraph (1), item (ii) of the Act are the following particulars:

一 売買の別、有価証券現実数値（金融商品取引法第二十八条第八項第三号ロに規定する有価証券現実数値をいう。）が有価証券約定数値（同号ロに規定する有価証券約定数値をいう。）を上回った場合に金銭を支払う立場の当事者となるか若しくは当該金銭を受領する立場の当事者となるかの別又はオプション（金融商品取引法第二条第一項第十九号に規定するオプションをいう。第二百七十一条第一項第八号において同じ。）を付与する立場の当事者となるか若しくは取得する立場の当事者となるかの別その他取引における当事者の立場を示すものであって、これらに準ずるもの

(i) information on as to whether it is a sale or purchase, as to whether the Asset Management Company becomes the party to pay money or the party to receive the money, or the party to grant Options (meaning the options as prescribed in Article 2, paragraph (1), item (xix) of the Financial Instruments and Exchange Act; the same applies in Article 271, paragraph (1), item (viii)) or the party to acquire Options in cases where the Actual Figure for Securities (meaning the Actual Figure for Securities defined in Article 28, paragraph (8), item (iii), sub-item (b) of the Financial Instruments and Exchange Act) exceeds the Agreed Figure for Securities (meaning the Agreed Figure for Securities as defined in sub-item (b) of that item), or any other equivalent information which indicates the position of the party in the transaction;

二 法第二百三条第一項第一号の取引（有価証券又は通貨等を一定の期間後に売り戻すこと又は買い戻すことを条件とした当該有価証券又は当該通貨等の買付け又は売付け（以下この項において「現先売買」という。）を除く。）を行った事実があるときは、当該取引に係る次に掲げる事項

(ii) when there are any facts of transactions listed in Article 203, paragraph (1), item (i) of the Act (excluding purchase or sale of Securities or currencies, etc. on the condition that the Securities or currencies, etc. are resold or repurchased after a certain period (hereinafter referred to as the "Gensaki

Sale and Purchase" in this paragraph)), the following particulars related to the relevant transaction:

イ 銘柄、対象通貨その他取引に係る名称又は種類であってこれらに準ずるもの

(a) issues, subject currency, or any other names or types related to the transaction which are equivalent thereto;

ロ 件数その他取引に係る数量であってこれに準ずるもの

(b) the number of cases, or any other volumes related to the transaction which are equivalent thereto;

ハ 単価、対価の額、約定数値その他取引一単位当たりの金額又は数値であってこれらに準ずるもの

(c) the unit price, amount of consideration, agreed figure, or any other amount or figure per unit of transaction which are equivalent thereto;

三 現先売買を行った事実があるときは、その旨

(iii) that there are facts of Gensaki Sale and Purchase, if this is the case.

2 法第二百三条第一項第四号に規定する内閣府令で定める事項は、次の各号に掲げる取引の区分に応じ、当該各号に定める事項とする。

(2) The particulars specified by Cabinet Office Order as referred to in Article 203, paragraph (1), item (iv) of the Act are the particulars specified in the following items according to the category of transactions listed in the respective items:

一 不動産の取得及び譲渡 取得又は譲渡の別、価格、取得又は譲渡の相手方の名称、取得又は譲渡を行った年月日及び当該不動産の所在、地番その他の当該不動産を特定するために必要な事項

(i) acquisition or transfer of real property: information on as to whether it is an acquisition or transfer, price, the name of the counterparty to the acquisition or transfer, and the date on which the acquisition or transfer was made, as well as the location and parcel number of the relevant real property and any other particulars necessary to specify the relevant real property;

二 不動産の賃貸借 賃貸借の別、賃料、賃貸借の相手方の名称、賃貸借を行った年月日及び期間並びに当該不動産の所在、地番その他の当該不動産を特定するために必要な事項

(ii) lease of real property: information on as to whether it is rented or leased, rent, name of the other party to the lease, and the date on which the lease was made and the period thereof, as well as the location and parcel number of the relevant real property and any other particulars necessary to specify the relevant real property;

三 不動産の管理の委託及び受託 管理の委託又は受託の方法、報酬、管理の委託又は受託を行った相手方の名称、管理の委託又は受託を行った年月日及び期間並びに当該不動産の所在、地番その他の当該不動産を特定するために必要な事項

(iii) entrustment or acceptance of the entrustment of management of real property: the method of entrusting or accepting the entrustment of management, rewards, the name of the other party to whom the management

was entrusted or who accepted the entrustment, the date on which the entrustment of management or acceptance of entrustment has been made and the period thereof, as well as the location and parcel number of the relevant real property and any other particulars necessary to specify the relevant real property.

3 令第二百二十五条第三項第一号に規定する内閣府令で定める事項は、価格、取得又は譲渡の相手方の名称、取得又は譲渡を行った年月日及び当該不動産の所在、地番その他の当該不動産を特定するために必要な事項とする。

(3) The matters specified by Cabinet Office Order as referred to in Article 125, paragraph (3), item (i) of the Order are the price, the name of the other party to the acquisition or transfer, the date on which the acquisition or transfer was made, location and parcel number of the relevant real property, and any other matters necessary to specify the relevant real property.

4 令第二百二十五条第三項第二号に規定する内閣府令で定める事項は、価格、取得又は譲渡の相手方の名称、取得又は譲渡を行った年月日及び当該地上権を特定するために必要な事項とする。

(4) The matters specified by Cabinet Office Order as referred to in Article 125, paragraph (3), item (ii) of the Order are the price, the name of the other party to the acquisition or transfer, the date on which the acquisition or transfer was made, and any other matters necessary to specify the relevant superficies right.

5 令第二百二十五条第三項第三号に規定する内閣府令で定める事項は、同号の取得又は譲渡に係る種類、数量及び単価とする。

(5) The matters specified by Cabinet Office Order as referred to in Article 125, paragraph (3), item (iii) of the Order are the type, volume, and unit price related to the acquisition or transfer under that item.

6 令第二百二十五条第三項第四号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(6) The matters specified by Cabinet Office Order as referred to in Article 125, paragraph (3), item (iv) of the Order are the following matters:

一 将来の一定の時期における現実の商品の価格又は商品指数の数値が約定価格又は約定数値を上回った場合に、金銭を支払う立場の当事者となるか若しくは当該金銭を受領する立場の当事者となるかの別又はオプション（商品先物取引法第二条第三項第四号に規定するオプション又は同条第十四項第四号若しくは第五号に規定する権利をいう。）を付与する立場の当事者となるか若しくは取得する立場の当事者となるかの別その他取引における当事者の立場を示すものであって、これらに準ずるもの

(i) information on as to whether the Asset Management Company becomes the party to pay money or the party to receive the money, or the party to grant Options (meaning the options as prescribed in Article 2, paragraph (3), item (iv) of the Commodity Derivatives Act or the rights as prescribed in paragraph (14), item (iv) or (v) of that Article) or the party to acquire Options

in cases where the actual price of the Commodity or actual figure of the Commodity Index exceeds the Contract Price or Agreed Figure at a fixed time in the future, or any other equivalent information which indicates the position of the party in the transaction;

二 銘柄その他取引に係る名称又は種類であってこれに準ずるもの

(ii) issues, or other names or types related to the transaction which are equivalent thereto;

三 件数その他取引に係る数量であってこれに準ずるもの

(iii) the number of transactions, or other volumes related to the transaction which are equivalent thereto;

四 対価の額、約定価格又は約定数値その他取引一単位当たりの金額又は数であってこれらに準ずるもの

(iv) the amount of consideration, Contract Price or Agreed Figure, or any other amounts or numbers per unit of transaction which are equivalent thereto.

7 令第百二十五条第三項第五号に規定する内閣府令で定める事項は、価格、取得又は譲渡の相手方の名称、取得又は譲渡を行った年月日、当該再生可能エネルギー発電設備の用に供する土地の所在及び地番、当該再生可能エネルギー発電設備の設備の区分等その他当該再生可能エネルギー発電設備を特定するために必要な事項とする。

(7) The matters specified by Cabinet Office Order as referred to in Article 125, paragraph (3), item (v) of the Order are the price, the name of the counterparty to the acquisition or transfer, and the date on which the acquisition or transfer was made, the location and parcel number of the land used for the Renewable Energy Power Generation Facilities, the Classification, etc., of the Renewable Energy Power Generation Facilities, and other matters necessary to specify the Renewable Energy Power Generation Facilities.

8 令第百二十五条第三項第六号に規定する内閣府令で定める事項は、賃料、賃貸借の相手方の名称、賃貸借を行った年月日及び期間、当該再生可能エネルギー発電設備の用に供する土地の所在及び地番、当該再生可能エネルギー発電設備の設備の区分等その他当該再生可能エネルギー発電設備を特定するために必要な事項とする。

(8) The matters specified by Cabinet Office Order as referred to in Article 125, paragraph (3), item (vi) of the Order are the rent, the name of the other party to the lease, the date on which the lease was made and the period thereof, the location and parcel number of the land used for the Renewable Energy Power Generation Facilities, the Classification, etc., of the Renewable Energy Power Generation Facilities, and other matters necessary to specify the Renewable Energy Power Generation Facilities.

9 令第百二十五条第三項第七号に規定する内閣府令で定める事項は、報酬、管理の委託又は受託を行った相手方の名称、管理の委託又は受託を行った年月日及び期間、当該再生可能エネルギー発電設備の用に供する土地の所在及び地番、当該再生可能エネルギー発電設備の設備の区分等その他当該再生可能エネルギー発電設備を特定するために必要な事項とする。

(9) The matters specified by Cabinet Office Order as referred to in Article 125, paragraph (3), item (vii) of the Order are the rewards, the name of the other party to whom the management was entrusted or who accepted the entrustment, the date on which the entrustment of management or acceptance of entrustment has been made and the period thereof, the location and parcel number of the land used for the Renewable Energy Power Generation Facilities, the Classification, etc., of the Renewable Energy Power Generation Facilities, and other matters necessary to specify the Renewable Energy Power Generation Facilities.

10 令第二百二十五条第三項第八号に規定する内閣府令で定める事項は、価格、取得又は譲渡の相手方の名称、取得又は譲渡を行った年月日及び当該公共施設等運営権に係る公共施設等の所在、地番、運営等の内容、公共施設等の管理者等その他当該公共施設等運営権を特定するために必要な事項とする。

(10) The matters specified by Cabinet Office Order as referred to in Article 125, paragraph (3), item (viii) of the Order are the price, the name of the other party to the acquisition or transfer, the date on which the acquisition or transfer was made, the location, parcel number, details of the Operation, etc. of the Public Facility, etc. and the name of the Administrator, etc. of Public Facility etc. covered by the Right to Operate Public Facility, etc., and other matters necessary to specify the Right to Operate Public Facility, etc.

(利益相反のおそれがある場合の書面の交付を要する顧客)

(Customers to Whom Documents Are Delivered When Conflict of Interest Is Likely to Occur)

第二百四十七条 令第二百二十六条第一項第五号に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 247 The customers specified by Cabinet Office Order as referred to in Article 126, paragraph (1), item (v) of the Order are as follows:

一 資産運用会社が投資法人の資産である宅地又は建物の売買又は貸借の代理又は媒介を行う場合における取引の相手方

(i) the counterparty to the transactions in cases where the Asset Management Company conducts sale or purchase of housing lands or buildings which are assets of the Investment Corporation, or provides agency or intermediary service therefor;

二 資産運用会社が投資法人の資産である特定資産に係る投資に関し助言を行う場合において、当該助言に基づき行われる当該特定資産の取引の相手方

(ii) in cases where the Asset Management Company gives advice with regard to the investment related to the Specified Assets which are assets of the Investment Corporation, the counterparty to the transaction of the Specified Assets to be conducted based on the advice.

(利益相反のおそれがある場合の投資法人等への書面の交付)

**(Delivery of Documents to Investment Corporations When Conflict of Interests Is Likely to Occur)**

第二百四十八条 法第二百三条第二項に規定する取引に係る書面の交付は、次に掲げる事項について記載した書面により行わなければならない。

Article 248 (1) The delivery of documents in relation to the transactions listed in Article 203, paragraph (2) of the Act must be made by the documents containing the following information:

一 当該取引に係る投資法人の名称

(i) the name of the Investment Corporation pertaining to the relevant transaction;

二 書面の交付を行う理由（当該取引の相手方と当該資産運用会社の関係を含む。）

(ii) the reasons for delivering the document (including the relationship between the counterparty to the relevant transactions and the relevant Asset Management Company);

三 取引を行った理由

(iii) the reasons for conducting the transaction;

四 取引の内容（取引を行った特定資産の種類、銘柄（その他の特定資産を特定するために必要な事項）、数及び取引価格、取引の方法並びに取引を行った年月日）

(iv) the details of the transaction (type, issue (other information necessary for specifying the Specified Assets), and number of the Specified Assets for which a transaction has been conducted, as well as the price and method of transaction, and the date on which the transaction was conducted);

五 法第二百一条第一項の鑑定評価又は同条第二項の調査の結果

(v) the results of the appraisal under Article 201, paragraph (1) of the Act or the investigation under paragraph (2) of that Article;

六 当該書面の交付年月日

(vi) the date of delivery of the document; and

七 その他参考になる事項

(vii) other information that will serve as a reference.

2 資産運用会社は、法第二百三条第二項に規定する取引が行われたときは、遅滞なく、前項各号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。

(2) When the transactions listed in Article 203, paragraph (2) of the Act have been conducted, an Asset Management Company must deliver the documents containing the information listed in the items of the preceding paragraph without delay.

3 資産運用会社は、令第二百二十六条第三項に規定する投資信託財産についてその受益証券の取得の申込みの勧誘が公募の方法により行われた場合にあっては、第一項各号に掲げる事項を記載した書面を作成し、これを同条第三項に規定する受益者に交付することに代えて、法第二百三条第二項に規定する取引が行われた後、遅滞なく、当該事項を公告し、かつ、当該事項を記載した当該取引が行われた後最初に到来する作成

期日に係る法第十四条第一項に規定する運用報告書を令第二百二十六条第三項に規定する受益者に対して交付することができる。

- (3) In cases where solicitation of applications to acquire Beneficiary Certificates pertaining to the Investment Trust Property provided in Article 126, paragraph (3) of the Order is done by Public Offering, an Asset Management Company may, in lieu of preparing a document containing the matters listed in the items of paragraph (1) and delivering it to the beneficiaries provided in paragraph (3) of that Article, give public notice of the matters promptly after any of the transactions listed in Article 203, paragraph (2) of the Act has been carried out and deliver the investment report provided in Article 14, paragraph (1) of the Act containing the matters pertaining to the first Preparation Date arrived after the transaction is carried out to the beneficiaries provided in Article 126, paragraph (3) of the Order.

(投資主による責任追及の訴えの提起の請求方法)

(Method for Investors to Claim for Filing an Action Pursuing the Liability)

第二百四十九条 法第二百四条第三項において準用する会社法第八百四十七条第一項に規定する内閣府令で定める方法は、次に掲げる事項を記載した書面の提出又は当該事項の電磁的方法による提供とする。

Article 249 The methods specified by Cabinet Office Order as referred to in Article 847, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 204, paragraph (3) of the Act are the submission of documents containing the following information and the provision of the information by Electronic or Magnetic Means:

一 被告となるべき者

(i) a person who is to become a defendant; and

二 請求の趣旨及び請求を特定するのに必要な事実

(ii) the object of the claim and facts necessary to specify the claim.

(投資法人が責任追及の訴えを提起しない理由の通知方法)

(Method for Investment Corporations to Notify the Reasons for Not Filing an Action Pursuing the Liability)

第二百五十条 法第二百四条第三項において準用する会社法第八百四十七条第四項に規定する内閣府令で定める方法は、次に掲げる事項を記載した書面の提出又は当該事項の電磁的方法による提供とする。

Article 250 The methods specified by Cabinet Office Order as referred to in Article 847, paragraph (4) of the Companies Act as applied mutatis mutandis pursuant to Article 204, paragraph (3) of the Act are the submission of the documents containing the following information or the provision of the information by Electronic or Magnetic Means:

一 投資法人が行った調査の内容（次号の判断の基礎とした資料を含む。）



(i) the contents of the investigation that an Investment Corporation made (including materials on which the judgment set forth in the following item was based);

二 法第二百四条第三項において準用する会社法第八百四十七条第一項の規定による請求に係る訴えについての前条第一号に掲げる者の責任又は義務の有無についての判断及びその理由

(ii) judgment with regard to any liability or obligation of a person set forth in item (i) of the preceding Article related to the action pertaining to the claim under Article 847, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 204, paragraph (3) of the Act, and the reasons therefor;

三 前号の者に責任又は義務があると判断した場合において、当該者の責任を追及する訴えを提起しないときは、その理由

(iii) in cases where the person referred to in the preceding item has been judged to have liability or obligation, when an action pursuing the liability of the relevant person is not to be filed, the reason therefor.

(資産の保管に係る業務を金融商品取引業者に委託することができる資産)

(Assets of Which the Business Pertaining to the Custody Thereof May Be Entrusted to Financial Instruments Business Operators)

第二百五十一条 法第二百八条第二項に規定する内閣府令で定める資産は、次に掲げるものとする。

Article 251 The assets specified by Cabinet Office Order as referred to in Article 208, paragraph (2) of the Act are as follows:

一 有価証券

(i) Securities; and

二 デリバティブ取引に係る権利

(ii) rights pertaining to Derivatives Transaction.

(資産保管会社とすることが適当な法人)

(Corporations Appropriate for Asset Custody Companies)

第二百五十二条 法第二百八条第二項第三号に規定する内閣府令で定める法人は、当該登録投資法人の資産のうち次に掲げる資産の保管に係る業務を適正に遂行するに足りる一定の財産的基礎及び人的構成を有する法人（法第二百一条第一項に規定する利害関係人等を除く。）とする。

Article 252 (1) The corporations specified by Cabinet Office Order as referred to in Article 208, paragraph (2), item (iii) of the Act are the corporations (excluding the interested person or other close affiliate as prescribed in Article 201, paragraph (1) of the Act) with a certain financial basis and personnel structure sufficient for the sound performance of the business related to the custody of the following assets, among the assets of the relevant Registered

Investment Corporation:

一 不動産、不動産の賃借権又は地上権

(i) the real property, right of lease of real property or superficies right;

二 金銭債権（令第三条第七号に掲げるものをいう。）

(ii) Monetary Claims (meaning those listed in Article 3, item (vii) of the Order);

三 再生可能エネルギー発電設備

(iii) Renewable Energy Power Generation Facilities;

四 公共施設等運営権

(iv) Right to Operate Public Facility, etc.;

五 匿名組合出資持分のうち、前各号に掲げる資産に対する投資運用を目的とするもの

(v) among the Equity in Investment in a Silent Partnership, those with the purpose of investing in the assets listed in the preceding items.

2 登録投資法人は、その資産の保管に係る業務を委託する者が前項に規定する法人（以下この項において「受託者」という。）である場合にあっては、当該業務の委託に関する契約には、当該受託者が次に掲げる義務を有する旨の条件を付さなければならない。

(2) In cases where the person to whom the business related to custody of assets are to be entrusted is the corporation prescribed in the preceding paragraph (hereinafter referred to as the "Entrusted Person" in this paragraph), the Registered Investment Corporation must impose a condition that the Entrusted Person bears the following obligations, to the contract on the entrustment of the business:

一 受託者は、当該受託した資産を、自己の固有財産と分別して保管すること。

(i) that the Entrusted Person retains the relevant entrusted assets separately from its own property;

二 受託者は、その資産の保管に係る業務を委託した投資法人（以下この項において「委託者」という。）の求めに応じ、当該受託した資産の保管に係る業務の状況について説明しなければならないこと。

(ii) that the Entrusted Person must explain the status of the relevant business related to the custody of assets entrusted therewith in response to the request from the Investment Corporation that entrusted the business related to the custody of assets (hereinafter referred to as the "Entrustor" in this paragraph);

三 受託者は、当該受託した資産の保管に係る業務の状況を記載した書類を主たる事務所に備え置き、委託者の求めに応じ、これを閲覧させること。

(iii) that a Trustee keeps the documents stating the status of the relevant business related to custody of assets at its principal office, offer them for inspection in response to the request of the Entrustor;

四 受託者は、委託者の同意なく業務の再委託を行わないこと。

(iv) that the Entrusted Person may not re-entrust the business without the

consent of the Entrustor.

(投資法人の資産の分別保管方法)

(Method of Separate Custody of Investment Corporation's Assets)

第二百五十三条 法第二百九条の二に規定する内閣府令で定める方法は、次の各号に掲げる区分に応じ、当該各号に定める方法とする。

Article 253 (1) The methods specified by Cabinet Office Order as referred to in Article 209-2 of the Act are the methods specified in the following items according to the category listed in the respective items:

一 資産保管会社が自己で保管する投資法人の資産等（混蔵して保管される投資法人の資産等を除く。次号において同じ。） 法第二百九条の二の規定により資産保管会社が自己の固有財産と分別して保管しなければならない投資法人の資産等（以下この条において「投資法人資産等」という。）の保管場所について自己の固有財産である資産その他の投資法人資産等以外の資産（以下この条において「固有資産等」という。）の保管場所と明確に区分し、かつ、当該投資法人資産等についてどの投資法人の資産等であるかが直ちに判別できる状態で保管する方法

(i) Assets, etc. of an Investment Corporation retained by the Asset Custody Company itself (excluding assets, etc. of an Investment Corporation to be retained by way of commingled custody; the same applies in the following item): a method whereby the place of custody of the Assets, etc. of an Investment Corporation which the Asset Custody Company must retain separately from its own property pursuant to Article 209-2 of the Act (hereinafter referred to as the "Investment Corporation's Assets, etc." in this Article) is clearly distinguished from the place of custody of the assets which are the Asset Custody Company's own property and assets other than the Investment Corporation's Assets, etc. (hereinafter collectively referred to as the "Own Property, etc." in this Article), and whereby the Investment Corporation to which the relevant Investment Corporation's Assets, etc. belong is immediately identifiable;

二 資産保管会社が第三者をして保管させる投資法人の資産等 当該第三者において、投資法人資産等の保管場所について固有資産等の保管場所と明確に区分させ、かつ、当該投資法人資産等についてどの投資法人の資産等であるかが直ちに判別できる状態で保管させる方法

(ii) Assets, etc. of an Investment Corporation retained by a third party caused by the Asset Custody Company: a method whereby the Asset Custody Company causes a third party to clearly distinguish the place of custody of the Investment Corporation's Assets, etc. from the place of custody of its Own Property, etc., and whereby the Investment Corporation to which the relevant Investment Corporation's Assets, etc. belongs is immediately identifiable;

三 資産保管会社が自己で保管する投資法人の資産等（混蔵して保管される投資法人

の資産等に限る。次号において同じ。) 投資法人資産等の保管場所について固有資産等の保管場所と明確に区分し、かつ、当該投資法人資産等に係る各投資法人の持分その他の権利が自己の帳簿により直ちに判別できる状態で保管する方法

(iii) Assets, etc. of an Investment Corporation retained by the Asset Custody Company itself (limited to the Assets, etc. of the Investment Corporation retained by way of commingle custody; the same applies in the following item): a method whereby the place of custody of the Investment Corporation's Assets, etc. is clearly distinguished from the place of custody of the Asset Custody Company's Own Property, etc., and whereby the equity and other rights of each Investment Corporation related to the relevant Investment Corporation's Assets, etc. is immediately identifiable from the books and documents of the relevant Asset Custody Company;

四 資産保管会社が第三者をして保管させる投資法人の資産等 当該第三者における自己の顧客である投資法人のための口座について自己の取引のための口座と区分する方法その他の方法により、投資法人資産等に係る持分その他の権利が直ちに判別でき、かつ、当該投資法人資産等に係る各投資法人の持分その他の権利が自己の帳簿により直ちに判別できる状態で保管させる方法（外国の第三者をして保管させる場合のうち、外国の法令上当該第三者をして投資法人資産等に係る持分その他の権利と固有資産等に係る持分その他の権利とを区分して管理させることができないときその他当該第三者において投資法人資産等に係る持分その他の権利が直ちに判別できる状態で保管させることができないことについて特にやむを得ない事由があると認められるときあつては、当該投資法人資産等に係る各投資法人の持分その他の権利が自己の帳簿により直ちに判別できる状態で保管させる方法）

(iv) Assets, etc. of an Investment Corporation retained by a third party caused by the Asset Custody Company: a method whereby the Asset Custody Company causes the relevant third party retain the Investment Corporation's Assets, etc. by separating the account for the Investment Corporation which is a customer of the Asset Custody Company from the account for the Asset Custody Company's own transactions or by any other method, and whereby the equity or other rights pertaining to the relevant Investment Corporation's Assets, etc. is immediately identifiable, and the equity and other rights of each Investment Corporation related to the Investment Corporation's Assets, etc. is immediately identifiable based on books and documents of the Asset Custody Company (among the cases where the Asset Custody Company has a foreign third party to take custody thereof, when the laws and regulations of a foreign state hinders the Asset Custody Company from having the third party to manage the equity or other rights related to the Investment Corporation's Assets, etc. separately from the equity or other rights related to the Asset Custody Company's Own Property, etc., or when there are especially unavoidable grounds preventing the Asset Custody Company from having the third party retain the equity or other

rights related to the Investment Corporation's Assets, etc. by having them immediately identifiable, a method whereby the Asset Custody Company has a foreign third party retain the equity or other rights of each Investment Corporation related to the relevant Investment Corporation's Assets, etc. by having them immediately identifiable from the books and documents of the Asset Custody Company).

2 資産保管会社と投資法人とが共有しており、前項第一号から第三号までの規定の定めるところにより保管場所の区分ができない投資法人の資産等については、これらの規定にかかわらず、各投資法人の持分その他の権利が自己の帳簿により直ちに判別できる状態で保管しなければならない。

(2) With regard to the Assets, etc. of an Investment Corporation of which the place of custody cannot be distinguished from that of others pursuant to the provisions of items (i) through (iii) of the preceding paragraph, and which are jointly held by an Asset Custody Company and an Investment Corporation, notwithstanding the provisions of those items, the equity and other rights of each Investment Corporation must be retained by having them immediately identifiable from books and documents of the Asset Custody Company.

3 前二項に規定する投資法人の資産等とは、次の各号に掲げる資産に応じ、当該各号に定めるものとする。

(3) The "Assets, etc. of an Investment Corporation" as provided in the preceding two paragraphs are as specified in the following items according to the assets listed in the respective items:

一 不動産、不動産の賃借権、地上権、再生可能エネルギー発電設備又は公共施設等運営権 当該資産に係る権利を行使する際において必要とする当該資産に係る権利を証する書類その他の書類

(i) real property, right of lease of real property, superficies right, Renewable Energy Power Generation Facilities or Right to Operate Public Facility, etc.: documents evidencing the rights pertaining to the relevant assets which are necessary in exercising the rights pertaining to the assets, and any other documents;

二 その他資産 当該資産及び当該資産に係る権利を行使する際において必要とする当該資産に係る権利を証する書類その他の書類

(ii) other assets: the relevant assets and documents evidencing the rights pertaining to the relevant assets which are necessary in exercising the rights pertaining to the assets and any other documents.

#### 第四節 投資法人の監督

#### Section 4 Supervision on Investment Corporations

(投資法人の帳簿書類)

(Books and Documents of an Investment Corporation)

第二百五十四条 法第二百十一条第一項の規定により投資法人が作成すべき帳簿書類は、次に掲げるものとする。

Article 254 (1) The books and documents which an Investment Corporation is to prepare pursuant to the provisions of Article 211, paragraph (1) of the Act are as follows:

一 総勘定元帳

(i) general ledger;

二 現金出納帳

(ii) cash book;

三 分配利益明細簿

(iii) a book on the description of distributed profits;

四 投資証券台帳

(iv) Investment Securities ledger;

五 新投資口予約権証券台帳

(v) Investment Equity Option Certificates ledger;

六 投資証券不発行管理簿

(vi) Investment Securities non-issuance management book;

七 投資証券発行金額帳

(vii) Investment Securities issuance amount ledger;

八 投資証券払戻金額帳

(viii) Investment Securities refund amount ledger;

九 自己投資口取得等金額帳

(ix) Own Investment Equity acquisition, etc. amount ledger;

十 未払分配利益明細簿

(x) a book on description of undistributed profits;

十一 未払払戻金明細簿

(xi) a book on description of the unpaid refund;

十二 未払報酬明細簿

(xii) a book on description of the unpaid remunerations;

十三 投資法人債券台帳

(xiii) Investment Corporate Bond Certificates ledger;

十四 特定資産の価格等の調査結果等に関する書類

(xiv) documents concerning the results of the investigation, etc. of the value, etc. of Specified Assets.

2 前項の帳簿書類は、別表第二により作成し、当該投資法人の決算の承認後（商業帳簿については、その帳簿の閉鎖の時より）十年間これを保存しなければならない。

(2) The books and documents under the preceding paragraph must be prepared using Appended Table No. 2, and must be retained for ten years after the approval of the settlement of account of the relevant Investment Corporation (in cases of a commercial book, from the time of the closing of the commercial book).

(資産保管会社の帳簿書類)

(Books and Documents of an Asset Custody Company)

第二百五十五条 法第二百十一条第二項の規定により資産保管会社が作成すべき帳簿書類は、次に掲げるものとする。

Article 255 (1) The books and documents that an Asset Custody Company should prepare pursuant to the provisions of Article 211, paragraph (2) of the Act are as follows:

一 有価証券保管明細簿

(i) a book on description of custody of Securities;

二 不動産保管明細簿

(ii) a book on description of custody of real property;

三 再生可能エネルギー発電設備保管明細簿

(iii) a book on description of Renewable Energy Power Generation Facilities;

四 公共施設等運営権保管明細簿

(iv) a book on description of Right to Operate Public Facility, etc.; and

五 その他資産保管明細簿

(v) a book on description of custody of other assets.

2 前項の帳簿書類は、別表第三により作成し、投資法人の決算の承認後十年間これを保存しなければならない。

(2) The books and documents under the preceding paragraph must be prepared using Appended Table No. 3, and must be retained for ten years after the approval of the settlement of account of an Investment Corporation.

(登録投資法人の営業報告書の様式)

(Forms for Business Reports of Registered Investment Corporations)

第二百五十六条 法第二百十二条に規定する営業報告書は、別紙様式第十八号により作成しなければならない。

Article 256 (1) The business reports as referred to in Article 212 of the Act must be prepared using appended form No. 18.

2 登録投資法人は、前項の営業報告書を提出しようとするときは、当該営業報告書の正本及び副本に計算書類、資産運用報告及び金銭の分配に係る計算書並びに附属明細書を添付して管轄財務局長等に提出しなければならない。

(2) When a Registered Investment Corporation intends to submit the business reports under the preceding paragraph, it must submit an original copy and duplicate copy of the relevant business reports to the Competent Director-General of the Local Finance Bureau, etc. with financial statements, assets investment reports, statements related to the distribution of money, and annexed detailed documents attached thereto.

(投資法人の臨時報告書の様式)

(Forms for Extraordinary Reports of Investment Corporations)

第二百五十七条 登録投資法人は、法第二百五条第一項に規定する臨時報告書を、別紙様式第十九号により作成し、その正本及び副本を管轄財務局長等に提出しなければならない。

Article 257 A Registered Investment Corporation must prepare the extraordinary reports under Article 215, paragraph (1) of the Act using appended form No. 19, and submit the original copy and duplicate copy thereof to the Competent Director-General of the Local Finance Bureau, etc.

(投資法人に係る処分の公告の方法)

(Method of Public Notice of the Disposition Rendered to an Investment Corporation)

第二百五十八条 法第二百十八条の規定による監督処分の公告は、官報によるものとする。

Article 258 The public notice of supervisory disposition under Article 218 of the Act is to be given in the official gazette.

第六章 外国投資法人

Chapter VI Foreign Investment Corporations

(外国投資法人の届出を要しない外国投資証券の範囲)

(Scope of Foreign Investment Securities for Which a Notification of a Foreign Investment Corporation Is Not Required)

第二百五十九条 令第二百二十八条第二号に規定する内閣府令で定めるものは、資産を主として有価証券（金融商品取引法第二条第二項の規定により有価証券とみなされる同項各号に掲げる権利を除く。）に対する投資として運用する外国投資法人であって、次に掲げる事項のすべてを規約又はこれに相当する書類に定めたものの発行する外国投資証券（投資証券に類するものに限る。以下この条において同じ。）とする。

Article 259 The foreign investment securities specified by Cabinet Office Order as referred to in Article 128, item (ii) of the Order are the foreign investment securities (limited to those similar to Investment Securities; hereinafter the same applies in this Article) issued by a Foreign Investment Corporation which invests assets mainly into Securities (excluding rights listed in the items of Article 2, paragraph (2) of the Financial Instruments and Exchange Act which are deemed as Securities under that paragraph), and which has specified all of the following particulars in its certificate of incorporation or documents equivalent thereto:

一 当該外国投資法人の資産を令第十二条第二号イの規定（連動対象指標の構成銘柄の株式に対する投資として運用する場合に限る。）に準じて運用する旨

(i) a statement to the effect that the assets of the relevant Foreign Investment Corporation is invested in accordance with the provisions of Article 12, item



- (ii), sub-item (a) of the Order (limited to cases where investment is made in shares included in the Constituents of the Underlying Indicator);
- 二 当該外国投資証券の募集に応じる者は、令第十二条第二号ロの規定に準じて当該外国投資証券を取得しなければならない旨
- (ii) a statement to the effect that a person who responds to the solicitation of the relevant Foreign Investment Securities must acquire the Foreign Investment Securities in accordance with the provisions of Article 12, item (ii), sub-item (b) of the Order;
- 三 当該外国投資証券と当該外国投資法人が有する株式との交換を行う場合には、令第十二条第二号ハの規定に準じて交換を行う旨
- (iii) a statement to the effect that, in cases where the relevant Foreign Investment Securities are to be exchanged with shares held by the relevant Foreign Investment Corporation, the exchange is made in accordance with the provisions of Article 12, item (ii), sub-item (c) of the Order; and
- 四 当該外国投資証券が外国金融商品市場に上場される旨
- (iv) a statement to the effect that the relevant Foreign Investment Securities are listed on a Foreign Financial Instruments Market.

(外国投資法人の届出を要しない行為)

**(Acts for Which a Notification of a Foreign Investment Corporation Is Not Required)**

第二百五十九条の二 令第二百二十八条第三号に規定する内閣府令で定める行為は、第一種金融商品取引業を行う者が適格機関投資家を相手方とし、又は適格機関投資家のために行う外国金融商品市場に上場されている外国投資証券（法第二百二十条第一項に規定する外国投資証券をいい、前条に規定するものを除く。以下この条において同じ。）に係る次に掲げる行為とする。

**Article 259-2** The acts specified by Cabinet Office Order as referred to in Article 128, item (iii) of the Order are the following acts related to Foreign Investment Securities (meaning the Foreign Investment Securities as prescribed in Article 220, paragraph (1) of the Act, and excluding those prescribed in the preceding Article; hereinafter the same applies in this Article) conducted by a person engaged in Type I Financial Instruments Business with a Qualified Institutional Investor as the other party thereof, or on behalf of the Qualified Institutional Investors:

一 外国金融商品市場における売買の媒介、取次ぎ又は代理（外国金融商品市場における買付けの媒介、取次ぎ又は代理にあっては、外国金融商品市場において売付けをし、又は当該第一種金融商品取引業を行う者に売却する場合以外の場合には当該外国投資証券の売却を行わないことを当該適格機関投資家が約することを条件として行うものに限る。）

(i) intermediary, brokerage or agency service for the sale and purchase on a Foreign Financial Instruments Market (in cases of intermediary, brokerage

or agency service for purchase on a Foreign Financial Instruments Market, limited to the intermediary, brokerage or agency service provided on the condition that the Qualified Institutional Investor promises not to make sales of the Foreign Investment Securities in cases other than the case where selling them on a Foreign Financial Instruments Market or to the relevant person engaged in Type I Financial Instruments Business);

二 外国金融商品市場における売買の委託の媒介、取次ぎ又は代理（外国金融商品市場における買付けの委託の媒介、取次ぎ又は代理にあつては、外国金融商品市場において売付けをし、又は当該第一種金融商品取引業を行う者に売却する場合以外の場合には当該外国投資証券の売却を行わないことを当該適格機関投資家が約することを条件として行うものに限る。）

(ii) intermediary, brokerage or agency service for the entrustment of sale and purchase on a Foreign Financial Instruments Market (in cases of intermediary, brokerage or agency service for the entrustment of purchase on a Foreign Financial Instruments Market, limited to the intermediary, brokerage or agency service provided on the condition that the Qualified Institutional Investor promises not to make sales of the Beneficiary Certificate of the Foreign Investment Trust in cases other than the case where selling them on a Foreign Financial Instruments Market or to the relevant person engaged in Type I Financial Instruments Business);

三 売付け又は買付けの媒介、取次ぎ若しくは代理（第一号に掲げるものを除き、外国金融商品市場において売付けをし、又は当該第一種金融商品取引業を行う者に売却する場合以外の場合には当該外国投資証券の売却を行わないことを当該適格機関投資家が約することを条件として行うものに限る。）

(iii) intermediary, brokerage or agency service for sales or purchases (except for those listed in item (i), limited to the intermediary, brokerage or agency service provided on the condition that the Qualified Institutional Investor promises not to make sales of the Foreign Investment Securities in cases other than the case where selling on a Foreign Financial Instruments Market or to the relevant person engaged in Type I Financial Instruments Business);

四 その行う前三号に掲げる行為により当該外国投資証券を取得した者からの買付け

(iv) purchase from the person who has acquired the Foreign Investment Securities through the acts listed in the preceding three items conducted by the person engaged in Type I Financial Instruments Business.

(外国投資法人等の代理人)

(Agent of a Foreign Investment Corporation, etc.)

第二百六十条 外国投資法人若しくはその設立企画人に相当する者又は破産管財人若しくは清算人若しくはこれらに相当する義務を負う者（以下この条において「外国投資法人等」という。）は、法第二百二十条第一項、第二百二十一条第一項又は第二百二十二条第一項若しくは第二項の規定による届出を行う場合には、国内に住所を有する

者であつて当該届出に関する一切の行為につき当該外国投資法人等を代理する権限を有するものを定めなければならない。

Article 260 In cases where a Foreign Investment Corporation, person who is equivalent to the organizer thereof, bankruptcy trustee, liquidator or persons who assume the obligations equivalent thereto (hereinafter collectively referred to as the "Foreign Investment Corporation, etc." in this Article) makes the notification under Article 220, paragraph (1), Article 221, paragraph (1) or Article 222, paragraph (1) or (2) of the Act, such Foreign Investment Corporation, etc. must specify a person who has an address in Japan and who has the authority to represent the Foreign Investment Corporation, etc. for any acts concerning the notification.

(外国投資法人の届出等)

(Notification of Foreign Investment Corporations)

第二百六十一条 外国投資法人又はその設立企画人に相当する者は、法第二百二十条第一項の規定による外国投資法人の届出をするときは、別紙様式第二十号により作成した外国投資法人に関する届出書を、金融庁長官に提出しなければならない。

Article 261 (1) When a Foreign Investment Corporation or a person equivalent to the organizer thereof makes the notification of Foreign Investment Corporation under Article 220, paragraph (1) of the Act, such Foreign Investment Corporation or person equivalent to the organizer thereof must submit a written notification of a Foreign Investment Corporation prepared using appended form No. 20 to the Commissioner of the Financial Services Agency.

2 法第二百二十条第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The information specified by Cabinet Office Order as referred to in Article 220, paragraph (1), item (vii) of the Act is the following information:

一 資産運用会社に相当する者の分割による事業の全部若しくは一部の承継又は事業の全部若しくは一部の譲渡に関する事項

(i) information related to the succession of whole or part of business as a result of the split of the person equivalent to an Asset Management Company, or the transfer of whole or part of business;

二 資産保管会社に相当する者の辞任及び新たな資産保管会社に相当する者の選任に関する事項

(ii) information related to the resignation of the person equivalent to an Asset Management Company or the appointment of a new person equivalent to an Asset Management Company; and

三 資産運用会社に相当する者が資産の運用に係る権限を他の者に再委託する場合におけるその再委託の内容

(iii) in cases where the person equivalent to an Asset Management Company re-entrusts the authority for assets investment to another person, the

contents of such re-entrustment.

3 法第二百二十条第二項に規定する内閣府令で定める書類は、次に掲げる書類とする。

(3) The documents specified by Cabinet Office Order as referred to in Article 220, paragraph (2) of the Act are the following documents:

一 外国投資法人に関する届出書に記載された代表者が当該外国投資法人に係る法第二百二十条第一項の規定による届出に関し正当な権限を有する者であることを証する書面

(i) a document proving that the representative person stated in the notification of a Foreign Investment Corporation is a person who has legitimate authority with regard to the notification under Article 220, paragraph (1) of the Act related to the Foreign Investment Corporation;

二 外国投資法人又はその設立企画人に相当する者が、国内に住所を有する者に、当該外国投資法人に係る法第二百二十条第一項に規定する届出に関する一切の行為につき当該外国投資法人又はその設立企画人に相当する者を代理する権限を付与したことを証する書面

(ii) a document proving that the Foreign Investment Corporation or a person equivalent to the organizer thereof has granted a person who has an address in Japan the authority to represent the Foreign Investment Corporation or person equivalent to the organizer thereof for any acts concerning the notification under Article 220, paragraph (1) of the Act for the Foreign Investment Corporation;

三 当該外国投資法人が設立された国の法令に基づき、当該外国投資法人の設立について承認、認可、許可、届出又はこれらに相当するものが行われている場合には、その承認書、認可書、許可書、届出書又はこれらに相当する書面の写し

(iii) in cases where an approval, authorization, permission, notification or the equivalent thereto has been made with regard to the incorporation of the relevant Foreign Investment Corporation based on the laws and regulations of the State in which the Foreign Investment Corporation was incorporated, a copy of the written approval, written authorization, written permission, written notification or documents equivalent thereto;

四 当該外国投資法人の設立が適法であることについての法律専門家の法律意見書及び当該意見書に掲げられた関係法令の関係条文

(iv) a legal opinion letter by legal experts stating that the incorporation of the relevant Foreign Investment Corporation is legal as well as relevant provisions of the relevant laws and regulations set forth in the legal opinion letter; and

五 当該外国投資法人の資産の運用に係る権限を有する者が、当該権限を他の者に委託して当該外国投資法人の資産の運用を行わせている場合は、その委託に関する内容を明らかにした書類

(v) in cases where a person who has the authority for investment of assets of the relevant Foreign Investment Corporation has entrusted the authority to

another person and is having such person invest the assets of the Foreign Investment Corporation, a document disclosing the contents of the entrustment.

(外国投資法人の変更の届出)

(Notification of Changes to Foreign Investment Corporations)

第二百六十二条 法第二百二十一条第一項の規定による届出は、次に掲げる事項を記載した届出書を金融庁長官に提出して行わなければならない。

Article 262 (1) The notification under Article 221, paragraph (1) of the Act must be made by submitting the notification containing the following information to the Commissioner of the Financial Services Agency:

一 当該外国投資法人の名称

(i) the name of the relevant Foreign Investment Corporation;

二 当該変更の内容及び理由

(ii) the contents of the relevant changes and the reasons therefor;

三 当該変更がその効力を生ずる日

(iii) the day on which the changes become effective;

四 当該変更の中止に関する条件を定めたときは、その条件

(iv) when conditions for suspension of the relevant changes have been provided, such conditions.

2 法第二百二十一条第二項において準用する法第二百二十条第二項に規定する内閣府令で定める書類は、次に掲げる書類とする。

(2) The documents specified by Cabinet Office Order as referred to in Article 220, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 221, paragraph (2) of the Act are the following documents:

一 当該外国投資法人の規約又はこれに相当する書類の変更の案

(i) a draft of the changes to the certificate of incorporation of the relevant Foreign Investment Corporation, or documents equivalent thereto; and

二 当該変更に関する前条第三項第一号から第四号までに掲げる書類に準ずる書類

(ii) documents equivalent to the documents set forth in paragraph (3), items (i) through (iv) of the preceding Article related to the relevant changes.

(外国投資法人の解散事由)

(Grounds for Dissolution of a Foreign Investment Corporation)

第二百六十三条 法第二百二十二条第一項に規定する内閣府令で定める事由は、次に掲げるものとする。

Article 263 The grounds specified by Cabinet Office Order as referred to in Article 222, paragraph (1) of the Act are as follows:

一 合併

(i) merger;

二 規約で定めた解散事由

- (ii) grounds for dissolution specified in the certificate of incorporation;  
三 投資主総会に相当する総会における解散決議
- (iii) resolution of dissolution adopted at a general meeting equivalent to an  
Investors' meeting;  
四 解散を命ずる裁判
- (iv) a judicial decision ordering dissolution;  
五 当該外国投資法人が当該外国において受けている法第百八十七条の登録と同種類の登録（当該登録に類する許可その他行政処分を含む。）の取消し
- (v) revocation of a registration (including permission and any other  
administrative disposition similar to the registration) of the same type as the  
registration under Article 187 of the Act which the relevant Foreign  
Investment Corporation has obtained in the relevant foreign state.

(外国投資法人の解散の届出)

(Notification of Dissolution of a Foreign Investment Corporation)

第二百六十四条 法第二百二十二条の規定による届出は、次に掲げる事項を記載した届出書を金融庁長官に提出して行わなければならない。

Article 264 (1) The notification under Article 222 of the Act must be made by submitting a written notification containing the following information to the Commissioner of the Financial Services Agency:

一 当該外国投資法人の名称

(i) the name of the relevant Foreign Investment Corporation;

二 当該解散の理由

(ii) reasons for the relevant dissolution;

三 当該解散がその効力を生ずる日

(iii) the day on which the relevant dissolution becomes effective; and

四 当該解散の中止に関する条件を定めたときは、その条件

(iv) when conditions for suspension of the relevant dissolution has been provided, such conditions.

2 前項の届出書には、当該解散に関する第二百六十一条第三項第一号から第四号までに掲げる書類に準ずる書類を添付しなければならない。

(2) The documents equivalent to the documents set forth in Article 261, paragraph (3), items (i) through (iv) related to the relevant dissolution must be attached to the written notification under the preceding paragraph.

## 第七章 雑則

### Chapter VII Miscellaneous Provisions

(委託者指図型投資信託における自己取引禁止の適用除外等)

(Exclusion from Application of Prohibition on Self-Dealing in an Investment Trust Managed under Instructions from the Settlor)

第二百六十五条 法第二百二十三条の三第二項及び第三項の規定により適用する金融商品取引法第四十二条の二ただし書に規定する内閣府令で定める同条第一号に掲げる行為は、金融商品取引業等に関する内閣府令第百二十八条各号に掲げる行為及び次に掲げる行為（法第二百二十三条の三第三項の規定により適用する金融商品取引法第四十二条の二ただし書に規定する内閣府令で定める同条第一号に掲げる行為にあっては、第六号に掲げる行為を除く。）とする。

Article 265 The acts set forth in Article 42-2, item (i) of the Financial Instruments and Exchange Act which are specified by Cabinet Office Order as referred to in the proviso to that Article as applied pursuant to Article 223-3, paragraphs (2) and (3) of the Act are the acts listed in the items of Article 128 of the Cabinet Office Order on Financial Instruments Business, etc. and the following acts (in cases of the acts listed in Article 42-2, item (i) of the Financial Instruments and Exchange Act which are specified by Cabinet Office Order as referred to in the proviso to that Article as applied pursuant to Article 223-3, paragraph (3) of the Act, the acts listed in item (vi) are excluded):

一 運用財産の宅地又は建物の売買又は貸借の代理又は媒介を行うことを内容とした運用を行うこと。

(i) to make an investment intended to provide agency or intermediary service for sale and purchase, or lease of housing land or buildings included in the investment property;

二 不動産の管理業務を行う場合において、運用財産の不動産の管理を受託することを内容とした運用を行うこと。

(ii) to make an investment, in cases of carrying out management business of real property, intended to accept the management of the real property included in the investment property;

三 不動産特定共同事業（不動産特定共同事業法（平成六年法律第七十七号）第二条第四項に規定する不動産特定共同事業をいう。以下同じ。）を営む場合において、次に掲げるすべての場合に該当する場合に運用財産の不動産を取得することを内容とした運用を行うこと。

(iii) to make an investment, in cases of engaging in Real Property Specified Joint Enterprise (meaning the real property specified joint enterprise defined in Article 2, paragraph (4) of the Real Property Specified Joint Enterprise Act (Act No. 77 of 1994); the same applies hereinafter), intended to acquire real property included in the investment property when falling under all of the following cases:

イ 一の運用財産の運用を終了させるために行うものである場合

(a) cases where the investment is made for terminating an investment of a single investment property; and

ロ 不動産が不動産特定共同事業契約（不動産特定共同事業法第二条第三項第二号に掲げる不動産特定共同事業契約をいう。以下同じ。）に係る不動産取引の目的

である場合

(b) cases where the real property is the subject of real property transaction related to the Contract on Real Property Specified Joint Enterprise (meaning the Contract on Real Property Specified Joint Enterprise as prescribed in Article 2, paragraph (3), item (ii) of the Real Property Specified Joint Enterprise Act; the same applies hereinafter);

四 次に掲げる場合において運用財産の不動産を賃借することを内容とした運用を行うこと。

(iv) to make an investment intended to lease the real property included in the investment property in the following cases:

イ 自己が賃借している不動産を運用財産に組み入れる場合において、当該不動産の賃貸借を継続する場合

(a) in cases of incorporating the real property rented by itself to the investment property, cases where the lease of the real property is to be continued;

ロ 運用財産の不動産について賃借人の募集を行ったにもかかわらず、当該不動産を賃貸するに至らない場合において、他の賃借人の賃借条件と著しく異なる条件で当該不動産を賃借する場合

(b) in cases where the lease of real property fails in spite of the solicitation of lessee for the real property included in the investment property, cases where renting the relevant real property with conditions not so different from the conditions for lease for other lessees;

五 運用財産の商品の売買の委託を受けることを内容とした運用を行うこと（次号に掲げる行為を除く。）。

(v) to make an investment intended to receive the entrustment of sale and purchase of a Commodity included in the investment property (excluding the acts set forth in the following item);

六 商品先物取引業（商品先物取引法第二条第二十二項に規定する商品先物取引業をいう。第二百六十九条第七号において同じ。）として、運用財産に係る同項各号に掲げる行為（同項第二号若しくは第四号に掲げる行為又は商品投資等取引を除く。）を行うことを内容とした運用を行うこと。

(vi) to make an investment intended to perform, as Commodity Derivatives Transactions Business (meaning Commodity Derivatives Transactions Business as defined in Article 2, paragraph (22) of the Commodity Derivatives Act; hereinafter the same applies in Article 269, item (vii)), acts listed in the items of that paragraph (excluding the acts listed in item (ii) or (iv) of that paragraph or Transactions Related to Commodities Investment, etc.) in relation to the investment property;

七 個別の取引ごとにすべての権利者に当該取引の内容及び当該取引を行おうとする理由を説明し、当該権利者の同意を得て、次のいずれかに掲げる取引を行うことを内容とした運用を行うこと。



- (vii) to make an investment intended to conduct any of the following transactions by explaining the contents of the relevant transaction and reasons for conducting such transaction to all the right holders for each transaction, and obtaining the consent from such right holders:
- イ 不動産鑑定士による鑑定評価を踏まえて調査した価格により行う不動産の売買
  - (a) sale and purchase of real property under the price examined based on the appraisal by the real estate appraiser;
  - ロ 商品（商品市場又は外国商品市場において上場されているものに限る。）の売買（前日の公表されている最終価格に基づき算出した価額又はこれに準ずるものとして合理的な方法により算出した価額により行うものに限る。）
  - (b) sale and purchase of Commodities (limited to those listed on a Commodity Market or Foreign Commodity Market) (limited to the sale and purchase made at the value calculated based on the closing price publicized on the immediately preceding day, or at the value calculated by a reasonable method equivalent thereto); or
  - ハ 商品投資取引
  - (c) Transaction of Commodities Investments.

（委託者指図型投資信託における投資信託財産相互間取引禁止の適用除外等）

(Exclusion from Application of Transactions between Investment Trust Properties Regarding an Investment Trust Managed under Instructions from the Settlor)

第二百六十六条 法第二百二十三条の三第二項及び第三項の規定により適用する金融商品取引法第四十二条の二ただし書に規定する内閣府令で定める同条第二号に掲げる行為は、金融商品取引業等に関する内閣府令第二百二十九条第一項各号に掲げる行為及び同項第一号イに掲げる要件を満たす次に掲げる行為とする。

Article 266 The acts set forth in Article 42-2, item (ii) of the Financial Instruments and Exchange Act which are specified by Cabinet Office Order as referred to in the proviso to that Article as applied pursuant to Article 223-3, paragraphs (2) and (3) of the Act are the acts listed in the items of Article 129, paragraph (1) of the Cabinet Office Order on Financial Instruments Business, etc., and the following acts which satisfy the requirements set forth in item (i), sub-item (a) of that paragraph:

- 一 不動産の売買（不動産鑑定士による鑑定評価を踏まえて調査した価格により行うものに限る。）を行うことを内容とした運用を行うこと。
- (i) to make an investment intended to carry out sale and purchase of real property (limited to those carried out under the price examined based on the appraisal by a real estate appraiser);
- 二 商品（商品市場又は外国商品市場において上場されているものに限る。）の売買（前日の公表されている最終価格に基づき算出した価額又はこれに準ずるものとして合理的な方法により算出した価額により行うものに限る。）を行うことを内容と

した運用を行うこと。

(ii) to make an investment intended to carry out sale and purchase of Commodities (limited to those listed on a Commodity Market or Foreign Commodity Market) (limited to the sale and purchase carried out at the value calculated based on the closing price publicized on the immediately preceding pay or at the value calculated by a reasonable method equivalent thereto); and

三 商品投資取引を行うことを内容とした運用を行うこと。

(iii) to make an investment intended to conduct Transactions of Commodities Investment.

(委託者指図型投資信託の信託財産の運用に関する禁止行為等)

(Prohibited Acts Regarding Investment of Trust Property of an Investment Trust Managed under Instructions from the Settlor)

第二百六十六条の二 法第二百二十三条の三第二項及び第三項に規定する場合における金融商品取引業等に関する内閣府令第三百十条の規定の適用については、同条第一項第八号中「を含む。）」とあるのは、「を含む。）」又は商品投資等取引（投資信託及び投資法人に関する法律施行令（平成十二年政令第四百八十号）第三条第十号に規定する商品投資等取引をいう。）」とする。

Article 266-2 With regard to the application of the provisions of Article 130 of the Cabinet Office Order on Financial Instruments Business, etc. in the case prescribed in Article 223-3, paragraphs (2) and (3) of the Act, the phrase "(including transactions of share option certificates, or securities or certificates indicating Options, and the Trading of Bonds with Options)" in Article 130, paragraph (1), item (viii) of that Cabinet Office Order is deemed to be replaced with "(including transactions of share option certificates, or securities or certificates indicating Options, and the Trading of Bonds with Options), or Transactions Related to Commodities Investment, etc. (meaning the Transactions Related to Commodities Investment, etc. as prescribed in Article 3, item (x) of the Order for Enforcement of the Act on Investment Trusts and Investment Corporations (Cabinet Order No. 480 of 2000))."

(金融商品取引業者の親法人等又は子法人等が関与する行為の制限)

(Restriction on the Acts in Which the Parent Corporation, etc. or Subsidiary Corporation, etc. of Financial Instruments Business Operator Is Involved)

第二百六十七条 法第二百二十三条の三第二項及び第三項の規定により適用する金融商品取引法第四十四条の三第一項第四号に規定する内閣府令で定める行為は、金融商品取引業等に関する内閣府令第百五十三条第一項各号に掲げる行為及び次に掲げる行為とする。

Article 267 The acts specified by Cabinet Office Order as referred to in Article 44-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act

as applied pursuant to Article 223-3, paragraphs (2) and (3) of the Act are the acts listed in the items of Article 153, paragraph (1) of the Cabinet Office Order on Financial Instruments Business, etc. and the following acts:

一 当該金融商品取引業者の親法人等又は子法人等が不動産特定共同事業契約の締結に係る勧誘をする場合において、当該不動産特定共同事業契約の締結額が当該親法人等又は子法人等が予定していた額に達しないと見込まれる状況の下で、当該親法人等又は子法人等の要請を受けて、その行う投資運用業（金融商品取引法第二十八条第四項の投資運用業をいう。次号において同じ。）に関して当該不動産特定共同事業契約に係る出資の持分を取得することを内容とした運用を行うこと。

(i) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant Financial Instruments Business Operator solicits to conclude a Contract on Real Property Specified Joint Enterprise, and where the conclusion amount of the Contract on Real Property Specified Joint Enterprise is likely to be less than the amount scheduled by the Parent Corporation, etc. or Subsidiary Corporation, etc., to make an investment intended to acquire the equity in investment pertaining to the Contract on Real Property Specified Joint Enterprise with regard to its Investment Management Business (meaning the Investment Management Business as defined in Article 28, paragraph (4) of the Financial Instruments and Exchange Act; the same applies in the following item) in response to the request by the Parent Corporation, etc. or Subsidiary Corporation, etc.;

二 当該金融商品取引業者の親法人等又は子法人等が商品投資契約（商品投資に係る事業の規制に関する法律（平成三年法律第六十六号）第二条第五項に規定する商品投資契約をいう。以下同じ。）の締結に係る勧誘をする場合において、当該商品投資契約の締結額が当該親法人等又は子法人等が予定していた額に達しないと見込まれる状況の下で、当該親法人等又は子法人等の要請を受けて、その行う投資運用業に関して当該商品投資契約に係る出資の持分を取得することを内容とした運用を行うこと。

(ii) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant Financial Instruments Business Operator solicits to conclude a Commodities Investment Contract (meaning the commodities investment contract as prescribed in Article 2, paragraph (5) of the Act on the Regulation of Commodities Investment Business (Act No. 66 of 1991); the same applies hereinafter), and where the conclusion amount of the Commodities Investment Contract is likely to be less than the amount scheduled by the Parent Corporation, etc. or Subsidiary Corporation, etc., to make an investment intended to acquire the equity in investment pertaining to the Commodities Investment Contract with regard to its Investment Management Business in response to the request by the Parent Corporation, etc. or Subsidiary Corporation, etc.

(運用明細書)

**(Investment Descriptions)**

第二百六十八条 法第二百二十三条の三第三項に規定する場合における金融商品取引業等に関する内閣府令第一百七十条第一項の規定の適用については、次の表の上欄に掲げる同項の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。

Article 268 With regard to the application of the provisions of Article 170, paragraph (1) of the Cabinet Office Order on Financial Instruments Business, etc. in the case prescribed in Article 223-3, paragraph (3) of the Act, the terms set forth in the middle column of the following table provided in Article 170, paragraph (1) of that Cabinet Office Order set forth in the left column in that table are deemed to be replaced with the terms set forth in the right column of that table, respectively:

|                               |                          |  |
|-------------------------------|--------------------------|--|
| <p>第三号<br/>item<br/>(iii)</p> | <p>銘柄<br/>the issues</p> | <p>銘柄（取引の対象が不動産等（不動産、不動産の賃借権又は地上権をいう。以下この項において同じ。）である場合にあっては所在、地番その他の当該不動産等を特定するために必要な事項、取引の対象が海外不動産保有法人（投資信託及び投資法人に関する法律施行規則第二百五条第一号へに規定する海外不動産保有法人をいう。以下この号において同じ。）の発行済株式又は出資（当該発行済株式又は出資（当該海外不動産保有法人が有する自己の株式又は出資を除く。）の総数又は総額に同令第二百二十一条に規定する率を乗じて得た数又は額を超えて有する当該発行済株式又は出資に限る。）である場合にあっては銘柄、当該海外不動産保有法人の有する不動産の所在、地番その他の当該不動産を特定するために必要な事項、取引の対象が再生可能エネルギー発電設備（投資信託及び投資法人に関する法律施行令（平成十二年政令第四百八十号。以下この号において「投信法施行令」という。）第三条第十一号に規定する再生可能エネルギー発電設備をいう。以下この号において同じ。）である場合にあっては当該再生可能エネルギー発電設備の用に供する土地の所在及び地番、設備の区分等（電気事業者による再生可能エネルギー電気の調達に関する特別措置法施行規則（平成二十四年経済産業省令第四十六号）第二条に規定する設備の区分等をいう。）その他当該再生可能エネルギー発電設備を特定するために必要な事項、取引の対象が公共施設等運営権（投信法施行令第三条第十二号に規定する公共施設等運営権をいう。以下この号において同じ。）である場合にあっては当該公共施設等運営権に係る公共施設等（民間資金等の活用による公共施設等の整備等の促進に関する法律（平成十一年法律第百十七号）第二条第一項に規定する公共施設等をいう。以下この号において同じ。）の所在、地番、運営等（運営及び維持管理並びにこれらに関する企画をいい、国民に対するサービスの提供を含む。）の内容、公共施設等の管理者等（同条第三項に規定する公共施設等の管理者等をいう。）その他当該公共施設等運営権を特定するために必要な事項、取引の対象が有価証券、デリバティブ取引に係る権利、不動産等、商品投資等取引（投信法施行令第三条第十号に規定する商品投資等取引をいう。）に係る権利、再生可能エネルギー発電設備又は公共施設等運営権以外の資産である場合にあっては当該資産の種類及び内容）</p> <p>the issues (in cases where the subject of the transaction is a Real Property, etc. (meaning the real property, right of lease of real property, or superficies rights; hereinafter the same applies in this paragraph), the location and parcel number of the relevant Real Property, as well as the information necessary for specifying the Real Property; in cases where the subject of the transaction is Issued Shares or equity in a Foreign Real Property Holding Corporation (meaning the Foreign Real Property Holding Corporation prescribed in Article 105, item (i), sub-item (f) of the Regulation for Enforcement of the Act on Investment Trusts and Investment Corporations; hereinafter the same applies in this item) (limited to cases where the number or the amount of the Issued Shares or equity the Foreign Real Property Holding Corporation held exceeds the number or the amount obtained by multiplying the total number or the total amount of the Issued Shares or equity (excluding shares or equity in the Foreign Real Property Holding Corporation</p> |
|-------------------------------|--------------------------|--|

|   |                                       |                                     |
|---|---------------------------------------|-------------------------------------|
| 第<br>四<br>号<br><br>i<br>t<br>e<br>m<br><br>(<br>i<br>v<br>) | イからニま<br>で<br>sub-items<br>(a) to (d) | イからトまで<br>sub-items (a) through (g) |
|---|---------------------------------------|-------------------------------------|

ニ 法第二条第二十一項第五号に掲げる取引（これに類似する外国市場デリバティブ取引を含む。）及び同条第二十二項第六号に掲げる取引（これに類似する外国市場デリバティブ取引を含む。）及び同条第二十二項第六号に掲げる取引（当事者があらかじめ定められた事由（同条第二十一項第五号及び第二十二項第六号に掲げるいずれかの事由をいう。）が発生した場合に金銭を支払う立場の当事者となるもの又は金銭を受領する立場の当事者となるもの）  
(d) a transaction specified in Article 2, paragraph (21), item (v) of the Act (including Foreign Market Derivatives Transactions similar thereto), and a transaction specified in Article 2, paragraph (22), item (vi) of the Act;

ニ 法第二条第二十一項第五号に掲げる取引（これに類似する外国市場デリバティブ取引を含む。）及び同条第二十二項第六号に掲げる取引（当事者があらかじめ定められた事由（同条第二十一項第五号及び第二十二項第六号に掲げるいずれかの事由をいう。）が発生した場合に金銭を支払う立場の当事者となるもの又は金銭を受領する立場の当事者となるもの）  
(d) a transaction specified in Article 2, paragraph (21), item (v) of the Act (including Foreign Market Derivatives Transactions similar thereto), and a transaction specified in Article 2, paragraph (22), item (vi) of the Act: whether it is a transaction wherein, when any event agreed by the parties in advance (meaning any of the events specified in Article 2, paragraph (21), item (v) and Article 2, paragraph (22), item (vi) of the Act) occurs, the party becomes a party paying money, or a party receiving money.

ホ 当事者が商品（商品先物取引法第二条第一項に規定する商品をいう。以下この号において同じ。）又は商品指数（同条第二項に規定する商品指数をいう。以下この号において同じ。）についてあらかじめ約定する価格又は数値と将来の一定の時期における現実の当該商品の価格又は当該商品指数の数値の差に基づいて算出される金銭の授受を約する取引又はこれに類似する取引 現実の商品の価格又は商品指数の数値が、約定価格（同条第三項第二号に規定する約定価格をいう。）又は約定数値（同項第三号に規定する約定数値をいう。）を上回った場合に金銭を支払う立場の当事者となるもの又は金銭を受領する立場の当事者となるもの

(e) a transaction in which the parties promise to pay or receive money calculated based on the difference between the price or figure agreed in advance with regard to a Commodity (meaning the Commodity as defined in Article 2, paragraph (1) of the Commodity Futures Trading Act; hereinafter the same applies in this item) or Commodity Index (meaning the Commodity Index as defined in paragraph (2) of that Article; hereinafter the same applies in this item) and the actual price of the Commodity or actual figure of the Commodity Index at a fixed time in the future, or transactions similar thereto: whether it is a transaction wherein the party is the part to pay money or the party to receive money in cases where the actual price of the Commodity or actual figure of the Commodity Index exceeds the Contract Price (meaning the contract price defined in paragraph (3), item (ii) of that Article) or Agreed Figure (meaning the agreed figure defined in item (iii) of that paragraph);

ヘ 投資信託及び投資法人に関する法律施行令第三条第十号イからハマまでに掲げる取引（イ及びロに掲げる取引については、商品先物取引法第二条第三項第四号から第六号まで及び同条第十四項第六号に掲げる取引に該当するものに限る。） 相手方と取り決めた商品の価格、商品指数又は金融指標が約定した期間に上昇した場合に金銭を支払う立場の当事者となるもの又は金銭を受領する立場の当事者となるもの

(f) the transaction set forth in Article 3, item (x), sub-items (a) through (c) of the Order for Enforcement of the Act on Investment Trusts and Investment Corporations (transactions listed in (a) and (c) are limited to transactions that fall under Article 2, paragraph (3), items (iv) through (vi) of the Commodity Futures Trading Act and paragraph (14), item (vi) of that Article): a transaction wherein the party is the party to pay money or the party to receive money in cases where the price of a Commodity, Commodity Index or Financial Indicator agreed with the other party goes up during the agreed period;



|     |  |   |
|-----|--|---|
|     |  | <p>ト 当事者の一方の意思表示により当事者間において商品の売買取引又はホ若しくはへに掲げる取引を成立させることができる権利（以下このトにおいて「商品関連オプション」という。）を相手方が当事者の一方に付与し、当事者の一方がこれに対して対価を支払うことを約する取引又はこれに類似する取引 商品関連オプションを付与する立場の当事者となるもの又は商品関連オプションを取得する立場の当事者となるもの</p> <p>(g) a transaction wherein the parties thereto promise that one of the parties grants the other party the right to effect a sale and purchase transaction or the transactions listed in sub-item (e) or (f) (hereinafter referred to as the "Commodity-Related Option" in this sub-item (g)) between the parties only by unilateral manifestation of the other party's intention, and the other party pays consideration to such option, or transactions similar thereto: a transaction wherein the party is the party to grant the Commodity-Related Option or the party to obtain the Commodity-Related Option.</p> |
| 第五号 | <p>、件数又は数量に準ずるもの</p> <p>the number of transactions or any other information equivalent to volume</p> | <p>件数又は数量に準ずるもの、取引の対象が不動産等である場合にあっては数量及び面積</p> <p>the number of transactions or any other information equivalent to volume, and in cases where the subject of the transaction is a Real Property, etc., the volume and area</p>   |

(委託者非指図型投資信託における自己取引禁止の適用除外)

**(Exclusion from Application of Prohibition of Self-Dealing in an Investment Trust Managed without Instructions from the Settlor)**

第二百六十九条 法第二百二十三条の三第五項及び第六項の規定により読み替えて適用する信託業法（平成十六年法律第百五十四号）第二十四条の二及び金融機関の信託業務の兼営等に関する法律第二条の二において準用する金融商品取引法第四十二条の二に規定する内閣府令に定める同条第一号に掲げる行為は、次に掲げる行為とする。

Article 269 The acts set forth in Article 42-2, item (i) of the Financial Instruments and Exchange Act which are specified by Cabinet Office Order as referred to in that Article as applied mutatis mutandis pursuant to the provisions of Article 24-2 of the Trust Business Act (Act No. 154 of 2004) and Article 2-2 of the Act on Engagement in Trust Business by a Financial Institution which are applied by replacing certain terms pursuant to Article 223-3, paragraphs (5) and (6) of the Act, are the following acts:

- 一 信託財産の宅地又は建物の売買又は貸借の代理又は媒介を行うことを内容とした

- 運用を行うこと。
- (i) to make an investment intended to provide agency or intermediary service for sale and purchase, or lease of housing land or buildings included in the trust property;
- 二 不動産の管理業務を行う場合において、信託財産の不動産の管理を受託することを内容とした運用を行うこと。
- (ii) to make an investment, in cases of carrying out management business of real property, intended to accept the management of the real property included in the investment property;
- 三 不動産特定共同事業を営む場合において、次に掲げるすべての場合に該当する場合に信託財産の不動産を取得すること。
- (iii) to make an investment, in cases of engaging in Real Property Specified Joint Enterprise, intended to acquire real property included in the trust property when falling under all of the following cases:
- イ 一の信託財産の運用を終了させるために行うものである場合
- (a) cases where the investment is made for terminating an investment of a single trust property; and
- ロ 不動産が不動産特定共同事業契約に係る不動産取引の目的である場合
- (b) cases where the real property is the subject of real property transaction related to the Contract on Real Property Specified Joint Enterprise;
- 四 次に掲げる場合において信託財産の不動産を賃借することを内容とした運用を行うこと。
- (iv) to make an investment intended to lease the real property included in the trust property in the following cases:
- イ 自己が賃借している不動産を信託財産に組み入れる場合において、当該不動産の賃貸借を継続する場合
- (a) in cases of incorporating the real property rent by itself to its trust property, cases where the lease of the real property is to be continued;
- ロ 信託財産の不動産について賃借人の募集を行ったにもかかわらず、当該不動産を賃貸するに至らない場合において、他の賃借人の賃借条件と著しく異なる条件で当該不動産を賃借する場合
- (b) in cases where the lease of real property fails in spite of the solicitation of lessee for the real property of a trust property, cases where renting the relevant real property with conditions not so different from the conditions for lease for other lessees;
- 五 登録金融機関業務（金融商品取引業等に関する内閣府令第一条第三項第二十一号に規定する登録金融機関業務をいう。以下同じ。）として、信託財産に係る次に掲げる取引の取次ぎを行うことを内容とした運用を行うこと。
- (v) to make an investment intended to provide brokerage for the following transactions related to the trust property, as a Registered Financial Institution Business (meaning the Registered Financial Institution Business

as prescribed in Article 1, paragraph (3), item (xxi) of the Cabinet Office Order on Financial Instruments Business, etc.; the same applies hereinafter):

イ 有価証券の売買

(a) sale and purchase of Securities; and

ロ デリバティブ取引

(b) Derivatives Transactions;

六 信託財産の商品の売買の委託を受けることを内容とした運用を行うこと。

(vi) to make an investment intended to receive the entrustment of sale and purchase of a Commodity included in the trust property;

七 商品先物取引業として、信託財産に係る商品先物取引法第二条第二十二項各号に掲げる行為（同項第二号若しくは第四号に掲げる行為又は商品投資等取引を除く。）を行うこと。を内容とした運用を行うこと。

(vii) to make an investment intended to perform, as Commodity Derivatives Transactions Business, acts listed in the items of Article 2, paragraph (22) of the Commodity Derivatives Act (excluding the acts listed in item (ii) or (iv) of that paragraph or Transactions Related to Commodities Investment, etc.) in relation to the trust property;

八 次に掲げる要件のすべてを満たす取引を行うことを内容とした運用を行うこと。

(viii) to make an investment intended to conduct transactions satisfying all of the following requirements:

イ 個別の取引ごとにすべての受益者に当該取引の内容及び当該取引を行おうとする理由を説明し、当該受益者の同意を得たものであること。

(a) that the relevant transaction is one in which the contents thereof and reasons for conducting such transaction have been explained to all the beneficiaries for each transaction, and consent from such beneficiaries has been obtained;

ロ 次のいずれかに該当するものであること。

(b) that the relevant transaction falls under any of the following:

(1) 取引所金融商品市場又は店頭売買有価証券市場における有価証券の売買

1. sale and purchase of Securities on a Financial Instruments Exchange Market or Over-the-Counter Securities Market;

(2) 市場デリバティブ取引又は外国市場デリバティブ取引

2. Market Transactions of Derivatives or Foreign Market Derivatives Transaction;

(3) 不動産鑑定士による鑑定評価を踏まえて調査した価格により行う不動産の取引

3. transactions of real property carried out under the price examined based on the appraisal by a real estate appraiser;

(4) 商品（商品市場又は外国商品市場において上場されているものに限る。）の売買（前日の公表されている最終価格に基づき算出した価額又はこ

れに準ずるものとして合理的な方法により算出した価額により行うものに限る。)

4. sale and purchase of Commodities (limited to those listed on a Commodity Market or Foreign Commodity Market) (limited to the sale and purchase made at the value calculated based on the closing price publicized on the immediately preceding day, or value calculated by a reasonable method equivalent thereof);

(5) 商品投資取引

5. Transaction of Commodities Investments; or

(6) 前日の公表されている最終の価格に基づき算出した価額又はこれに準ずるものとして合理的な方法により算出した価額により行う取引（(4)に掲げる取引を除く。）

6. transactions conducted at the value calculated based on the closing price publicized on the immediately preceding day or at the value calculated by a reasonable method equivalent thereto (excluding the transactions set forth in 4. above);

九 その他投資者の保護に欠け、若しくは取引の公正を害し、又は委託者非指図型投資信託の信託財産の運用を行う業務の信用を失墜させるおそれのないものとして所管金融庁長官等の承認を受けた取引を行うことを内容とした運用を行うこと。

(ix) to make an investment intended to conduct transactions for which the approval of the Commissioner of the Financial Services Agency or Other Competent Official is obtained as being unlikely to result in insufficient protection of Investors, harm the fairness of the transaction, or cause a loss in confidence in the business of carrying out investment of trust property of an Investment Trust Managed without Instructions from the Settlor.

(委託者非指図型投資信託における投資信託財産相互間取引禁止の適用除外)

(Exclusion from Application of Prohibition on Transactions between Investment Trust Properties in an Investment Trust Managed without Instructions from the Settlor)

第二百七十条 法第二百二十三条の三第五項及び第六項の規定により読み替えて適用する信託業法第二十四条の二及び金融機関の信託業務の兼営等に関する法律第二条の二において準用する金融商品取引法第四十二条の二に規定する内閣府令で定める同条第二号に掲げる行為は、次に掲げる行為とする。

Article 270 (1) The acts set forth in Article 42-2, item (ii) of the Financial Instruments and Exchange Market which are specified by Cabinet Office Order as referred to in that Article as applied mutatis mutandis pursuant to the provisions of Article 24-2 of the Trust Business Act and Article 2-2 of the Act on Engagement in Trust Business by a Financial Institution which are applied by replacing certain terms pursuant to Article 223-3, paragraphs (5) and (6) of the Act, are the following acts:

一 次に掲げる要件の全てを満たす取引を行うことを内容とした運用を行うこと。

(i) to make an investment intended to conduct transactions that satisfy all of the following requirements:

イ 次のいずれかの場合に該当するものであること。

(a) that the relevant transaction falls under any of the following cases:

(1) 一の信託財産の運用を終了させるために行うものである場合

1. cases where the transaction is conducted for terminating an investment of a single investment property; and

(2) 投資信託契約（法第四十七条に規定する投資信託契約をいう。以下同じ。）の解約に伴う解約金の支払に应ずるために行うものである場合

2. cases where the transaction is conducted for the payment of cancellation money upon the cancellation of an Investment Trust Agreement (meaning the Investment Trust Agreement as prescribed in Article 47 of the Act: the same applies hereinafter);

(3) その資産について、法令の規定又は法第四十九条第一項に規定する投資信託約款に定められている投資の割合を超えるおそれがある場合において、その割合を超えることを避けるために行うものである場合

3. in cases where, with regard to the assets of the Trust Company or financial institution, the ratio of investment is likely to exceed that specified in the provisions of laws and regulations or the Basic Terms and Conditions for an Investment Trust as prescribed in Article 49, paragraph (1) of the Act, the transaction is conducted to avoid the relevant ratio from exceeding such ratio;

(4) 双方の信託財産について、運用の方針、運用財産の額及び市場の状況に照らして当該取引を行うことが必要かつ合理的と認められる場合

4. in cases where, with regard to both of the trust property, it is found that the implementation of the relevant transaction is necessary and reasonable in light of the investment policy, amount of investment property, and market conditions;

ロ 対象特定資産取引であって、第三項で定めるところにより公正な価額により行うものであること。

(b) that the transaction falls under the category of Subject Specified Assets Transactions which are conducted at a fair value pursuant to the provisions of paragraph (3);

二 次に掲げる要件の全てを満たす取引を行うことを内容とした運用を行うこと。

(ii) to make an investment intended to conduct the transactions that satisfy all of the following requirements:

イ 個別の取引ごとに全ての受益者に当該取引の内容及び当該取引を行おうとする理由を説明し、当該受益者の同意を得たものであること。

(a) that the relevant transaction is one in which the contents thereof and reasons for conducting such transaction have been explained to all the

beneficiaries for each transaction, and consent from such beneficiaries has been obtained;

ロ 前条第八号ロ（１）から（６）までのいずれかに該当するものであること。

(b) that the relevant transaction falls under any of the category listed in item (viii), sub-item (b) 1. through 6. of the preceding Article;

三 その他投資者の保護に欠け、若しくは取引の公正を害し、又は委託者非指図型投資信託の信託財産の運用を行う業務の信用を失墜させるおそれのないものとして金融庁長官の承認を受けた取引を行うことを内容とした運用を行うこと。

(iii) to make an investment intended to conduct transactions for which the approval of the Commissioner of the Financial Services Agency is obtained as being unlikely to result in insufficient protection of Investors, harm the fairness of the transaction, or cause a loss in confidence in the business of carrying out investment of trust property of an Investment Trust Managed without Instructions from the Settlor.

2 前項第一号ロの「対象特定資産取引」とは、次に掲げる取引をいう。

(2) The "Subject Specified Assets Transactions" as used in item (i), sub-item (b) of the preceding paragraph are the following transactions:

一 次に掲げる有価証券及び金融商品取引法第二条第一項第二十号に掲げる有価証券（次に掲げる有価証券に該当するものを除く。）であって次に掲げる有価証券に係る権利を表示するものの売買

(i) sale and purchase of the following Securities, and the Securities set forth in Article 2, paragraph (1), item (xx) of the Financial Instruments and Exchange Act (excluding those falling under the following category of Securities) which indicate rights pertaining to the following Securities:

イ 金融商品取引所に上場されている有価証券

(a) Securities listed on a Financial Instruments Exchange;

ロ 店頭売買有価証券

(b) Over-the-Counter Traded Securities;

ハ 指定外国金融商品取引所（金融商品取引法施行令第二条の十二の三第四号ロに規定する指定外国金融商品取引所をいう。次項第二号の二において同じ。）に上場されている有価証券

(c) Securities listed on a Designated Foreign Financial Instruments Exchange (meaning the Designated Foreign Financial Instruments Exchange provided in Article 2-12-3, item (iv), sub-item (b) of the Order for Enforcement of the Financial Instruments and Exchange Act; the same applies in item (ii)-2 of the following paragraph); and

ニ イからハまでに掲げる有価証券以外の有価証券で、次に掲げるもの

(d) Securities other than those set forth in sub-items (a) through (c), which are as follows:

（１） 金融商品取引法第二条第一項第一号から第五号までに掲げる有価証券（同項第十七号に掲げる有価証券でこれらの有価証券の性質を有するものを

含む。)

1. Securities set forth in Article 2, paragraph (1), items (i) through (v) of the Financial Instruments and Exchange Act (including the Securities set forth in item (xvii) of that paragraph which have the nature of these Securities);
  - (2) 金融商品取引法第二条第一項第九号に掲げる有価証券（同項第十七号に掲げる有価証券で当該有価証券の性質を有するものを含む。）のうち、その価格が認可金融商品取引業協会又は外国において設立されているこれと類似の性質を有する団体の定める規則に基づいて公表されるもの
2. among the Securities set forth in Article 2, paragraph (1), item (ix) of the Financial Instruments and Exchange Act (including the Securities set forth in item (xvii) of that paragraph which have the nature of those Securities), those of which the price is publicized based on the rules of an Authorized Financial Instruments Firms Association or an organization incorporated in a foreign state which has a nature similar thereto;
  - (3) 金融商品取引法第二条第一項第十号及び第十一号に掲げる有価証券
3. Securities set forth in Article 2, paragraph (1), items (x) and (xi) of the Financial Instruments and Exchange Act;

二 市場デリバティブ取引

(ii) Market Transactions of Derivatives;

三 外国市場デリバティブ取引

(iii) Foreign Market Derivatives Transactions;

四 不動産の売買

(iv) sale and purchase of real property;

五 商品（商品市場又は外国商品市場において上場されているものに限る。）の売買

(v) sale and purchase of Commodities (limited to those listed on a Commodity market or a Foreign Commodity Market); and

六 商品投資取引

(vi) Transactions of Commodity Investment.

- 3 第一項第一号ロの対象特定資産取引は、次の各号に掲げる取引の区分に応じ、当該各号に定める方法によるものとする。

(3) The Subject Specified Assets Transactions as referred to in paragraph (1), item (i), sub-item (b) are made by the method specified in the following items according to the category of transactions listed in the respective items:

一 前項第一号イに掲げる有価証券の売買 取引所金融商品市場において行うもの又は前日の公表されている最終価格に基づき算出した価額若しくはこれに準ずるものとして合理的な方法により算出した価額により行うもの

(i) sale and purchase of the Securities set forth in item (i), sub-item (a) of the preceding paragraph: a transaction conducted in a Financial Instruments Exchange Market or that made at a value calculated based on the closing

- price publicized on the immediately preceding day or at a value calculated by a reasonable method equivalent thereto;
- 二 前項第一号ロに掲げる有価証券の売買 店頭売買有価証券市場において行うもの又は前日の公表されている最終価格に基づき算出した価額若しくはこれに準ずるものとして合理的な方法により算出した価額により行うもの
- (ii) sale and purchase of the Securities set forth in item (i), sub-item (b) of the preceding paragraph: a transaction conducted in an Over-the-Counter Securities Market or that made at a value calculated based on the closing price publicized on the immediately preceding day or at a value calculated by a reasonable method equivalent thereto;
- 二の二 前項第一号ハに掲げる有価証券の売買 指定外国金融商品取引所において行うもの又は前日の公表されている最終価格に基づき算出した価額若しくはこれに準ずるものとして合理的な方法により算出した価額により行うもの
- (ii)-2 the sale and purchase of the Securities set forth in item (i), sub-item (c) of the preceding paragraph: a transaction conducted in a Designated Foreign Financial Instruments Exchange or that made at a value calculated based on the closing price publicized on the immediately preceding day or at a value calculated by a reasonable method equivalent thereto;
- 三 前項第一号ニに掲げる有価証券の売買 前日の公表されている最終価格に基づき算出した価額又はこれに準ずるものとして合理的な方法により算出した価額により行うもの
- (iii) sale and purchase of the Securities set forth in item (i), sub-item (d) of the preceding paragraph: a transaction made at a value calculated based on the closing price publicized on the immediately preceding day or at a value calculated by a reasonable method equivalent thereto;
- 四 前項第二号に掲げる取引 金融商品市場において行うもの
- (iv) the transactions set forth in item (ii) of the preceding paragraph: a transaction conducted in a Financial Instruments Market;
- 五 前項第三号に掲げる取引 外国金融商品市場において行うもの
- (v) the transactions set forth in item (iii) of the preceding paragraph: a transaction conducted in a Foreign Financial Instruments Market;
- 六 前項第四号に掲げる取引 不動産鑑定士による鑑定評価を踏まえて調査した価格により行うもの
- (vi) the transactions set forth in item (iv) of the preceding paragraph: a transaction conducted at the price examined based on the appraisal by a real estate appraiser;
- 七 前項第五号に掲げる取引 前日の公表されている最終価格に基づき算出した価額又はこれに準ずるものとして合理的な方法により算出した価額により行うもの
- (vii) the transactions set forth in item (v) of the preceding paragraph: a transaction conducted at a value calculated based on the closing price publicized on the immediately preceding day or at a value calculated by a



reasonable method equivalent thereto;

八 前項第六号に掲げる取引 商品市場又は外国商品市場において行うもの  
(viii) the transactions set forth in item (vi) of the preceding paragraph: a  
transaction conducted in a Commodity Market or Foreign Commodity Market.

(委託者非指図型投資信託の信託財産の運用に関する禁止行為)

(Prohibited Acts Regarding Investment of Trust Property of an Investment  
Trust Managed without Instructions from the Settlor)

第二百七十一条 法第二百二十三条の三第五項及び第六項の規定により読み替えて適用する信託業法第二十四条の二及び金融機関の信託業務の兼営等に関する法律第二条の二において準用する金融商品取引法第四十二条の二第七号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 271 (1) The acts specified by Cabinet Office Order as referred to in Article 42-2, item (vii) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 24-2 of the Trust Business Act and Article 2-2 of the Act on Engagement in Trust Business by a Financial Institution which are applied by replacing certain terms pursuant to Article 223-3, paragraphs (5) and (6) of the Act, are the following acts:

一 自己の監査役、役員に類する役職にある者又は使用人との間における取引を行うことを内容とした運用を行うこと（第二百六十九条各号に掲げる行為を除く。）。

(i) to make an investment intended to conduct a transaction with its auditor, persons in position similar to officer, or employees (excluding the acts listed in the items of Article 269);

二 自己又は第三者の利益を図るため、受益者の利益を害することとなる取引を行うことを内容とした運用を行うこと。

(ii) to make an investment intended to conduct transactions that will impair the interest of the beneficiary for its own interest or in the interest of a third party;

三 第三者の利益を図るため、その行う信託財産の運用に関して運用の方針、運用財産の額又は市場の状況に照らして不必要な取引を行うことを内容とした運用を行うこと（法第二百二十三条の三第五項の規定により読み替えて適用する信託業法第二十四条の二において準用する金融商品取引法第四十四条の三第一項第三号及び法第二百二十三条の三第六項の規定により読み替えて適用する金融機関の信託業務の兼営等に関する法律第二条の二において準用する金融商品取引法第四十四条の三第二項第三号に掲げる行為を除く。）。

(iii) to make an investment intended to conduct a transaction unnecessary in light of the investment policy, amount of investment property, or market conditions with regard to its investment of trust property, for the interest of a third party (excluding the acts listed in Article 44-3, paragraph (1), item (iii) of the Financial Instruments and Exchange Act as applied mutatis

mutandis pursuant to Article 24-2 of the Trust Business Act as applied by replacing certain terms pursuant to Article 223-3, paragraph (5) of the Act, and the acts listed in Article 44-3, paragraph (2), item (iii) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 2-2 of the Act on Engagement in Trust Business by a Financial Institution as applied by replacing certain terms pursuant to Article 223-3, paragraph (6) of the Act);

四 他人から不当な取引の制限その他の拘束を受けて運用財産の運用を行うこと。

(iv) to make an investment of investment property with unreasonable limitations or other restrictions imposed by a third party;

五 有価証券の売買その他の取引等について、不当に取引高を増加させ、又は作偽的な値付けをすることを目的とした取引を行うことを内容とした運用を行うこと。

(v) with regard to the sale and purchase or other transactions, etc. of Securities, to make an investment intended to conduct transactions for unjustly increasing the transaction volume or for manipulative pricing;

六 第三者の代理人となって当該第三者との間における取引を行うことを内容とした運用を行うこと（登録金融機関業務又は宅地建物取引業法第二条第二号に規定する宅地建物取引業として当該第三者を代理して行うもの並びにあらかじめ個別の取引ごとに全ての受益者に当該取引の内容及び当該取引を行おうとする理由を説明し、当該権利者の同意を得て行うものを除く。）。

(vi) to make an investment intended to conduct a transaction with a third party acting as an agency of such third party (excluding those conducted on behalf of the third party as a Registered Financial Institution Business or real estate brokerage as prescribed in Article 2, item (ii) of the Real Estate Brokerage Act; and those conducted by explaining in advance the contents of and reasons for conducting the transaction to all of the beneficiaries for each transaction and obtaining the consent from the relevant right holders);

七 信託財産の運用に関し、取引の申込みを行った後で信託財産を特定すること。

(vii) with regard to the investment of a trust property, to specify the trust property after the application for the transaction; or

八 信託財産に関し、金利、通貨の価格、金融商品市場における相場その他の指標に係る変動その他の理由により発生し得る危険に対応する額としてあらかじめ信託会社等が定めた合理的な方法により算出した額が当該信託財産の純資産額を超えることとなる場合において、デリバティブ取引（新株予約権証券、新投資口予約権証券又はオプションを表示する証券若しくは証書に係る取引及び選択権付債券売買（当事者の一方が受渡日を指定できる権利を有する債券売買であって、一定の期間内に当該権利が行使されない場合にあつては、当該選択権付債券売買の契約が解除される取引をいう。以下同じ。）を含む。）又は商品投資等取引を行い、又は継続することを内容とした運用を行うこと。

(viii) with regard to a trust property, in cases where the amount calculated by a reasonable method specified by a trust company or similar institution in

advance as an amount covering the possible risks which may arise due to fluctuations in money rate, value of currencies, quotations on a Financial Instruments Market or any other indicator, or any other reason is to exceed the amount of net assets of the trust property, to make an investment intended to conduct or continue Derivatives Transactions (including transactions related to share option certificates, Investment Equity Option Certificates, or securities or certificates indicating Options, or Sale and Purchase of Bond Certificates with Options (meaning the sale and purchase of bond certificates in which one of the parties has the right to designate the delivery date, and in cases where such right is not exercised within a certain period, the contract for sale and purchase of bond certificates with options is cancelled; the same applies hereinafter)), or the Transactions Related to Commodities Investment, etc.; and

九 信託財産に関し、信用リスク（保有する有価証券その他の資産について取引の相手方の債務不履行その他の理由により発生し得る危険をいう。）を適正に管理する方法としてあらかじめ信託会社等が定めた合理的な方法に反することとなる取引を行うことを内容とした運用を行うこと。

(ix) with regard to a trust property, to make an investment intended to conduct a transaction that violates a reasonable method specified by a trust company or similar institution in advance as a method of appropriately managing credit risk (meaning the risk that may arise from the default of the counterparty to the transaction or for other reasons with regard to Securities and other assets held).

2 前項（第八号及び第九号に係る部分に限る。）の規定は、信託財産に係る受益証券について、その取得の申込みの勧誘が有価証券の私募により行われている場合（当該受益証券を取得することを目的とする他の信託財産に係る受益証券について、その取得の申込みの勧誘が有価証券の募集により行われている場合を除く。）には、適用しない。

(2) With regard to the beneficiary certificate pertaining to a trust property, the provisions of the preceding paragraph (limited to the part related to items (viii) and (ix)) do not apply to cases where the solicitation for application of the acquisition of such beneficiary certificates is made through the Private Placement of Securities (with regard to beneficiary certificates pertaining to another trust property which have the purpose of acquiring the first-mentioned beneficiary certificate, excluding the cases where the solicitation for application of acquisition thereof is made through the Public Offering of Securities).

（信託会社の親法人等又は子法人等が関与する行為の制限）

(Restriction on the Acts in Which the Parent Corporation, etc. or Subsidiary Corporation, etc. of a Trust Company Is Involved)

第二百七十二條 法第二百二十三條の三第五項の規定により読み替えて適用する信託業法第二十四條の二において準用する金融商品取引法第四十四條の三第一項第四号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 272 The acts specified by Cabinet Office Order as referred to in Article 44-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 24-2 of the Trust Business Act as applied by replacing certain terms pursuant to Article 223-3, paragraph (5) of the Act are the following acts:

一 通常の取引の条件と著しく異なる条件で、当該信託会社の親法人等又は子法人等と資産の売買その他の取引を行うこと。

(i) an act to conduct sale and purchase or other transaction of assets with the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant Trust Company under conditions extremely different from those for ordinary transactions;

二 当該信託会社の親法人等又は子法人等が有価証券の引受けに係る主幹事会社である場合において、当該有価証券の募集若しくは売出し又は特定投資家向け取得勧誘（金融商品取引法第四条第三項第一号に規定する特定投資家向け取得勧誘をいう。次条第一号において同じ。）若しくは特定投資家向け売付け勧誘等（同法第二条第六項に規定する特定投資家向け売付け勧誘等をいう。同号において同じ。）の条件に影響を及ぼすために、その行う委託者非指図型投資信託の信託財産の運用を行う業務に関して実勢を反映しない作為的な相場を形成することを目的とした取引を行うことを内容とした運用を行うこと。

(ii) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant Trust Company is a lead managing underwriter related to the underwriting of Securities, to make an investment intended to conduct transactions for the purpose of creating a manipulative quotation which does not reflect the actual market status in relation to its business of investment of trust property of an Investment Trust Managed without Instructions from the Settlor in order to have an impact on the conditions for the Public Offering or Secondary Distribution of the Securities, Solicitation for Acquisition Only for Professional Securities, etc. (meaning the Solicitation for Acquisition Only for Professional Securities, etc. as prescribed in Article 4, paragraph (3), item (i) of the Financial Instruments and Exchange Act; the same applies in item (i) of the following Article), or Solicitation for Selling Only for Professional Investors (meaning the Solicitation for Selling Only for Professional Investors as prescribed in Article 2, paragraph (6) of that Act; the same applies in item (i) of the following Article);

三 当該信託会社の親法人等又は子法人等が有価証券の引受け等（金融商品取引法第二条第八項第六号から第九号までに掲げる行為をいう。次条第二号において同じ。）を行っている場合において、当該親法人等又は子法人等に対する当該有価証券の取得又は買付けの申込み（当該親法人等又は子法人等が金融商品取引法第二条

第六項第三号に掲げるものを行っている場合にあつては、同号に規定する新株予約権を取得した者による当該新株予約権の行使)の額が当該親法人等又は子法人等が予定していた額に達しないと見込まれる状況の下で、当該親法人等又は子法人等の要請を受けて、その行う委託者非指図型投資信託の信託財産の運用を行う業務に関して当該有価証券(当該親法人等又は子法人等が同号に掲げるものを行っている場合にあつては、当該新株予約権の行使により取得される有価証券)を取得し、又は買い付けることを内容とした運用を行うこと。

(iii) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant Trust Company is engaged in the Underwriting, etc. of Securities (meaning the acts listed in Article 2, paragraph (8), items (vi) through (ix) of the Financial Instruments and Exchange Act; the same applies in item (ii) of the following Article), and where the amount of application for acquisition or purchase of the Securities presented to the Parent Corporation, etc. or Subsidiary Corporation, etc. (if the Parent Corporation, etc. or Subsidiary Corporation, etc. is engaged only in the act set forth in Article 2, paragraph (6), item (iii) of the Financial Instruments and Exchange Act, the amount of share options exercised by the person who has acquired the share options provided in that item) is likely to be less than the amount scheduled by the Parent Corporation, etc. or Subsidiary Corporation, etc., to make an investment intended to acquire or purchase the Securities (if the Parent Corporation, etc. or Subsidiary Corporation, etc. is engaged in the act set forth in that item, the Securities to be acquired through the exercise of the share options) with regard to its business of investment of trust property of an Investment Trust Managed without Instructions from the Settlor, in response to the request by the Parent Corporation, etc. or Subsidiary Corporation, etc.;

四 当該信託会社の親法人等又は子法人等が不動産特定共同事業契約の締結に係る勧誘をする場合において、当該不動産特定共同事業契約の締結額が当該親法人等又は子法人等が予定していた額に達しないと見込まれる状況の下で、当該親法人等又は子法人等の要請を受けて、その行う委託者非指図型投資信託の信託財産の運用を行う業務に関して当該不動産特定共同事業契約に係る出資の持分を取得することを内容とした運用を行うこと。

(iv) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant Trust Company makes solicitation for the conclusion of a Contract on Real Property Joint Enterprise, and where the conclusion amount of the Contract on Real Property Joint Enterprise is likely to be less than the amount scheduled by the Parent Corporation, etc. or Subsidiary Corporation, etc., to make an investment intended to acquire the equity in investment pertaining to the Contract on Real Property Joint Enterprise with regard to its business of investment of trust property of an Investment Trust Managed without Instructions from the Settlor, in response to the

- request by the Parent Corporation, etc. or Subsidiary Corporation, etc.;
- 五 当該信託会社の親法人等又は子法人等が商品投資契約の締結に係る勧誘をする場合において、当該商品投資契約の締結額が当該親法人等又は子法人等が予定していた額に達しないと見込まれる状況の下で、当該親法人等又は子法人等の要請を受けて、その行う委託者非指図型投資信託の信託財産の運用を行う業務に関して当該商品投資契約に係る出資の持分を取得することを内容とした運用を行うこと。
- (v) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant Trust Company makes solicitation for the conclusion of a Commodities Investment Contract, and where the conclusion amount of the Commodities Investment Contract is likely to be less than the amount scheduled by the Parent Corporation, etc. or Subsidiary Corporation, etc., to make an investment intended to acquire the equity in investment pertaining to the Commodities Investment Contract with regard its business of investment of trust property of an Investment Trust Managed without Instructions from the Settlor, in response to the request by the Parent Corporation, etc. or Subsidiary Corporation, etc.; and
- 六 何らの名義によってするかを問わず、法第二百二十三条の三第五項の規定により読み替えて適用する信託業法第二十四条の二において準用する金融商品取引法第四十四条の三第一項の規定による禁止を免れること。
- (vi) an act of evading the prohibitions under Article 44-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 24-2 of the Trust Business Act as applied by replacing certain terms pursuant to Article 223-3, paragraph (5) of the Act, irrespective of the name under which the act is to be conducted.

(金融機関の親法人等又は子法人等が関与する行為の制限)

(Restriction on the Acts in Which the Parent Corporation, etc. or Subsidiary Corporation, etc. of a Financial Institution Is Involved)

第二百七十三条 法第二百二十三条の三第六項の規定により読み替えて適用する金融機関の信託業務の兼営等に関する法律第二条の二において準用する金融商品取引法第四十四条の三第二項第四号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 273 The acts specified by Cabinet Office Order as referred to in Article 44-3, paragraph (2), item (iv) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 2-2 of the Act on Engagement in Trust Business of a Financial Institution as applied by replacing certain terms pursuant to Article 223-3, paragraph (6) of the Act are the following acts:

- 一 当該金融機関の親法人等又は子法人等が有価証券の引受けに係る主幹事会社である場合において、当該有価証券の募集若しくは売出し又は特定投資家向け取得勧誘若しくは特定投資家向け売付け勧誘等の条件に影響を及ぼすために、その行う委託者非指図型投資信託の信託財産の運用を行う業務に関して実勢を反映しない作為的な相場を形成することを目的とした取引を行うことを内容とした運用を行うこと。

(i) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant financial institution is a lead managing underwriter related to the underwriting of Securities, to make an investment intended to conduct transactions for the purpose of creating a manipulative quotation which does not reflect the actual market status in relation to its business of investment of trust property of an Investment Trust Managed without Instructions from the Settlor in order to have an impact on the conditions for the Public Offering or Secondary Distribution of the Securities, Solicitation for Acquisition Only for Professional Securities, etc., or Solicitation for Selling Only for Professional Investors;

二 当該金融機関の親法人等又は子法人等が有価証券の引受け等を行っている場合において、当該親法人等又は子法人等に対する当該有価証券の取得又は買付けの申込み（当該親法人等又は子法人等が金融商品取引法第二条第六項第三号に掲げるものを行っている場合にあつては、同号に規定する新株予約権を取得した者による当該新株予約権の行使）の額が当該親法人等又は子法人等が予定していた額に達しないと見込まれる状況の下で、当該親法人等又は子法人等の要請を受けて、その行う委託者非指図型投資信託の信託財産の運用を行う業務に関して当該有価証券（当該親法人等又は子法人等が同号に掲げるものを行っている場合にあつては、当該新株予約権の行使により取得される有価証券）を取得し、又は買い付けることを内容とした運用を行うこと。

(ii) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant financial institution is engaged in the Underwriting, etc. of Securities, and where the amount of application for acquisition or purchase of the Securities presented to the Parent Corporation, etc. or Subsidiary Corporation, etc., (if the Parent Corporation, etc. or Subsidiary Corporation, etc. is engaged only in the act set forth in Article 2, paragraph (6), item (iii) of the Financial Instruments and Exchange Act, the amount of share options exercised by the person who has acquired the share options provided in that item) is likely to be less than the amount scheduled by the Parent Corporation, etc. or Subsidiary Corporation, etc., to make an investment intended to acquire or purchase the Securities (if the Parent Corporation, etc. or Subsidiary Corporation, etc. is engaged in the act set forth in that item, the Securities to be acquired through the exercise of the share options) with regard to its business of investment of trust property of an Investment Trust Managed without Instructions from the Settlor in response to the request by the Parent Corporation, etc. or Subsidiary Corporation, etc.;

三 当該金融機関の親法人等又は子法人等が不動産特定共同事業契約の締結に係る勧誘をする場合において、当該不動産特定共同事業契約の締結額が当該親法人等又は子法人等が予定していた額に達しないと見込まれる状況の下で、当該親法人等又は子法人等の要請を受けて、その行う委託者非指図型投資信託の信託財産の運用を行う業務に関して当該不動産特定共同事業契約に係る出資の持分を取得することを内

容とした運用を行うこと。

(iii) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant financial institution makes solicitation for the conclusion of a Contract on Real Property Joint Enterprise, and where the conclusion amount of the Contract on Real Property Joint Enterprise is likely to be less than the amount scheduled by the Parent Corporation, etc. or Subsidiary Corporation, etc., to make an investment intended to acquire the equity in investment pertaining to the Contract on Real Property Joint Enterprise with regard to its business of investment of trust property of an Investment Trust Managed without Instructions from the Settlor in response to the request by the Parent Corporation, etc. or Subsidiary Corporation, etc.;

四 当該金融機関の親法人等又は子法人等が商品投資契約の締結に係る勧誘をする場合において、当該商品投資契約の締結額が当該親法人等又は子法人等が予定していた額に達しないと見込まれる状況の下で、当該親法人等又は子法人等の要請を受けて、その行う委託者非指図型投資信託の信託財産の運用を行う業務に関して当該商品投資契約に係る出資の持分を取得することを内容とした運用を行うこと。

(iv) in cases where the Parent Corporation, etc. or Subsidiary Corporation, etc. of the relevant financial institution makes solicitation for the conclusion of a Commodities Investment Contract, and where the conclusion amount of the Commodities Investment Contract is likely to be less than the amount scheduled by the Parent Corporation, etc. or Subsidiary Corporation, etc., to make an investment intended to acquire the equity in investment pertaining to the Commodities Investment Contract with regard to its business of investment of trust property of an Investment Trust Managed without Instructions from the Settlor in response to the request by the Parent Corporation, etc. or Subsidiary Corporation, etc.; and

五 何らの名義によってするかを問わず、法第二百二十三条の三第六項の規定により読み替えて適用する金融機関の信託業務の兼営等に関する法律第二条の二において準用する金融商品取引法第四十四条の三第二項の規定による禁止を免れること。

(v) an act of evading the prohibitions under Article 44-3, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 2-2 of the Act on Engagement in Trust Business by a Financial Institution as applied by replacing certain terms pursuant to Article 223-3, paragraph (6) of the Act, irrespective of the name under which the act is to be conducted.

(参考人等に支給する旅費その他の費用)

(Travel Expenses and Other Expenses to Be Paid to Witnesses)

第二百七十四条 法第二十六条第七項（法第五十四条第一項において準用する場合を含む。）、第六十条第三項、第二百十九条第三項及び第二百二十三条第三項において準用する金融商品取引法第九十一条の規定により、参考人又は鑑定人には、国家公務



員等の旅費に関する法律（昭和二十五年法律第百十四号）の規定により一般職の職員の給与に関する法律（昭和二十五年法律第九十五号）第六条第一項第一号イに規定する行政職俸給表（一）の二級の職員に支給する旅費に相当する旅費を支給する。

Article 274 (1) Pursuant to the provisions of Article 191 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 26, paragraph (7) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act), and Article 60, paragraph (3), Article 219, paragraph (3), and Article 223, paragraph (3) of the Act, travel expenses equivalent to the travel expenses to be paid to officials who are at the second grade in the Administrative Service (I) Salary Schedule set forth in Article 6, paragraph (1), item (i), sub-item (a) of the Act on Remuneration of Officials in the Regular Service (Act No. 95 of 1950) pursuant to the provisions of the Act on Travel Expenses of National Public Officers, etc. (Act No. 114 of 1950) are paid to the witness or expert witness.

2 鑑定人には、所管金融庁長官等が必要と認める場合においては、前項の規定による旅費のほか、相当な費用を支給することができる。

(2) Beyond the travel expenses under the preceding paragraph, reasonable costs may be paid to the expert witness in cases where the Commissioner of the Financial Services Agency or Other Competent Official finds it necessary.

（登録の移管）

(Transfer of Jurisdiction for Registration)

第二百七十五条 管轄財務局長等は、法第百九十一条第一項の規定による届出があった場合（本店の所在場所の変更であって管轄財務局長等の管轄区域外に投資法人の本店の所在場所を変更するものの届出があった場合に限る。）は、当該届出書、投資法人登録簿のうち当該投資法人に係る部分その他の書類を、当該届出に係る変更後の本店の所在地を管轄する財務局長等に送付するものとする。

Article 275 (1) In case where the notification under Article 191, paragraph (1) of the Act has been made (limited to cases where a notification of changes of the location of head office which is in particular the change of the location of the head office of the Investment Corporation outside the jurisdictional district of the Competent Director-General of the Local Finance Bureau, etc.), the Competent Director-General of a Local Finance Bureau, etc. is to send part of the relevant notification or investment corporation register related to the relevant Investment Corporation and other documents related thereto to the Director-General of the Local Finance Bureau, etc. who has jurisdiction over the location of the head office after the changes in relation to the notification.

2 前項の規定による送付を受けた財務局長等は、当該届出に係る事項を投資法人登録簿に登録するものとする。

(2) The Director General of the Local Finance Bureau, etc. who has received part

of the notification or investment corporation register related to the relevant Investment Corporation and other documents related thereto which have been sent under the preceding paragraph, is to register the information related to the notification in the investment corporation register.

(経由官庁)

(Routed Government Agency)

第二百七十六条 申請書その他法、令及びこの府令に規定する書類（以下この条において「申請書等」という。）を財務局長等に提出しようとする者は、当該者の本店の所在地又は本店が置かれることとなる所在地を管轄する財務事務所又は小樽出張所若しくは北見出張所があるときは、当該申請書等を当該財務事務所長又は出張所長を経由してこれを提出しなければならない。

Article 276 A person who intends to submit a written application or other documents provided in the Act, the Order, or this Order of the Prime Minister's Office (hereinafter collectively referred to as the "Written Application, etc." in this Article) must, when there is a local finance office that has jurisdiction over the location of the head office of the person or the location at which the head office thereof is to be placed, or an Otaru Sub-Office or Kitami Sub-Office, submit such Written Application, etc. via the head of the local finance office or the head of the Otaru Sub-Office, or the head of the Kitami Sub-Office.

(標準処理期間)

(Standard Processing Period)

第二百七十七条 金融庁長官等は、次の各号に掲げる承認、確認、許可又は登録に関する申請があった場合は、その申請が事務所に到達した日から当該各号に定める期間内に、当該申請に対する処分をするよう努めるものとする。

Article 277 (1) In cases where an application for the approval, confirmation, permission, or registration set forth in the following items has been filed, the Commissioner of the Financial Services Agency, etc. is to endeavor to render a disposition for the application within the period specified in the respective items, counting from the day on which the application arrived at the relevant office:

一 法第二十三条第四項及び法第九十七条において準用する金融商品取引法第四十四条の三第一項ただし書の承認、法第一百五条第一項及び法第五十四条の三第二項において準用する会社法第三百七十一条第二項及び第四項並びに法第二百五条第二項の許可、法第八十七条の登録並びに法第九十七条において準用する金融商品取引法第三十九条第三項ただし書の確認 一月

(i) the approval under Article 23, paragraph (4) of the Act, and the proviso to Article 44-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act, the permission under the provisions of Article 371, paragraphs (2) and (4) of the

Companies Act as applied mutatis mutandis pursuant to the provisions of Article 115, paragraph (1) and Article 154-3, paragraph (2) of the Act, and the provisions of Article 205, paragraph (2) of the Act, the registration under Article 187 of the Act, and the confirmation under the proviso to Article 39, paragraph (3) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 197 of the Act: one month;

二 法第二百二十三条の三第一項の規定により適用する金融商品取引法第三十五条第四項の承認（法第二百二十三条の三第一項の規定により適用する金融商品取引法第二十九条の二第二項第二号に規定する特定投資運用行為（以下この号において「特定投資運用行為」という。）を行う業務に係るものに限る。）及び法第二百二十三条の三第一項の規定により適用する金融商品取引法第二十九条の登録（特定投資運用行為を行う業務に係るものに限る。） 二月

(ii) the approval under Article 35, paragraph (4) of the Financial Instruments and Exchange Act as applied pursuant to Article 223-3, paragraph (1) of the Act (limited to those for the business of Specified Investment Management Activities as prescribed in Article 29-2, paragraph (2), item (ii) of the Financial Instruments and Exchange Act as applied pursuant to Article 223-3, paragraph (1) of the Act (hereinafter referred to as the "Specified Investment Management Activities" in this item)), and the registration under Article 29 of the Financial Instruments and Exchange Act as applied pursuant to Article 223-3, paragraph (1) of the Act (limited to those for the business of Specified Investment Management Activities): two months.

2 前項の期間には、次に掲げる期間を含まないものとする。

(2) The following period is not to be included in the period under the preceding paragraph:

一 当該申請を補正するために要する期間

(i) the period necessary for the correction to the relevant application;

二 当該申請をした者が当該申請の内容を変更するために要する期間

(ii) the period necessary for the person who has filed the relevant application to change the contents of such application; and

三 当該申請をした者が当該申請に係る審査に必要と認められる資料を追加するために要する期間

(iii) the period necessary for the person who has filed the relevant application to add materials that are found necessary for the examination of such application.

別表第一（第二十六条第二項関係）

Appended Table No. 1 (In Relation to Article 26, Paragraph (2))

| 帳簿書類の種類<br>Types of books and documents  | 記載事項<br>Information required to be included  | 記載要領等<br>Statement method, etc.  | 備考<br>Notes   |
|--|--|--|---|
| 信託勘定元帳、<br>分配収益明細簿<br>Trust account ledger, book on the description of distributed profits | 投資信託財産に係る投資信託の名称、計上年月日、勘定科目、借方、貸方、残高<br>The name of the Investment Trust pertaining to the Investment Trust Property, date of record, account titles, the amounts of the debit, credit and outstanding balance | 借方欄、貸方欄には、勘定科目ごとの変動状況を記載すること。<br>Include the status of changes for each account title in the debit column and credit column. | 信託勘定元帳及び分配収益明細簿の科目について日々の変動及び残高を記載した日計表を作成する場合は、当該日計表のつづりをもって信託勘定元帳及び分配収益明細簿とすることができる。<br>In cases where preparing a daily accounts sheet including the daily changes and outstanding balance of the items on the trust account ledger and book on the description of distributed profits, such daily accounts sheet may be treated as the trust account ledger and book on the description of distributed profits. |

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| <p>投資信託財産明細簿<br/>Book on the description of Investment Trust Property</p> | <p>投資信託財産に係る投資信託の名称、計上年月日、勘定科目、借方、貸方、残高、単価、数量<br/>The name of the Investment Trust pertaining to the Investment Trust Property, date of record, account titles, the amounts of the debit, credit and outstanding balance</p>   | <p>信託勘定元帳に計上された有価証券、不動産その他の資産及び未収入金、未収配当金等の主要な勘定科目については、明細を記載すること。<br/>Describe Securities, Real Property and main account items such as other assets, expected revenue and expected dividend, etc.</p> | <p>明細簿は、複数の帳簿を設けて記載事項をそれぞれ分別して記載することができる。<br/>Information may be given on several books separately.</p> |
| <p>不動産の収益状況明細表<br/>Description of profit from Real Property</p>           | <p>賃貸事業収入、賃貸事業費用（公租公課、諸経費、減価償却費）、不動産賃貸事業損益、稼働率、賃貸先数、所有割合、所有形態<br/>Lease business revenue, lease business cost (tax or levy, miscellaneous expenses and depreciation expenses), loss and profit from lease business of Real Property, working rate, number of tenants, portion and state of holding</p> | <p>賃貸用不動産の物件ごとに過去五期分について作成すること。<br/>Make a description on each object to be leased for the last five periods.</p>   |   |

土地と建物を一体として管理している場合、当該物件を一の物件として作成すること。

**Treat estate and buildings as a Property, in cases where they are managed as a whole.**

公租公課には、固定資産税、地価税等を記載すること。

**Include tax on real estate and landholding tax as 'tax and levy'.**

諸経費には、水道光熱費、外注管理費、修繕費、借地借家料等を記載すること。

**Include expenses for lighting and fuel, water charges, as miscellaneous expenses.**

減価償却費には、建物のほか当該物件に係る構築物、機械・装置、器具・備品等についても記載すること。

**Include depreciation of accompanying equipment, machines and instruments, etc. besides buildings with regard to depreciation expenses.**

稼働率欄には、賃貸面積を賃貸可能面積で除し、百を乗じた値を記載すること。

**Include ratio of area leased in fact to area which can be leased.**

所有形態については、所有割合が百パーセント未満の場合には区分所有又は共有の別を記載すること。

**Include partial or joint possession, in cases where the portion is less than 100%.**

賃貸料の八十パーセント以上が一賃貸先による収入である場合又は所有形態が共有の場合であって、賃貸料等につきやむを得ない事情により開示できないときは、その旨を欄外に注記すること。

**State in footnotes, that lease revenue cannot be disclosed, in cases where more than 80 % of lease revenue is generated by one tenant or the property is owned jointly and the revenue cannot be disclosed because of special circumstances.**

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| <p>再生可能エネルギー発電設備の収益状況明細表<br/>Description on profit from a Renewable Energy Power Generation Facility</p> | <p>賃貸事業収入、賃貸事業費用（公租公課、諸経費、減価償却費）、賃貸事業損益<br/>Lease business revenue, lease business cost (tax or levy, miscellaneous expenses and depreciation expenses), loss and profit from lease business</p> | <p>再生可能エネルギー発電設備ごとに過去五期分について作成すること。<br/>Make a description on each Renewable Energy Power Generation Facility for the last five periods.</p> <p>公租公課には、固定資産税等を記載すること。<br/>Include tax on real estate and landholding tax as 'tax and levy'.</p> <p>諸経費には、水道光熱費、外注管理費、修繕費等を記載すること。<br/>Include expenses for lighting and fuel, water charges, as miscellaneous expenses.</p> |  |
|--|--|---|--|



|   |  |   |   |
|---|--|---|---|
| <p>公共施設等運営権の収益状況明細表<br/>Description on profit from a Right to Operate Public Facility, etc.</p> | <p>公共施設等の運営事業収入、運営事業費用（公租公課、業務委託費、諸経費、減価償却費）、運営事業損益<br/>Facility business revenue, facility business costs (tax or levy, service fee, miscellaneous expenses and depreciation expenses), loss and profit from facility business with regard to the Public Facility, etc.</p> | <p>公共施設等運営権ごとに過去五期分について作成すること。<br/>Make a description on each Right to Operate Public Facility, etc. for the last five periods.</p> | <p>公共施設等の運営事業収入には利用料収入等を記載すること。<br/>Include use fee income, etc. as facility business revenue with regard to the Public Facility, etc.<br/>諸経費には、水道光熱費、外注管理費、修繕費等を記載すること。<br/>Include expenses for lighting and fuel, water charges, as miscellaneous expenses.</p> |
|---|--|---|---|

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|   |   | <p>運営事業費用に、民間資金等の活用による公共施設等の整備等の促進に関する法律第二十条に規定する費用が含まれる場合には、金額及びその内訳を欄外に記載すること。</p> <p>Include in footnotes, the amount of the expenses as prescribed in Article 20 of the Act on Promotion of Private Finance Initiative, and the breakdown thereof, if any such amount is included in facility business expenses.</p> |  |
| <p>繰延資産の償却の状況表<br/>Table of the status of amortization of deferred assets</p> | <p>繰延資産の種類、期首残高、期中償却額、期末残高<br/>Type of the deferred assets, beginning outstanding balance, interim amortization, ending outstanding balance</p> |  |  |

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| <p>受益権原簿<br/>Beneficial interest holders register</p> | <p>法第六条第七項において準用する信託法第八十六条各号に掲げる事項<br/>The information set forth in the items of Article 186 of the Trust Act as applied mutatis mutandis pursuant to Article 6, paragraph (7) of the Act</p> | <p>法第六条第七項において準用する信託法第九十七条第一項に規定する場合には、第十六条に定めるところにより受益権原簿を作成しなければならない。<br/>In cases which fall under those prescribed in Article 197, paragraph (1) of the Trust Act as applied mutatis mutandis pursuant to Article 6, paragraph (7) of the Act, the beneficial interest holder register must be prepared pursuant to the provisions of Article 16.</p> <p>347</p> | <p>投資信託委託会社が、各受益権に係る法第四条第一項に規定する投資信託約款を金融商品取引業等に関する内閣府令第百五十七条第一項第十七号イに掲げる帳簿書類として保存している場合にあつては、第十四条第一項に規定する事項及び同条第二項第五号に掲げる事項は受益権原簿に記載されているものとみなす。<br/>In cases where the Settlor Company of an Investment Trust preserves the Basic Terms and Conditions of the Investment Trust as prescribed in Article 4, paragraph (1) of the Act related to each beneficial interest as the books and documents set forth in Article 157, paragraph (1), item (xvii), sub-item (a) of the Cabinet Office Ordinance on Financial Instruments Business, etc., the information set forth in Article 14, paragraph (1) of the Act as well as the information set forth in paragraph (2), item (v) of that Article is deemed to have been included in the beneficial interest holder register.</p> |
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| <p>受益証券基準価額帳<br/>Book of the constant value of Beneficiary Certificates</p> | <p>投資信託財産に係る投資信託の名称、基準価額計算日、貸借対照表純資産総額、有価証券評価損益、先物取引等評価損益、不動産評価損益、その他資産評価損益、外国投資勘定評価損益、為替評価損益、投資信託財産純資産総額、残存受益権口数、受益証券基準価額、解約価額、買取価格<br/>The name of the Investment Trust related to the Investment Trust Property, the calculation day of the constant value, the total amount of net assets on the balance sheet, losses or gains on the valuation of marketable securities, losses or gains on the valuation of futures transactions, losses or gains on the valuation of real property, losses or gains on the valuation of other assets, losses or gains on the valuation of foreign investment accounts, losses or gains on the</p> | <p>受益証券の基準価額は、計算日現在における当該信託勘定元帳の資産総額から負債総額を控除した額に、次の評価損益を加減した金額を同日の残存受益権口数をもって除して得た金額とする。<br/>The constant value of a beneficiary certificate is the amount obtained by dividing the amount obtained by deducting the total amount of liabilities from the total amount of assets recorded in the relevant trust account ledger as of the calculation day, and then adding or deducting the following loss or gain on valuation, by the number of units of remaining beneficial interest as of that day.</p> | <p>上記記載事項が日計表に併記されている場合は、当該日計表のつづりをもって受益証券基準価額帳に代えることができる。<br/>In cases where the information required to be included in the left column are included in the daily accounts sheet as well, such daily accounts sheet may be treated as the books on the constant value of Beneficiary Certificates.</p> |
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|  |  | <p>(1) 国内有価証券評価損益及び国内先物取引等評価損益</p> <p>1. losses or gains on valuation of domestic securities and losses or gains on the valuation of domestic futures transactions</p> <p>(2) 国内不動産評価損益</p> <p>2. losses or gains on the valuation of domestic real property</p> <p>(3) その他資産評価損益</p> <p>3. losses or gains on the valuation of other assets</p> <p>(4) 外国投資勘定評価損益及び為替評価損益</p> <p>4. losses or gains on the valuation of foreign investment accounts and losses or gains on the valuation of foreign exchange</p> |  |
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| <p>投資信託財産運用指図書<br/>Written instructions for investment in Investment Trust Property</p> | <p>投資信託財産に係る投資信託の名称、指図年月日、指図（指図に係る権限の全部又は一部の委託を受けた者の指図を含む。）の内容、受託者及び委託者の名称<br/>The name of the Investment Trust related to the Investment Trust Property, the year and date on which the instructions were given, the details of the instructions (including instructions given by a person entrusted with the authority to give instructions in whole or in part), and the names of the trustee and settlor.</p> | <p>指図の内容には、次に掲げる資産ごとにそれぞれ次に定める事項を記載すること。<br/>Include the following information for each of the following assets, as the details of the instructions.</p> | <p>投資信託財産の運用指図のほか、法第十条に規定する株主権行使の指図及び新株予約権の行使の指図についても必要事項を記載した指図書を作成すること（これらの指図書については、受託者ごとに別紙とする方法に代えて、銘柄ごとに別紙とする方法によることができる。）。<br/>In addition to the instructions on investment in investment trust property, prepare written instructions including the necessary information for instructions on the exercise of shareholders' rights as referred to in Article 10 of the Act and on the exercise of share options (with regard to these written instructions, they may be prepared in different papers for each issue, in lieu of preparing them for each trustee).</p> |
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(1) 指定資産  
売買の別等（第二百  
四十六条第一項第一  
号に掲げる事項をい  
う。）、銘柄（取引  
の対象となる金融商  
品、金融指標その他  
これらに相当するも  
のを含む。）、数量  
（数量がない場合に  
あっては、件数又は  
数量に準ずるも  
の。）、約定価格  
（金融商品取引業等  
に関する内閣府令第  
百五十八条第一項第  
十一号に掲げる事項  
をいう。）、取引の  
種類、発注先金融商  
品取引業者名等

1. Designated  
Assets: information  
as to whether it is a  
sale or purchase  
(meaning the  
particulars set forth  
in Article 246,  
paragraph (1), item  
(i)), issue (including  
financial  
instruments,  
financial indicators  
and any of those  
equivalent thereto,  
which are to be the  
subject of the  
transaction), the  
volume (in cases  
where there is no  
volume, the number  
of transactions and  
any other  
information  
equivalent to  
volume), the  
contract price  
(meaning the  
particulars set forth  
in Article 158,  
paragraph (1), item  
(xi) of the Cabinet  
Office Ordinance on  
Financial  
Instruments  
Business, etc.), the  
type of transaction

(2) 不動産、不動産の賃借権及び地上権 売買の別、当該不動産の所在、地番その他当該不動産を特定するために必要な事項、数量・面積、売買価格、取引の相手方

2. real property, rights of lease of real property, and superficies rights: information as to whether it is a sale or purchase, the location and parcel number of the relevant real property, and any other particulars necessary for specifying the real property, volume, area, sale and purchase price, and the counterparty to the transaction



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|  | <p>(3) (1) 及び<br/>(2) 以外の特定資産及び特定資産以外の資産 売買の別、当該資産の種類及び内容、数量、売買価格、取引の相手方</p> <p>3. Specified Assets other than those set forth in 1. and 2. and assets other than Specified Assets: information as to whether it is a sale or purchase, the type and contents of the relevant assets, the volume, the sale and purchase price, and the counterparty to the transaction.</p> <p>指図書は受託者ごとに別紙とすること。なお、指図書の控えを保存すること。</p> <p>Prepare the written instructions in different papers for each trustee, and preserve copies of the written instructions.</p> |  |
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| <p>一部解約価額帳<br/>(投資信託約款<br/>において、基準<br/>価額以外の価額<br/>をもって一部解<br/>約に応じること<br/>としている投資<br/>信託の場合に限<br/>る。)<br/>Book of value<br/>for partial<br/>cancellation<br/>(limited to<br/>Investment<br/>Trusts for<br/>which it is<br/>provided in the<br/>Basic Terms<br/>and Conditions<br/>of the<br/>Investment<br/>Trust that<br/>partial<br/>cancellation is<br/>to be made at a<br/>value other<br/>than the<br/>constant value)</p> | <p>一部解約価額計<br/>算日、貸借対照<br/>表純資産額、残<br/>存受益権口数、<br/>一部解約価額計<br/>算式、一部解約<br/>価額<br/>The calculation<br/>day for the<br/>partial<br/>cancellation<br/>value, the<br/>amount of net<br/>assets on the<br/>balance sheet,<br/>the number of<br/>units of<br/>remaining<br/>beneficial<br/>interest, the<br/>formula for the<br/>partial<br/>cancellation<br/>value, and the<br/>partial<br/>cancellation<br/>value</p> | <p>一部解約価額は、投<br/>資信託財産の保有す<br/>る資産の内容に照ら<br/>し公正な価額とす<br/>る。<br/>The partial<br/>cancellation value is<br/>a value that is fair<br/>in light of the<br/>contents of the<br/>assets held under<br/>the Investment<br/>Trust Property.</p> | <p>一部解約価額の確定<br/>に関する書類を保存<br/>すること。<br/>Preserve<br/>documents related<br/>to the<br/>determination of<br/>the partial<br/>cancellation value.</p> |
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| <p>特定資産の価格等の調査結果等に関する書類<br/>Documents concerning the results of the investigation, etc. of the value, etc. of the Specified Assets</p> | <p>特定資産の種類及び内容、特定資産の取得、譲渡又は貸付の別及び当該取引年月日、法第十一条第一項の鑑定評価又は同条第二項の調査の委託先、委託契約年月日、鑑定評価又は調査の年月日又は期間、鑑定評価又は調査の結果の報告年月日及び概要<br/>The type and contents of the Specified Asset, information as to whether the Specified Asset is acquired, transferred, or loaned, the date of the relevant transaction, the party to whom the appraisal under Article 11, paragraph (1) or the investigation under paragraph (2) of that Article is entrusted, the date of the entrustment contract, the date (and period) of the appraisal or investigation, the date of report of the results of the appraisal or investigation and a summary thereof.</p> | <p>調査の委託先について、令第十八条各号に掲げる区分を記載すること。調査の結果の概要には、当該特定資産の調査価格のほか、第二十二條第三項各号に掲げる特定資産の区分ごとに同項各号に定める事項について記載すること。<br/>With regard to the party to whom the investigation is entrusted, include the category of person as set forth in the items of Article 18 of the Order. In the summary of the results of the investigation, in addition to the investigated price of the Specified Asset, include the matters specified in the items of Article 22, paragraph (3) according to the category of Specified Assets set forth in the respective items.</p> | <p>鑑定評価書又は調査の結果の報告書を保存すること<br/>Preserve the written appraisal or the written report on the results of the investigation.</p> |
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別表第二（第二百五十四条第二項関係）

Appended Table No. 2 (In Relation to Article 254, Paragraph (2))

| 帳簿書類の種類<br>Types of books<br>and documents   | 記載事項<br>Information<br>required to be<br>included  | 記載要領等<br>Statement method,<br>etc. | 備考<br>Notes  |
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| 投資証券台帳<br>Investment<br>Securities<br>ledger | 投資証券の発行及び<br>消却又は無効年月<br>日、券種、記番号、<br>投資主の氏名又は名<br>称、発行、消却又は<br>無効及び残存枚数並<br>びにその口数<br>The year and date<br>of issuance,<br>cancellation, or<br>invalidation of the<br>Investment<br>Security, the kind,<br>serial number,<br>name of the<br>investor, number of<br>remaining<br>Investment<br>Securities, and the<br>number of units<br>thereof |                                    | 投資証券発行<br>帳、投資証券記<br>番号帳に分別し<br>て記載すること<br>ができる。<br>Information<br>may be given<br>separately in<br>the Investment<br>Securities<br>issuance book<br>and Investment<br>Securities serial<br>number book. |

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| <p>新投資口予約権証券台帳<br/>Investment Equity Option Certificates ledger</p> | <p>新投資口予約権証券の発行及び消却、無効又は消滅年月日、券種、記番号、新投資口予約権者の氏名又は名称、発行、消却、無効又は消滅及び残存枚数並びにその数<br/>The year and date of issuance, cancellation, invalidation, extinction of the Investment Equity Option Certificates, the kind, serial number, name of the holder of Investment Equity Options, number of issued, cancelled, invalidated, or extinguished and remaining Investment Equity Options Certificates, and the number of units thereof</p> |  | <p>新投資口予約権証券発行帳、新投資口予約権証券記番号帳に分別して記載することができる。<br/>Information may be given separately in the Investment Equity Options Certificates issuance book and Investment Equity Options Certificates serial number book.</p> |
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| <p>投資証券不発行<br/>管理簿<br/>Investment<br/>Securities non-<br/>issuance<br/>management<br/>book</p> | <p>不発行投資口数、投資証券返還年月日、返還口数、発行請求年月日、発行年月日、発行口数、投資主の氏名又は名称、不発行残存投資口数<br/>The number of units of unissued Investment Equity, the year and date of return of the Investment Securities, the number of units of returned Investment Securities, the year and date on which the issuance was requested, the year and date of issuance, the name of the investors, and the number of units of remaining unissued Investment Equity</p> | <p>投資証券が返還された旨又は発行した旨を投資主名簿に記載すること。<br/>Include in the investor register that the Investment Securities have been returned or have been issued.</p> |  |
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| <p>投資証券発行金額帳<br/>Investment Securities issuance amount ledger</p> | <p>発行金額計算日、貸借対照表純資産額、残存投資口数、発行金額<br/>The calculation day of the issuance amount, the amount of net assets on the balance sheet, the number of units of remaining Investment Equity, and the issuance amount</p> | <p>投資証券の発行金額は、投資法人の保有する資産の内容に照らし公正な金額とする（新投資口予約権の行使により投資証券が発行される場合を除く。）。<br/>The issuance amount of Investment Securities is an amount that is fair in light of the contents of the assets held by the Investment Corporation(excluding cases where Investment Securities are issued by the exercise of Investment Equity Options).</p> | <p>発行金額の確定に関する書類を保存すること。<br/>Preserve documents related to the determination of the issuance amount.</p> |
| <p>投資証券払戻金額帳<br/>Investment Securities refund amount ledger</p>   | <p>払戻金額計算日、貸借対照表純資産額、残存投資口数、払戻金額<br/>The calculation day of the refund amount, the amount of net assets on the balance sheet, the number of units of remaining Investment Equity, and the refund amount</p>     | <p>投資証券の払戻金額は、投資法人の保有する資産の内容に照らし公正な金額とする。<br/>The refund amount of Investment Securities is an amount that is fair in light of the contents of the assets held by the Investment Corporation.</p>   | <p>払戻金額の確定に関する書類を保存すること。<br/>Preserve documents related to the determination of the refund amount.</p>   |

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| <p>自己投資口取得等金額帳<br/>Own Investment Equity acquisition amount ledger</p> | <p>取得若しくは処分金額又は消却金額相当額計算日、貸借対照表純資産額、残存投資口数、取得若しくは処分金額又は消却金額相当額<br/>The calculation day of the amount of acquisition or disposition or the amount equivalent to the amount of cancellation, the amount of net assets on the balance sheet, the number of remaining units of Investment Equity, and the amount of acquisition or disposition or the amount equivalent to the amount of cancellation</p> |  | <p>取得若しくは処分金額又は消却金額相当額の確定に関する帳簿書類を保存すること。<br/>Preserve books and documents related to the determination of the amount of acquisition or disposition or the amount equivalent to the amount of cancellation</p> |
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| <p>投資法人債券台帳<br/>Investment Corporate Bond Certificates ledger</p> | <p>投資法人債券の発行日、償還日若しくは消却日又は無効年月日、券種、記番号、投資法人債権者の氏名又は名称、償還若しくは消却又は無効及び残存枚数並びにその金額<br/>The issuance date of the Investment Corporation Bond Certificates, the redemption date, cancellation date, or invalidation date, the kind, the serial number, the names of the Investment Corporation's Bondholders, the number of Investment Corporation Bond Certificates redeemed, cancelled or invalidated, and remaining as well as the amount thereof</p> |  | <p>発行金額の確定に関する書類を保存すること。<br/>Preserve documents related to the determination of the issuance amount.</p> |
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| <p>特定資産の価格等の調査結果等に関する書類<br/>Documents concerning the results of the investigation, etc. of the value, etc. of the Specified Assets</p> | <p>特定資産の種類及び内容、特定資産の取得、譲渡又は貸付の別及び当該取引年月日、法第二百一条第一項の鑑定評価又は同条第二項の調査の委託先、委託契約年月日、鑑定評価又は調査の年月日又は期間、鑑定評価又は調査の結果の報告年月日及び概要<br/>The type and contents of the Specified Asset, information as to whether the Specified Asset is acquired, transferred, or loaned, the date of the relevant transaction, the party to whom the appraisal under Article 201, paragraph (1) or the investigation under paragraph (2) of that Article is entrusted, the date of the entrustment contract, the date (and period) of the appraisal or investigation, the date of report of the results of the appraisal or investigation and a summary thereof.</p> | <p>調査の委託先について、令第百二十四条各号に掲げる区分を記載すること。<br/>With regard to the party to whom the investigation is entrusted, include the category of person as set forth in the items of Article 18 of the Order.</p> | <p>第二百四十五条第三項の規定により資産運用会社から通知を受けた鑑定評価書の写し又は調査の結果の報告書の写しを保存すること。<br/>Preserve a copy of the written appraisal or the written report on the results of the investigation of which notification was made by the Asset Management Company pursuant to the provisions of Article 245, paragraph (3).</p> |
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|  |  | <p>調査の結果の概要には、当該特定資産の調査価格のほか、第二十二条第三項各号に掲げる特定資産の区分ごとに同項各号に定める事項について記載すること。</p> <p>In the summary of the results of the investigation, in addition to the investigated price of the Specified Asset, include the matters specified in the items of Article 22, paragraph (3) according to the category of Specified Assets set forth in the respective items.</p> |  |
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別表第三（第二百五十五条第二項関係）

Appended Table No. 3 (In Relation to Article 255, Paragraph (2))

| 帳簿書類の種類<br>Types of books and documents | 記載事項<br>Information required to be included | 記載要領等<br>Statement method, etc. | 備考<br>Notes |
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| <p>有価証券保管明細簿<br/>Book on description of custody of Securities</p> | <p>受入年月日、受入元、受入原因、出庫年月日、出庫先、出庫原因、有価証券の種類、銘柄、数量又は金額、残高<br/>The year and date of acceptance, the party from whom the Asset Custody Company has accepted the Securities, the reason for acceptance, the date of transfer, the party to whom the relevant Securities are transferred, the reason for the transfer, the class, issues, volume or amount, and outstanding balance of the relevant Securities</p> | <p>受入元及び出庫先は、取引の相手方（金融商品取引所その他の取引所を通じて行われている場合は、当該取引所の名称又は商号）を記載すること。<br/>For the party from whom the Asset Custody Company has accepted the Securities and the party to whom the Securities are to be transferred, include the counterparty to the transaction (in cases where such transaction is made through a Financial Instruments Exchange or other exchanges, the name or trade name of the relevant exchange).</p> <p>受入原因及び出庫原因は、売買等当該取引の発生原因を記載すること<br/>For the reason for acceptance or transfer, include the cause of occurrence of the relevant transaction such as sale or purchase.</p> | <p>複数の投資法人の資産保管会社となっている場合には、投資法人ごとに作成すること。<br/>In cases where the relevant Asset Custody Company serves as the Asset Custody Company of two or more Investment Corporations, prepare books on description of custody of Securities for each Investment Corporation.</p> |
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| <p>不動産保管明細簿<br/>Book on description of custody of real property</p> | <p>受入年月日、受入元、受入原因、出庫年月日、出庫先、出庫原因、不動産の所在地、種類、数量又は金額、減価償却累計額、残高<br/>The year and date of acceptance, the party from whom the Asset Custody Company has accepted the real property, the reason for acceptance, the date of transfer, the party to whom the relevant real property is transferred, the reason for the transfer, the location, type, volume or amount, accumulated depreciation, and outstanding balance of the relevant real property</p> | <p>受入元及び出庫先は、取引の相手方を記載すること。<br/>For the party from whom the Asset Custody Company has accepted the real property and the party to whom the real property is to be transferred, include the counterparty to the transaction.</p> <p>受入原因及び出庫原因は、売買等当該取引の発生原因を記載すること。<br/>For the reason for acceptance or transfer, include the cause of occurrence of the relevant transaction such as sale or purchase.</p> | <p>複数の投資法人の資産保管会社となっている場合には、投資法人ごとに作成すること。<br/>In cases where the relevant Asset Custody Company serves as the Asset Custody Company of two or more Investment Corporations, prepare books on description of custody of real property for each Investment Corporation.</p> |
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| <p>再生可能エネルギー発電設備保管明細簿<br/>Book on description of Renewable Energy Power Generation Facility</p> | <p>受入年月日、受入元、受入原因、出庫年月日、出庫先、出庫原因、再生可能エネルギー発電設備の所在地、設備の区分等、数量又は金額、減価償却累計額、残高<br/>The year and date of acceptance, the party from whom the Asset Custody Company has accepted the Renewable Energy Power Generation Facility, the reason for acceptance, the date of transfer, the party to whom the facility is transferred, the reason for the transfer, the location, Classification, etc., of Facility, type, volume or amount, accumulated depreciation, and outstanding balance of the facility</p> | <p>受入元及び出庫先は、取引の相手方を記載すること。<br/>For the party from whom the Asset Custody Company has accepted the Renewable Energy Power Generation Facility and the party to whom the facility is to be transferred, include the counterparty to the transaction.</p> <p>受入原因及び出庫原因は、売買等当該取引の発生原因を記載すること。<br/>For the reason for acceptance or transfer, include the cause of occurrence of the relevant transaction such as sale or purchase.</p> | <p>複数の投資法人の資産保管会社となっている場合には、投資法人ごとに作成すること。<br/>In cases where the relevant Asset Custody Company serves as the Asset Custody Company of two or more Investment Corporations, prepare books on description of custody of Renewable Energy Power Generation Facility for each Investment Corporation.</p> |
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| <p>その他資産保管<br/>明細簿<br/>Book on<br/>description of<br/>custody of<br/>other assets</p> | <p>受入年月日、受入<br/>元、受入原因、出庫<br/>年月日、出庫先、出<br/>庫原因、その他資産<br/>の種類、数量又は金<br/>額、残高<br/>The year and date<br/>of acceptance, the<br/>party from whom<br/>the Asset Custody<br/>Company has<br/>accepted the<br/>relevant asset, the<br/>reason for<br/>acceptance, the<br/>date of transfer,<br/>the party to whom<br/>the relevant asset<br/>is transferred, the<br/>reason for the<br/>transfer, the type,<br/>volume or amount,<br/>and the<br/>outstanding<br/>balance of the<br/>relevant asset</p> | <p>受入元及び出庫先は、<br/>取引の相手方を記載す<br/>ること。<br/>For the party from<br/>whom the Asset<br/>Custody Company<br/>has accepted the<br/>relevant asset and<br/>the party to whom<br/>the right is to be<br/>transferred, include<br/>the counterparty to<br/>the transaction.</p> <p>受入原因及び出庫原因<br/>は、売買等当該取引の<br/>発生原因を記載するこ<br/>と。<br/>For the reason for<br/>acceptance or<br/>transfer, include the<br/>cause of occurrence<br/>of the relevant<br/>transaction such as<br/>sale or purchase.</p> | <p>複数の投資法人<br/>の資産保管会社<br/>となっている場<br/>合には、投資法<br/>人ごとに作成す<br/>ること。<br/>In cases where<br/>the relevant<br/>Asset Custody<br/>Company<br/>serves as the<br/>Asset Custody<br/>Company of<br/>two or more<br/>Investment<br/>Corporations,<br/>prepare books<br/>on description<br/>of custody of<br/>other assets for<br/>each<br/>Investment<br/>Corporation.</p> |
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