

免許特定法人供託金規則

Regulation on Deposits by Licensed Specified Juridical Persons

(平成八年二月二十九日法務省・大蔵省令第二号)

(Order of the Ministry of Justice and the Ministry of Finance No. 2 of February 29, 1996)

保険業法（平成七年法律第百五号）第二百二十三条第十二項の規定に基づき、免許特定法人供託金規則を次のように定める。

Pursuant to the provisions of Article 223, paragraph (12) of the Insurance Business Act (Act No. 105 of 1995), the Regulation on Deposits by Licensed Specified Juridical Persons is hereby enacted as follows.

(権利の実行の申立ての手續)

(Procedures for Filing a Petition for the Fulfillment of the Rights)

第一条 保険業法施行令（平成七年政令第四百二十五号。以下「令」という。）第三十三條第一項に規定する権利の実行の申立てをしようとする者は、別紙様式第一号により作成した申立書に保険業法（平成七年法律第百五号。以下「法」という。）第二百二十三条第六項の権利（以下「権利」という。）を有することを証する書面を添付して、金融庁長官に提出しなければならない。

Article 1 A person who intends to file a petition for the fulfillment of the right prescribed in Article 33, paragraph (1) of the Order for Enforcement of the Insurance Business Act (Cabinet Order No. 425 of 1995; hereinafter referred to as the "Order") must submit to the Commissioner of the Financial Services Agency a petition prepared using Appended Form No. 1 by attaching a document proving that the person has the right prescribed in Article 223, paragraph (6) of the Insurance Business Act (Act No. 105 of 1995; hereinafter referred to as the "Act") (the right is hereinafter referred to as the "Right").

(権利の申出の手續)

(Procedures for Reporting of Rights)

第二条 令第三十三條第二項に規定する権利の申出をしようとする者は、別紙様式第二号により作成した申出書に当該権利を有することを証する書面を添付して、金融庁長官に提出しなければならない。

Article 2 A person who intends to report the Right prescribed in Article 33, paragraph (2) of the Order must submit to the Commissioner of the Financial Services Agency a written report prepared using Appended Form No. 2 by attaching a document proving that the person has the Right.

(仮配当表の作成等)

(Preparation of a Provisional Distribution List)

第三条 令第三十三条第四項の規定による権利の調査のため、金融庁長官は、同条第二項の期間が経過した後、遅滞なく、仮配当表を作成し、これを公示し、かつ、当該権利の調査の対象となる供託金に係る免許特定法人（法第二百二十三条第一項に規定する免許特定法人をいう。以下同じ。）及び受託者（当該免許特定法人と法第二百二十三条第三項の契約（以下「保証委託契約」という。）を締結している者をいう。以下同じ。）にその内容を通知しなければならない。

Article 3 In order to assess the Right pursuant to the provisions of Article 33, paragraph (4) of the Order, the Commissioner of the Financial Services Agency must, without delay after the expiration of the period prescribed in paragraph (2) of the same Article, prepare a provisional distribution list, give public notice thereof, and give notice of the contents thereof to the Licensed Specified Juridical Person (meaning a Licensed Specified Juridical Person prescribed in Article 223, paragraph (1) of the Act; the same applies hereinafter) and the trustee (meaning a person who has concluded the agreement prescribed in Article 223, paragraph (3) of the Act (hereinafter referred to as the "Guarantee Commissioning Agreement") with the Licensed Specified Juridical Person; the same applies hereinafter) pertaining to the deposit subject to the assessment of the Right.

(意見聴取会の開催)

(Holding of a Hearing Session)

第四条 令第三十三条第四項の規定による権利の調査の手続は、金融庁長官の指名する職員が議長として主宰する意見聴取会によって行う。

Article 4 (1) The procedures for the assessment of the Right pursuant to the provisions of Article 33, paragraph (4) of the Order are conducted through a hearing session over which an official designated by the Commissioner of the Financial Services Agency presides as the chairperson.

2 令第三十三条第一項の規定による権利の実行の申立てをした者、同条第二項の期間内に権利の申出をした者又は前条に規定する免許特定法人若しくは受託者（以下これらの者を「関係人」と総称する。）は、病気その他のやむを得ない理由により意見聴取会に出席することができないときは、当該関係人が署名押印した口述書を提出して、意見聴取会における陳述に代えることができる。

(2) If a person who has filed a petition for the fulfillment of the Right pursuant to the provisions of Article 33, paragraph (1) of the Order, a person who has reported the Right within the period prescribed in paragraph (2) of the same Article, or a Licensed Specified Juridical Person or a trustee prescribed in the preceding Article (hereinafter these persons are collectively referred to as "Relevant Persons") is unable to attend the hearing session due to illness or any other compelling reason, the Relevant Persons may submit a written

statement, which they have signed and sealed, in lieu of making a statement at the hearing session.

第五条 議長は、必要があると認めるときは、学識経験のある者その他の参考人に対し、意見聴取会に出席することを求めることができる。

Article 5 If the chairperson finds it necessary, the chairperson may request a person with relevant knowledge and experience or any other witness to attend the hearing session.

第六条 議長は、議事を整理するため必要があると認めるときは、意見の陳述、証拠の提示その他の必要な事項について指示をすることができる。

Article 6 (1) If the chairperson finds it necessary for organizing the business of the session, the chairperson may give instructions with regard to the statement of opinions, production of evidence, and any other necessary matters.

2 議長は、意見聴取会の秩序を維持するため必要があると認めるときは、その秩序を乱し、又は不穏な言動をする者を退去させることができる。

(2) If the chairperson finds it necessary for maintaining order in the hearing session, the chairperson may have a person who is disturbing the order or is acting or behaving in a disturbing manner leave the session.

第七条 議長は、必要があると認めるときは、意見聴取会を延期し、又は続行することができる。この場合において、議長は、あらかじめ、次回の期日及び場所を定め、これを公示し、かつ、第三条に規定する免許特定法人及び受託者に通知しなければならない。

Article 7 If the chairperson finds it necessary, the chairperson may postpone or continue the hearing session. In this case, the chairperson must determine and give public notice of the date and place of the next session and notify the Licensed Specified Juridical Person and trustee prescribed in Article 3 thereof in advance.

第八条 議長は、意見聴取会について次に掲げる事項を記載した調書を作成し、これに署名押印しなければならない。

Article 8 The chairperson must prepare a record stating the following matters with regard to the hearing session, and must sign and seal the record:

一 意見聴取会の事案の表示

(i) indication of the case concerning the hearing session;

二 意見聴取会の期日及び場所

(ii) date and place of the hearing session;

三 議長の職名及び氏名

(iii) job title and name of the chairperson;

四 出席した関係人の氏名及び住所

(iv) names and domiciles of the Relevant Persons who were present;

五 その他の出席者の氏名

(v) names of any other persons present;

六 陳述された意見の要旨

(vi) gist of the opinions stated;

七 第四条第二項の口述書が提出されたときは、その旨及びその要旨

(vii) if any written statement referred to in Article 4, paragraph (2) has been submitted, a statement to that effect and the gist thereof;

八 証拠が提示されたときは、その旨及び証拠の標目

(viii) if any evidence has been produced, a statement to that effect and a list of the evidence; and

九 その他議長が必要と認める事項

(ix) other matters found to be necessary by the chairperson.

第九条 関係人は、前条の調書を閲覧することができる。

Article 9 Relevant Persons may inspect the record referred to in the preceding Article.

(配当の実施の順序)

(Order of Distribution)

第十条 第三条に規定する供託金のうちに、免許特定法人が供託したもののほかに、受託者が供託したものがあつた場合には、金融庁長官は、当該免許特定法人が供託した供託金につき先に配当を実施しなければならない。

Article 10 If the deposit prescribed in Article 3 includes, beyond the portion deposited by a Licensed Specified Juridical Person, a portion deposited by a trustee, the Commissioner of the Financial Services Agency must first distribute the deposit deposited by the Licensed Specified Juridical Person.

(配当の手続等)

(Procedures for Distribution)

第十一条 金融庁長官は、配当の実施のため、供託規則（昭和三十四年法務省令第二号）第二十七号書式、第二十八号書式又は第二十八号の二書式により作成した支払委託書を供託所に送付するとともに、配当を受けるべき者に供託規則第二十九号書式により作成した証明書を交付しなければならない。

Article 11 (1) The Commissioner of the Financial Services Agency must, for the purpose of implementing distribution, send a payment entrustment document prepared using Form No. 27, Form No. 28 or Form No. 28-2 of the Deposit Regulation (Order of the Ministry of Justice No. 2 of 1959) to the official depository and deliver certificates prepared using Form No. 29 of the Deposit Regulation to persons who are to receive the distribution.

2 金融庁長官は、前項の手続をしたときは、当該支払委託書の写しを当該配当の対象

となる供託金に係る免許特定法人及び法第二百二十三条第四項の規定により当該供託金の全部又は一部を供託した受託者に交付しなければならない。

(2) If the Commissioner of the Financial Services Agency has conducted the procedures referred to in the preceding paragraph, the Commissioner must deliver a copy of the payment entrustment document to the Licensed Specified Juridical Person pertaining to the deposit subject to the distribution and the trustee who has deposited all or part of the deposit pursuant to the provisions of Article 223, paragraph (4) of the Act.

(供託金の取戻し)

(Recovery of Deposits)

第十二条 法第二百二十三条第一項、第二項、第四項又は第九項の規定により供託金を供託した者（第十六条第三項の規定の適用がある場合においては、同項の規定により供託金を供託したものとみなされる免許特定法人を含む。次条第一項及び第二項並びに第十四条第一項において「供託者」という。）は、令第三十四条第一項の規定による取戻しの申立てをしようとするときは、その事由及び取戻しをしようとする金銭の額又は取戻しをしようとする有価証券（その権利の帰属が社債、株式等の振替に関する法律（平成十三年法律第七十五号）の規定による振替口座簿の記載又は記録により定まるものとされる国債（以下「振替国債」という。）を含む。以下同じ。）の名称、枚数、総額面等（振替国債については、その銘柄、金額等とする。以下同じ。）を記載した別紙様式第三号により作成した申立書を金融庁長官に提出しなければならない。

Article 12 (1) If a person who has deposited a deposit pursuant to the provisions of Article 223, paragraphs (1), (2), (4) or (9) of the Act (if the provisions of Article 16, paragraph (3) apply, the person includes a Licensed Specified Juridical Person which is deemed to have deposited a deposit pursuant to the provisions of the same paragraph; referred to as the "Depositor" in paragraphs (1) and (2) of the following Article and Article 14, paragraph (1)) intends to file a petition for recovery pursuant to the provisions of Article 34, paragraph (1) of the Order, the person must submit to the Commissioner of the Financial Services Agency a petition prepared using Appended Form No. 3, stating the grounds therefor and the amount of money to be recovered or the name, quantity, total face value, etc. of the securities to be recovered (including a Japanese government bond where the ownership of the right for the bond is based on the description or record in the book-entry account pursuant to the provisions of the Act on Book-Entry Transfer of Corporate Bonds, Shares, etc. (Act No. 75 of 2001) (hereinafter referred to as "Book-Entry Japanese Government Bonds"); the same applies hereinafter) (the issue, price, etc. are stated in the case of Book-Entry Japanese Government Bonds; the same applies hereinafter).

2 令第三十四条第三項の権利の申出をしようとする者は、別紙様式第四号により作成した申出書に権利を有することを証する書面を添付して、これを金融庁長官に提出し

なければならない。

(2) A person who intends to report the Right referred to in Article 34, paragraph (3) of the Order must submit to the Commissioner of the Financial Services Agency a written report prepared using Appended Form No. 4 by attaching a document proving that the person has the Right.

3 第三条から前条までの規定は、令第三十四条第三項の期間内に権利の申出があった場合について準用する。この場合において、第三条中「令第三十三条第四項」とあるのは「令第三十四条第五項において準用する令第三十三条第四項」と、「同条第二項」とあるのは「同条第三項」と、「免許特定法人（法第二百二十三条第一項に規定する免許特定法人をいう。以下同じ。）」とあるのは「免許特定法人であった者」と、「当該免許特定法人」とあるのは「当該免許特定法人であった者」と、第四条第一項中「令第三十三条第四項」とあるのは「令第三十四条第五項において準用する令第三十三条第四項」と、同条第二項中「令第三十三条第一項の規定による権利の実行の申立てをした者、同条第二項」とあるのは「令第三十四条第三項」と、「前条に規定する免許特定法人若しくは受託者」とあるのは「第三条に規定する免許特定法人であった者若しくは受託者」と、第七条、第十条及び前条第二項中「免許特定法人」とあるのは「免許特定法人であった者」と、第十一条第二項中「免許特定法人」とあるのは「免許特定法人であった者」と読み替えるものとする。

(3) The provisions of Article 3 through the preceding Article apply mutatis mutandis to the case where there has been reporting of the Right within the period prescribed in Article 34, paragraph (3) of the Order. In this case, the term "Article 33, paragraph (4) of the Order" in Article 3 is deemed to be replaced with "Article 33, paragraph (4) of the Order as applied mutatis mutandis pursuant to Article 34, paragraph (5) of the Order;" the term "paragraph (2) of the same Article" in the same Article is deemed to be replaced with "paragraph (3) of the same Article;" the term "Licensed Specified Juridical Person (meaning a Licensed Specified Juridical Person prescribed in Article 223, paragraph (1) of the Act; the same applies hereinafter)" in the same Article is deemed to be replaced with "a person who was a Licensed Specified Juridical Person;" the term "the Licensed Specified Juridical Person" in the same Article is deemed to be replaced with "a person who was the Licensed Specified Juridical Person;" the term "Article 33, paragraph (4) of the Order" in Article 4, paragraph (1) is deemed to be replaced with "Article 33, paragraph (4) of the Order as applied mutatis mutandis pursuant to Article 34, paragraph (5) of the Order;" the term "a person who has filed a petition for the fulfillment of the Right pursuant to the provisions of Article 33, paragraph (1) of the Order, a person who has reported the Right within the period prescribed in paragraph (2) of the same Article" in paragraph (2) of the same Article is deemed to be replaced with "a person who has reported the Right within the period prescribed in Article 34, paragraph (3) of the Order;" the term "Licensed Specified Juridical Person or a trustee prescribed in the preceding Article" in

the same paragraph is deemed to be replaced with "a person who was a Licensed Specified Juridical Person prescribed in Article 3 or a trustee;" the term "Licensed Specified Juridical Person" in Articles 7 and 10 and paragraph (2) of the preceding Article is deemed to be replaced with "a person who was a Licensed Specified Juridical Person;" and the term "Licensed Specified Juridical Person" in Article 11, paragraph (2) is deemed to be replaced with "a person who was a Licensed Specified Juridical Person."

4 金融庁長官は、令第三十四条第四項又は第六項の規定により供託金の取戻しを承認するときは、別紙様式第五号により作成した取戻しを承認する旨の証明書を同条第一項の申立てをした者に交付しなければならない。

(4) If the Commissioner of the Financial Services Agency is to grant the approval pursuant to the provisions of Article 34, paragraph (4) or paragraph (6) of the Order, the Commissioner must deliver a certificate of the approval of the recovery, prepared using Appended Form No. 5, to the person who has filed a petition referred to in paragraph (1) of the same Article.

5 令第三十四条第一項の申立てをした者が供託規則第二十五条第一項の規定により供託物払渡請求書に添付すべき書面は、前項の規定により交付された取戻しを承認する旨の証明書をもって足りる。

(5) It is sufficient for a person who has filed a petition referred to in Article 34, paragraph (1) of the Order to attach the certificate of the approval of the recovery that has been delivered pursuant to the provisions of the preceding paragraph as the document to be attached to a written request for paying out of deposited property pursuant to the provisions of Article 25, paragraph (1) of the Deposit Regulation.

第十三条 供託者は、保証委託契約を締結し、法第二百二十三条第三項の規定により届け出た場合（令第三十二条第三号に規定する承認を受けて当該契約の内容を変更し、その契約書を金融庁長官に提出した場合を含む。）において、既に供託している供託金の額に同項に規定する契約金額を加えた額が法第二百二十三条第一項及び第二項の規定により供託すべき額を超えることとなったときは、金融庁長官に対し、その超える額（その額が当該供託金の額より大きい場合は、当該供託金の額）の取戻しの承認の申請をすることができる。

Article 13 (1) If a Depositor concludes a Guarantee Commissioning Agreement and makes notification to that effect pursuant to the provisions of Article 223, paragraph (3) of the Act (including cases where a Depositor changes the terms of the Agreement upon obtaining the approval prescribed in Article 32, paragraph (3) of the Order and submit the Agreement to the Commissioner of the Financial Services Agency), and the amount of the deposit already deposited plus the agreement amount prescribed in the same paragraph exceeds the amount to be deposited pursuant to the provisions of paragraphs (1) and (2) of Article 223 of the Act, the Depositor may file with the

Commissioner of the Financial Services Agency an application for approval for the recovery of the excess amount (if the excess amount is greater than the amount of the deposit, the amount of the deposit).

2 供託者は、前項の承認の申請をしようとするときは、その事由及び取戻しをしようとする金銭の額又は取戻しをしようとする有価証券の名称、枚数、総額面等を記載した別紙様式第六号により作成した承認申請書を金融庁長官に提出しなければならない。

(2) If a Depositor intends to file the application referred to in the preceding paragraph, the Depositor must submit to the Commissioner of the Financial Services Agency a written application for approval prepared using Appended Form No. 6, stating the grounds for the recovery and the amount of money to be recovered or the name, quantity, total face value, etc. of the securities to be recovered.

3 金融庁長官は、第一項の承認の申請に係る供託金の取戻しを承認するときは、別紙様式第七号により作成した取戻しを承認する旨の証明書を同項の承認の申請をした者に交付しなければならない。

(3) If the Commissioner of the Financial Services Agency grants the approval for the recovery of deposit pertaining to the application for approval referred to in paragraph (1), the Commissioner must deliver a certificate of the approval of the recovery, prepared using Appended Form No. 7, to the person who has filed an application for approval referred to in the same paragraph.

4 第一項の承認の申請をした者が、供託規則第二十五条第一項の規定により供託物払渡請求書に添付すべき書面は、前項の規定により交付された取戻しを承認する旨の証明書をもって足りる。

(4) It is sufficient for a person who has filed an application for approval referred to in paragraph (1) to attach the certificate of the approval of the recovery that has been delivered pursuant to the provisions of the preceding paragraph as the document to be attached to a written request for paying out of deposited property pursuant to the provisions of Article 25, paragraph (1) of the Deposit Regulation.

(供託金の保管替え等)

(Transfer of Deposit)

第十四条 金銭のみをもって供託金を供託している供託者は、当該供託金に係る免許特定法人の法第二百二十条第一項第五号に規定する日本における主たる店舗（以下「主たる店舗」という。）の所在地の変更があったためその最寄りの供託所に変更があったときは、遅滞なく、金融庁長官にその旨を届け出なければならない。

Article 14 (1) A Depositor who has deposited a deposit in the form of money alone must, if, due to a change in the location of the principal branch in Japan (hereinafter referred to as the "Principal Branch") prescribed in Article 220, paragraph (1), item (v) of the Act of the Licensed Specified Juridical Person pertaining to the deposit, the official depository nearest thereto has changed,

notify the Commissioner of the Financial Services Agency to that effect without delay.

2 金融庁長官は、前項の届出があったときは、令第三十三条の権利の実行の手續又は令第三十四条若しくは前条の取戻しの手續がとられている場合を除き、当該供託金の供託書正本を当該届出をした供託者に交付しなければならない。

(2) If the notification referred to in the preceding paragraph has been given, the Commissioner of the Financial Services Agency must, excluding cases where the procedures for the fulfillment of the Right prescribed in Article 33 of the Order or the procedures for the recovery prescribed in Article 34 of the Order or the preceding Article are still pending, deliver an authenticated copy of the deposit certificate for the deposit to the Depositor who has given the notification.

3 第一項の届出をした供託者は、前項の規定により供託書正本の交付を受けた後、遅滞なく、当該供託金を供託している供託所に対し、費用を予納して、所在地の変更後の主たる店舗の最寄りの供託所への供託金の保管替えを請求しなければならない。

(3) A Depositor who has given the notification referred to in paragraph (1) must, without delay after receiving delivery of the authenticated copy of the deposit certificate under the preceding paragraph, and upon prepaying the costs, request the official depository with which the Depositor has deposited to transfer the deposit to the official depository nearest to the Principal Branch after relocation.

4 前項の保管替えを請求した者は、当該保管替えの手續の終了後、遅滞なく、別紙様式第八号により作成した届出書に供託規則第二十一条の五第三項の規定により交付された供託書正本を添付して、金融庁長官にこれを提出しなければならない。

(4) A person who has requested the transfer of deposit referred to in the preceding paragraph must submit to the Commissioner of the Financial Services Agency a written notification prepared using Appended Form No. 8 without delay after completing the procedures for the transfer of deposit by attaching an authenticated copy of the deposit certificate that has been delivered pursuant to the provisions of Article 21-5, paragraph (3) of the Deposit Regulation.

5 金融庁長官は、前項の届出書に添付された供託書正本を受領したときは、その供託書正本の保管証書を当該保管替えを請求した者に交付しなければならない。

(5) If the Commissioner of the Financial Services Agency has received an authenticated copy of the deposit certificate attached to the written notification referred to in the preceding paragraph, the Commissioner must deliver a custody certificate for the authenticated copy of the deposit certificate to the person who has requested the transfer of deposit.

6 法第二百二十三条第十項の規定により有価証券又は金銭及び有価証券をもって供託金を供託している供託者は、当該供託金に係る免許特定法人の主たる店舗の所在地の変更があったためその最寄りの供託所に変更があったときは、遅滞なく、当該供託金

と同額の供託金をその所在地の変更後の主たる店舗の最寄りの供託所に供託しなければならない。

(6) A Depositor who has deposited a deposit in the form of securities or in the form of money and securities pursuant to the provisions of Article 223, paragraph (10) of the Act must, if, due to a change in the location of the Principal Branch of the Licensed Specified Juridical Person pertaining to the deposit, the official depository nearest thereto has changed, make a deposit in the same amount as the deposit with the official depository nearest to the Principal Branch as of after the change of the location without delay.

7 前項の規定により供託をした者は、金融庁長官に対し、所在地の変更前の主たる店舗の最寄りの供託所に供託している供託金の取戻しの承認の申請をすることができる。

(7) A person who has made the deposit pursuant to the provisions of the preceding paragraph may file with the Commissioner of the Financial Services Agency an application for approval for the recovery of the deposit deposited with the official depository nearest to the Principal Branch as of before the change of the location.

8 第六項の規定により供託をした者は、前項の承認の申請をしようとするときは、その事由及び取戻しをしようとする金銭の額又は取戻しをしようとする有価証券の名称、枚数、総額面等を記載した別紙様式第九号により作成した承認申請書を金融庁長官に提出しなければならない。

(8) If a person who has made the deposit pursuant to the provisions of paragraph (6) intends to file the application for approval referred to in the preceding paragraph, the person must submit to the Commissioner of the Financial Services Agency a written application for approval prepared using Appended Form No. 9, stating the grounds for the recovery and the amount of money to be recovered or the name, quantity, total face value, etc. of the securities to be recovered.

9 前条第三項及び第四項の規定は、第七項の取戻しの手続について準用する。この場合において、同条第三項中「第一項」とあるのは「第十四条第七項」と、「別紙様式第七号」とあるのは「別紙様式第十号」と、同条第四項中「第一項の承認」とあるのは「第十四条第七項の承認」と読み替えるものとする。

(9) The provisions of paragraphs (3) and (4) of the preceding Article apply mutatis mutandis to the procedures for recovery referred to in paragraph (7). In this case, the term "paragraph (1)" in paragraph (3) of the same Article is deemed to be replaced with "Article 14, paragraph (7)," the term "Appended Form No. 7" in the same paragraph is deemed to be replaced with "Appended Form No. 10," and the term "approval referred to in paragraph (1)" in paragraph (4) of the same Article is deemed to be replaced with "approval referred to in Article 14, paragraph (7)."

(供託金の差替え)

(Replacement of Deposits)

第十五条 法第二百二十三条第十項の規定により有価証券を供託している者は、当該有価証券についてその償還期が到来した場合又は保険業法施行規則（平成八年大蔵省令第五号）第百八十八条第三項において準用する同規則第百三十二条第四項に規定する換算率に変更となった場合において、あらかじめ、当該有価証券に代わる供託金の供託をしたときは、金融庁長官に対し、当該有価証券の取戻しの承認の申請をすることができる。

Article 15 (1) A person who has deposited securities pursuant to the provisions of Article 223, paragraph (10) of the Act may, if the maturity date of the securities has arrived or the conversion rate prescribed in Article 132, paragraph (4) of the Regulation for Enforcement of the Insurance Business Act (Order of the Ministry of Finance No. 5 of 1996) as applied mutatis mutandis pursuant to Article 188, paragraph (3) of the same Regulation has changed, if the person has deposited a deposit in lieu of the securities in advance, file with the Commissioner of the Financial Services Agency an application for approval for the recovery of the securities.

2 前項の承認の申請をしようとする者は、有価証券に代わるものとして供託した供託物の内容及び取戻しをしようとする有価証券の名称、枚数、総額面等を記載した別紙様式第十一号により作成した承認申請書を金融庁長官に提出しなければならない。

(2) A person who intends to file the application for approval referred to in the preceding paragraph must submit to the Commissioner of the Financial Services Agency a written application for approval prepared using Appended Form No. 11, stating the contents of the deposited property deposited in lieu of the securities and the name, quantity, total face value, etc. of the securities to be recovered.

3 第十三条第三項及び第四項の規定は、第一項の取戻しの手続について準用する。この場合において、同条第三項中「第一項」とあるのは「第十五条第一項」と、「別紙様式第七号」とあるのは「別紙様式第十二号」と、同条第四項中「第一項の承認」とあるのは「第十五条第一項の承認」と読み替えるものとする。

(3) The provisions of paragraphs (3) and (4) of Article 13 apply mutatis mutandis to the procedures for recovery referred to in paragraph (1). In this case, the term "paragraph (1)" in paragraph (3) of the same Article is deemed to be replaced with "Article 15, paragraph (1)," the term "Appended Form No. 7" in the same paragraph is deemed to be replaced with "Appended Form No. 12," and the term "approval referred to in paragraph (1)" in paragraph (4) of the same Article is deemed to be replaced with "approval referred to in Article 15, paragraph (1)."

(有価証券の換価)

(Realization of Securities)

第十六条 金融庁長官は、令第三十五条の規定により有価証券を換価するためその還付

を受けようとするときは、供託物払渡請求書二通を供託所に提出しなければならない。

Article 16 (1) If the Commissioner of the Financial Services Agency intends to receive the return of securities in order to realize them pursuant to the provisions of Article 35 of the Order, the Commissioner must submit to the official depository two copies of the written request for paying out of deposited property.

2 金融庁長官は、有価証券を換価したときは、換価代金から換価の費用を控除した額を、当該有価証券に代わる供託金として供託しなければならない。

(2) If the Commissioner of the Financial Services Agency has realized securities into cash, the Commissioner must deposit the amount of the realization value less the expense for realization, as a deposit in lieu of the securities.

3 前項の規定により供託された供託金は、第一項の規定により還付された有価証券を供託した免許特定法人が供託したものとみなす。

(3) The deposit deposited pursuant to the provisions of the preceding paragraph is deemed to have been deposited by the Licensed Specified Juridical Person which has deposited the securities that were returned pursuant to the provisions of paragraph (1).

4 金融庁長官は、第二項の規定により供託したときは、その旨を前項に規定する免許特定法人に通知しなければならない。

(4) If the Commissioner of the Financial Services Agency has made the deposit pursuant to the provisions of paragraph (2), the Commissioner must notify the Licensed Specified Juridical Person prescribed in the preceding paragraph to that effect.

(公示等)

(Public Notice)

第十七条 令第三十三条第二項並びに第四項及び第五項（令第三十四条第五項において準用する場合を含む。）並びに令第三十四条第三項並びに第三条及び第七条（第十二条第三項において準用する場合を含む。）に規定する公示は、官報に掲載することによって行う。

Article 17 (1) The public notice prescribed in Article 33, paragraphs (2), (4) and (5) of the Order (including the cases where applied mutatis mutandis pursuant to Article 34, paragraph (5) of the Order) and Articles 34, paragraphs (3) of the Order and Articles 3 and 7 (including the cases where applied mutatis mutandis pursuant to Article 12, paragraph (3)) is given through publication in an official gazette.

2 前項の規定による公示の費用その他の供託金の払渡しの手続に必要な費用（令第三十五条の換価の費用を除く。）は、還付又は取戻しの手続によって、払渡しを受ける金額に応じ、当該金額を限度として、当該払渡しを受ける者の負担とする。

(2) The expense for the public notice pursuant to the provisions of the preceding paragraph and any other expenses necessary for the procedures for the paying

out of deposit (excluding the expense for realization referred to in Article 35 of the Order) are borne by the person to whom the deposit will be paid out, with the amount being in accordance with the amount to be paid out through the procedures for return or recovery and not more than the amount.

(供託規則の適用)

(Application of the Deposit Regulation)

第十八条 この規則に定めるもののほか、免許特定法人に係る供託金の供託及び払渡しについては、供託規則の手続による。

Article 18 Beyond what is provided for in this Regulation, the procedures under the Deposit Regulation apply to a deposit and the paying out of deposit pertaining to a Licensed Specified Juridical Person.