

自動車損害賠償保障法

Act on Securing Compensation for Automobile Accidents

(昭和三十年七月二十九日法律第九十七号)
(Act No. 97 of July 29, 1955)

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第一章 総則

Chapter I General Provisions

(この法律の目的)

(Purpose)

第一条 この法律は、自動車の運行によつて人の生命又は身体が害された場合における損害賠償を保障する制度を確立することにより、被害者の保護を図り、あわせて自動車運送の健全な発達に資することを目的とする。

Article 1 The purpose of this Act is to protect injured parties and contribute to the sound progress of automobile transportation by establishing a system to guarantee compensation for damage in the event of a person's death or bodily injury due to the operation of an automobile.

(定義)

(Definitions)

第二条 この法律で「自動車」とは、道路運送車両法（昭和二十六年法律第百八十五号）第二条第二項に規定する自動車（農耕作業の用に供することを目的として製作した小型特殊自動車を除く。）及び同条第三項に規定する原動機付自転車をいう。

Article 2 (1) The term "automobile" as used in this Act means an automobile as prescribed in Article 2, paragraph (2) of the Road Transport Vehicle Act (Act No. 185 of 1951) (other than a small-sized special purpose vehicle manufactured for use in farm work) or a motorized bicycle as prescribed in paragraph (3) of that Article.

2 この法律で「運行」とは、人又は物を運送するとしないとにかかわらず、自動車を当該装置の用い方に従い用いることをいう。

(2) The term "operation" as used in this Act means the use of an automobile in keeping with the way that such a machine is used, regardless of whether people or things are being transported.

3 この法律で「保有者」とは、自動車の所有者その他自動車を使用する権利を有する者で、自己のために自動車を運行の用に供するものをいう。

(3) The term "person in possession" as used in this Act means the owner of an automobile, or any other person with the right to use an automobile, that puts an automobile into operational use for that person's own benefit.

4 この法律で「運転者」とは、他人のために自動車の運転又は運転の補助に従事する者をいう。

(4) The term "driver" as used in this Act means a person that drives an automobile for the benefit of another person, or a person engaged in assisting another person in driving an automobile.

第二章 自動車損害賠償責任 Chapter II Automobile Liability

(自動車損害賠償責任)

(Automobile Liability)

第三条 自己のために自動車を運行の用に供する者は、その運行によつて他人の生命又は身体を害したときは、これによつて生じた損害を賠償する責に任ずる。ただし、自己及び運転者が自動車の運行に関し注意を怠らなかつたこと、被害者又は運転者以外の第三者に故意又は過失があつたこと並びに自動車に構造上の欠陥又は機能の障害がなかつたことを証明したときは、この限りでない。

Article 3 A person that puts an automobile into operational use for that person's own benefit is liable to compensate for damage arising from the operation of the automobile if this results in the death or bodily injury of another person; provided, however, that this does not apply if the person and the driver prove that they have exercised due care in connection with the operation of the automobile, that the injured party or a third party other than the driver has acted intentionally or negligently, and that there was no defect in automotive structure or function.

(民法の適用)

(Application of the Civil Code)

第四条 自己のために自動車を運行の用に供する者の損害賠償の責任については、前条の規定によるほか、民法（明治二十九年法律第八十九号）の規定による。

Article 4 Other than as governed by the preceding Article, the liability to compensate for damage to be borne by a person putting an automobile into operational use for that person's own benefit is governed by the Civil Code (Act No. 89 of 1896).

第三章 自動車損害賠償責任保険及び自動車損害賠償責任共済

Chapter III Automobile Liability Insurance and Mutual Automobile Liability Insurance

第一節 自動車損害賠償責任保険契約又は自動車損害賠償責任共済契約の締結強制

Section 1 Compulsory Conclusion of a Contract for Automobile Liability Insurance or of a Contract for Mutual Automobile Liability Insurance

(責任保険又は責任共済の契約の締結強制)

(Compulsory Conclusion of a Contract for the Liability Insurance or Mutual Liability Insurance)

第五条 自動車は、これについてこの法律で定める自動車損害賠償責任保険（以下「責任保険」という。）又は自動車損害賠償責任共済（以下「責任共済」という。）の契

約が締結されているものでなければ、運行の用に供してはならない。

Article 5 An automobile must not be put into operational use unless a contract for automobile liability insurance (hereinafter referred to as "liability insurance") or mutual automobile liability insurance (hereinafter referred to as "mutual liability insurance") as provided in this Act has been concluded for that automobile.

(保険者及び共済責任を負う者)

(Insurers and Persons Liable Under Mutual Insurance)

第六条 責任保険の保険者（以下「保険会社」という。）は、保険業法（平成七年法律第五号）第二条第四項に規定する損害保険会社又は同条第九項に規定する外国損害保険会社等で、責任保険の引受けを行う者とする。

Article 6 (1) An insurer providing liability insurance (hereinafter referred to as the "insurer") is to be a non-life insurance company as prescribed in Article 2, paragraph (4) of the Insurance Business Act (Act No. 105 of 1995) or a foreign non-life insurance company, etc. as prescribed in paragraph (9) of that Article that underwrites liability insurance.

2 責任共済の共済責任を負う者は、次の各号に掲げる協同組合（以下「組合」という。）とする。

(2) A person liable under mutual liability insurance is to be a cooperative that falls under one of the following items (hereinafter referred to as a "cooperative"):

一 農業協同組合法（昭和二十二年法律第百三十二号）に基づき責任共済の事業を行う農業協同組合又は農業協同組合連合会（以下「農業協同組合等」という。）

(i) an agricultural cooperative or federation of agricultural cooperatives that is engaged in the mutual liability insurance business based on the Agricultural Cooperatives Act (Act No. 132 of 1947) (hereinafter referred to as an "agricultural cooperative, etc.");

二 消費生活協同組合法（昭和二十三年法律第二百号）に基づき責任共済の事業を行う消費生活協同組合又は消費生活協同組合連合会（以下「消費生活協同組合等」という。）

(ii) a consumer cooperative or federation of consumer cooperatives that is engaged in the mutual liability insurance business based on the Consumer Cooperatives Act (Act No. 200 of 1948) (hereinafter referred to as the "consumer cooperative, etc. ");

三 中小企業等協同組合法（昭和二十四年法律第百八十一号）に基づき責任共済の事業を行う事業協同組合又は協同組合連合会（以下「事業協同組合等」という。）

(iii) a business cooperative or federation of cooperatives that is engaged in the mutual liability insurance business based the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949) (hereinafter referred to as a "business cooperative ,etc.").

(自動車損害賠償責任保険証明書)

(Certificate of Automobile Liability Insurance)

第七条 保険会社は、保険料の支払があつたときは、保険契約者に対して、当該自動車につき自動車損害賠償責任保険証明書を交付しなければならない。

Article 7 (1) Once an insurance premium has been paid, the insurer must issue to the policyholder certificate of automobile liability insurance for the automobile.

2 保険契約者は、当該自動車損害賠償責任保険証明書の記載事項について変更があつたときは、自動車損害賠償責任保険証明書にその変更についての記入を受けなければならない。

(2) If any of the information appearing on the certificate of automobile liability insurance changes, the policyholder must have that change entered on the certificate of insurance.

3 保険会社は、前項の規定による記入の申出があつたときは、遅滞なく、その記入を行わなければならない。ただし、第二十二條第三項又は第四項の規定による請求をした場合において、その金額の支払がなかつたときは、この限りでない。

(3) Upon receipt of a request to enter a change under the preceding paragraph, the insurer must enter the change on the certificate of insurance without delay; provided, however, that this does not apply if the insurer has made a request under Article 22, paragraph (3) or (4) but the amount requested has not been paid.

4 保険契約者は、自動車損害賠償責任保険証明書が滅失し、損傷し、又はその識別が困難となつたときは、保険会社に対して、その再交付を求めることができる。

(4) If certificate of automobile liability insurance is lost or damaged or becomes difficult to decipher, the policyholder may require the insurer to re-issue it.

5 自動車損害賠償責任保険証明書の記載事項その他自動車損害賠償責任保険証明書に関する細目は、国土交通省令で定める。

(5) Order of the Ministry of Land, Infrastructure, Transport and Tourism provides for the information that is to appear on certificate of automobile liability insurance and other details concerning certificate of automobile liability insurance .

6 保険法（平成二十年法律第五十六号）第六條の規定は、責任保険については、適用しない。

(6) Article 6 of the Insurance Act (Act No. 56 of 2008) does not apply to liability insurance.

(自動車損害賠償責任保険証明書の備付)

(Carrying Certificate of Automobile Liability Insurance On Board)

第八条 自動車は、自動車損害賠償責任保険証明書（前条第二項の規定により変更についての記入を受けなければならないもの）にあつては、その記入を受けた自動車損害賠

償責任保険証明書。次条において同じ。)を備え付けなければ、運行の用に供してはならない。

Article 8 An automobile must not be put into operational use unless it has certificate of automobile liability insurance on board (or unless it has certificate of insurance into which a change has been entered on board, if a change is required to have been entered in the certificate of insurance pursuant to paragraph (2) of the preceding Article; the same applies in the following Article).

(自動車損害賠償責任保険証明書の提示)

(Presentation of Certificate of Automobile Liability Insurance)

第九条 道路運送車両法第四条、第三十四条第一項、第三十六条の二第五項、第六十条第一項、第六十二条第二項（第六十三条第三項及び第六十七条第四項において準用する場合を含む。）、第六十七条第一項（使用者の変更に係る部分に限る。）、第七十一条第四項若しくは第九十七条の三又は総合特別区域法（平成二十三年法律第八十一号）第二十二条の二第三項に規定する処分を受けようとする者は、当該行政庁（道路運送車両法第七十四条の四の規定の適用があるときは、軽自動車検査協会。次項から第五項までにおいて同じ。）に対して、自動車損害賠償責任保険証明書をも提示しなければならない。ただし、道路運送車両法第九十四条の五第八項の規定により保安基準適合証の提出があつた場合において同法第六十二条第二項に規定する処分を受けようとするとき、又は総合特別区域法第二十二条の二第三項に規定する処分を受けようとするときは、国土交通省令で定める方法により作成した自動車損害賠償責任保険証明書の写しの提出をもつて、自動車損害賠償責任保険証明書の提示に代えることができる。

Article 9 (1) A person seeking a disposition as prescribed in Article 4 of the Road Transport Vehicle Act or in Article 34, paragraph (1); Article 36-2, paragraph (5); Article 60, paragraph (1); Article 62, paragraph (2) (including as applied mutatis mutandis pursuant to Article 63, paragraph (3) and Article 67, paragraph (4)); Article 67, paragraph (1) (only in relation to a change of user); Article 71, paragraph (4); or Article 97-3 of that Act; or seeking a disposition prescribed in Article 22-2, paragraph (3) of the Act on Comprehensive Special Zones (Act No. 81 of 2011) must also present certificate of automobile liability insurance to the competent administrative agency (or to the Light Motor Vehicle Inspection Association, if Article 74-4 of the Road Transport Vehicle Act apply; the same applies in the following paragraph through paragraph (5)); provided, however, that if a safety regulations conformity certificate has been submitted pursuant to Article 94-5, paragraph (8) of the Road Transport Vehicle Act and a person seeks a disposition as prescribed in Article 62, paragraph (2) of the Road Transport Vehicle Act or seeks a disposition as prescribed in Article 22-2, paragraph (3) of the Act on Comprehensive Special Zones, instead of presenting certificate of automobile liability insurance, the

person may submit a copy of that certificate of insurance prepared in the way that Order of the Ministry of Land, Infrastructure, Transport and Tourism prescribes.

2 前項本文の場合において、同項本文の処分を受けようとする者は、政令で定めるところにより、保険会社に委託して、当該自動車損害賠償責任保険証明書に記載すべき事項を電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて国土交通省令で定めるものをいう。）により道路運送車両法第七条第四項の登録情報処理機関（次項及び第四項において「登録情報処理機関」という。）に提供することができる。

(2) In a case as referred to in the main clause of the preceding paragraph, a person seeking intends to receive any of the dispositions as referred to in that clause by entrusting the insurer, pursuant to Cabinet Order, may provide a vehicle registration agency as referred to in Article 7, paragraph (4) of the Road Transport Vehicle Act (in paragraphs (3) and (4), referred to as a "vehicle registration agency") with the information required to be given on a certificate of automobile liability insurance by electronic or magnetic means (meaning by using one of the means of employing an electronic data processing system or of otherwise making use of information and communications technology which Order of the Ministry of Land, Infrastructure, Transport and Tourism prescribes).

3 前項の規定により自動車損害賠償責任保険証明書に記載すべき事項が登録情報処理機関に提供されたときは、第一項本文の処分を受けようとする者は、当該自動車損害賠償責任保険証明書を当該行政庁に提示したものとみなす。

(3) If the information required to be given on a certificate of automobile liability insurance is provided to a vehicle registration agency pursuant to the preceding paragraph, a person intends to receive any of the dispositions as referred to in the main clause of paragraph (1) is deemed to have presented certificate of automobile liability insurance to the competent administrative agency.

4 前項の場合において、当該行政庁は、登録情報処理機関に対し、国土交通省令で定めるところにより、必要な事項を照会するものとする。

(4) In a case as referred to in the preceding paragraph, the competent administrative agency is to confirm the necessary information by inquiring of the vehicle registration agency pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

5 当該行政庁は、自動車損害賠償責任保険証明書の提示又はその写しの提出がないときは、第一項の処分をしないものとする。道路運送車両法第五十八条第一項に規定する検査対象外軽自動車以外の自動車について、その提示又は提出があつた自動車損害賠償責任保険証明書又はその写しに記載された保険期間が、当該自動車検査証に記入すべき有効期間又は臨時運行の許可の有効期間若しくは回送運行の許可の有効期間が満了する日までの期間の全部と重複するものでない場合においても、同様とする。

(5) The competent administrative agency is not to make the disposition referred to in paragraph (1) if certificate of automobile liability insurance is not presented or a copy thereof is not submitted. The same applies if the coverage period appearing on the certificate of insurance that has been presented for an automobile other than a light motor vehicle not subject to inspection as prescribed in Article 58, paragraph (1) of the Road Transport Vehicle Act or appearing on the copy thereof that has been submitted does not fully overlap with the entire period running up to the day that the validity to be entered in the automobile inspection certificate, the validity of permission for temporary operation, or the validity of permission for operation for forwarding the automobile to a certain location, expires.

6 道路運送車両法第九十四条の五第一項の規定により保安基準適合証及び保安基準適合標章の交付を請求しようとする者は同法第九十四条の三第一項の指定自動車整備事業者に対して、総合特別区域法第二十二条の二第十一項の規定により点検整備済証の交付を請求しようとする者は同項の指定点検整備事業者に対して、それぞれ自動車損害賠償責任保険証明書を提示しなければならない。

(6) A person seeking to request the issuance of a safety regulations conformity certificate and a safety regulations conformity sticker pursuant to Article 94-5, paragraph (1) of the Road Transport Vehicle Act must present certificate of automobile liability insurance to a designated automobile maintenance facility as referred to in Article 94-3, paragraph (1) of that Act, and a person seeking to request the issuance of a certificate of inspection and maintenance pursuant to Article 22-2, paragraph (11) of the Act on Comprehensive Special Zones must present certificate of automobile liability insurance to a designated automobile inspection and maintenance facility as referred to in that paragraph.

7 指定自動車整備事業者は、前項の規定による提示がないとき、又はその提示があつた自動車損害賠償責任保険証明書に記載された保険期間が、その日から道路運送車両法第九十四条の五第八項の規定により保安基準適合証の提出があつた場合において記入されるべき同法第六十一条第一項に規定する自動車検査証の有効期間（次項において単に「自動車検査証の有効期間」という。）が満了する日までの期間の全部と重複するものでないときは、同法第九十四条の五第一項の規定にかかわらず、保安基準適合証及び保安基準適合標章を交付してはならない。

(7) Notwithstanding Article 94-5, paragraph (1) of the Road Transport Vehicle Act, if certificate of automobile liability insurance is not presented as under the preceding paragraph; or if the coverage period given in the certificate of automobile liability insurance that has been presented as under that paragraph does not overlap with the entire period that runs from the day on which the certificate of insurance is presented until the day that must be entered, when a safety regulations conformity certificate is submitted pursuant to Article 94-5, paragraph (8) of that Act, as the date on which the validity of the automobile inspection certificate provided for in Article 61, paragraph (1)

of the Road Transport Vehicle Act expires (in the next paragraph, this period is simply referred to as the "validity of the automobile inspection certificate"), a designated automobile maintenance facility must not issue a safety regulations conformity certificate or safety regulations conformity sticker.

8 指定点検整備事業者は、第六項の規定による提示がないとき、又はその提示があつた自動車損害賠償責任保険証明書に記載された保険期間が、その日から当該点検整備済証を添付して総合特別区域法第二十二条の二第一項の規定により自動車検査証の有効期間の伸長の申請がされた場合において記入されるべき自動車検査証の有効期間が満了する日までの期間の全部と重複するものでないときは、同条第十一項の規定にかかわらず、点検整備済証を交付してはならない。

(8) Notwithstanding Article 22-2, paragraph (11) of the Act on Comprehensive Special Zones, if certificate of automobile liability insurance is not presented as under paragraph (6); or if the coverage period given in the certificate of automobile liability insurance that has been presented as under that paragraph does not overlap with the entire period that runs from the day on which the certificate of insurance is presented until the day that must be entered, when a person applies for an extension of the validity of an automobile inspection certificate pursuant to Article 22-2, paragraph (1) of the Act on Comprehensive Special Zones and attaches a certificate of inspection and maintenance, as the date on which the validity of the automobile inspection certificate expires, a designated automobile inspection and maintenance facility must not issue a certificate of inspection and maintenance.

(保険標章)

(Insurance Stickers)

第九条の二 保険会社は、検査対象外軽自動車、原動機付自転車又は締約国登録自動車（道路交通に関する条約の実施に伴う道路運送車両法の特例等に関する法律（昭和三十九年法律第百九号）第二条第二項に規定する締約国登録自動車をいう。以下同じ。）について第七条第一項の規定により自動車損害賠償責任保険証明書を交付したときは、当該保険契約者に対して、保険標章を交付しなければならない。

Article 9-2 (1) If an insurer issues certificate of automobile liability insurance pursuant to Article 7, paragraph (1) for a light motor vehicle not subject to inspection, a motorized bicycle, or an automobile registered in a contracting state (meaning an automobile registered in a contracting state as provided in Article 2, paragraph (2) of the Act on Special Measures for the Road Transport Vehicle Act to Coordinate with the Implementation of the Convention on Road Traffic (Act No. 109 of 1964); the same applies hereinafter), the insurer must issue an insurance sticker to the policyholder.

2 保険標章には、国土交通省令で定めるところにより、保険期間の満了する時期を表示するものとする。

(2) An insurance sticker must indicate when the coverage period expires,

pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

3 保険標章の有効期間は、保険期間と同一とする。

(3) The validity of an insurance sticker is the same as the coverage period.

4 保険契約者は、保険標章が滅失し、損傷し、又はその識別が困難となった場合その他国土交通省令で定める場合には、保険会社に対して、その再交付を求めることができる。

(4) If an insurance sticker is lost or damaged or becomes difficult to decipher, or in a case as prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism, the policyholder may request the insurer to re-issue the sticker.

5 保険標章の様式その他保険標章に関する細目は、国土交通省令で定める。

(5) Order of the Ministry of Land, Infrastructure, Transport and Tourism provides for the format for insurance stickers and other details of insurance stickers.

第九条の三 検査対象外軽自動車、原動機付自転車及び締約国登録自動車は、国土交通省令で定めるところにより、保険標章を表示しなければ、運行の用に供してはならない。

Article 9-3 (1) A light motor vehicle not subject to inspection, a motorized bicycle, or an automobile registered in a contracting state must not be put into operational use unless it displays an insurance sticker pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 保険標章は、当該検査対象外軽自動車、当該原動機付自転車又は当該締約国登録自動車以外の検査対象外軽自動車、原動機付自転車又は締約国登録自動車に表示してはならない。

(2) It is prohibited for an insurance sticker to be displayed on a light motor vehicle not subject to inspection, motorized bicycle, or automobile registered in a contracting state other than that for which the sticker is issued.

3 有効期間を経過した保険標章は、検査対象外軽自動車、原動機付自転車又は締約国登録自動車に表示してはならない。

(3) It is prohibited for an insurance sticker whose validity has expired to be displayed on a light motor vehicle not subject to inspection, a motorized bicycle, or an automobile registered in a contracting state.

(自動車損害賠償責任共済証明書及び共済標章)

(Certificate of Mutual Automobile Liability Insurance; Mutual Insurance Stickers)

第九条の四 第七条及び第九条の二の規定は、責任共済について準用する。この場合において、これらの規定中「保険会社」とあるのは「組合」と、「保険料」とあるのは「共済掛金」と、「保険契約者」とあるのは「共済契約者」と、「自動車損害賠償責

任保険証明書」とあるのは「自動車損害賠償責任共済証明書」と、「保険標章」とあるのは「共済標章」と、「保険期間」とあるのは「共済期間」と、第七条第三項中「第二十二条第三項又は第四項」とあるのは「第二十三条の三第一項において準用する第二十二条第三項又は第四項」と、同条第六項中「責任保険」とあるのは「責任共済」と、第九条の二第一項中「第七条第一項」とあるのは「第九条の四において準用する第七条第一項」と読み替えるものとする。

Article 9-4 Articles 7 and 9-2 apply mutatis mutandis to mutual liability insurance. In such a case, the term "insurer" in those provisions is deemed to be replaced with "cooperative"; the term "insurance premiums" is deemed to be replaced with "mutual insurance premiums"; " the term policyholder" is deemed to be replaced with "mutual insurance policyholder"; the term "certificate of automobile liability insurance" is deemed to be replaced with "certificate of mutual automobile liability insurance"; the term "insurance sticker" is deemed to be replaced with "mutual insurance sticker"; the term "coverage period" is deemed to be replaced with "period of coverage under mutual insurance"; the phrase "Article 22, paragraph (3) or (4)" in Article 7, paragraph (3) is deemed to be replaced with "Article 22, paragraph (3) or (4) as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)"; the term "liability insurance" in paragraph (6) of that Article is deemed to be replaced with "mutual liability insurance"; and the phrase "Article 7, paragraph (1)" in Article 9-2, paragraph (1) is deemed to be replaced with "Article 7, paragraph (1) as applied mutatis mutandis pursuant to Article 9-4".

第九条の五 責任共済の契約が締結されている自動車に係る第八条及び第九条の規定の適用については、第八条（見出しを含む。）、第九条の見出し並びに同条第一項から第三項まで及び第五項から第八項までの規定中「自動車損害賠償責任保険証明書」とあるのは「自動車損害賠償責任共済証明書」と、第八条中「前条第二項」とあるのは「第九条の四において準用する第七条第二項」と、第九条第二項中「保険会社」とあるのは「組合」と、同条第五項、第七項及び第八項中「保険期間」とあるのは「共済期間」とする。

Article 9-5 (1) To apply Articles 8 and 9 to an automobile for which a contract for mutual liability insurance has been concluded, the term "certificate of automobile liability insurance " in Article 8 (including the heading), the heading of Article 9, and paragraphs (1) through (3) and paragraphs (5) through (8) of that Article is deemed to be replaced with "certificate of mutual automobile liability insurance "; the phrase "paragraph (2) of the preceding Article" in Article 8 is deemed to be replaced with "Article 7, paragraph (2) as applied mutatis mutandis pursuant to Article 9-4"; the term "Insurer" in Article 9, paragraph (2) is deemed to be replaced with "cooperative"; and the term "coverage period" in paragraphs (5), (7), and (8) of that Article is deemed to be replaced with "period of coverage under mutual insurance".

2 責任共済の契約が締結されている検査対象外軽自動車、原動機付自転車及び締約国登録自動車に係る第九条の三第一項の規定の適用については、同項中「保険標章」とあるのは、「共済標章」とする。

(2) To apply Article 9-3, paragraph (1) to a light motor vehicle not subject to inspection, motorized bicycle, or automobile registered in a contracting state for which a contract for mutual liability insurance has been concluded, the term "insurance sticker" in that paragraph is deemed to be replaced with "mutual insurance sticker".

3 第九条の三第二項及び第三項の規定は、共済標章について準用する。

(3) Article 9-3, paragraphs (2) and (3) apply mutatis mutandis to mutual insurance stickers.

(適用除外)

(Exclusion from Application)

第十条 第五条及び第七条から前条までの規定は、国その他の政令で定める者が政令で定める業務又は用途のため運行の用に供する自動車及び道路（道路法（昭和二十七年法律第百八十号）による道路、道路運送法（昭和二十六年法律第百八十三号）による自動車道及びその他の一般交通の用に供する場所をいう。以下同じ。）以外の場所のみにおいて運行の用に供する自動車については、適用しない。

Article 10 Article 5, and Article 7 through the preceding Article do not apply to automobiles put into operational use by the State or any other person that Cabinet Order prescribes, for the activities or purposes that Cabinet Order prescribes; nor do they apply to automobiles put into operational use only in places other than roads (meaning places made accessible to general traffic, including roads as defined in the Road Act (Act No. 180 of 1952) and motorways as defined in the Road Transportation Act (Act No. 183 of 1951); the same applies hereinafter).

(保険・共済除外標章)

(Insurance/Mutual Insurance Exemption Stickers)

第十条の二 国土交通大臣は、国土交通省令で定めるところにより、前条の規定の適用を受ける検査対象外軽自動車及び原動機付自転車（政令で定めるもの及び道路以外の場所のみにおいて運行の用に供するものを除く。）について、保有者に対して保険・共済除外標章を交付しなければならない。

Article 10-2 (1) The Minister of Land, Infrastructure, Transport and Tourism must issue an insurance/mutual insurance exemption sticker to a person in possession of a light motor vehicle not subject to inspection and to which the preceding Article applies, or of a motorized bicycle (other than one as prescribed by Cabinet Order or one that is put into operational use only in places other than roads), pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- 2 保険・共済除外標章の有効期間は、国土交通省令で定める。
- (2) Order of the Ministry of Land, Infrastructure, Transport and Tourism prescribes the valid period for an insurance/mutual insurance exemption sticker.
- 3 第一項に規定する検査対象外軽自動車及び原動機付自転車は、国土交通省令で定めるところにより、保険・共済除外標章を表示しなければ、運行の用に供してはならない。
- (3) It is prohibited to put a light motor vehicle not subject to inspection or motorized bicycle as prescribed in paragraph (1) into operational use unless it displays an insurance/mutual insurance exemption sticker pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- 4 第九条の二第四項及び第五項並びに第九条の三第二項及び第三項の規定は、保険・共済除外標章について準用する。
- (4) Article 9-2, paragraphs (4) and (5) and Article 9-3, paragraphs (2) and (3) apply mutatis mutandis to insurance/mutual insurance exemption stickers.

第二節 自動車損害賠償責任保険契約及び自動車損害賠償責任共済契約 Section 2 Contracts for Automobile Liability Insurance; Contracts for Mutual Automobile Liability Insurance

(責任保険及び責任共済の契約)

(Contracts for Liability Insurance and Mutual Liability Insurance)

第十一条 責任保険の契約は、第三条の規定による保有者の損害賠償の責任が発生した場合において、これによる保有者の損害及び運転者もその被害者に対して損害賠償の責任を負うべきときのこれによる運転者の損害を保険会社がてん補することを約し、保険契約者が保険会社に保険料を支払うことを約することによつて、その効力を生ずる。

Article 11 (1) A contract for liability insurance becomes valid when the insurer agrees that, if a person in possession becomes liable to compensate for damage as under Article 3, it will indemnify the damage that the person in possession incurs due to that liability, as well as the damage that the driver incurs due to liability in the event that the driver must also be held liable to compensate the injured party for damage; and the policyholder agrees to pay insurance premiums to the insurer.

2 責任共済の契約は、第三条の規定による保有者の損害賠償の責任が発生した場合において、これによる保有者の損害及び運転者もその被害者に対して損害賠償の責任を負うべきときのこれによる運転者の損害を組合がてん補することを約し、共済契約者が組合に共済掛金を支払うことを約することによつて、その効力を生ずる。

(2) A contract for mutual liability insurance becomes valid when the cooperative agrees that, if a person in possession becomes liable to compensate for damage as under Article 3, it will indemnify the damage that the person in possession

incurs due to that liability, as well as the damage that the driver incurs due to liability in the event that the driver must also be held liable to compensate the injured party for damage; and the mutual insurance policyholder agrees to pay mutual insurance premiums to the cooperative.

第十二条 責任保険の契約は、自動車一両ごとに締結しなければならない。

Article 12 A person must conclude a separate contract for liability insurance for each automobile.

(保険金額)

(Amount of Insurance Coverage)

第十三条 責任保険の保険金額は、政令で定める。

Article 13 (1) Cabinet Order provides for the amount of insurance coverage under liability insurance.

2 前項の規定に基づき政令を制定し、又は改正する場合においては、政令で、当該政令の施行の際現に責任保険の契約が締結されている自動車についての責任保険の保険金額を当該制定又は改正による変更後の保険金額とするために必要な措置その他当該制定又は改正に伴う所要の経過措置を定めることができる。

(2) Upon the enactment or amendment of Cabinet Order based on the preceding paragraph, Cabinet Order may prescribe the necessary measures for changing the amount of insurance coverage under the liability insurance associated with an automobile insured under a contract for liability insurance that has already been concluded at the time that the Cabinet Order enters into force to the amount of insurance coverage provided for after the enactment or amendment, and may prescribe any other necessary transitional measures to coordinate with the enactment or amendment thereof.

(免責)

(Release from Liability)

第十四条 保険会社は、第八十二条の三に規定する場合を除き、保険契約者又は被保険者の悪意によつて生じた損害についてのみ、てん補の責めを免れる。

Article 14 Except as prescribed in Article 82-3, an insurer is only released from liability to indemnify damage if it arises due to the bad faith of the policyholder or the insured.

(保険金の請求)

(Claiming Insurance Proceeds)

第十五条 被保険者は、被害者に対する損害賠償額について自己が支払をした限度においてのみ、保険会社に対して保険金の支払を請求することができる。

Article 15 The insured may file a claim with the insurer for insurance proceeds, but only to the extent of the damages that the insured has paid to the injured

party.

(保険会社に対する損害賠償額の請求)

(Filing a Claim with the Insurer for Damages)

第十六条 第三条の規定による保有者の損害賠償の責任が発生したときは、被害者は、政令で定めるところにより、保険会社に対し、保険金額の限度において、損害賠償額の支払をなすべきことを請求することができる。

Article 16 (1) If a person in possession becomes liable to compensate for damage as under Article 3, the injured party may file a claim with insurer for the insurer to pay the injured party damages of up to the amount of insurance coverage, pursuant to Cabinet Order.

2 被保険者が被害者に損害の賠償をした場合において、保険会社が被保険者に対してその損害をてん補したときは、保険会社は、そのてん補した金額の限度において、被害者に対する前項の支払の義務を免かれる。

(2) If the insured compensates the injured party for damage and the insurer indemnifies the insured for that damage, the insurer is released, to the extent of the amount for which it has indemnified the insured, from the obligation to pay the injured party as referred to in the preceding paragraph.

3 第一項の規定により保険会社が被害者に対して損害賠償額の支払をしたときは、保険契約者又は被保険者の悪意によつて損害が生じた場合を除き、保険会社が、責任保険の契約に基づき被保険者に対して損害をてん補したものとみなす。

(3) Unless damage has arisen due to the bad faith of the policyholder or the insured, if the insurer pays damages to the injured party pursuant to paragraph (1), the insurer is deemed to have indemnified the insured for damage based on the contract for liability insurance.

4 保険会社は、保険契約者又は被保険者の悪意によつて損害が生じた場合において、第一項の規定により被害者に対して損害賠償額の支払をしたときは、その支払った金額について、政府に対して補償を求めることができる。

(4) If damage has arisen due to the bad faith of the policyholder or the insured and the insurer has paid damages to the injured party pursuant to paragraph (1), the insurer may claim the government to compensate it for the amount it has paid.

(休業による損害等に係る保険金等の限度)

(Limit on Insurance Proceeds and Damages for Missed Work)

第十六条の二 保険会社が被保険者に対して支払うべき保険金又は前条第一項の規定により被害者に対して支払うべき損害賠償額（第二十八条の四第一項を除き、以下「保険金等」という。）のうち被害者が療養のため労働することができないことによる損害その他の政令で定める損害に係る部分は、政令で定める額を限度とする。

Article 16-2 The insurance proceeds that the insurer is to pay the insured and the damages that the insurer is to pay the injured party pursuant to paragraph

(1) of the preceding Article (hereinafter, except in Article 28-4, paragraph (1), referred to as "insurance proceeds and damages") to compensate for damage due to the injured party's inability to work while in recuperation or for any other damage that Cabinet Order prescribes are limited to the amount prescribed by Cabinet Order.

(支払基準)

(Criteria for Payment)

第十六条の三 保険会社は、保険金等を支払うときは、死亡、後遺障害及び傷害の別に国土交通大臣及び内閣総理大臣が定める支払基準（以下「支払基準」という。）に従ってこれを支払わなければならない。

Article 16-3 (1) An insurer must abide by the criteria for payment that the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister set (hereinafter referred to as "criteria for payment") when paying insurance proceeds and damages, and must make separate payments for death, residual disability, and injury.

2 国土交通大臣及び内閣総理大臣は、前項の規定により支払基準を定める場合には、公平かつ迅速な支払の確保の必要性を勘案して、これを定めなければならない。これを変更する場合も、同様とする。

(2) When setting the criteria for payment pursuant to in the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister must take into consideration the need to ensure fair and prompt payment. The same applies if they change the criteria for payment.

(書面の交付)

(Delivery of Documents)

第十六条の四 保険会社は、保険金等の請求があつたときは、遅滞なく、国土交通省令・内閣府令で定めるところにより、支払基準の概要その他の国土交通省令・内閣府令で定める事項を記載した書面を当該請求を行つた被保険者又は被害者に交付しなければならない。

Article 16-4 (1) When a claim is filed for insurance proceeds and damages, the insurer, without delay, must deliver to the insured or injured party that has filed the claim a document giving an outline of the criteria for payment and any other information that Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order specify, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order.

2 保険会社は、保険金等の支払を行つたときは、遅滞なく、国土交通省令・内閣府令で定めるところにより、支払つた保険金等の金額、後遺障害の該当する等級、当該等級に該当すると判断した理由その他の保険金等の支払に関する重要な事項であつて国土交通省令・内閣府令で定めるものを記載した書面を前項に規定する請求を行つた被

保険者又は被害者に交付しなければならない。

(2) Having paid insurance proceeds and damages, an insurer, without delay, must deliver to the insured or injured party that has filed a claim as prescribed in the preceding paragraph a document detailing the amount of the insurance proceeds and damages paid, the applicable grade of residual disability, the reason for the decision that that grade is applicable, and any other material information concerning the payment of the insurance proceeds and damages that Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order specifies, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order.

3 保険会社は、第三条ただし書に規定する事項の証明があつたことその他の理由により保険金等を支払わないこととしたときは、遅滞なく、国土交通省令・内閣府令で定めるところにより、支払を行わないこととした理由を記載した書面を第一項に規定する請求を行つた被保険者又は被害者に交付しなければならない。

(3) On deciding not to pay insurance proceeds and damages because there is evidence of circumstances as prescribed in the proviso to Article 3 or based on other grounds, an insurer, without delay, must deliver to the insured or injured party that has filed a claim as prescribed in paragraph (1) a document giving grounds for not paying the insurance proceeds and damages, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order.

4 保険会社は、前三項の規定による書面の交付に代えて、政令で定めるところにより、被保険者又は被害者の承諾を得て、当該書面に記載すべき事項を電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて国土交通省令・内閣府令で定めるものにより提供することができる。この場合において、当該保険会社は、当該書面を交付したものとみなす。

(4) With the consent of the insured or the injured party and pursuant to Cabinet Order, in lieu of delivering a document as under one of the preceding three paragraphs, an insurer may use one of the means of employing an electronic data processing system or of otherwise making use of information and communications technology which Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order prescribes, to provide the relevant person with the information that it is required to give in that document. Having done so, the insurer is deemed to have delivered the relevant document.

(書面による説明等)

(Written Explanations)

第十六条の五 保険会社は、前条第二項又は第三項の規定により書面を交付した後において、被保険者又は被害者から、国土交通省令・内閣府令で定めるところにより、書面により、保険金等の支払に関する重要な事項（同条第二項の国土交通省令・内閣府

令で定める事項を除く。)であつて国土交通省令・内閣府令で定めるもの又は同条第三項に規定する支払を行わないこととした理由の詳細であつて国土交通省令・内閣府令で定めるものについて説明を求められたときは、次項前段に規定する場合を除き、国土交通省令・内閣府令で定めるところにより、当該説明を求めた者に対し、書面により、当該説明を求められた事項を説明しなければならない。ただし、当該説明を求めた者の同意があるときは、書面以外の方法により説明することができる。

Article 16-5 (1) Except as prescribed in the first sentence of the next paragraph, if, after the insurer delivers a document pursuant to paragraph (2) or (3) of the preceding Article, the insured or the injured party asks the insurer, in writing and pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order, for an explanation of material information as prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order with regard to the payment of insurance proceeds and damages (other than information as prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order which is referred to in paragraph (2) of that Article), or for an explanation of the details prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order with regard to its grounds for not paying the insurance proceeds and damages as prescribed in paragraph (3) of that Article, the insurer must provide a written explanation of this to the insured or injured party asking for the explanation, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order; provided, however, that the insurer may provide an explanation other than in writing if the person asking for the explanation consents.

2 保険会社は、前項の規定により説明を求められた場合であつて第三者の権利利益を不当に害するおそれがあるときその他正当な理由があるときは、当該説明を求められた事項の全部又は一部について説明をしないことができる。この場合において、保険会社は、説明をしない旨及びその理由を記載した書面を当該説明を求めた者に交付しなければならない。

(2) An insurer may decide not to explain all or some of the things that it has been asked to explain pursuant to the preceding paragraph, if explaining something it has been asked to explain could do unreasonable harm to the rights and interests of a third party or if there are any other legitimate grounds for it to decide not to give an explanation. In such a case, the insurer must deliver a document indicating that it will not explain these things and giving the grounds for not explaining them to the person requesting the explanation.

3 第一項の規定による説明又は前項の規定による書面の交付（次項において「説明等」という。）は、第一項の規定により説明を求められた日から起算して三十日以内にしなければならない。

(3) An insurer must give an explanation as under paragraph (1) or deliver a

document as under the preceding paragraph (in the next paragraph, this is referred to as an "explanation, etc.") within 30 days, counting from the day the explanation is asked for pursuant to paragraph (1).

4 保険会社は、事務処理上の困難その他正当な理由により前項に規定する期間内に説明等を行うことができないときは、同項に規定する期間内に、第一項の規定により説明を求めた者に対し、書面により、前項に規定する期間内に当該説明等を行うことができない理由及び当該説明等の期限を通知しなければならない。

(4) If an insurer is unable to provide an explanation ,etc. within the period prescribed in the preceding paragraph due to the difficulty of clerical processing or any other legitimate grounds, it must notify the person asking for the explanation pursuant to paragraph (1), in writing and within the period prescribed in the preceding paragraph, of the reasons it cannot provide an explanation , etc. within the period prescribed in the preceding paragraph and of the time limit by which it will provide an explanation, etc.

5 保険会社は、第一項の規定による書面による説明、第二項の規定による書面の交付又は前項の規定による書面による通知（以下「書面による説明等」という。）に代えて、政令で定めるところにより、被保険者又は被害者の承諾を得て、当該書面に記載すべき事項を電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて国土交通省令・内閣府令で定めるものにより提供することができる。この場合において、当該保険会社は、書面による説明等を行つたものとみなす。

(5) With the consent of the insured or the injured party and pursuant to Cabinet Order, in lieu of delivering a document as under paragraph (2) or notifying a person in writing as under the preceding paragraph (hereinafter referred to as providing a "written explanation , etc."), an insurer may use one of the means of employing an electronic data processing system or of otherwise making use of information and communications technology which Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order prescribe, to provide the relevant person with the information that it is required to give in the document. Having done so, the insurer is deemed to have provided a written explanation ,etc.

(支払等の届出)

(Report of Payment)

第十六条の六 保険会社は、保険金等の支払の適正化を図る必要性が特に高いものとして国土交通省令で定める死亡その他の損害に関し、保険金等を支払つたとき又は第十六条の四第三項の規定による書面の交付をしたときは、遅滞なく、国土交通省令で定めるところにより、その旨を国土交通大臣に届け出なければならない。

Article 16-6 Having paid insurance proceeds and damages or delivered a document under Article 16-4, paragraph (3) in connection with a death or other damage that Order of the Ministry of Land, Infrastructure, Transport and Tourism prescribes as giving rise to an especially high necessity for the insurer

to properly pay insurance proceeds and damages, the insurer must report this to the Minister of Land, Infrastructure, Transport and Tourism without delay, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(国土交通大臣に対する申出)

(Notifying the Minister of Land, Infrastructure, Transport and Tourism)

第十六条の七 被保険者又は被害者は、保険会社による保険金等の支払又は支払に係る手続に関し、次のいずれかに該当する事実があるときは、国土交通大臣に対し、その事実を申し出ることができる。

Article 16-7 If one of the following facts is true of an insurer's payment or payment procedures for insurance proceeds and damages, the insured or the injured party may notify the Minister of Land, Infrastructure, Transport and Tourism of that fact:

一 保険金等の支払が支払基準に従っていないとき。

(i) the insurer's payment of insurance proceeds and damages does not conform to the criteria for payment;

二 第十六条の四第一項から第三項までの規定による書面の交付を行っていないとき。

(ii) the insurer does not deliver a document as under Article 16-4, paragraphs (1) through (3);

三 第十六条の五第一項の規定による説明、同条第二項の規定による書面の交付又は同条第四項の規定による通知を行っていないとき。

(iii) the insurer does not provide an explanation as under Article 16-5, paragraph (1); deliver a document as under paragraph (2) of that Article, or give notice as under paragraph (4) of that Article.

(指示等)

(Instructions)

第十六条の八 国土交通大臣は、第十六条の六の規定による届出があつた場合、前条の規定による申出があつた場合その他の場合において、保険会社による保険金等の支払又は支払に係る手続が同条各号のいずれかに該当すると認めるときは、当該保険会社に対し、支払基準に従つた支払、第十六条の四第一項から第三項までの規定による書面の交付又は第十六条の五第一項の規定による説明、同条第二項の規定による書面の交付若しくは同条第四項の規定による通知をすべき旨の指示をするものとする。

Article 16-8 (1) Having received a report as under Article 16-6, having been notified as under the preceding Article, or in any other case, on finding that the insurer's payment or payment procedures for insurance proceeds and damages fall under one of the items of the preceding Article, the Minister of Land, Infrastructure, Transport and Tourism must instruct the insurer to make a payment in accordance with the criteria for payment; to deliver a document as under Article 16-4, paragraphs (1) through (3); or to provide an

explanation as under Article 16-5, paragraph (1), deliver a document as under paragraph (2) of that Article, or give notice as under paragraph (4) of that Article.

2 国土交通大臣は、前項に規定する指示を行つたときは、遅滞なく、内閣総理大臣にその旨を通知しなければならない。

(2) Having given the instructions prescribed in the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism must notify the Prime Minister of this without delay.

3 国土交通大臣は、第一項に規定する指示を受けた保険会社が、正当な理由がなくてその指示に従わなかつたときは、その旨を公表することができる。

(3) If an insurer that has been instructed to do as prescribed in paragraph (1) fails to do as instructed and is without a legitimate reason for failing to do so, the Minister of Land, Infrastructure, Transport and Tourism may disclose this to the public.

4 国土交通大臣は、第一項に規定する指示を受けた保険会社が、前項の規定によりその指示に従わなかつた旨を公表された後において、なお、正当な理由がなくてその指示に係る措置をとらなかつたときは、当該保険会社に対し、その指示に係る措置をとるべきことを命ずることができる。

(4) If, after its failure to do as instructed has been disclosed to the public pursuant to the preceding paragraph, an insurer that has been instructed to do as prescribed in paragraph (1) fails to take measures to abide by the instructions and is without a legitimate reason for failing to do so, the Minister of Land, Infrastructure, Transport and Tourism may order the insurer to take measures to abide by the instructions.

5 国土交通大臣は、第三項に規定する公表又は前項に規定する命令を行おうとするときは、あらかじめ、内閣総理大臣の同意を得るものとする。

(5) The Minister of Land, Infrastructure, Transport and Tourism must first gain the consent of the Prime Minister before making a public disclosure as prescribed in paragraph (3) or giving an order as prescribed in the preceding paragraph.

(第十六条第一項の規定による損害賠償額の支払についての履行期)

(Due Date for Performance as Regards Payment of Damages under Article 16, Paragraph (1))

第十六条の九 保険会社は、第十六条第一項の規定による損害賠償額の支払の請求があつた後、当該請求に係る自動車の運行による事故及び当該損害賠償額の確認をするために必要な期間が経過するまでは、遅滞の責任を負わない。

Article 16-9 (1) An insurer is not liable for delays following receipt of a claim for the payment of damages under Article 16, paragraph (1), until the necessary period of time has passed to look into the accident caused by the operation of the automobile subject to the claim and verify the damages.

2 保険会社が前項に規定する確認をするために必要な調査を行うに当たり、被害者が正当な理由なく当該調査を妨げ、又はこれに応じなかつた場合には、保険会社は、これにより損害賠償額の支払を遅延した期間について、遅滞の責任を負わない。

(2) When an insurer is conducting the necessary investigations to look into an accident as prescribed in the preceding paragraph, if an injured party, without a legitimate reason, interferes or fails to comply with the investigation, the insurer is not liable for delays that arise during the period that the payment of damages is delayed due to the interference or failure to comply.

(被害者に対する仮渡金)

(Provisional Payouts to Injured Parties)

第十七条 保有者が、責任保険の契約に係る自動車の運行によつて他人の生命又は身体を害したときは、被害者は、政令で定めるところにより、保険会社に対し、政令で定める金額を第十六条第一項の規定による損害賠償額の支払のための仮渡金として支払うべきことを請求することができる。

Article 17 (1) If the death or bodily injury of another person results from a person in possession's operation of an automobile covered by a contract for liability insurance, the injured party, pursuant to Cabinet Order, may file a claim with the insurer for it to pay the injured party the amount that Cabinet Order prescribes as a provisional payout to pay damages under Article 16, paragraph (1).

2 保険会社は、前項の請求があつたときは、遅滞なく、請求に係る金額を支払わなければならない。

(2) On receipt of a claim as referred to in the preceding paragraph, an insurer must pay the amount of money subject to the claim without delay.

3 保険会社は、第一項の仮渡金の金額が支払うべき損害賠償額を超えた場合には、その超えた金額の返還を請求することができる。

(3) If the amount of a provisional payout as referred to in paragraph (1) exceeds the damages to be paid, an insurer may demand the return of the part in excess.

4 保険会社は、保有者の損害賠償の責任が発生しなかつた場合において、第一項の仮渡金を支払つたときは、その支払つた金額について、政府に対して補償を求めることができる。

(4) If an insurer makes a provisional payout referred to in paragraph (1) but the person in possession is not liable to compensate for damage, the insurer may ask the government to compensate it for the amount it has paid.

(差押の禁止)

(Prohibition on Attachment)

第十八条 第十六条第一項及び前条第一項の規定による請求権は、差し押えることができない。

Article 18 The right to file a claim under Article 16, paragraph (1) or paragraph (1) of the preceding Article may not be attached.

(時効)

(Period of Prescription)

第十九条 第十六条第一項及び第十七条第一項の規定による請求権は、三年を経過したときは、時効によつて消滅する。

Article 19 The right to file a claim under Article 16, paragraph (1) or Article 17, paragraph (1) is extinguished by prescription once three years have passed.

(危険に関する重要な事項)

(Material Information Regarding Risk)

第二十条 保険法第四条に規定する重要な事項は、責任保険の契約にあつては、次のとおりとする。

Article 20 As regards a contract for liability insurance, the material information provided for in Article 4 of the Insurance Act is as follows:

一 道路運送車両法の規定による自動車登録番号若しくは車両番号、地方税法（昭和二十五年法律第二百二十六号）第四百四十六条第三項（同法第一条第二項において準用する場合を含む。）に規定する標識の番号又は道路交通に関する条約の規定による登録番号（これらが存しない場合にあつては、車台番号）

(i) the automobile registration number or vehicle number as under the Road Transport Vehicle Act; the license plate number provided for in Article 446, paragraph (3) of the Local Tax Act (Act No. 226 of 1950) (including as applied mutatis mutandis pursuant to Article 1, paragraph (2) of that Act); or the registration number as under the Convention on Road Traffic (or, if there is no such number, the vehicle identification number (VIN));

二 政令で定める自動車の種別

(ii) the type of automobile, as prescribed by Cabinet Order.

(責任保険の契約の解除等)

(Cancellation of Contracts for Liability Insurance)

第二十条の二 責任保険の契約の当事者は、次に掲げる場合に限り、責任保険の契約を解除することができる。

Article 20-2 (1) The parties to a contract for liability insurance may cancel that contract only:

一 当該自動車が第十条に規定する自動車となつた場合

(i) if the automobile comes to constitute an automobile as prescribed in Article 10;

二 保険法第二十八条第一項の規定による場合

(ii) in a case under Article 28, paragraph (1) of the Insurance Act;

三 当該自動車について他に責任保険の契約又は責任共済の契約が締結されており、

かつ、その契約の保険期間又は共済期間の終期が当該責任保険の契約の保険期間の終期と同一であるかその終期より遅いものである場合

(iii) if another contract for liability insurance or contract for mutual liability insurance for the automobile is concluded, and the end of the coverage period or the period of coverage under mutual insurance under that contract is the same as or later than the end of the coverage period of the contract for liability insurance that would be canceled;

四 その他国土交通省令で定める場合

(iv) in any other case that Order of the Ministry of Land, Infrastructure, Transport and Tourism prescribes.

2 責任保険の契約の当事者は、その契約を合意により解除し、又はその契約に解除条件を附することができない。

(2) The parties to a contract for liability insurance may not cancel that contract by mutual agreement, nor subject the contract to a condition subsequent.

(告知義務違反による契約解除の効力)

(Effect of a Contract Rescission That Is Due to Breach of Duty of Disclosure)

第二十一条 保険法第二十八条第一項の規定により、保険会社が責任保険の契約を解除したときは、その解除は、保険契約者が解除の通知を受けた日から起算して七日の後に、その効力を生ずる。

Article 21 (1) If an insurer rescinds a contract for liability insurance pursuant to Article 28, paragraph (1) of the Insurance Act, the rescission takes effect after seven days, counting from the day that the policyholder is notified of the rescission.

2 前項の解除の効力が生ずる日前に保険事故（保険法第五条第一項に規定する保険事故をいう。次条第三項において同じ。）が発生した場合には、同法第三十一条第二項第一号の規定にかかわらず、保険会社は、損害をてん補する責任を負う。この場合において、保険会社が損害をてん補したときは、保険契約者に対し、そのてん補した金額の支払を請求することができる。

(2) Notwithstanding Article 31, paragraph (2), item (i) of the Insurance Act, if any insured event (meaning an insured event provided for in Article 5, paragraph (1) of the Insurance Act; the same applies in paragraph (3) of the following Article) occurs before the day that a rescission as referred to in the preceding paragraph takes effect, the insurer is liable to indemnify for the damage. If an insurer provides an indemnity for damage in such a case, it may require the policyholder to pay the amount of that indemnity.

(危険の増加又は減少による契約の変更)

(Amending a Contract Due to Increased or Decreased Risk)

第二十二条 保険期間中に危険が増加し、又は減少したときは、責任保険の契約は、新たな危険に対応する責任保険の契約に変更されたものとみなす。

Article 22 (1) If risk increases or decreases during the coverage period, the contract for liability insurance is deemed to have been changed to a contract corresponding to the new amount of risk.

2 保険契約者又は被保険者は、保険期間中に危険が増加したことを知ったときは、遅滞なく、これを保険会社に通知しなければならない。

(2) Having become aware that risk has increased during the coverage period, the policyholder or the insured must notify the insurer of this without delay.

3 保険期間中に危険が増加した後に保険事故が発生し、保険会社が損害をてん補した場合において、保険契約者又は被保険者が前項の通知を怠っていたときは、保険会社は、保険契約者に対し、そのてん補した金額の支払を請求することができる。

(3) If an insured event occurs after an increase of risk during the coverage period and the insurer indemnifies for the damage, but the policyholder or the insured has neglected to notify the insurer as referred to in the preceding paragraph, the insurer may require the policyholder to pay the amount of that indemnity.

4 保険会社は、第一項の場合において、危険が増加したときは、保険契約者に対し、政令で定めるところにより増加する額の保険料の支払を請求することができる。

(4) If risk has increased in a case as referred to in paragraph (1), the insurer may require the policyholder to pay the amount by which it increases the insurance premiums, pursuant to Cabinet Order.

5 保険契約者は、第一項の場合において、危険が減少したときは、保険会社に対し、政令で定めるところにより減少する額の保険料の返還を請求することができる。

(5) If risk decreases in a case as referred to in paragraph (1), the policyholder may require the insurer to refund the amount by which it decreases the insurance premiums, pursuant to Cabinet Order.

(保険法の適用)

(Application of the Insurance Act)

第二十三条 責任保険の契約については、この法律に別段の定めがある場合を除くほか、保険法第一章、第二章（第五節を除く。）及び第五章の規定による。

Article 23 Except as otherwise provided for in this Act, Chapters I, II (other than Section 5), and V of the Insurance Act apply to contracts for liability insurance.

(報告及び立入検査)

(Reporting and On-Site Inspections)

第二十三条の二 国土交通大臣は、第十一条から前条までの規定の施行に必要な限度において、国土交通省令で定めるところにより、保険会社に対し、責任保険の業務に関し報告をさせ、又はその職員に、保険会社の営業所、事務所その他の施設に立ち入り、責任保険の業務の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

Article 23-2 (1) The Minister of Land, Infrastructure, Transport and Tourism,

pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism, may have an insurer report on liability insurance services, and may have the relevant officials enter the insurer's place of business, offices, and other facilities to inspect the state of its liability insurance services or its books and documents and other items or to question the relevant persons, within the limits of what is necessary for implementing Article 11 through the preceding Article.

2 前項の規定により立入検査又は質問をする職員は、その身分を示す証明書を携帯し、関係者の請求があつたときは、これを提示しなければならない。

(2) An official who conducts an on-site inspection or inquiry pursuant to the preceding paragraph must carry identification and present it at the request of the relevant persons.

3 第一項に規定する立入検査又は質問の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection or inquiry as prescribed in paragraph (1) must not be interpreted as having being accorded for the purpose of a criminal investigation.

(責任保険の契約に関する規定等の準用)

(Mutatis Mutandis Application of Provisions on Contracts for Liability Insurance)

第二十三条の三 第十二条から前条までの規定は、責任共済の契約について準用する。この場合において、これらの規定（第二十条の二第一項第三号を除く。）中「責任保険の契約」とあるのは「責任共済の契約」と、「責任保険」とあるのは「責任共済」と、「保険金額」とあるのは「共済金額」と、「保険会社」とあるのは「組合」と、「保険契約者」とあるのは「共済契約者」と、「被保険者」とあるのは「被共済者」と、「保険金」とあるのは「共済金」と、「保険金等」とあるのは「共済金等」と、「保険期間」とあるのは「共済期間」と、「保険料」とあるのは「共済掛金」と、第十六条の二中「前条第一項」とあるのは「第二十三条の三第一項において準用する第十六条第一項」と、「第二十八条の四第一項を除き、以下」とあるのは「以下」と、第十六条の五第一項中「前条第二項又は第三項」とあるのは「第二十三条の三第一項において準用する第十六条の四第二項又は第三項」と、第十六条の六中「第十六条の四第三項」とあるのは「第二十三条の三第一項において準用する第十六条の四第三項」と、第十六条の七第二号及び第十六条の八第一項中「第十六条の四第一項から第三項まで」とあるのは「第二十三条の三第一項において準用する第十六条の四第一項から第三項まで」と、第十六条の七第三号及び第十六条の八第一項中「第十六条の五第一項」とあるのは「第二十三条の三第一項において準用する第十六条の五第一項」と、第十六条の八第一項中「第十六条の六」とあるのは「第二十三条の三第一項において準用する第十六条の六」と、「前条」とあるのは「第二十三条の三第一項において準用する第十六条の七」と、第十六条の八第二項及び第五項中「内閣総理大臣」とあるのは「行政庁（農業協同組合等に係るものを行う場合にあつては第二十七条第一

項に規定する行政庁とし、消費生活協同組合等に係るものを行う場合にあつては第二十七条の二第一項において読み替えて準用する第二十七条第一項に規定する行政庁とし、事業協同組合等に係るものを行う場合にあつては第二十七条の二第二項において読み替えて準用する第二十七条第一項に規定する行政庁とする。) 」と、第十七条第一項中「第十六条第一項」とあるのは「第二十三条の三第一項において準用する第十六条第一項」と、第十八条中「第十六条第一項及び前条第一項」とあり、及び第十九条中「第十六条第一項及び第十七条第一項」とあるのは「第二十三条の三第一項において準用する第十六条第一項及び第十七条第一項」と、第二十条の二第一項第三号中「責任保険の契約の保険期間」とあるのは「責任共済の契約の共済期間」と読み替えるものとする。

Article 23-3 (1) Article 12 through the preceding Article apply mutatis mutandis to contracts for mutual liability insurance. In such a case, in those Articles (other than in Article 20-2, paragraph (1), item (iii)), the term "contract for liability insurance" is deemed to be replaced with "contract for mutual liability insurance"; the term "liability insurance" is deemed to be replaced with "mutual liability insurance"; the term "amount of insurance coverage" is deemed to be replaced with "amount of mutual insurance coverage"; the term "insurer" is deemed to be replaced with "Cooperative"; the term "policyholder" is deemed to be replaced with "mutual insurance policyholder"; the term "insured" is deemed to be replaced with "person covered under mutual insurance"; the term "insurance proceeds" is deemed to be replaced with "mutual insurance proceeds"; the term "insurance proceeds and damages" is deemed to be replaced with "mutual insurance proceeds and damages"; the term "coverage period" is deemed to be replaced with "period of coverage under mutual insurance"; the term "insurance premium" is deemed to be replaced with "mutual insurance premium"; the phrase "paragraph (1) of the preceding Article" in Article 16-2 is deemed to be replaced with "Article 16, paragraph (1), as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)"; the phrase "(hereinafter, except in Article 28-4, paragraph (1), referred to as" in Article 16-2 is deemed to be replaced with "(hereinafter referred to as"; the phrase "paragraph (2) or (3) of the preceding Article" in Article 16-5, paragraph (1) is deemed to be replaced with "Article 16-4, paragraph (2) or (3) as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)"; the phrase "Article 16-4, paragraph (3)" in Article 16-6 is deemed to be replaced with "Article 16-4, paragraph (3) as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)"; the phrase "Article 16-4, paragraphs (1) through (3)" in Article 16-7, item (ii) and Article 16-8, paragraph (1) is deemed to be replaced with "Article 16-4, paragraphs (1) through (3) as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)"; the phrase "Article 16-5, paragraph (1)" in Article 16-7, item (iii) and Article 16-8, paragraph (1) is deemed to be replaced with "Article 16-5, paragraph (1) as applied mutatis mutandis pursuant to Article 23-3, paragraph

(1)"; the phrase "Article 16-6" in Article 16-8, paragraph (1) is deemed to be replaced with "Article 16-6 as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)"; the phrase "the preceding Article" in the Article 16-8, paragraph (1) is deemed to be replaced with "Article 16-7 as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)"; the term "the Prime Minister" in Article 16-8, paragraphs (2) and (5) is deemed to be replaced with "an administrative agency (meaning an administrative agency as prescribed in Article 27, paragraph (1), if this agency is connected with an agricultural cooperative, etc.; meaning an administrative agency as prescribed in Article 27, paragraph (1) as applied mutatis mutandis following a replacement of terms pursuant to Article 27-2, paragraph (1), if this agency is connected with a consumer cooperative, etc. ; and meaning an administrative agency as prescribed in Article 27, paragraph (1) as applied mutatis mutandis following a replacement of terms pursuant to Article 27-2, paragraph (2), if this agency is connected with a business cooperative, etc.)"; the phrase "Article 16, paragraph (1)" in Article 17, paragraph (1) is deemed to be replaced with "Article 16, paragraph (1) as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)"; the phrases "Article 16, paragraph (1) and paragraph (1) of the preceding Article" in Article 18 and "Article 16, paragraph (1) and Article 17, paragraph (1)" in Article 19 are deemed to be replaced with "Article 16, paragraph (1) and Article 17, paragraph (1) as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)"; and the phrase "coverage period of the contract for liability insurance that would be canceled" in Article 20-2, paragraph (1), item (iii) is deemed to be replaced with "coverage period of the contract for mutual liability insurance that would be canceled".

2 国土交通大臣及び内閣総理大臣は、前項において準用する第十六条の三第一項に規定する支払基準を定め、又は変更しようとするとき並びに前項において準用する第十六条の四並びに同項において準用する第十六条の五第一項及び第五項に規定する国土交通省令・内閣府令を制定し、又は変更しようとするときは、あらかじめ、農林水産大臣、厚生労働大臣及び事業協同組合等の定款において組合員の資格として定められる事業の所管大臣（以下「事業所管大臣」という。）に協議するものとする。

(2) Before setting or amending the criteria for payment prescribed in Article 16-3, paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph and before enacting or amending Order of the Ministry of Land, Infrastructure, Transport and Tourism or Cabinet Office Order prescribed in Article 16-4 as applied mutatis mutandis pursuant to the preceding paragraph and Article 16-5, paragraphs (1) and (5) as applied mutatis mutandis pursuant to the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister must first consult with the Minister of Agriculture, Forestry and Fisheries; the Minister of Health, Labour and Welfare; and the minister with administrative jurisdiction over the business

prescribed in the business cooperative, etc.'s articles of incorporation as qualifying a person to be a member (hereinafter referred to as the "competent Minister for the business").

第二十三条の四 削除
Article 23-4 Deleted

第二節の二 指定紛争処理機関
Section 2-2 Designated Dispute Resolution Organizations

(指定紛争処理機関の指定等)

(Designating a Designated Dispute Resolution Organization)

第二十三条の五 国土交通大臣及び内閣総理大臣は、保険金等又は共済金等の支払に係る紛争の公正かつ適確な解決による被害者の保護を図ることを目的とする一般社団法人又は一般財団法人であつて、次条第一項に規定する業務（以下「紛争処理業務」という。）に関し次に掲げる基準に適合すると認められるものを、その申請により、紛争処理業務を行う者として指定することができる。

Article 23-5 (1) At the application of a general incorporated association or general incorporated foundation whose purpose is to protect injured parties through the fair and precise settlement of disputes related to the payment of insurance proceeds and damages or mutual insurance proceeds and damages, and that is found to satisfy the following criteria as concerns dispute resolution services prescribed in paragraph (1) of the following Article (hereinafter referred to as "dispute resolution services"), the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister may designate that association or foundation as a person that provides dispute resolution services:

一 職員、紛争処理業務の実施の方法その他の事項についての紛争処理業務の実施に関する計画が、紛争処理業務の適確な実施のために適切なものであること。

(i) the association's or foundation's personnel, its way of implementing dispute resolution services, and other particulars of its plan for implementing dispute resolution services are appropriate to allow it to reliably implement dispute resolution services;

二 前号の紛争処理業務の実施に関する計画を適確に実施するに足りる経理的及び技術的な基礎を有するものであること。

(ii) the association or foundation has a sufficient financial and technical base to reliably carry out its plan for implementing dispute resolution services as referred to in the preceding item;

三 役員及び職員の構成が、紛争処理業務の公正な実施に支障を及ぼすおそれがないものであること。

(iii) the composition of the association's or foundation's officers and personnel

is unlikely to impair its fair implementation of dispute resolution services;
四 紛争処理業務以外の業務を行っている場合には、その業務を行うことによつて紛争処理業務の公正な実施に支障を及ぼすおそれがないものであること。

(iv) if there are operations other than dispute resolution services in which the association or foundation engages, they are unlikely to impair its fair implementation of dispute resolution services;

五 前各号に定めるもののほか、紛争処理業務を公正かつ適確に行うことができるものであること。

(v) the association or foundation is able to fairly and reliably perform dispute resolution services, beyond as prescribed in the preceding items.

2 国土交通大臣及び内閣総理大臣は、前項の規定による指定（以下「指定」という。）をしたときは、その指定した者（以下「指定紛争処理機関」という。）の名称及び住所、紛争処理業務を行う事務所の所在地並びに紛争処理業務を開始する日を公示しなければならない。

(2) Once the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister make a designation as under the preceding paragraph (hereinafter referred to as a "designation"), they must issue public notice of the name and address of the person they have designated (hereinafter referred to as the "designated dispute resolution organization"), the location of the office where the organization will perform dispute resolution services, and the start date of the dispute resolution services.

3 指定紛争処理機関は、その名称若しくは住所又は紛争処理業務を行う事務所の所在地を変更しようとするときは、変更しようとする日の二週間前までに、その旨及びこれらの事項を変更しようとする日を国土交通大臣及び内閣総理大臣に届け出なければならない。

(3) Before changing its name or address or the location of the office where it performs dispute resolution services, a designated dispute resolution organization must notify the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister of this, indicating the date on which it plans to change these things, by two weeks prior to the date it plans to change them.

4 国土交通大臣及び内閣総理大臣は、前項の規定による届出があつたときは、当該届出に係る事項を公示しなければならない。

(4) If a designated dispute resolution organization notifies the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister as under the preceding paragraph, the Ministers must issue public notice of the information of which they have been notified.

5 指定紛争処理機関は、国土交通省令・内閣府令で定めるところにより、指定紛争処理機関である旨を、その事務所において公衆に見やすいように掲示しなければならない。

(5) A designated dispute resolution organization must post a notice indicating that it is a designated dispute resolution body at its offices in such a way as to

make the notice easily visible to the public, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order.

(業務)

(Services)

第二十三条の六 指定紛争処理機関は、次に掲げる業務を行うものとする。

Article 23-6 (1) A designated dispute resolution organization is to engage in the following services:

一 保険金等又は共済金等の支払に関する紛争の当事者である保険会社、組合、被保険者、被共済者又は被害者からの申請により、当該紛争の調停（以下「紛争処理」という。）を行うこと。

(i) conciliation of disputes at the petition of an insurer, cooperative, insured, person covered under mutual insurance, or injured party that is a party to a dispute concerning the payment of insurance proceeds and damages or mutual insurance proceeds and damages (hereinafter referred to as "dispute resolution"); and

二 前号に掲げる業務に附帯する業務を行うこと。

(ii) services incidental to the services set forth in the preceding item.

2 前項第一号の申請の手続は、国土交通省令・内閣府令で定める。

(2) Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order prescribe the process for filing a petition as referred to in item (i) of the preceding paragraph.

(紛争処理委員)

(Dispute Resolution Members)

第二十三条の七 指定紛争処理機関は、人格が高潔で識見の高い者のうちから、国土交通省令・内閣府令で定める数以上の紛争処理委員を選任しなければならない。

Article 23-7 (1) A designated dispute resolution organization must appoint, from among persons of great integrity of character and insight, at least the number of dispute resolution members that Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order prescribe.

2 指定紛争処理機関は、紛争処理を行うときは、前項の規定により選任した紛争処理委員のうちから、事件ごとに、指定紛争処理機関の長が指名する者に紛争処理を実施させなければならない。この場合において、指定紛争処理機関の長は、当該事件に関し当事者と利害関係を有することその他紛争処理の公正を妨げるべき事情がある紛争処理委員については、当該事件の紛争処理委員に指名してはならない。

(2) When resolving disputes, a designated dispute resolution organization must have dispute resolution implemented by the dispute resolution members appointed pursuant to the preceding paragraph that the head of the designated dispute resolution organization assigns for each case. In such a case, the head of the designated dispute resolution organization must not assign a dispute

resolution member to a case if that official is related to a party to the case in a way that makes the member an interested person, or if there are any other circumstances that might interfere with the fairness of dispute resolution.

3 前項の規定により指名される紛争処理委員のうち少なくとも一人は、弁護士でなければならない。

(3) Of the dispute resolution members assigned pursuant to the preceding paragraph, at least one must be an attorney.

(役員等の選任及び解任)

(Appointment and Dismissal of Officers)

第二十三条の八 紛争処理業務に従事する指定紛争処理機関の役員（紛争処理委員を含む。次項及び次条において同じ。）の選任及び解任は、国土交通大臣及び内閣総理大臣の認可を受けなければ、その効力を生じない。

Article 23-8 (1) The appointment or dismissal of an officer (or dispute resolution official; the same applies in the following paragraph and the following Article) of a designated dispute resolution organization who is engaged in providing dispute resolution services does not take effect without the authorization of the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister.

2 国土交通大臣及び内閣総理大臣は、指定紛争処理機関の役員が、第二十三条の十一第一項の認可を受けた紛争処理業務規程に違反したとき、紛争処理業務に関し著しく不適当な行為をしたとき、又はその在任により指定紛争処理機関が第二十三条の五第一項第三号に掲げる基準に適合しなくなつたときは、指定紛争処理機関に対し、その役員を解任すべきことを命ずることができる。

(2) If the officer of a designated dispute resolution organization violates the dispute resolution services rules that have been approved as referred to in Article 23-11, paragraph (1) or engages in extremely inappropriate conduct in connection with dispute resolution services, or if the officer's continuation in office causes the designated dispute resolution organization to no longer satisfy the criteria set forth in Article 23-5, paragraph (1), item (iii), the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister may order the designated dispute resolution organization to dismiss the officer.

(秘密保持義務等)

(Duty of Confidentiality)

第二十三条の九 指定紛争処理機関の役員及び職員並びにこれらの職にあつた者は、紛争処理業務に関して知り得た秘密を漏らし、又は自己の利益のために使用してはならない。

Article 23-9 (1) It is prohibited for a current or former officer or personnel of an designated dispute resolution organization to divulge confidential information learned in the course of dispute resolution services or to use the information

for personal gain.

2 指定紛争処理機関の役員及び職員で紛争処理業務に従事する者は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) As concerns the application of the Penal Code (Act No. 45 of 1907) and other penal provisions, officers and personnel of a designated dispute resolution organization who are engaged in providing dispute resolution services are deemed to be officials engaged in public service pursuant to laws and regulations.

（紛争処理業務の義務）

(Duty to Provide Dispute Resolution Services)

第二十三条の十 指定紛争処理機関は、紛争処理業務を行うべきことを求められたときは、正当な理由がある場合を除き、遅滞なく、紛争処理業務を行わなければならない。

Article 23-10 If a designated dispute resolution organization is asked to provide dispute resolution services, it must provide dispute resolution services without delay unless it has a legitimate reason not to do so.

（紛争処理業務規程）

(Dispute Resolution Services Rules)

第二十三条の十一 指定紛争処理機関は、紛争処理業務に関する規程（以下「紛争処理業務規程」という。）を定め、国土交通大臣及び内閣総理大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 23-11 (1) A designated dispute resolution organization must establish rules for dispute resolution services (hereinafter referred to as "dispute resolution services rules") and get them approved by the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister. The same applies if the organization seeks to amend those Rules.

2 紛争処理業務規程で定めるべき事項は、国土交通省令・内閣府令で定める。

(2) Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order provide for the particulars that must be prescribed in the dispute resolution services rules.

3 国土交通大臣及び内閣総理大臣は、第一項の認可をした紛争処理業務規程が紛争処理業務の公正かつ適確な実施上不適当となつたと認めるときは、その紛争処理業務規程を変更すべきことを命ずることができる。

(3) If the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister find that the dispute resolution services rules they have approved as referred to in paragraph (1) have become inappropriate to allow for the fair and reliable implementation of dispute resolution services, they may order that those rules be amended.

(説明又は資料提出の請求)

(Request for Explanation or Submission of Materials)

第二十三条の十二 指定紛争処理機関は、紛争処理業務の実施に必要な限度において、保険会社又は組合に対して、文書若しくは口頭による説明又は資料の提出を求めることができる。

Article 23-12 (1) A designated dispute resolution organization may ask an insurer or cooperative to give a written or oral explanation or to submit materials, within the limits of what is necessary to implement dispute resolution services.

2 保険会社又は組合は、前項の規定による求めがあつたときは、正当な理由がない限り、これを拒んではならない。

(2) It is prohibited for an insurer or cooperative to refuse a request under the preceding paragraph without a legitimate reason for doing so.

(紛争処理の手続の非公開)

(Non-disclosure of Dispute Resolution Procedures)

第二十三条の十三 指定紛争処理機関が行う紛争処理の手続は、公開しない。ただし、指定紛争処理機関は、相当と認める者に傍聴を許すことができる。

Article 23-13 The dispute resolution procedures performed by a designated dispute resolution organization are not open to the public; provided, however, that the designated dispute resolution organization may permit persons it finds to be appropriate to be present as silent observers.

(事業計画等)

(Operational Plans)

第二十三条の十四 指定紛争処理機関は、毎事業年度、国土交通省令・内閣府令で定めるところにより、紛争処理業務に係る事業計画及び収支予算を作成し、当該事業年度の開始前に（指定を受けた日の属する事業年度にあつては、その指定を受けた後遅滞なく）、国土交通大臣及び内閣総理大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 23-14 (1) A designated dispute resolution organization must prepare an operational plan and income and expenditures budget for dispute resolution services every business year, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order, and get them approved by the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister before the relevant business year begins (and without delay after designation in the business year that includes the day on which the organization is designated). The same applies if the organization seeks to amend either of these.

2 指定紛争処理機関は、毎事業年度、国土交通省令・内閣府令で定めるところにより、紛争処理業務に係る事業報告書及び収支決算書を作成し、当該事業年度経過後三月以

内に、国土交通大臣及び内閣総理大臣に提出しなければならない。

- (2) A designated dispute resolution organization must prepare an operating report and settlement of income and expenditures for dispute resolution services every business year, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order, and submit them to the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister within three months after the end of the relevant business year.

(業務の休廃止等)

(Suspension and Discontinuance of Services)

第二十三条の十五 指定紛争処理機関は、国土交通大臣及び内閣総理大臣の許可を受けなければ、紛争処理業務の全部又は一部を休止し、又は廃止してはならない。

Article 23-15 (1) A designated dispute resolution organization must not suspend or discontinue all or part of its dispute resolution services without the permission of the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister.

- 2 国土交通大臣及び内閣総理大臣が前項の規定により紛争処理業務の全部の廃止を許可したときは、当該指定は、その効力を失う。

(2) If the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister permit the discontinuance of all dispute resolution services pursuant to the preceding paragraph, the organization's designation ceases to be valid.

- 3 国土交通大臣及び内閣総理大臣は、第一項の許可をしたときは、その旨を公示しなければならない。

(3) Having given permission as referred to in paragraph (1), the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister must issue public notice of this.

(帳簿の備付け等)

(Preparation of Books)

第二十三条の十六 指定紛争処理機関は、国土交通省令・内閣府令で定めるところにより、紛争処理業務に関する事項で国土交通省令・内閣府令で定めるものを記載した帳簿を備え付け、これを保存しなければならない。

Article 23-16 A designated dispute resolution organization, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order, must prepare and keep on file books in which it enters the information regarding dispute resolution services that Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order prescribe.

(報告及び立入検査)

(Reporting and On-Site Inspections)

第二十三条の十七 国土交通大臣及び内閣総理大臣は、紛争処理業務の公正かつ適確な実施の確保に必要な限度において、国土交通省令・内閣府令で定めるところにより、指定紛争処理機関に対し、紛争処理業務に関し報告をさせ、又はその職員に、指定紛争処理機関の事務所に立ち入り、紛争処理業務の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

Article 23-17 (1) The Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order, may have a designated dispute resolution organization report on dispute resolution services, and may have the relevant officials enter the offices of a designated dispute resolution organization to inspect the state of its dispute resolution services or its books and documents and other items or to question the relevant persons, within the limits of what is necessary for ensuring the fair and reliable implementation of dispute resolution services.

2 第二十三条の二第二項及び第三項の規定は、前項の規定による立入検査又は質問について準用する。

(2) Article 23-2, paragraphs (2) and (3) apply mutatis mutandis to on-site inspections and inquiry under the preceding paragraph.

(監督命令)

(Supervisory Orders)

第二十三条の十八 国土交通大臣及び内閣総理大臣は、紛争処理業務の公正かつ適確な実施を確保するため必要があると認めるときは、指定紛争処理機関に対し、紛争処理業務に関し監督上必要な命令をすることができる。

Article 23-18 On finding it to be necessary to do so in order to ensure the fair and reliable implementation of dispute resolution services, the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister may issue orders in connection with dispute resolution services as are necessary from a supervisory perspective to a designated dispute resolution organization.

(指定の取消し等)

(Revocation of Designation)

第二十三条の十九 国土交通大臣及び内閣総理大臣は、指定紛争処理機関が次の各号のいずれかに該当するときは、その指定を取り消し、又は期間を定めて紛争処理業務の全部若しくは一部の停止を命ずることができる。

Article 23-19 (1) If a designated dispute resolution organization falls under one of the following items, the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister may revoke its designation or order the suspension of all or part of its dispute resolution services during a fixed period:

一 第二十三条の五第一項各号に掲げる基準に適合していないと認めるとき。

(i) they find the organization not to satisfy the criteria set forth in items of

Article 23-5, paragraph (1);

二 第二十三条の五第三項若しくは第五項、第二十三条の七、第二十三条の八第一項、第二十三条の十、第二十三条の十三、第二十三条の十四又は第二十三条の十五第一項の規定に違反したとき。

(ii) the organization violates Article 23-5, paragraph (3) or (5); Article 23-7; Article 23-8, paragraph (1); Article 23-10; Article 23-13; Article 23-14; or Article 23-15, paragraph (1);

三 第二十三条の八第二項、第二十三条の十一第三項又は前条の規定による命令に違反したとき。

(iii) the organization violates an order under Article 23-8, paragraph (2); Article 23-11, paragraph (3); or the preceding Article;

四 第二十三条の十一第一項の認可を受けた紛争処理業務規程によらないで紛争処理業務を行つたとき。

(iv) the organization does not abide by the dispute resolution services rules that have been approved as referred to in Article 23-11, paragraph (1) when performing dispute resolution services;

五 指定紛争処理機関又はその役員が、紛争処理業務に関し著しく不適当な行為をしたとき。

(v) the organization or its officer has engaged in extremely inappropriate conduct in connection with dispute resolution services;

六 不正な手段により指定を受けたとき。

(vi) the organization got its designation through wrongful means.

2 国土交通大臣及び内閣総理大臣は、前項の規定により指定を取り消し、又は紛争処理業務の全部若しくは一部の停止を命じたときは、その旨を公示しなければならない。

(2) Having revoked a designation or ordered the suspension of all or part of dispute resolution services pursuant to the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister must issue public notice of this.

(指定紛争処理機関への情報提供等)

(Providing Information to Designated Dispute Resolution Organizations)

第二十三条の二十 国土交通大臣及び内閣総理大臣は、指定紛争処理機関に対し、紛争処理業務の実施に関し必要な情報及び資料の提供を行うものとする。

Article 23-20 The Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister are to provide a designated dispute resolution organization with the information and materials it needs to implement dispute resolution services.

(国土交通省令・内閣府令への委任)

(Delegation to Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order)

第二十三条の二十一 この節に規定するもののほか、指定紛争処理機関及び紛争処理業務に関し必要な事項は、国土交通省令・内閣府令で定める。

Article 23-21 Beyond what is provided for in this Section, Order of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Order provide for the necessary particulars of designated dispute resolution organizations and dispute resolution services.

第三節 自動車損害賠償責任保険事業及び自動車損害賠償責任共済事業 Section 3 Business of Automobile Liability Insurance; Business of Mutual Automobile Liability Insurance

(責任保険及び責任共済の契約の締結義務)

(Obligation to Conclude Contracts for Liability Insurance and Mutual Liability Insurance)

第二十四条 保険会社は、政令で定める正当な理由がある場合を除き、責任保険の契約の締結を拒絶してはならない。

Article 24 (1) An insurer must not refuse to conclude a contract for liability insurance unless it has a legitimate reason that Cabinet Order prescribes for refusing to do so.

2 組合は、次の各号に掲げる場合及び政令で定める正当な理由がある場合を除き、責任共済の契約の締結を拒絶してはならない。

(2) A cooperative must not refuse to conclude a contract for mutual liability insurance unless circumstances are as set forth in the following items or unless it has a legitimate reason that Cabinet Order prescribes for refusing to do so:

一 農業協同組合法第十条第十七項ただし書の規定に違反することとなる場合

(i) its conclusion of the contract would violate the proviso to Article 10, paragraph (17) of the Agricultural Cooperatives Act;

二 消費生活協同組合法第十二条第三項の規定に違反することとなる場合

(ii) its conclusion of the contract would violate Article 12, paragraph (3) of the Consumers' Cooperatives Act;

三 中小企業等協同組合法第九条の二第九項において読み替えて適用する同条第三項ただし書（同法第九条の九第五項において読み替えて準用する場合を含む。）の規定に違反することとなる場合

(iii) its conclusion of the contract would violate the proviso to Article 9-2, paragraph (3) of the Small and Medium-Sized Enterprise Cooperatives Act as applied following a replacement of terms pursuant to paragraph (9) of that Article (including as applied mutatis mutandis following a replacement of terms pursuant to Article 9-9, paragraph (5) of that Act).

(保険料率及び共済掛金率の基準)

(Standards for Premium Rates and Mutual Insurance Premium Rates)

第二十五条 責任保険の保険料率及び責任共済の共済掛金率は、能率的な経営の下における適正な原価を償う範囲内でできる限り低いものでなければならない。

Article 25 Liability insurance premium rates and mutual liability insurance premium rates must be as low as possible while covering the costs reasonably arising under efficient management.

(保険料率の審査等)

(Examination of Insurance Premium Rates)

第二十六条 内閣総理大臣は、保険業法第三条第一項又は第百八十五条第一項の免許の申請があつた場合において、同法第五条第一項第四号（同法第百八十七条第五項において準用する場合を含む。以下この項において同じ。）に掲げる基準に適合するかどうかの審査を行うときは、責任保険については、同法第五条第一項第四号に掲げる基準のほか、前条の規定に適合するかどうかを審査しなければならない。

Article 26 (1) When examining whether there is conformity with the criteria set forth in Article 5, paragraph (1), item (iv) of the Insurance Business Act (including as applied mutatis mutandis pursuant to Article 187, paragraph (5) of that Act; hereinafter, the same applies in this paragraph) on receipt of an application for a license as referred to in Article 3, paragraph (1) or Article 185, paragraph (1) of that Act, if the examination involves liability insurance, the Prime Minister must also examine whether there is conformity with the preceding Article beyond the criteria set forth in Article 5, paragraph (1), item (iv) of the Insurance Business Act.

2 保険業法第百二十三条第一項（同法第二百七条において準用する場合を含む。）の内閣府令で定める事項には、責任保険に係る事項は、含まれないものとする。

(2) Information with regard to liability insurance is not to be included in the information prescribed by Cabinet Office Order that is referred to in Article 123, paragraph (1) of the Insurance Business Act (including as applied mutatis mutandis pursuant to Article 207 of that Act).

3 内閣総理大臣は、保険業法第百二十三条第一項（同法第二百七条において準用する場合を含む。）の認可の申請があつた場合において、同法第二百四条（同法第二百七条において準用する場合を含む。以下この項において同じ。）の審査を行うときは、責任保険の保険料率に係る事項については、同法第二百四条第二号に定める基準のほか、前条の規定に適合するかどうかを審査しなければならない。

(3) When undertaking an examination as referred to in Article 124 of the Insurance Business Act (including as applied mutatis mutandis pursuant to Article 207 of that Act; hereinafter, the same applies in this paragraph) on receipt of an application for authorization under Article 123, paragraph (1) of that Act (including as applied mutatis mutandis pursuant to Article 207 of that Act), if the examination involves liability insurance premium rates, the Prime Minister must also examine whether there is conformity with the preceding Article, in addition to the criteria set forth in Article 124, item (ii) of the

Insurance Business Act.

第二十六条の二 責任保険については、損害保険料率算出団体に関する法律（昭和二十三年法律第百九十三号）第十条の二、第十条の三、第十条の四第二項及び第三項後段、第十条の五第四項並びに第十条の六第一項から第四項までの規定は、適用しない。

Article 26-2 (1) Article 10-2 of the Act on Non-Life Insurance Rating

Organizations (Act No. 193 of 1948) and Article 10-3; Article 10-4, paragraph (2) and the second sentence of paragraph (3); Article 10-5, paragraph (4); and Article 10-6, paragraphs (1) through (4) of that Act do not apply to liability insurance.

2 責任保険についての損害保険料率算出団体に関する法律第十条の四第一項及び第三項前段の規定の適用については、同条第一項中「基準料率を中心とした一定の範囲内の保険料率（以下この条において「範囲料率」という。）」とあるのは「基準料率」と、同条第三項前段中「範囲料率」とあるのは「基準料率」と、「認可を受け、又は同条第二項の規定による届出を行つた」とあるのは「認可を受けた」とする。

(2) To apply Article 10-4, paragraph (1) and the first sentence of paragraph (3) of the Act on Non-Life Insurance Rating Organizations to liability insurance, the phrase "insurance premium rate within a certain range whose center is the standard rate (hereinafter referred to as the "range rates" in this Article)" in paragraph (1) of that Article is deemed to be replaced with "standard rate"; the term "range rates" in the first sentence of paragraph (3) of that Article is deemed to be replaced with "standard rate"; and the phrase "authorized or notified pursuant to paragraph (2) of that Article" in the that sentence is deemed to be replaced with "authorized".

3 責任保険についての損害保険料率算出団体に関する法律第十条の五第一項から第三項までの規定の適用については、同条第一項中「第十条の二第一項及び第二項に規定する期間が経過し、かつ、当該基準料率が第八条の規定に適合していると認めるとき」とあるのは「当該基準料率が第八条及び自動車損害賠償保障法（昭和三十年法律第九十七号）第二十五条の規定に適合していると認めるとき」と、同条第二項中「第十条の三第一項又は第二項の規定による意見聴取及び適合性審査」とあるのは「第八条及び自動車損害賠償保障法第二十五条の規定に適合するかどうかについての審査」と、同条第三項中「基準料率が第八条の規定に適合しないと認めるとき」とあるのは「基準料率が第八条又は自動車損害賠償保障法第二十五条の規定に適合しないと認めるとき」とする。

(3) To apply Article 10-5, paragraphs (1) through (3) of the Act on Non-Life Insurance Rating Organization to liability insurance, the phrase "if the period prescribed in Article 10-2, paragraphs (1) and (2) passes and the Prime Minister finds the standard rate to conform to Article 8" in paragraph (1) of that Article is deemed to be replaced with "if the Prime Minister finds the standard rate to conform to Article 8 of this Act and to Article 25 of the Act on Securing Compensation for Automobile Accidents (Act No. 97 of 1955)"; the

phrase "hearing of opinions and conformity examination under Article 10-3, paragraph (1) or (2)" in paragraph (2) of that Article is deemed to be replaced with "examination of whether there is conformity with Article 8 of this Act and Article 25 of the Act on Securing Compensation for Automobile Accidents"; and the phrase "if the Prime Minister finds the standard rate not to conform to Article 8" in paragraph (3) of that Article is deemed to be replaced with "if the Prime Minister finds the standard rate not to conform to Article 8 of this Act or Article 25 of the Act on Securing Compensation for Automobile Accidents".

第二十六条の三 内閣総理大臣は、責任保険の保険料が能率的な経営の下における適正な原価を超えると認めるときは、保険会社又は損害保険料率算出団体に関する法律第二条第一項第三号に規定する損害保険料率算出団体に対して、責任保険の保険料率又は同項第六号に掲げる基準料率（第二十八条及び第二十九条の二において「基準料率」という。）の変更を命ずることができる。

Article 26-3 On finding liability insurance premiums to exceed the costs that would reasonably arise under efficient management, the Prime Minister may order an insurer or a non-life insurance rating organization as prescribed in Article 2, paragraph (1), item (iii) of the Act on Non-Life Insurance Rating Organizations to change liability insurance premium rates or the standard rates set forth in item (vi) of that paragraph (referred to as "standard rates" in Articles 28 and 29-2).

（農業協同組合等の行う責任共済の事業に係る共済規程の審査等）

(Examination of Mutual Insurance Rules Governing the Mutual Liability Insurance Business in Which an Agricultural Cooperatives Is Engaged)

第二十七条 行政庁（農業協同組合法第九十八条第一項に規定する行政庁をいい、同条第十五項の規定により農林水産大臣の権限に属する事務を行うこととされた都道府県知事を含むものとする。）は、責任共済の事業（責任共済の契約によつて負う共済責任の再共済（以下「再共済」という。）の事業又は再共済の契約によつて負う再共済責任の再再共済（以下「再再共済」という。）の事業を含む。以下同じ。）を行おうとする農業協同組合等に対し、同法第十一条の十七第一項の規定により責任共済の事業についての共済規程の承認を行おうとする場合には、当該農業協同組合等が第一号及び第二号に掲げる基準に適合するかどうかなど並びに当該共済規程に記載された事項のうち事業の実施方法、共済契約又は共済掛金に係るものが第三号に掲げる基準に適合するかどうかを審査しなければならない。

Article 27 (1) Before granting approval to an agricultural cooperative, etc. seeking to engage in the mutual liability insurance business (including the business of providing reinsurance for the mutual insurance liabilities assumed under contracts for mutual liability insurance (hereinafter referred to as "mutual reinsurance") or the business of providing retrocession for mutual reinsurance liabilities assumed under contracts for mutual reinsurance

(hereinafter referred to as "mutual retrocession"); the same applies hereinafter), pursuant to Article 11-17, paragraph (1) of the Agricultural Cooperatives Act, for mutual insurance rules governing its mutual liability insurance business, an administrative agency (meaning an administrative agency as provided for in Article 98, paragraph (1) of the Agricultural Cooperatives Act, and including the prefectural governor to whom functions under the authority of the Minister of Agriculture, Forest and Fisheries are delegated pursuant to paragraph (15) of that Article) must examine whether the agricultural cooperative, etc. conforms to the criteria set forth in items (i) and (ii) and whether the particulars set forth in the mutual insurance rules with respect to its way of conducting business, mutual insurance contracts, and mutual insurance premiums conform to the criteria set forth in item (iii):

一 当該農業協同組合等が責任共済の事業を健全かつ効率的に遂行するに足りる財産的基礎を有し、かつ、責任共済の事業に係る収支の見込みが良好であること。

(i) the agricultural cooperative, etc. has a sufficient financial base to soundly and efficiently implement the business of mutual liability insurance, and it has favorable prospective income and expenditures in that business;

二 当該農業協同組合等が、その人的構成等に照らして、責任共済の事業を的確、公正かつ効率的に遂行することができる知識及び経験を有し、かつ、十分な社会的信用を有する者であること。

(ii) in light of such things as personnel structure, the agricultural cooperative, etc. has the knowledge and experience to allow it to accurately, fairly, and efficiently implement the business of mutual liability insurance, and it also has sufficient social credibility;

三 共済規程に記載された事項が次に掲げる基準に適合するものであること。

(iii) the particulars set forth in the mutual insurance rules conform to the following criteria:

イ 共済契約の内容が、共済契約者、被共済者、共済金額を受け取るべき者その他の関係者（以下この号において「共済契約者等」という。）の保護に欠けるおそれのないものであること。

(a) it is unlikely that the content of the mutual insurance contract will result in a lack of protection for the mutual insurance policyholder, the person insured under the mutual insurance, the person that would receive the amount insured under mutual insurance, and any other relevant person (hereinafter referred to as "mutual insurance policyholder or other relevant person" in in this item);

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

(b) the particulars set forth in the mutual insurance rules do not subject a specific group of persons to unfairly differential treatment as regards the content of mutual insurance contracts;

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

(c) it is unlikely that the content of the mutual insurance contract will encourage or induce conduct that contravenes public policy;

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

(d) the rights and obligations of the mutual insurance policyholder or other relevant person and other content of the mutual insurance contract have been clearly and simply set forth for the mutual insurance policyholder or other relevant person;

ホ 共済掛金が、第二十五条の規定に適合しているほか、合理的かつ妥当なものであり、また特定の者に対して不当な差別的取扱いをするものでないこと。

(e) mutual insurance premiums conform to Article 25 and are reasonable and proper, and do not subject a specific group of persons to unfairly differential treatment;

ヘ その他農林水産省令で定める基準

(f) the criteria that Order of the Ministry of Agriculture, Forestry and Fisheries prescribes.

2 前項に規定する行政庁は、責任共済の事業を行う農業協同組合等に対し農業協同組合法第十一条の十七第三項の規定により責任共済の事業についての共済規程の変更の承認を行おうとする場合には、共済規程に記載された事項のうち事業の実施方法、共済契約又は共済掛金に係るものが前項第三号に掲げる基準に適合するかどうかを審査しなければならない。

(2) Before granting approval to an agricultural cooperative, etc. that is engaged in the mutual liability insurance business, pursuant to Article 11-17, paragraph (3) of the Agricultural Cooperatives Act, to amend the mutual insurance rules that govern its mutual liability insurance business, an administrative agency as prescribed in the preceding paragraph must examine whether the particulars set forth in the mutual insurance rules with respect to its way of conducting business, mutual insurance contracts, and mutual insurance premiums conform to the criteria set forth in item (iii) of the preceding paragraph.

3 第一項に規定する行政庁は、責任共済の共済掛金が能率的な経営の下における適正な原価を超えると認めるときは、農業協同組合等に対して、責任共済の共済掛金率の変更を命ずることができる。

(3) On finding that mutual liability insurance premiums exceed the costs that would reasonably arise under efficient management, an administrative agency as prescribed in paragraph (1) may order an agricultural cooperative, etc. to change the mutual liability insurance premium rates.

(消費生活協同組合等及び事業協同組合等の行う責任共済の事業に係る共済事業規約

の審査等)

(Examination of Mutual Insurance Business Bylaws Governing the Mutual Liability Insurance Business in Which a Consumer Cooperatives or a Business Cooperatives Is Engaged)

第二十七条の二 前条の規定は、消費生活協同組合等が責任共済の事業を行う場合について準用する。この場合において、同条中「行政庁（農業協同組合法第九十八条第一項に規定する行政庁をいい、同条第十五項の規定により農林水産大臣の権限に属する事務を行うこととされた都道府県知事を含むものとする。）」とあるのは「行政庁（消費生活協同組合法第九十七条に規定する行政庁をいい、同法第九十七条の二の規定により厚生労働大臣の権限に属する事務を行うこととされた都道府県知事を含むものとする。）」と、「農業協同組合等」とあるのは「消費生活協同組合等」と、「同法第十一条の十七第一項の規定により責任共済の事業についての共済規程の承認」とあるのは「同法第四十条第五項の規定により責任共済の事業についての規約（以下「共済事業規約」という。）の設定の認可」と、「共済規程」とあるのは「共済事業規約」と、「農林水産省令」とあるのは「厚生労働省令」と、「農業協同組合法第十一条の十七第三項の規定により責任共済の事業についての共済規程の変更の承認」とあるのは「消費生活協同組合法第四十条第五項の規定により責任共済の事業についての共済事業規約の変更の認可」と読み替えるものとする。

Article 27-2 (1) The preceding Article applies mutatis mutandis if a consumer cooperative, etc. is engaged in the mutual liability insurance business. In such a case, the phrase "an administrative agency (meaning an administrative agency as provided for in Article 98, paragraph (1) of the Agricultural Cooperatives Act, and including the prefectural governor to whom functions under the authority of the Minister of Agriculture, Forest and Fisheries are delegated pursuant to paragraph (15) of that Article)" in the preceding Article is deemed to be replaced with "an administrative agency (meaning an administrative agency as provided in Article 97 of the Consumers' Cooperatives Act, and including the prefectural governor to whom functions under the authority of the Minister of Health, Labour and Welfare are delegated pursuant to Article 97-2 of that Act)"; the term "agricultural cooperative, etc." is deemed to be replaced with "consumer cooperative, etc."; the term "approval" is deemed to be replaced with "authorization"; the phrase "pursuant to Article 11-17, paragraph (1) of the Agricultural Cooperatives Act, for mutual insurance rules that govern mutual liability insurance business" is deemed to be replaced with "pursuant to Article 40, paragraph (5) of that Act, for the establishment of bylaws governing the mutual liability insurance business (hereinafter referred to as 'mutual insurance business bylaws')"; the term "mutual insurance rules" is deemed to be replaced with "mutual insurance business bylaws"; the phrase "Order of the Ministry of Agriculture, Forestry and Fisheries" is deemed to be replaced with "Order of the Ministry of Health, Labour and Welfare"; the term "approval" is deemed to be replaced with "authorization"; and the phrase

"pursuant to Article 11-17, paragraph (3) of the Agricultural Cooperatives Act, to amend the mutual insurance rules that govern its mutual liability insurance business" is deemed to be replaced with "pursuant to Article 40, paragraph (5) of the Consumers' Cooperatives Act, to amend the mutual insurance business bylaws that govern its mutual liability insurance business".

2 前条の規定は、事業協同組合等が責任共済の事業を行う場合について準用する。この場合において、同条中「行政庁（農業協同組合法第九十八条第一項に規定する行政庁をいい、同条第十五項の規定により農林水産大臣の権限に属する事務を行うこととされた都道府県知事を含むものとする。）」とあるのは「行政庁（中小企業等協同組合法第百十一条第一項に規定する行政庁をいい、同条第三項の規定により主務大臣の権限に属する事務を行うこととされた都道府県知事及び同条第四項の規定により主務大臣の権限の一部を委任された地方支分部局の長を含むものとする。）」と、「農業協同組合等」とあるのは「事業協同組合等」と、「同法第十一条の十七第一項の規定により責任共済の事業についての共済規程の承認」とあるのは「同法第九条の六の二第一項（同法第九条の九第五項において準用する場合を含む。）の規定により責任共済の事業についての共済規程の認可」と、「農林水産省令」とあるのは「事業所管大臣が定める省令」と、「農業協同組合法第十一条の十七第三項の規定により責任共済の事業についての共済規程の変更の承認」とあるのは「中小企業等協同組合法第九条の六の二第四項（同法第九条の九第五項において準用する場合を含む。）の規定により責任共済の事業についての共済規程の変更の認可」と読み替えるものとする。

(2) The preceding Article applies mutatis mutandis if a business cooperative, etc. is engaged in the mutual liability insurance business. In such a case, the term "an administrative agency (meaning an administrative agency as provided for in Article 98, paragraph (1) of the Agricultural Cooperatives Act, and including the prefectural governor to whom functions under the authority of the Minister of Agriculture, Forest and Fisheries are delegated pursuant to paragraph (15) of that Article)" in the preceding Article is deemed to be replaced with "an administrative agency (meaning an administrative agency as provided for in Article 111, paragraph (1) of the Small and Medium-Sized Enterprise Cooperatives Act, and including the prefectural governor to whom functions under the authority of the competent minister are delegated pursuant to paragraph (3) of that Article and the chief officer of the local branch office to whom a part of the authority of the competent minister is delegated pursuant to paragraph (4) of that Article)"; the term "agricultural cooperative, etc." is deemed to be replaced with "business cooperative, etc."; the term "approval" is deemed to be replaced with "authorization"; the phrase "pursuant to Article 11-17, paragraph (1) of the Agricultural Cooperatives Act, for mutual insurance rules that govern mutual liability insurance business" is deemed to be replaced with "pursuant to Article 9-6-2, paragraph (1) of that Act (including as applied mutatis mutandis pursuant to Article 9-9, paragraph (5) of that Act), for mutual insurance rules that govern mutual liability insurance business"; the

phrase "Order of the Ministry of Agriculture, Forestry and Fisheries" is deemed to be replaced with "order of the competent Minister for the business"; the term "approval" is deemed to be replaced with "authorization"; and the phrase "pursuant to Article 11-17, paragraph (3) of the Agricultural Cooperatives Act, to amend the mutual insurance rules that govern its mutual liability insurance business" is deemed to be replaced with "pursuant to Article 9-6-2, paragraph (4) of the Small and Medium-Sized Enterprise Cooperatives Act (including as applied mutatis mutandis pursuant to Article 9-9, paragraph (5) of that Act), to amend the mutual insurance rules that govern its mutual liability insurance business".

(同意)

(Consent)

第二十八条 内閣総理大臣は、保険業法第三条第一項又は第百八十五条第一項の免許の申請があつた場合（責任保険について、同法第五条第一項第三号及び第四号（これらの規定を同法第百八十七条第五項において準用する場合を含む。）に掲げる基準並びに第二十五条の規定に適合するかどうかについて審査する必要がある場合に限る。）において、当該免許をしようとするときは、あらかじめ、国土交通大臣の同意を得るものとする。

Article 28 (1) Having received an application for a license as referred to in Article 3, paragraph (1) or Article 185, paragraph (1) of the Insurance Business Act (but only if it is necessary to examine whether liability insurance conforms to both the criteria set forth in Article 5, paragraph (1), items (iii) and (iv) of that Act (including as applied mutatis mutandis pursuant to Article 187, paragraph (5) of that Act) and to Article 25), before issuing that license, the Prime Minister must first obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism to do so.

2 内閣総理大臣は、保険業法第四条第二項第三号若しくは第四号又は第百八十七条第三項第三号若しくは第四号に掲げる書類に定めた事項のうち責任保険に関する部分について、同法第百二十三条第一項（同法第二百七条において準用する場合を含む。）の規定による認可又は同法第百三十一条若しくは第二百三条の規定による命令をしようとするときは、あらかじめ、国土交通大臣の同意を得るものとする。

(2) Before granting the authorization under Article 123, paragraph (1) of the Insurance Business Act (including as applied mutatis mutandis pursuant to Article 207 of that Act) or issuing an order under Article 131 or 203 of that Act with respect to a particular of the liability insurance that has been established in a document set forth in Article 4, paragraph (2), item (iii) or (iv) or Article 187, paragraph (3), item (3) or (iv) of that Act, the Prime Minister must first obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism to do so.

3 内閣総理大臣は、責任保険の基準料率について、損害保険料率算出団体に関する法

律第九条の三第一項の規定による届出があつた場合において、第二十六条の二第三項の規定により読み替えて適用する同法第十条の五第一項の規定により同法第十条の四第一項に規定する九十日を経過する日までの期間を相当と認める期間に短縮しようとするときは、あらかじめ、国土交通大臣の同意を得るものとする。同法第十条の五第三項の規定による命令をしないこととするときについても、同様とする。

(3) Having been notified under Article 9-3, paragraph (1) of the Act on Non-Life Insurance Rating Organizations of the standard rates for liability insurance, and before shortening the period that ends on the day marking the passage of 90 days as prescribed in Article 10-4, paragraph (1) of that Act, pursuant to Article 10-5, paragraph (1) of that Act as applied following the replacement of terms pursuant to Article 26-2, paragraph (3), to a period found to be reasonable, the Prime Minister must first obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism to do so. The same applies with respect to a decision not to give an order as under Article 10-5, paragraph (3) of that Act.

4 内閣総理大臣は、責任保険の保険料率又は基準料率に関し、第二十六条の三の規定による変更命令又は損害保険料率算出団体に関する法律第十条の六第五項の規定による命令をしようとするときは、あらかじめ、国土交通大臣の同意を得るものとする。

(4) Before issuing an order under Article 26-3 to change the premium rates or standard rate for liability insurance or issuing an order under Article 10-6, paragraph (5) of the Act on Non-Life Insurance Rating Organizations, the Prime Minister must first obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism to do so.

5 内閣総理大臣は、保険会社がこの法律若しくはこの法律に基づく命令若しくはこれらに基づく処分に違反し、又は責任保険の保険約款若しくは保険料率について保険業法若しくは損害保険料率算出団体に関する法律若しくはこれらに基づく命令若しくはこれらに基づく処分に違反した場合において、保険業法第百三十三条又は第二百五条の規定による処分をしようとするときは、あらかじめ、国土交通大臣の同意を得るものとする。

(5) If an Insurer violates this Act, an order based on this Act, or a disposition based on either of these, or if an insurer violates the Insurance Business Act, the Act on Non-Life Insurance Rating Organizations, an order based on those Acts, or a disposition based on any of these, with respect to the general conditions of liability insurance or the liability insurance premium rates, the Prime Minister, before reaching a disposition under Article 133 or 205 of the Insurance Business Act, must first obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism to do so.

(同意及び協議)

(Consent and Consultation)

第二十八条の二 第二十七条第一項に規定する行政庁は、責任共済の事業についての共

済規程のうち事業の実施方法、共済契約又は共済掛金に係るものに関し、次の各号に掲げる処分をしようとするときは、あらかじめ、国土交通大臣及び内閣総理大臣の同意を得るものとする。

Article 28-2 (1) Before reaching a disposition as set forth in the following items in connection with a part of the mutual insurance rules governing a person's mutual liability insurance business that concern that person's way of conducting business, mutual insurance contracts, or mutual insurance premiums, an administrative agency as prescribed in Article 27, paragraph (1) must first obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister to do so:

一 第二十七条第三項の規定による変更命令

(i) an order for a change under Article 27, paragraph (3);

二 農業協同組合法第十一条の十七第一項又は第三項の規定による承認

(ii) approval under Article 11-17, paragraph (1) or (3) of the Agricultural Cooperatives Act; or

三 農業協同組合法第九十四条の二第二項又は第九十五条の規定による処分

(iii) a disposition under Article 94-2, paragraph (2) or Article 95 of the Agricultural Cooperatives Act.

2 前項に規定する行政庁は、責任共済の事業についての共済規程のうち事業の実施方法、共済契約又は共済掛金に係るものに関し、農業協同組合法第十一条の十七第二項の農林水産省令を制定し、又は変更しようとするときは、あらかじめ、国土交通大臣及び内閣総理大臣に協議するものとする。

(2) Before enacting or amending an Order of the Ministry of Agriculture, Forestry and Fisheries as referred to in Article 11-17, paragraph (2) of the Agricultural Cooperatives Act in connection with the part of the mutual insurance rules governing a person's mutual liability insurance business that concern that person's way of conducting business, mutual insurance contracts, or mutual insurance premiums, an administrative agency as prescribed in the preceding paragraph must first consult with the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister to do so.

3 第二十七条の二第一項において読み替えて準用する第二十七条第一項に規定する行政庁は、責任共済の事業についての共済事業規約のうち事業の実施方法、共済契約又は共済掛金に係るものに関し、次の各号に掲げる処分をしようとするときは、あらかじめ、国土交通大臣及び内閣総理大臣の同意を得るものとする。

(3) Before reaching a disposition as set forth in one of the following items in connection with the part of the mutual insurance business bylaws governing a person's mutual liability insurance business that concerns that person's way of conducting business, mutual insurance contracts, or mutual insurance premiums, an administrative agency as prescribed in Article 27, paragraph (1) as applied mutatis mutandis following a replacement of terms pursuant to Article 27-2, paragraph (1), must first obtain the consent of the Minister of

Land, Infrastructure, Transport and Tourism and the Prime Minister to do so:
一 第二十七条の二第一項において読み替えて準用する第二十七条第三項の規定による変更命令

(i) an order for a change under Article 27, paragraph (3), as applied mutatis mutandis following a replacement of terms pursuant to Article 27-2, paragraph (1);

二 消費生活協同組合法第四十条第五項の規定による認可

(ii) authorization under Article 40, paragraph (5) of the Consumers' Cooperatives Act;

三 消費生活協同組合法第九十四条の二第一項、第二項、第四項若しくは第五項又は第九十五条第一項若しくは第二項の規定による処分

(iii) a disposition under Article 94-2, paragraph (1), (2), (4), or (5), or Article 95, paragraph (1) or (2) of the Consumers' Cooperatives Act.

4 前項に規定する行政庁は、責任共済の事業についての共済事業規約のうち事業の実施方法、共済契約又は共済掛金に係るものに関し、消費生活協同組合法第二十六条の三第二項の規定により読み替えて適用される同条第一項の厚生労働省令を制定し、又は変更しようとするときは、あらかじめ、国土交通大臣及び内閣総理大臣に協議するものとする。

(4) Before enacting or amending an Order of the Ministry of Health, Labour and Welfare as referred to in Article 26-3, paragraph (1) of the Consumers' Cooperatives Act as applied following a replacement of terms pursuant to paragraph (2) of that Article, in connection with the part of the mutual insurance business bylaws governing a person's mutual liability insurance business that concerns that person's way of conducting business, mutual insurance contracts, or mutual insurance premiums, an administrative agency as prescribed in the preceding paragraph must first consult with the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister to do so.

5 第二十七条の二第二項において読み替えて準用する第二十七条第一項に規定する行政庁は、責任共済の事業についての共済規程のうち事業の実施方法、共済契約又は共済掛金に係るものに関し、次の各号に掲げる処分をしようとするときは、あらかじめ、国土交通大臣及び内閣総理大臣の同意を得るものとする。

(5) Before reaching a disposition as set forth in one of the following items in connection with a part of the mutual insurance rules governing a person's mutual liability insurance business that concerns that person's way of conducting business, mutual insurance contracts, or mutual insurance premiums, an administrative agency as prescribed in Article 27, paragraph (1) as applied mutatis mutandis following a replacement of terms pursuant to Article 27-2, paragraph (2), must first obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister to do so:

一 第二十七条の二第二項において読み替えて準用する第二十七条第三項の規定によ

る変更命令

(i) an order for a change under Article 27, paragraph (3) as applied mutatis mutandis following a replacement of terms pursuant to Article 27-2, paragraph (2);

二 中小企業等協同組合法第九条の六の二第一項又は第四項（同法第九条の九第五項において準用する場合を含む。）の規定による認可

(ii) authorization under Article 9-6-2, paragraph (1) or (4) of the Small and Medium-Sized Enterprise Cooperatives Act (including as applied mutatis mutandis pursuant to Article 9-9, paragraph (5) of that Act);

三 中小企業等協同組合法第百六条第一項又は第百六条の二第一項、第二項、第四項及び第五項の規定による処分

(iii) a disposition under Article 106, paragraph (1) or Article 106-2, paragraph (1), (2), (4), or (5) of the Small and Medium-Sized Enterprise Cooperatives Act.

6 前項に規定する行政庁は、責任共済の事業についての共済規程のうち事業の実施方法、共済契約又は共済掛金に係るものに関し、中小企業等協同組合法第九条の六の二第三項の規定により読み替えて適用する同条第二項（同法第九条の九第五項において準用する場合を含む。）の省令を制定し、又は変更しようとするときは、あらかじめ、国土交通大臣及び内閣総理大臣に協議するものとする。

(6) Before enacting or amending an Order as referred to in Article 9-6-2, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act as applied following a replacement of terms pursuant to paragraph (3) of that Article (including as applied mutatis mutandis pursuant to Article 9, paragraph (5) of that Act) in connection with a part the mutual insurance rules governing a person's mutual liability insurance business that concerns that person's way of conducting business, mutual insurance contracts, or mutual insurance premiums, an administrative agency as prescribed in the preceding paragraph must first consult with the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister to do so.

(準備金)

(Reserves)

第二十八条の三 保険会社は、保険業法第百十六条の規定にかかわらず、責任保険の事業から生じた収支差額及び運用益については、その全額を主務省令で定める準備金として積み立てるものとする。この場合において、積み立てた準備金は、責任保険の事業の収支の不足のてん補に充てる場合その他主務省令で定める場合を除き、取り崩してはならない。

Article 28-3 (1) Notwithstanding Article 116 of the Insurance Business Act, an insurer is to set aside the full balance of income and expenditures and investment profits generated by the liability insurance business as the reserves provided for by Order of the competent ministry. In such a case, the reserves

set aside must not be drawn upon other than to compensate for a shortage of income and expenditures from the liability insurance business and in other cases provided for by Order of the competent ministry.

- 2 前項の規定は、農業協同組合等に準用する。この場合において、同項中「保険会社」とあるのは「農業協同組合等」と、「保険業法第百十六条の規定にかかわらず」とあるのは「農業協同組合法第十一条の三十二の規定にかかわらず」と、「責任保険の事業」とあるのは「責任共済の事業」と読み替えるものとする。
- (2) The preceding paragraph applies mutatis mutandis to agricultural cooperatives, etc.. In this case, the term "insurer" in the same paragraph is deemed to be replaced with "agricultural cooperative, etc."; the phrase "notwithstanding Article 116 of the Insurance Business Act" is deemed to be replaced with "notwithstanding Article 11-32 of the Agricultural Cooperatives Act"; and the phrase "the liability insurance business" is deemed to be replaced with "the mutual liability insurance business".
- 3 第一項の規定は、消費生活協同組合等に準用する。この場合において、同項中「保険会社」とあるのは「消費生活協同組合等」と、「保険業法第百十六条の規定にかかわらず」とあるのは「消費生活協同組合法第五十条の七の規定にかかわらず」と、「責任保険の事業」とあるのは「責任共済の事業」と読み替えるものとする。
- (3) Paragraph (1) applies mutatis mutandis to consumer cooperatives, etc. In such a case, the term "insurer" in that paragraph is deemed to be replaced with "consumer cooperative, etc."; the phrase "Notwithstanding Article 116 of the Insurance Business Act" is deemed to be replaced with "Notwithstanding Article 50-7 of the Consumers' Cooperatives Act"; and the phrase "the liability insurance business" is deemed to be replaced with "the mutual liability insurance business".
- 4 第一項の規定は、事業協同組合等に準用する。この場合において、同項中「保険会社」とあるのは「事業協同組合等」と、「保険業法第百十六条の規定にかかわらず、責任保険の事業」とあり、「責任保険の事業」とあるのは「責任共済の事業」と読み替えるものとする。
- (4) Paragraph (1) applies mutatis mutandis to business cooperatives, etc. In such a case, the term "insurer" in that paragraph is deemed to be replaced with "business cooperative, etc."; the phrase "Notwithstanding Article 116 of the Insurance Business Act" is deemed to be deleted; and the phrase "the liability insurance business" is deemed to be replaced with "the mutual liability insurance business".
- 5 第一項（前三項において準用する場合を含む。）の主務省令は、内閣総理大臣、厚生労働大臣、農林水産大臣、国土交通大臣及び事業所管大臣が共同で発する命令とする。
- (5) , Order of the competent ministry as referred to in paragraph (1) (including as applied mutatis mutandis pursuant to the preceding three paragraphs),is to means an order jointly issued by the Prime Minister; the Minister of Health,

Labour and Welfare; the Minister of Agriculture, Forestry and Fisheries; the Minister of Land, Infrastructure, Transport and Tourism; and the competent Minister for the business.

(共同プール事務)

(Jointly Pooled Administrative Processes)

第二十八条の四 保険会社及び組合（責任共済の契約の締結により負う共済責任の全部を他の組合に再共済する契約を締結した組合及び当該再共済の契約の締結により負う再共済責任の全部を他の組合に再再共済する契約を締結した組合を除く。以下この条において同じ。）は、次の各号に掲げる方法により、相互間で共同して、保険料、保険金等の計算、配分及び徴収をする事務（以下この条において「共同プール事務」という。）を行うものとする。

Article 28-4 (1) Insurers and cooperatives (other than any cooperative that has entered into a mutual reinsurance agreement pursuant to which another cooperative bears all of the mutual insurance liabilities it had assumed pursuant to contracts for mutual liability insurance; and other than any cooperative that has entered into a mutual retrocession agreement pursuant to which another cooperative bears all of the mutual reinsurance liabilities it had assumed pursuant to a mutual reinsurance agreement; hereinafter the same applies in this Article) are to jointly perform the work of calculating, distributing, and collecting insurance premiums and insurance proceeds and damages among themselves (hereinafter referred to as "jointly pooled administrative processes" in this Article) as follows:

一 責任保険の保険料その他この法律の規定により保険会社が収受したもの又は責任共済の共済掛金、再共済の再共済掛金若しくは再再共済の再再共済掛金その他この法律の規定により組合が収受したものから、第七十八条の規定により政府に納付したものと並びに保険会社の責任保険の事業を行うための費用（保険料から将来の保険金の支払に充てられると見込まれるもの及び同条の規定により政府に納付すべきものとされるものを控除した残額をいう。）又は組合の責任共済の事業を行うための費用（共済掛金、再共済掛金又は再再共済掛金から将来の共済金、再共済金又は再再共済金の支払に充てられると見込まれるもの及び同条の規定により政府に納付すべきものとされるものを控除した残額をいう。）を控除した残額を、次項の規約において保険会社及び組合別に定める割合（以下この条において「配分率」という。）に応じて保険会社及び組合に対して配分すること。

(i) by allocations being made to insurers and cooperatives in accordance with the percentages prescribed in the rules referred to in the following paragraph for each insurer and cooperative (hereinafter referred to as "allocation rates" in this Article), in connection with any amount remaining when what insurers have paid to the government pursuant to Article 78, as well as insurers' costs to engage in the liability insurance business (meaning the amount remaining when what is expected to be paid in the form of future

insurance proceeds, as well as what it is decided insurers must pay to the government pursuant to that Article, is deducted from insurance premiums) are deducted from the liability insurance premiums and other monies that insurers have collected pursuant to this Act; and in connection with any amount remaining when what cooperatives have paid to the government pursuant to Article 78, as well as cooperatives' costs to engage in the mutual liability insurance business (meaning the amount remaining when what is expected to be paid in the form of future mutual insurance proceeds, future mutual reinsurance proceeds, and future mutual retrocession proceeds, as well as what it is decided cooperatives must pay to the government pursuant to that Article, is deducted from mutual insurance premiums, mutual reinsurance premiums, and mutual retrocession premiums) are deducted from the mutual liability insurance premiums, mutual reinsurance premiums, mutual retrocession premiums, and other monies that cooperatives have collected pursuant to this Act;

二 保険金その他この法律の規定により若しくは責任保険の契約に定めるところにより保険会社が支払ったもの又は共済金、再共済金若しくは再再共済金その他この法律の規定により若しくは責任共済、再共済若しくは再再共済の契約に定めるところにより組合が支払ったものから、第十六条第四項又は第十七条第四項（これらの規定を第二十三条の三第一項において準用する場合を含む。）の規定により政府から收受したものを控除した残額を配分率に応じて保険会社及び組合から徴収すること。

(ii) by monies being collected from insurers and cooperatives in accordance with allocation rates, in connection with any amount remaining when what insurers have received from the government pursuant to Article 16, paragraph (4) and Article 17, paragraph (4) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)) is deducted from insurance proceeds and anything that insurers have paid based on this Act or based on their contracts for liability insurance; and in connection with any amount remaining when what cooperatives have received from the government pursuant to those provisions is deducted from mutual insurance proceeds, mutual reinsurance proceeds, mutual retrocession proceeds, and anything that cooperatives have paid based on this Act or based their contracts for mutual liability insurance, mutual reinsurance agreements, and mutual retrocession agreements.

2 保険会社及び組合は、配分率その他共同プール事務に関し必要な事項を定める規約を作成し、保険会社にあつては国土交通大臣及び内閣総理大臣に、組合にあつては国土交通大臣及び当該組合を所管する厚生労働大臣、農林水産大臣又は事業所管大臣に届け出なければならない。当該規約の変更をしたときも、同様とする。

(2) Insurers and cooperatives must formulate rules establishing allocation rates and other necessary particulars of the jointly pooled administrative processes; an insurer must report these rules to the Minister of Land, Infrastructure,

Transport and Tourism and the Prime Minister; and a cooperative must report these rules to the Minister of Land, Infrastructure, Transport and Tourism and to whichever minister among the Minister of Health, Labour and Welfare; the Minister of Agriculture, Forestry and Fisheries; or the competent Minister for the business has jurisdiction over that cooperative. The same applies if they change those rules.

3 国土交通大臣は、共同プール事務の運営状況を把握するため、その必要の限度において、保険会社又は組合に対し、当該共同プール事務に関し必要な報告又は資料の提出を求めることができる。この場合において、国土交通大臣は、あらかじめ、当該保険会社又は組合を所管する内閣総理大臣又は厚生労働大臣、農林水産大臣若しくは事業所管大臣に協議するものとする。

(3) The Minister of Land, Infrastructure, Transport and Tourism may ask an insurer or cooperative to submit the necessary reports or materials for assessing the operational status of jointly pooled administrative processes, to the extent that this is necessary. To do so, the Minister of Land, Infrastructure, Transport and Tourism is to first consult with whichever minister among the Prime Minister; the Minister of Health, Labour and Welfare; the Minister of Agriculture, Forestry and Fisheries; or the competent Minister for the business has jurisdiction over the insurer or the cooperative.

4 国土交通大臣並びに内閣総理大臣、厚生労働大臣、農林水産大臣及び事業所管大臣は、第二項の規定により届出を受けた規約の内容が法令に違反し、若しくは特定の者に対して不当な差別的取扱いをするものであると認めるとき、又は共同プール事務が適正に行われていないと認めるときは、保険会社又は組合に対し、共同して、規約の変更その他必要な措置を採るべき旨を命ずることができる。

(4) On finding that the content of the rules reported pursuant to paragraph (2) violates a law or regulation or that it subjects a specific group of persons to unfairly differential treatment, or on finding that jointly pooled administrative processes are not being performed properly, the Minister of Land, Infrastructure, Transport and Tourism and the Prime Minister; the Minister of Health, Labour and Welfare; the Minister of Agriculture, Forestry and Fisheries; and the competent Minister for the business may jointly order an insurer or cooperative to amend those rules or to take other necessary measures.

(共同行為に関する通知)

(Notification of Concerted Action)

第二十九条 内閣総理大臣は、保険業法第一百一条第一項第一号（同法第九十九条において準用する場合を含む。）に掲げる責任保険の事業に関する共同行為に関して、同法第二条第一項（同法第九十九条において準用する場合を含む。）の規定による認可をしたときは、その旨を国土交通大臣に通知するものとする。

Article 29 Having given authorization under Article 102, paragraph (1) of the

Insurance Business Act (including as applied mutatis mutandis pursuant to Article 199 of that Act) with regard to a concerted action involved in the liability insurance business as set forth in Article 101, paragraph (1), item (i) of that Act (including as applied mutatis mutandis pursuant to Article 199 of that Act), the Prime Minister must notify the Minister of Land, Infrastructure, Transport and Tourism of this.

(損害率等の報告義務)

(Duty to Report Damage Rates)

第二十九条の二 保険会社及び組合は、内閣府令で定めるところにより、損害保険料率算出団体であつて責任保険の基準料率の算出を行うもののうち内閣総理大臣の指定するもの（次項において「料率団体」という。）に対して、損害率その他責任保険の保険料率又は責任共済の共済掛金率の算出に関し必要な事項を報告しなければならない。

Article 29-2 (1) Insurers and cooperatives, pursuant to Cabinet Office Order, must report damage rates and other necessary information for calculating liability insurance premium rates and mutual liability insurance premium rates to the Non-Life Insurance Rating Organization that the Prime Minister designates from among those that calculate standard rates for liability insurance (in the following paragraph, referred to as the "rating organization").

2 組合は、料率団体に対し、責任保険の基準料率の算出の基礎となつた資料の提供を求めることができる。

(2) A cooperative may request the rating organization to provide the materials based on which the standard rates for liability insurance were calculated.

3 内閣総理大臣は、第一項の内閣府令を制定し、又は変更しようとするときは、あらかじめ、国土交通大臣並びに厚生労働大臣、農林水産大臣及び事業所管大臣に協議するものとする。

(3) Before enacting or amending Cabinet Office Order as referred to in paragraph (1), the Prime Minister must first consult with the Minister of Land, Infrastructure, Transport and Tourism, as well as with the Minister of Health, Labour and Welfare; the Minister of Agriculture, Forestry and Fisheries; and the competent Minister for the business.

(代理店契約)

(Agency Agreements)

第三十条 保険会社又は組合は、自動車運送の振興を図ることを目的として組織する団体その他の者であつて、責任保険又は責任共済の事業の円滑な遂行上適当と認められるものと責任保険又は責任共済に関する代理店契約を締結するものとする。

Article 30 An insurer or cooperative is to enter into an agency agreement for liability insurance or mutual liability insurance with an organization or other person that has been established with the purpose of promoting automobile transportation and that is found to be appropriate in terms of the smooth

implementation of the liability insurance or mutual liability insurance business.

第四節 自動車損害賠償責任保険審議会

Section 4 Council on Automobile Liability Insurance

(設置)

(Establishment)

第三十一条 金融庁に、自動車損害賠償責任保険審議会（以下「審議会」という。）を置く。

Article 31 The Council on Automobile Liability Insurance (hereinafter referred to as the "council") is established in the Financial Services Agency.

第三十二条 削除

Article 32 Deleted

(諮問等)

(Consultation)

第三十三条 内閣総理大臣は、第二十八条第一項に規定する場合において同項に規定する処分をしようとするとき、又は同条第二項若しくは第四項に規定する処分をしようとするときは、審議会に諮らなければならない。同条第三項に規定する場合において、同項前段に規定する期間を短縮しようとするとき、又は同項後段に規定する命令をしないこととするときについても、同様とする。

Article 33 (1) Before reaching a disposition prescribed in Article 28, paragraph (1) in a case as prescribed in that paragraph, and before reaching a disposition prescribed in paragraph (2) or (4) of that Article, the Prime Minister must consult with the council. The same applies in a case as prescribed in paragraph (3) of that Article, before the Prime Minister shortens the period prescribed in the first sentence of that paragraph or decides not to issue the order prescribed in the second sentence of that paragraph.

2 内閣総理大臣は、第二十八条の二第一項、第三項又は第五項の規定による同意をしようとするときは、審議会に諮らなければならない。

(2) Before giving the consent under Article 28-2, paragraph (1), (3), or (5), the Prime Minister must consult with the council.

3 審議会は、前項の規定による諮問に応じて、第二十八条の二第一項、第三項又は第五項の規定による内閣総理大臣の同意に関し調査審議する。

(3) The council accommodates consultations under the preceding paragraph by studying and deliberating on the consent of the Prime Minister under Article 28-2, paragraph (1), (3), or (5).

第三十四条 削除

Article 34 Deleted

(委員)

(Membership)

第三十五条 審議会の委員は、政令で定めるところにより、内閣総理大臣が国土交通大臣の同意を得て、任命する。

Article 35 The members of the council are appointed by the Prime Minister with the consent of the Minister of Land, Infrastructure, Transport and Tourism, pursuant to Cabinet Order.

第三十六条から第三十八条まで 削除

Articles 36 through 38 Deleted

(政令への委任)

(Delegation to Cabinet Order)

第三十九条 第三十一条、第三十三条及び第三十五条に規定するもののほか、審議会の組織及び委員その他の職員その他審議会に関し必要な事項は、政令で定める。

Article 39 Beyond what is provided for in Articles 31, 33, and 35, Cabinet Order provides for the organization, members, and other personnel of the council, and for any other necessary particulars concerning the council.

第四十条から第七十条まで 削除

Articles 40 through 70 Deleted

第四章 政府の自動車損害賠償保障事業

Chapter IV Government's Program Guaranteeing Compensation for Automobile Accidents

(自動車損害賠償保障事業)

(Program Guaranteeing Compensation for Automobile Accidents)

第七十一条 政府は、この法律の規定により、自動車損害賠償保障事業を行う。

Article 71 The government implements a Program Guaranteeing Compensation for Automobile Accidents pursuant to this Act.

(業務)

(Services)

第七十二条 政府は、自動車の運行によつて生命又は身体を害された者がある場合において、その自動車の保有者が明らかでないため被害者が第三条の規定による損害賠償の請求をすることができないときは、被害者の請求により、政令で定める金額の限度において、その受けた損害をてん補する。責任保険の被保険者及び責任共済の被共済者以外の者が、第三条の規定によつて損害賠償の責に任ずる場合（その責任が第十条

に規定する自動車の運行によつて生ずる場合を除く。)も、被害者の請求により、政令で定める金額の限度において、その受けた損害をてん補する。

Article 72 (1) If a person is killed or injured due to the operation of an automobile and the injured party cannot claim damages under Article 3 because it is unclear who the person in possession of the automobile is, the government, upon receipt of a claim from the injured party, indemnifies the injured party for damage incurred of up to the amount that Cabinet Order prescribes. Upon receipt of a claim from the injured party, the government also indemnifies the injured party for damage incurred of up to the amount that Cabinet Order prescribes if a person other than the one insured under the liability insurance or mutual liability insurance is liable for damages pursuant to Article 3 (unless that person's liability arises from the operation of an automobile as prescribed in Article 10).

2 政府は、第十六条第四項又は第十七条第四項（これらの規定を第二十三条の三第一項において準用する場合を含む。）の規定による請求により、これらの規定による補償を行う。

(2) Upon receipt of a claim as under Article 16, paragraph (4) or Article 17, paragraph (4) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)), the government provides compensation as under those provisions.

3 前二項の請求の手續は、国土交通省令で定める。

(3) Order of the Ministry of Land, Infrastructure, Transport and Tourism prescribes the procedures for filing a claim as referred to in the preceding two paragraphs.

(他の法令による給付との調整等)

(Coordination with Benefits under Other Laws and Regulations)

第七十三条 被害者が、健康保険法（大正十一年法律第七十号）、労働者災害補償保険法（昭和二十二年法律第五十号）その他政令で定める法令に基づいて前条第一項の規定による損害のてん補に相当する給付を受けるべき場合には、政府は、その給付に相当する金額の限度において、同項の規定による損害のてん補をしない。

Article 73 (1) If the injured party is to receive a benefit equivalent to an indemnity for damage under paragraph (1) of the preceding Article based on the Health Insurance Act (Act No. 70 of 1922), the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947), or a law or regulation that Cabinet Order prescribes, the government does not indemnify the injured party for any amount of damage as under that paragraph that falls within the scope of the benefit.

2 前条第一項後段の場合において、被害者が第三条の規定による損害賠償の責に任ずる者から損害の賠償を受けたときは、政府は、その金額の限度において、前条第一項後段の規定による損害のてん補をしない。

(2) In a case as referred to in the second sentence of paragraph (1) of the preceding Article, if an injured party is compensated for damage by the person that is liable for damages as under Article 3, the government does not indemnify the injured party for any amount of damage as under the second sentence of paragraph (1) of the preceding Article that falls within the scope of the compensation received.

(第七十二条第一項の規定による損害のてん補についての履行期)

(Due Date for Performance in Indemnifying for Damage as under Article 72, Paragraph (1))

第七十三条の二 政府は、第七十二条第一項の規定による損害のてん補の請求があつた後、当該請求に係る自動車の運行による事故及びてん補すべき損害の金額の確認をするために必要な期間が経過するまでは、遅滞の責任を負わない。

Article 73-2 (1) The government is not liable for delays following receipt of a claim to an indemnity for damage under Article 72, paragraph (1) until the necessary period of time has passed to look into the accident caused by the operation of the automobile subject to the claim and to verify the amount of damage for which it must provide the indemnity.

2 政府が前項に規定する確認をするために必要な調査を行うに当たり、被害者が正当な理由なく当該調査を妨げ、又はこれに応じなかつた場合には、政府は、これにより損害のてん補を遅延した期間について、遅滞の責任を負わない。

(2) When the government is conducting the necessary investigations to look into an accident as prescribed in the preceding paragraph, if an injured party, without a legitimate reason, interferes or fails to comply with the investigation, the government is not liable for delays arising during the period that the indemnity for damage is delayed due to the interference or failure to comply.

(差押の禁止)

(Prohibition on Attachment)

第七十四条 第七十二条第一項の規定による請求権は、差し押えることができない。

Article 74 The right to file a claim under Article 72, paragraph (1) may not be attached.

(時効)

(Period of Prescription)

第七十五条 第十六条第四項若しくは第十七条第四項（これらの規定を第二十三条の三第一項において準用する場合を含む。）又は第七十二条第一項の規定による請求権は、三年を経過したときは、時効によつて消滅する。

Article 75 The right to file a claim under Article 16, paragraph (4) or Article 17, paragraph (4) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)) or Article 72, paragraph (1) is extinguished by prescription once

three years have passed.

(代位等)

(Subrogation)

第七十六条 政府は、第七十二条第一項の規定による損害のてん補をしたときは、その支払金額の限度において、被害者が損害賠償の責任を有する者に対して有する権利を取得する。

Article 76 (1) Having indemnified an injured party for damage as under Article 72, paragraph (1), the government acquires the rights that the injured party holds against the person liable for the damages, to the extent of the amount it has paid.

2 政府は、保険契約者若しくは被保険者又は共済契約者若しくは被共済者の悪意によって損害が生じた場合において、保険会社又は組合が第十六条第一項（第二十三条の三第一項において準用する場合を含む。）の規定により被害者に対して損害賠償額の支払をしたときは、その支払金額の限度において、被害者が保険契約者若しくは被保険者又は共済契約者若しくは被共済者に対して有する権利を取得する。

(2) If damage has arisen due to the bad faith of the policyholder, insured, mutual insurance policyholder, or person covered under mutual insurance, and the insurer or the cooperative has paid damages to the injured party pursuant to Article 16, paragraph (1) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)), the government acquires the rights that the injured party holds against the policyholder, insured, mutual insurance policyholder, or person covered under mutual insurance, to the extent of the amount it has paid.

3 政府は、保有者の損害賠償の責任が発生しなかつた場合において、保険会社又は組合が第十七条第一項（第二十三条の三第一項において準用する場合を含む。）の規定により被害者に対して仮渡金の支払をしたときは、被害者に対してその返還を請求することができる。

(3) If a person in possession is not liable for damages, and the insurer or the cooperative makes a provisional payout to the injured party pursuant to Article 17, paragraph (1) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)), the government may demand the return of the provisional payout from the injured party.

(業務の委託)

(Entrusting a Person with Services)

第七十七条 政府は、政令で定めるところにより、第七十二条第一項の規定による業務の一部を保険会社又は組合に委託することができる。

Article 77 (1) The government may entrust an insurer or cooperative with a part of the services under Article 72, paragraph (1), as prescribed by Cabinet Order.

2 組合は、次の各号に掲げる規定にかかわらず、前項の規定により委託された業務を

行うことができる。

(2) Notwithstanding the provisions set forth in the following items, a cooperative may provide the services with which it has been entrusted pursuant to the preceding paragraph:

一 農業協同組合法第十条

(i) Article 10 of the Agricultural Cooperatives Act;

二 消費生活協同組合法第十条

(ii) Article 10 of the Consumers' Cooperatives Act;

三 中小企業等協同組合法第九条の二又は第九条の九

(iii) Article 9-2 or 9-9 of the Small and Medium-Sized Enterprise Cooperatives Act.

3 国土交通大臣は、第一項の規定による委託をしたときは、委託を受けた保険会社又は組合の名称その他国土交通省令で定める事項を告示しなければならない。

(3) On entrusting an insurer or cooperative with services pursuant to paragraph (1), the Minister of Land, Infrastructure, Transport and Tourism must issue public notice of the name of the insurer or cooperative to which the services have been entrusted and of the information that Order of the Ministry of Land, Infrastructure, Transport and Tourism prescribes.

(自動車損害賠償保障事業賦課金)

(Shared Charges under the Program Guaranteeing Compensation for Automobile Accidents)

第七十八条 保険会社、組合及び第十条に規定する自動車のうち政令で定めるものを運行の用に供する者は、国土交通省令で定めるところにより、政令で定める金額を、自動車損害賠償保障事業賦課金として政府に納付しなければならない。

Article 78 Insurers, cooperatives, and persons that put automobiles as provided in Article 10 which Cabinet Order prescribes into operational use must pay the amount that Cabinet Order prescribes to the government as shared charges under the Program Guaranteeing, Compensation for Automobile Accidents pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(過怠金)

(Monetary Penalties)

第七十九条 政府は、第七十二条第一項後段の規定による損害のてん補をしたときは、損害賠償の責に任ずる者に対して、政令で定める金額を過怠金として徴収することができる。

Article 79 Having indemnified an injured party for damage under the second sentence of Article 72, paragraph (1), the government may collect the amount that Cabinet Order prescribes as a monetary penalty from the person that is liable for damages.

(徴収金の滞納処分)

(Measures to Collect Arrears of Monies Owning)

第八十条 第七十八条の自動車損害賠償保障事業賦課金又は前条の過怠金を納付しない者があるときは、国土交通大臣は、期限を定めて督促をする。

Article 80 (1) If a person does not pay the shared charges under the Program Guaranteeing Compensation for Automobile Accidents referred to in Article 78 or a monetary penalty as referred to in the preceding Article, the Minister of Land, Infrastructure, Transport and Tourism issues a demand for the person to pay this by a fixed due date.

2 国土交通大臣は、前項の規定による督促をするときは、納付義務者に対して督促状を発する。この場合において、督促状により定めるべき期限は、これを発する日から起算して十日以上経過した日でなければならない。

(2) When demanding that a person pay as under the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism issues a written demand to the person with the obligation to pay. In such a case, the due date that the minister is to fix in the written demand must be a date that falls after at least 10 days' time has passed counting from the date of issuance of the written demand.

3 第一項の規定による督促は、民法第百五十三条の規定にかかわらず、時効中断の効力を有する。

(3) Notwithstanding Article 153 of the Civil Code, a demand for payment under paragraph (1) has the effect of renewing the period of prescription.

4 国土交通大臣は、第一項の規定による督促を受けた者が、同項の期限までに自動車損害賠償保障事業賦課金又は過怠金を納付しないときは、国税滞納処分の例によつて、これを処分する。

(4) If a person subject to a demand for payment under paragraph (1) does not pay shared charges under the Program Guaranteeing or the monetary penalty by the due date referred to in that paragraph, the Minister of Land, Infrastructure, Transport and Tourism handles this based on the rules governing measures to collect national tax arrears.

(先取特権の順位)

(Priority of Statutory Liens)

第八十一条 第七十八条の自動車損害賠償保障事業賦課金及び第七十九条の過怠金の先取特権の順位は、国税及び地方税に次ぐ。

Article 81 Statutory liens involving shared charges under the Program Guaranteeing Compensation for Automobile Accidents referred to in Article 78 and monetary penalties as referred to in Article 79 follow national taxes and local taxes in order of priority.

(自動車損害賠償保障事業に関する費用の繰入れ)

(Transfer of Expenses for the Program Guaranteeing Compensation for Automobile Accidents)

第八十二条 政府は、第十条に規定する自動車（第七十八条の政令で定めるもの及び道路以外の場所のみにおいて運行の用に供するものを除く。）について、第七十八条の自動車損害賠償保障事業賦課金に相当する金額を、毎会計年度、予算で定めるところにより、国の他の会計から自動車安全特別会計に繰り入れるものとする。

Article 82 (1) Every fiscal year, as prescribed in the budget, the government is to transfer an amount equivalent to the shared charges for the Program Guaranteeing Compensation for Automobile Accidents referred to in Article 78 for automobiles as prescribed in Article 10 (other than those as referred to in Article 78 which Cabinet Order prescribes and other than those that are put into operational use only in places other than roads) into the special automobile safety account from other national accounts.

2 政府は、この法律に規定する自動車損害賠償保障事業の業務の執行に要する経費の一部を、毎会計年度、予算で定めるところにより、一般会計から自動車安全特別会計に繰り入れるものとする。

(2) Every fiscal year, as prescribed in the budget, the government is to transfer part of the required costs for providing services under the Program Guaranteeing Compensation for Automobile Accidents provided for in this Act into the special automobile safety account from the general account.

(報告及び立入検査)

(Reporting and On-Site Inspections)

第八十二条の二 国土交通大臣は、第七十八条の規定の施行に必要な限度において、国土交通省令で定めるところにより、保険会社若しくは組合に対し、その業務若しくは経理の状況に関し報告をさせ、又はその職員に、保険会社若しくは組合の営業所、事務所その他の施設に立ち入り、その業務の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

Article 82-2 (1) The Minister of Land, Infrastructure, Transport and Tourism, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism, may have an insurer or cooperative report on its operative or financial status, and may have the relevant officials enter the place of business, offices, and other facilities of an insurer or cooperative to inspect the state of its operations or its books and documents and other items or to ask questions of the relevant persons, within the limits of what is necessary to implement Article 78.

2 第二十三条の二第二項及び第三項の規定は、前項の規定による立入検査又は質問について準用する。

(2) Article 23-2, paragraphs (2) and (3) applies mutatis mutandis to on-site inspections and questioning under the preceding paragraph.

第五章 雑則

Chapter V Miscellaneous Provisions

(重複契約の場合の免責)

(Release from Liability If There Are Multiple Contracts)

第八十二条の三 一両の自動車について二以上の責任保険の契約又は責任共済の契約が締結されている場合においては、保険会社又は組合は、これらの契約のうち締結した時が最も早い契約以外の契約については、その締結した時が最も早い契約の保険期間又は共済期間と重複する保険期間又は共済期間において発生した自動車の運行による事故に係る損害のてん補、第十六条第一項（第二十三条の三第一項において準用する場合を含む。）の規定による損害賠償額の支払及び第十七条第一項（第二十三条の三第一項において準用する場合を含む。）の規定による仮渡金の支払（次項において「損害のてん補等」という。）の責めを免れる。

Article 82-3 (1) If two or more contracts for liability insurance or mutual liability insurance have been concluded for the same automobile, the insurer or cooperative is released from the liability to indemnify for damage, pay damages under Article 16, paragraph (1) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)), or make a provisional payout under Article 17, paragraph (1) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)) (in the following paragraph, referred to as "indemnity for damage or other payment"), under any contract other than the earliest-concluded contract, in connection with an accident arising from the operation of an automobile during a coverage period or period of coverage under mutual insurance that overlaps with the earliest-concluded contract's coverage period or period of coverage under mutual insurance.

2 前項の場合において、同項の締結した時が最も早い契約が二以上あるときは、保険会社又は組合は、これらの契約のうち一の契約については、当該契約に関し損害のてん補等をすべき金額をこれらの契約の数で除して得た金額を超える金額について、損害のてん補等の責めを免れる。

(2) In a case as referred to in the preceding paragraph, if there are multiple contracts that constitute the earliest-concluded contract as referred to in that paragraph, an insurer or the cooperative that has concluded one of those contracts is released from the liability to provide an indemnity for damage or other payment beyond the amount arrived at when the amount payable as an indemnity for damage or other payment under that contract is divided by the number of contracts.

3 保険会社又は組合は、第一項の締結した時が最も早い契約以外の契約に関して第十六条第一項（第二十三条の三第一項において準用する場合を含む。）の規定による損害賠償額の支払又は第十七条第一項（第二十三条の三第一項において準用する場合を含む。）の規定による仮渡金の支払（以下この項及び次項において「損害賠償額等の

支払」という。)の請求があつた場合において、損害賠償額等の支払として給付をしたときは、保険会社若しくは組合又は被害者が当該請求に係る契約が第一項の締結した時が最も早い契約以外の契約であることを知つていた場合を除き、その給付をした額の限度において、被害者が損害賠償の責任を有する者に対して有する権利を取得するとともに、被害者に対してした給付の返還を請求する権利を失う。

(3) Unless an insurer, cooperative, or injured party is aware that the contract under which a claim has been made is not an earliest-concluded contract as referred to in paragraph (1), if, on receipt of a claim for damages under Article 16, paragraph (1) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)) or for a provisional payout under Article 17, paragraph (1) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)) (hereinafter referred to as the "payment of damages or a provisional payout" in this and the following paragraph), the insurer or cooperative makes a payment of damages or a provisional payout as a benefit under a contract other than the earliest-concluded contract as referred to in paragraph (1), it acquires the rights that the injured party holds against the person that is liable to compensate for the damage, and it also loses the right to demand the return of that benefit from the injured party, to the extent of the benefit it has paid.

4 前項の規定は、保険会社又は組合が第一項の締結した時が最も早い契約に関し第二項の規定により損害賠償額等の支払について責めを免れるべき金額の支払をした場合について準用する。この場合において、前項中「契約が第一項の締結した時が最も早い契約以外の契約であること」とあるのは「契約の他に第一項の締結した時が最も早い契約があること」と、「その給付をした額」とあるのは「第二項の規定により損害賠償額等の支払について責めを免れるべき金額」と読み替えるものとする。

(4) The preceding paragraph applies mutatis mutandis if an insurer or cooperative pays, as a payment of damages or a provisional payout, an amount of money that, pursuant to paragraph (2), it is to be released from the liability to pay under an earliest-concluded contract as referred to in paragraph (1). In such a case, the term "that the contract under which a claim has been made is not an earliest-concluded contract as referred to in paragraph (1)" in the preceding paragraph is deemed to be replaced with "that, in addition to the contract under which a claim has been made, there is another contract that constitutes an earliest-concluded contract as referred to in paragraph (1)" and "the benefit it has paid" is deemed to be replaced with "the amount of money that, pursuant to paragraph (2), it is to be released from the liability to pay".

(業務の管掌)

(Operational Administration)

第八十三条 政府の自動車損害賠償保障事業の業務は、国土交通大臣が管掌する。

Article 83 The Minister of Land, Infrastructure, Transport and Tourism

administers operations for the government's Program Guaranteeing Automobile Liability Insurance.

(権限の委任)

(Delegation of Authority)

第八十四条 内閣総理大臣は、この法律による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 84 (1) The Prime Minister delegates the authority under this Act (other than that which Cabinet Order prescribes) to the Commissioner of the Financial Services Agency.

2 第十条の二、前章及び第八十五条の規定により国土交通大臣の権限に属する事項は、政令で定めるところにより、地方運輸局長に行わせることができる。

(2) It is permissible to have the director of a regional transportation bureau implement the things that, pursuant to Article 10-2, the preceding Chapter, and Article 85, are subject to the authority of the Minister of Land, Infrastructure, Transport and Tourism, pursuant to Cabinet Order.

(禁止行為等)

(Prohibited Actions)

第八十四条の二 何人も、行使の目的をもつて保険標章、共済標章若しくは保険・共済除外標章を偽造し、若しくは変造し、又は偽造若しくは変造に係るこれらの物件を使用してはならない。

Article 84-2 (1) It is prohibited for any person to forge or alter an insurance sticker, mutual insurance sticker, or insurance/mutual insurance exemption sticker, or to use any such forged or altered item, with the intent to utter it.

2 何人も、行使の目的をもつて保険標章、共済標章若しくは保険・共済除外標章に紛らわしい外観を有する物件を製造し、又はこれらの物件を使用してはならない。

(2) It is prohibited for any person to manufacture an item whose appearance could cause it to be confused with an insurance sticker, mutual insurance sticker, or insurance/mutual insurance exemption sticker, or to use any such item, with the intent to utter it.

3 何人も、この法律の規定による場合その他正当な理由がある場合を除き、保険標章又は共済標章を他人に交付してはならない。

(3) Other than in a case under this Act or if there are otherwise legitimate reasons for doing so, it is prohibited for any person to issue an insurance sticker or mutual insurance sticker to another person.

4 保険標章又は共済標章の適正な交付の確保に関し保険会社又は組合の遵守すべき事項は、国土交通省令で定める。

(4) Order of the Ministry of Land, Infrastructure, Transport and Tourism prescribes the particulars with which insurers and cooperatives must comply to ensure the proper issuance of insurance stickers and mutual insurance stickers.

(証明書の提示)

(Presentation of Certificate)

第八十五条 国土交通大臣は、第一条の目的を達成するため必要があると認めるときは、その職員に、道路その他自動車の所在する場所において、自動車を運転する者に対し、自動車損害賠償責任保険証明書又は自動車損害賠償責任共済証明書の提示を求めさせることができる。

Article 85 (1) On finding that it is necessary to do so in order to achieve the purpose referred to in Article 1, the Minister of Land, Infrastructure, Transport and Tourism may have the relevant officials require any person driving an automobile to present certificate of automobile liability insurance or certificate of mutual automobile liability insurance, on the road or at any other place where the automobile is located.

2 前項の職員は、その身分を示す証明書を携帯し、関係者の請求があつたときは、これを提示しなければならない。

(2) An official as referred to in the preceding paragraph must carry identification and present it at the request of any person concerned.

(政令への委任)

(Delegation to Cabinet Order)

第八十五条の二 この法律に規定するもののほか、この法律の実施のため必要な事項は、政令で定める。

Article 85-2 Beyond what is provided for in this Act, Cabinet Order prescribes the necessary particulars for bringing this Act into force.

(国土交通大臣の任務)

(Duties of the Minister of Land, Infrastructure, Transport and Tourism)

第八十六条 国土交通大臣は、この法律に規定する職権の行使にあつては、被害者の保護に欠けることがないように努めなければならない。

Article 86 In exercising the authority provided for in this Act, the Minister of Land, Infrastructure, Transport and Tourism must endeavor to ensure that there is no lack of protection for injured parties.

第六章 罰則

Chapter VI Penal Provisions

第八十六条の二 第八十四条の二第一項の規定に違反した者は、三年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

Article 86-2 A person violating Article 84-2, paragraph (1) is subject to imprisonment for not more than three years, a fine of not more than 1,000,000 yen, or both.

第八十六条の三 次の各号のいずれかに該当する者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 86-3 A person falling under one of the following items is subject to imprisonment for not more than one year or a fine of not more than 500,000 yen:

一 第五条の規定に違反した者

(i) a person violating Article 5;

二 第二十三条の九第一項の規定に違反して、その職務に関して知り得た秘密を漏らし、又は自己の利益のために使用した者

(ii) a person that, in violation of Article 23-9, paragraph (1), divulges confidential information learned in the course of performing its duties or uses confidential information for personal gain;

三 第八十四条の二第二項又は第三項の規定に違反した者

(iii) a person violating Article 84-2, paragraph (2) or (3).

第八十七条 偽りその他不正の手段により、自動車損害賠償責任保険証明書若しくは自動車損害賠償責任共済証明書又は保険標章、共済標章若しくは保険・共済除外標章の交付又は再交付を受けた者は、六月以下の懲役又は二十万円以下の罰金に処する。

Article 87 A person that uses deception or other wrongful means to have certificate of automobile liability insurance, certificate of mutual automobile liability insurance, an insurance sticker, a mutual insurance sticker, or an insurance/mutual insurance exemption sticker issued or reissued to that person is subject to imprisonment for not more than six months or a fine of not more than 200,000 yen.

第八十七条の二 第十六条の八第四項（第二十三条の三第一項において準用する場合を含む。）の規定による命令に違反した者は、百万円以下の罰金に処する。

Article 87-2 A person violating an order under Article 16-8, paragraph (4) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)) is subject to a fine of not more than 1,000,000 yen.

第八十八条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 88 A person falling under one of the following items is subject to a fine of not more than 300,000 yen:

一 第八条又は第九条の三第一項若しくは第二項（第九条の五第三項及び第十条の二第四項において準用する場合を含む。）の規定に違反した者

(i) a person violating Article 8 or Article 9-3, paragraph (1) or (2) (including as applied mutatis mutandis pursuant to Article 9-5, paragraph (3) and Article 10-2, paragraph (4));

二 第二十三条の二第一項（第二十三条の三第一項において準用する場合を含む。）

又は第八十二条の二第一項の規定による報告をせず、若しくは虚偽の報告をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避し、若しくはこれらの規定による質問に対して答弁せず、若しくは虚偽の答弁をした者

(ii) a person failing to make a report under Article 23-2, paragraph (1) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)) or Article 82-2, paragraph (1); making a false report thereunder; refusing, obstructing, or evading an inspection under those provisions; failing to respond to questions under those provisions; or falsely responding to the same;

三 第二十八条の四第三項の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をした者

(iii) a person failing to submit a report or materials under Article 28-4, paragraph (3) or submitting a false report or materials thereunder.

第八十八条の二 次の各号のいずれかに該当するときは、その違反行為をした指定紛争処理機関の役員又は職員は、三十万円以下の罰金に処する。

Article 88-2 If a designated dispute resolution organization falls under one of the following items, the violating officer or employee of that designated dispute resolution organization is subject to a fine of not more than 300,000 yen:

一 第二十三条の十五第一項の規定による許可を受けずに紛争処理業務の全部を廃止したとき。

(i) it discontinues all of dispute resolution services without getting permission under Article 23-15, paragraph (1);

二 第二十三条の十六の規定に違反して帳簿を備え付けず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかつたとき。

(ii) it fails to prepare or keep books or makes false entries in them, or it fails to keep them on file, in violation of Article 23-16;

三 第二十三条の十七第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁せず、若しくは虚偽の答弁をしたとき。

(iii) it fails to make a report under Article 23-17, paragraph (1); makes a false report thereunder; refuses, obstructs, or evades an inspection under that paragraph; or fails to respond to questions under that paragraph; or responds to them falsely.

第八十九条 次の各号のいずれかに該当する者は、二十万円以下の罰金に処する。

Article 89 A person falling under one of the following items is subject to a fine of not more than 200,000 yen:

一 第九条の三第三項（第九条の五第三項において準用する場合を含む。）の規定に違反した者

(i) a person violating Article 9-3, paragraph (3) (including as applied mutatis

mutandis pursuant to Article 9-5, paragraph (3));

二 第八十四条の二第四項の規定に基づく国土交通省令の規定に違反した者

(ii) a person violating an Order of the Ministry of Land, Infrastructure, Transport and Tourism based on Article 84-2, paragraph (4);

三 第八十五条第一項の規定による提示を拒み、又は妨げた者

(iii) a person refusing to present, or interfering with the presentation of, an item as under Article 85, paragraph (1).

第九十条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務又は財産に関して、第八十六条の三第一号若しくは第二号又は第八十七条から前条までの違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 90 If the representative of a corporation or the agent, employee, or other worker of a corporation or individual commits a violation referred to in Article 86-3, item (i) or (ii) or Article 87 through the preceding Article in connection with the business or property of the corporation or individual, in addition the offender being subject to punishment, the corporation or the individual is also subject to the fine referred to in the relevant Article.

第九十一条 保険会社又は組合が次の各号のいずれかに該当する場合には、保険会社の取締役若しくは執行役（保険業法第二条第九項に規定する外国損害保険会社等にあつては、その日本における代表者。以下同じ。）又は組合の理事は、百万円以下の過料に処する。

Article 91 (1) If an insurer or cooperative falls under one of the following items, the directors or executive officers of the insurer (or, in the case of a foreign non-life insurance company and others provided for in Article 2, paragraph (9) of the Insurance Business Act, its representative in Japan; the same applies hereinafter) or the directors of the cooperative are subject to a civil fine of not more than 1,000,000 yen:

一 第十六条の六（第二十三条の三第一項において準用する場合を含む。）の規定による届出をせず、又は虚偽の届出をしたとき。

(i) it fails to make a report under Article 16-6 (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)) or makes a false report thereunder;

二 第二十三条の十二第二項の規定による説明若しくは資料の提出をせず、又は虚偽の説明若しくは資料の提出をしたとき。

(ii) it fails to provide an explanation or submit materials under Article 23-12, paragraph (2), or provides a false explanation or submits a false material thereunder;

三 第二十四条第一項又は第二項の規定に違反したとき。

(iii) it violates Article 24, paragraph (1) or (2);

四 第二十八条の四第四項の規定による命令に違反したとき。

(iv) it violates an order under Article 28-4, paragraph (4).

2 保険会社又は損害保険料率算出団体が第二十六条の三の規定による命令に違反したときは、保険会社の取締役若しくは執行役又は損害保険料率算出団体の理事は、百万円以下の過料に処する。

(2) If an insurer or non-life insurance rating organization violates an order under Article 26-3, the directors or executive officers of the insurer or the directors of the non-life insurance rating organization are subject to a civil fine of not more than 1,000,000 yen.

3 組合が第二十七条第三項（第二十七条の二第一項及び第二項において準用する場合を含む。）の規定による命令に違反したときは、組合の理事は、百万円以下の過料に処する。

(3) If a cooperative violates an order under Article 27, paragraph (3) (including as applied mutatis mutandis pursuant to Article 27-2, paragraphs (1) and (2)), the directors of the cooperative are subject to a civil fine of not more than 1,000,000 yen.

第九十二条 偽りその他不正の手段により、第十六条の五第一項（第二十三条の三第一項において準用する場合を含む。）の規定による説明（第十六条の五第五項（第二十三条の三第一項において準用する場合を含む。）の規定により書面による説明等を行ったものとみなされる場合における説明を含む。）を受けた者は、十万円以下の過料に処する。

Article 92 A person using deception or wrongful means to obtain an explanation under Article 16-5, paragraph (1) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1)) (including if a Written Explanation, etc. is deemed to have been provided pursuant to Article 16-5, paragraph (5) (including as applied mutatis mutandis pursuant to Article 23-3, paragraph (1))) is subject to a civil fine of not more than 100,000 yen.