

# 預金保険法施行規則

## Order for Enforcement of the Deposit Insurance Act

(昭和四十六年五月一日大蔵省令第二十八号)

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

預金保険法第三十六条第二項、第四十一条、第四十三条第三号、第四十四条及び第五十条第一項の規定に基づき、預金保険法施行規則を次のように定める。

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

(保護預り契約の内容)

(Content of Custody Agreement)

第一条 預金保険法施行令（昭和四十六年政令第百十一号。以下「令」という。）第一条の二に規定する内閣府令・財務省令で定める保護預り契約は、債券の購入者が債券の購入と同時に当該債券を当該債券の発行者に預入し、かつ、償還、乗換、預替え又は買取りの場合を除き当該債券の払出しを請求することができない旨を含むものとする。

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

(業務方法書の記載事項)

(Particulars to be Stated in Statement of Operational Method Statement)

第一条の二 預金保険法（昭和四十六年法律第三十四号。以下「法」という。）第三十六条第二項に規定する内閣府令・財務省令で定める事項は、次に掲げる事項とする。

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

一 保険関係に関する事項

(i) particulars regarding insurance;

二 保険金及び仮払金に関する事項

(ii) particulars regarding insurance claims and provisional payments;

三 資金援助に関する事項

(iii) particulars regarding financial assistance;

三の二 法第六十九条の三の規定による資金の貸付けに関する事項

(iii)-2 particulars regarding the loan of funds pursuant to Article 69-3 of the Act;

四 預金等債権の買取りに関する事項

(iv) particulars regarding the purchase of deposits and other claims;

五 法第五十八条第一項若しくは第三項の規定により取得し、又は法第七十条第一項に規定する買取りをした債権の行使に関する事項

(v) particulars regarding the enforcement of claims that are acquired pursuant to Article 58, paragraph (1) or (3) of the Act or purchased pursuant to Article 70, paragraph (1) of the Act;

六 法第七十八条第二項の規定による金融整理管財人又は金融整理管財人代理の業務に関する事項

(vi) particulars regarding the operations of a financial administrator or an agent for a financial administrator pursuant to Article 78, paragraph (2) of the Act;

七 法第六章の規定による承継銀行の経営管理その他同章の規定による業務に関する事項

(vii) particulars regarding business management of the Bridge Bank and other operations under the provisions of Chapter VI of the Act;

七の二 法第六章の二の規定による金融機関の特定回収困難債権の買取りその他同章の規定による業務に関する事項

(vii)-2 particulars regarding purchases of Specified Claims That Are Difficult to Collect of a Financial Institution under the provisions of Chapter VI-2 of the Act and other operations under the provisions of the Chapter;

八 法第七章の規定による株式等の引受け等その他同章の規定による業務に関する事項

(viii) particulars regarding the Subscription for Shares, etc. and other operations under the provisions of Chapter VII of the Act;

八の二 法第七章の二の規定による特別監視その他同章の規定による業務に関する事項

(viii)-2 particulars regarding Special Surveillance under the provisions of Chapter VII-2 of the Act and other operations under the provisions of the Chapter;

九 法第二百二十七条若しくは第二百二十八条においてそれぞれ準用する法第六十九条の三又は法第二百二十七条の二若しくは第二百二十八条の二の規定による資金の貸付け及び法第二百二十九条の規定による資産の買取りに関する事項

(ix) particulars regarding the loan of funds under Article 69-3 or Article 127-2 or 128-2 of the Act as applied mutatis mutandis pursuant to Article 127 or Article 128 of the Act and the purchase of assets under Article 129 of the Act;

十 金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）第四章

第四節、第五章第二節及び第六章第二節の規定による預金者表の提出その他これらの規定による業務に関する事項

- (x) particulars regarding the submission of lists of depositors and other operations under the provisions of Section 4 of Chapter IV, Section 2 of Chapter V and Section 2 of Chapter VI of the Act on Special Treatment of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institutions (Act No. 95 of 1996);

十の二 破産法（平成十六年法律第七十五号）の規定により選任される破産管財人、保全管理人、破産管財人代理若しくは保全管理人代理、民事再生法（平成十一年法律第二百二十五号）の規定により選任される監督委員、管財人、保全管理人、管財人代理若しくは保全管理人代理、会社更生法（平成十四年法律第百五十四号）の規定により選任される管財人、管財人代理、保全管理人、保全管理人代理若しくは監督委員、金融機関等の更生手続の特例等に関する法律の規定により選任される管財人、管財人代理、保全管理人、保全管理人代理若しくは監督委員又は外国倒産処理手続の承認援助に関する法律（平成十二年法律第二百二十九号）の規定により選任される承認管財人、保全管理人、承認管財人代理若しくは保全管理人代理の業務に関する事項

- (x)-2 particulars regarding the operations of a bankruptcy trustee, provisional administrator, bankruptcy trustee representative, or provisional administrator representative appointed under the provisions of the Bankruptcy Act (Act No. 75 of 2004), a supervisor, trustee, provisional administrator, trustee representative, or provisional administrator representative appointed under the provisions of the Civil Rehabilitation Act (Act No. 225 of 1999), a trustee, trustee representative, provisional administrator, provisional administrator representative, or supervisor appointed under the provisions of the Corporate Reorganization Act (Act No. 154 of 2002), a trustee, trustee representative, provisional administrator, provisional administrator representative, or supervisor appointed under the provisions of the Act on Special Treatment of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institutions, or a recognition trustee, provisional administrator, recognition trustee representative, or provisional administrator representative appointed under the provisions of the Act on Recognition of and Assistance for Foreign Insolvency Proceedings (Act No. 129 of 2000);

十一 業務の委託に関する事項

- (xi) particulars regarding the entrustment of operations;

十二 その他法第三十四条に規定する業務の方法

- (xii) the method of operations prescribed in Article 34 of the Act.

（経理原則）

(Accounting Principles)

第二条 預金保険機構（以下「機構」という。）は、機構の財政状態及び経営成績を明らかにするため、財産の増減及び異動並びに収益及び費用をその発生の事実に基づいて経理しなければならない。

Article 2 The Deposit Insurance Corporation (hereinafter referred to as "Corporation") must, in order to clarify its financial conditions and operating results, carry out accounting for increase, decrease or change in assets and income and costs basing on the facts actually happened.

（勘定の設定）

(Establishment of Accounts)

第三条 機構の会計においては、一般勘定（法第四十一条に規定する一般勘定をいう。以下同じ。）及び危機対応勘定（法第二百一十一条第一項に規定する危機対応勘定をいう。以下同じ。）の別に貸借対照表勘定及び損益勘定を設け、また、必要に応じ、計算の過程を明らかにするための勘定を設けて経理するものとする。

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

（予算の内容）

(Contents of Budget)

第四条 機構の予算は、予算総則及び収入支出予算とする。

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

（予算総則）

(General Provisions of Budget)

第五条 予算総則には、収入支出予算に関する総括的規定を設けるほか、次に掲げる事項に関する規定を設けるものとする。

Article 5 The general provisions of budget are to include comprehensive provisions regarding income and expenditure budgets, and provisions regarding the following particulars:

一 第九条の規定による債務を負担する行為について、事項ごとにその負担する債務の限度額、その行為に基づいて支出すべき年限及びその必要な理由

(i) with regard to an act to assume debts prescribed in Article 9, an amount of the limit of debts for each matter, the term to satisfy the debts based on the act, and reasons for the necessity of the act;

二 第十条第二項の規定による経費の指定

(ii) expenses designated under Article 10, paragraph (2);

三 前二号に掲げる事項のほか、予算の実施に関し必要な事項

(iii) beyond the particulars listed in the preceding two items, any particulars necessary for the implementation of the budget.

(収入支出予算)

(Income and Expenditure Budgets)

第六条 収入支出予算は、一般勘定及び危機対応勘定の別に収入にあつてはその性質、支出にあつてはその目的に従つて区分する。

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

(予算の添付書類)

(Documents Attached to Budget)

第七条 機構は、法第三十九条の規定により予算について認可を受けようとするときは、次に掲げる書類を添付して金融庁長官及び財務大臣に提出しなければならない。ただし、同条後段の規定により予算の変更の認可を受けようとするときは、第一号の書類は、添付することを要しない。

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

一 前事業年度の予定貸借対照表及び予定損益計算書

(i) a projected balance sheet and projected income statement for the previous business year;

二 当該事業年度の予定貸借対照表及び予定損益計算書

(ii) a projected balance sheet and projected income statement for the business year concerned;

三 前二号に掲げるもののほか、当該予算の参考となる書類

(iii) beyond those listed in the preceding two items, documents that serve as a reference for such budget.

(予備費)

(Contingency Funds)

第八条 予見することができない理由による支出予算の不足を補うため、収入支出予算に予備費を設けることができる。

Article 8 Contingency funds may be included in income and expenditure budgets in order to cover a shortfall in an expenditure budget caused by unforeseeable

events.

(債務を負担する行為)

(Act to Incur Debts)

第九条 機構は、支出予算の金額の範囲内におけるもののほか、その業務を行なうために必要があるときは、毎事業年度、予算をもつて金融庁長官及び財務大臣の認可を受けた金額の範囲内において、債務を負担する行為をすることができる。

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

(予算の流用等)

(Diversion of Funds in Budget)

第十条 機構は、支出予算については、当該予算に定める目的の外に使用してはならない。ただし、予算の実施上適当かつ必要であるときは、第六条の規定による区分にかかわらず、相互流用することができる。

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

2 機構は、予算総則で指定する経費の金額については、金融庁長官及び財務大臣の承認を受けなければ、それらの経費の間又は他の経費との間に相互流用し、又はこれに予備費を使用することができない。

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

3 機構は、前項の規定による承認を受けようとするときは、その理由、金額及び積算の基礎を明らかにした書類を金融庁長官及び財務大臣に提出しなければならない。

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

(資金計画)

(Funding Plan)

第十一条 法第三十九条の資金計画には、次の事項に関する計画を掲げなければならな

い。

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

一 資金の調達方法

(i) the method of procurement of funds;

二 資金の用途

(ii) the purpose of use of funds;

三 その他必要な事項

(iii) other necessary particulars.

2 機構は、法第三十九条後段の規定により資金計画の変更の認可を受けようとするときは、変更しようとする事項及びその理由を記載した申請書を金融庁長官及び財務大臣に提出しなければならない。

(2) The Corporation must, when it seeks to obtain authorization to amend a funding plan under the second sentence of Article 39 of the Act, submit a written application stating the particulars to be amended and reasons therefor to the Commissioner of the Financial Services Agency and the Minister of Finance.

(収入支出等の報告)

(Report of Income and Expenditure)

第十二条 機構は、四半期ごとに、収入及び支出については合計残高試算表により、第九条の規定により負担した債務については事項ごとに金額を明らかにした報告書により、当該四半期経過後一月以内に、金融庁長官及び財務大臣に報告しなければならない。

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

(事業報告書)

(Business Report)

第十二条の二 法第四十条第二項の事業報告書には、次に掲げる事項を記載しなければならない。

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

一 機構の概要

(i) particulars of the Corporation;

イ 事業内容

(a) Details of business

- ロ 事務所（従たる事務所を含む。）の所在地
- (b) Location of offices (including secondary offices)
- ハ 資本金の額及び政府の出資額（前事業年度末からのそれぞれの増減を含む。）
- (c) Amount of stated capital and amount of contribution by the government (including the increase and decrease for each amount from the end of the previous business year);
- ニ 役員の定数、氏名、役職、任期及び経歴
- (d) Full number, names, positions, terms, and background of officers
- ホ 職員の定数（前事業年度末からの増減を含む。）
- (e) Full number of staff members (including the increase or decrease from the end of the previous business year)
- ヘ 機構の沿革（設立の根拠が法である旨を含む。）
- (f) History of the Corporation (including the fact that the Corporation is established by law)
- ト 主務大臣が内閣総理大臣及び財務大臣である旨
- (g) The fact that the ministers having jurisdiction over the Corporation are the Prime Minister and the Minister of Finance
- チ 運営委員会に関する事項その他の機構の概要
- (h) Particulars regarding the Policy Board and the outline of the Corporation
- 二 当該事業年度及び前事業年度までの事業の実施状況
- (ii) the status of implementation of business in the business year concerned and up to and including the previous business year;
- 三 資金計画の実施の結果
- (iii) the results of implementation of a funding plan;
- 四 当該事業年度及び前事業年度までの借入金の借入先、借入に係る目的及び借入金額
- (iv) lenders, the purposes and amounts of borrowings that are made in the relevant business year and up to and including the previous business year;
- 五 当該事業年度及び前事業年度までに受け入れた国の補助金その他これに準ずるもの（以下「国庫補助金等」という。）の名称、目的及び金額
- (v) names, purposes, and amounts of subsidies from the national treasury and other monies equivalent thereto received in the relevant business year and up to and including the previous business year (hereinafter referred to as "National Treasury Subsidies, etc.");
- 六 機構が議決権の過半数を実質的に所有している会社（以下この条において「子会社」という。機構及び子会社又は子会社が他の会社の議決権の過半数を実質的に所有している場合における当該他の会社もまた機構の子会社とみなす。）及び機構（機構が子会社を有する場合は、当該子会社を含む。）が議決権の百分の二十以上、百分の五十以下を実質的に所有し、かつ、出資、人事、資金、技術、取引等の関係を通じて財務及び事業の方針に対して重要な影響を与えることができる会社（以下この条において「関連会社」という。）に関する事項



(vi) particulars regarding a company in which the Corporation substantially holds a majority of the voting rights (hereinafter referred to as "Subsidiary Company" in this Article. A company in which the Corporation and the Subsidiary Company hold a substantial majority of the voting rights or a company in which the Subsidiary Company holds a substantial majority of the voting rights is also be deemed to be a Subsidiary Company of the Corporation.) and a company in which the Corporation (including the Subsidiary Company if the Corporation owns a Subsidiary Company) substantially holds at least 20 percent and no more than 50 percent of the voting rights and may materially influence the financial and business policies through its relationships based on capital, personnel, funding, technology, transactions, etc. (hereinafter referred to as "Associated Company" in this Article);

イ 子会社及び関連会社（以下「関係会社」という。）の概況（機構との関係を系統的に示した図を含む。）

(a) The outline of the Subsidiary Companies and Associated Companies (hereinafter referred to as "Affiliated Companies") (including a chart systematically showing their relationship with the Corporation)

ロ 関係会社に関する事項

(b) Particulars regarding the Affiliated Companies

（１） 名称

1. Name

（２） 事業内容

2. Details of business

（３） 事務所（従たる事務所を含む。）の所在地

3. Location of offices (including secondary offices)

（４） 資本金

4. Amount of stated capital

（５） 代表者の氏名

5. Name of representative

（６） 役員数

6. Number of officers

（７） 従業員数

7. Number of employees

（８） 機構の持株比率その他の機構との関係の内容

8. Shareholding ratio of the Corporation and other details of relationship with the Corporation

七 機構が対処すべき課題

(vii) issues that the Corporation should address.

(決算報告書)

(Statement of Accounts)

第十三条 法第四十条第二項の決算報告書は、収入支出決算書及び債務に関する計算書とする。

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

2 前項の決算報告書には、第五条の規定により予算総則に規定した事項に係る予算の実施の結果を示さなければならない。

(2) The statement of accounts prescribed in the preceding paragraph must set forth the results of the implementation of the budget pertaining to particulars prescribed in general budget provisions under Article 5.

(収入支出決算書等)

(Statement of Accounts for Income and Expenditure)

第十四条 前条第一項の収入支出決算書は、収入支出予算と同一の区分により作成し、かつ、これに次の事項を記載しなければならない。

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

一 収入

(i) income;

イ 収入予算額

(a) The amount of budgeted income

ロ 収入決定済額

(b) The actual amount of income

ハ 収入予算額と収入決定済額との差額

(c) A difference between the amount of budgeted income and the actual amount of income

二 支出

(ii) expenditures;

イ 支出予算額

(a) The amount of budgeted expenditure

ロ 予備費の使用の金額及びその理由

(b) The amount of contingency funds that have been used and reasons for such use

ハ 流用の金額及びその理由

(c) The amount of diversion and reasons for such diversion

ニ 支出予算現額

(d) The expenditure budget amount with subsequent modification

ホ 支出決定済額

(e) The actual amount of expenditure

へ 不用額

(f) An unused amount

2 前条第一項の債務に関する計算書には、第九条の規定により負担した債務の金額を事項ごとに示さなければならない。

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

(附属明細書)

(Supplementary Schedules)

第十四条の二 法第四十条第三項の附属明細書には、次に掲げる事項を記載しなければならない。

Article 14-2 The supplementary schedules prescribed in Article 40, paragraph

(3) of the Act must set forth the following particulars:

一 機構に対する出資に関する事項

(i) particulars regarding capital contributions to the Corporation;

イ 出資者及び出資額の明細（出資者ごとの前事業年度末からの増減を含む。）

(a) Details of the equity investors and amounts of capital contributions

(including increase and decrease in such amount by each person from the end of the previous business year)

ロ 法令上の根拠

(b) Laws and regulations on which capital contributions are based

ハ 政府の出資に係る国の会計区分

(c) Classification of Accounts of the national government for its capital contributions

二 主な資産及び負債の明細に関する事項

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

イ 長期借入金の明細（借入先、借入先ごとの前事業年度末からの増減を含む。）

(a) Details of long-term borrowings (including names of lenders and increase and decrease in borrowings from each lender from the end of the previous business year)

ロ 預金保険機構債の明細（銘柄（政府保証債を発行している場合にはその旨）及び銘柄ごとの前事業年度末からの増減を含む。）

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

ハ 引当金の明細（引当金の種類ごとの前事業年度末からの増減を含む。）

(c) Details of reserves (including the increase and decrease in each type of reserves from the end of the previous business year)

ニ 機構が行った出資額の明細

- (d) Details of the amount of capital contributions made by the Corporation  
ホ 現金及び預金、未収収益その他の主な資産及び負債の明細
- (e) Details of cash and deposits, accrued income, and other principal assets and liabilities
- 三 固定資産の取得及び処分並びに減価償却費の明細  
(iii) details of acquisition and disposal of fixed assets and depreciation expense;
- 四 関係会社の株式の明細  
(iv) details of shares of the Affiliated Companies;
- イ 関係会社の名称  
(a) Names of the Affiliated Companies
- ロ 一株の額  
(b) Par value of a share
- ハ 所有株数  
(c) Number of shares held
- ニ 取得価額  
(d) Acquisition value
- ホ 貸借対照表計上額（前事業年度末からの増減を含む。）  
(e) Amount recorded on the balance sheet (including increase and decrease from the end of the previous business year)
- 五 出資先団体に対する出資金の明細  
(v) details of capital contributions to other entities;
- 六 関係会社に対する債権及び債務の明細  
(vi) details of claims and debts to the Affiliated Companies;
- 七 主な費用及び収益に関する事項  
(vii) particulars regarding principal costs and income;
- イ 国庫補助金等の明細（当該事業年度に受け入れた国庫補助金等の名称、国の会計区分並びに国庫補助金等と貸借対照表及び損益計算書における関連科目との関係についての説明を含む。）  
(a) Details of the National Government Subsidies, etc. (including the names of the National Government Subsidies, etc. received in the business year concerned, accounting categories of the national government, and explanation on the National Government Subsidies, etc. and their related items in the balance sheet and profit and loss statement)
- ロ 役員及び職員の給与の明細  
(b) Details of salaries paid to officers and staff members
- ハ その他機構の事業の特性を踏まえ、重要と認められる費用及び収益の明細  
(c) Details of other costs and income that are deemed material in light of the characteristics of the operations of the Corporation.

（閲覧期間）

(Period of Public Inspection)

第十四条の三 法第四十条第三項に規定する内閣府令・財務省令で定める期間は、五年とする。

Article 14-3 The period specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 40, paragraph (3) of the Act is five years.

(区分経理)

(Separate Accounting)

第十四条の四 機構は、危機対応勘定において整理すべき事項が一般勘定において整理すべき事項と共通の事項であるため、当該危機対応勘定に係る部分を区分して整理することが困難なときは、当該事項については、機構が金融庁長官及び財務大臣の承認を受けて定める基準に従って、事業年度の期間中一括して整理し、当該事業年度の末日現在において各勘定に配分することにより整理することができる。

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

(責任準備金の額等)

(Amount of Liability Reserve)

第十五条 機構が毎事業年度累積して積み立てなければならない責任準備金の額は、当該事業年度における収益の額から費用（責任準備金繰入を除く。）及び第四項の規定による繰越欠損金の合計額を控除した金額に相当する金額とする。

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

2 機構は、毎事業年度の収益（責任準備金戻入を除く。）の額が当該事業年度の費用の額を下回る場合は、その下回る部分の金額（以下この条において「損失額」という。）を限度として責任準備金を取り崩し、当該損失額を補填するものとする。

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

3 第一項の責任準備金は、前項の規定により損失額を補填する場合を除き、取り崩し

てはならない。

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

4 機構は、第二項の規定により補填することのできない損失額があるときは、その金額を繰越欠損金として整理するものとする。

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

(借入金の認可の申請)

(Application for Authorization for Borrowing)

第十六条 機構は、法第四十二条第一項又は第二百二十六条第一項の規定により法第二条第一項に規定する金融機関（以下「金融機関」という。）その他の者（日本銀行を除く。）からの資金の借入の認可を受けようとするときは、当該金融機関その他の者の名称のほか、次に掲げる事項を記載した申請書を金融庁長官及び財務大臣に提出しなければならない。

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

一 借入を必要とする理由

(i) reasons for necessity for the borrowing;

二 借入金の額

(ii) the amount of the borrowing;

三 借入金の利率

(iii) the interest rate for the borrowing;

四 借入金の償還の方法及び期限

(iv) the method and due date of repayments of the borrowing;

五 利息の支払の方法及び期限

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

六 その他必要な事項

(vi) other necessary particulars.

2 機構は、法第四十二条第二項又は第二百二十六条第一項の規定により日本銀行からの資金の借入の認可を受けようとするときは、前項各号に掲げる事項を記載した申請書を金融庁長官及び財務大臣に提出しなければならない。

(2) The Corporation must, when it seeks to obtain the authorization for the borrowing of funds from the Bank of Japan under Article 42, paragraph (2) or Article 126, paragraph (1) of the Act, submit to Commissioner of the Financial

Services Agency and the Minister of Finance a written application stating the particulars listed in each item of the preceding paragraph.

(余裕金の運用方法)

(Method of Investment of Surplus Funds)

第十七条 法第四十三条第三号に規定する内閣府令・財務省令で定める方法は、次に掲げる方法とする。

Article 17 The methods specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 43, item (iii) of the Act are the following:

一 金銭信託（元本の損失を補填する契約があるものに限る。）

(i) Money trusts (limited to those for which there is a contract to compensate for a loss of principal);

二 コール資金の貸付け（国債を担保とするものに限る。）

(ii) lending of call funds (limited to those secured on national government bonds).

(会計規程)

(Accounting Rules)

第十八条 機構は、その財務及び会計に関し、会計規程を定めなければならない。

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

2 前項の会計規程を定めようとするときは、金融庁長官及び財務大臣の承認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。

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

(保険料納付の際の提出書類)

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

第十九条 法第五十条第一項に規定する内閣府令・財務省令で定める書類は、別紙様式第一による保険料計算書とする。

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

(利息等の額等)

(Amount of Interest)

第二十条 令第六条の二第一項第五号に規定する内閣府令・財務省令で定めるものは、同号に規定する信託契約に係る収益の分配を行うまでの間、当該信託契約に係る信託

財産の運用により生じた収益について、当該収益を元本とする元本補填の契約をした金銭信託により運用しているものであつて、当該金銭信託の元本の額に相当するものとする。

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

2 令第六条の二第二項に規定する同条第一項各号に掲げるものの額は、次の各号に掲げる区分に応じ、当該各号に定める金額に相当する額とする。

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

一 令第六条の二第一項第一号に規定する利息のうち普通預金、貯蓄預金、納税貯蓄組合預金、納税準備預金及び別段預金に係るもの 当該預金契約に基づき計算される利息のうち、直前の利払いの日（利払いがされていない場合にあっては預入の日）から保険事故が発生した日までの期間に対応する金額

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

二 令第六条の二第一項第一号に規定する利息のうち前号に掲げる預金以外の預金に係るもの 当該預金契約に基づき満期時まで有していた場合に適用される利率により計算される利息のうち、預入の日から保険事故が発生した日までの日数につき日割計算により算出した金額

(ii) the interest prescribed in Article 6-2, paragraph (1), item (i) of the Order those pertaining to deposits other than those specified in the preceding item; among the interest calculated using a rate applicable in the case where deposits are held until maturity under a relevant deposit contract, an amount calculated in proportion to the number of days from the day of deposit to the day of occurrence of an insurable contingency.

三 令第六条の二第一項第二号に規定する給付補填金 定期積金契約に基づき満期時まで有していた場合に適用される利率により計算される当該給付補填金のうち、当初払込金の払込みの日から保険事故が発生した日までの日数につき日割計算により



算出した金額

(iii) compensation money for benefits prescribed in Article 6-2, paragraph (1), item (ii) of the Order; among compensation money for benefits calculated using an interest rate applicable in the case where deposits are held until maturity under an installment savings contract, an amount calculated in proportion to the number of days from the day of initial payment to the day of occurrence of an insurable contingency.

四 令第六条の二第一項第三号に規定する給付補填金 掛金契約に基づき満期時まで有していた場合に適用される利率により計算される当該給付補填金のうち、当初掛金の払込みの日から保険事故が発生した日までの日数につき日割計算により算出した金額

(iv) compensation money for benefits prescribed in Article 6-2, paragraph (1), item (iii) of the Order; among the compensation money for benefits calculated using an interest rate applicable in the case where deposits are held until maturity under an installment deposit contract, an amount calculated in proportion to the number of days from the day of payment of first installment to the day of occurrence of an insurable contingency.

五 令第六条の二第一項第四号に規定する収益の分配 同号に規定する利益の補足に係る契約に基づき計算される当該収益のうち、当該契約の日から保険事故が発生した日までの日数につき日割計算により算出した金額

(v) distribution of income prescribed in Article 6-2, paragraph (1), item (iv) of the Order; among the income calculated under a contract to make up for income prescribed in Article 6-2, paragraph (1), item (iv) of the Order, an amount calculated in proportion to the number of days from the day of the contract to the day of occurrence of an insurable contingency.

六 令第六条の二第一項第五号に規定するもの 前項に規定するものの保険事故が発生した日における額のうち、法第五十四条第一項に規定する元本の額に対応する金額

(vi) those prescribed in Article 6-2, paragraph (1), item (v) of the Order; among the amount prescribed in the preceding paragraph, an amount corresponding to the amount of principal prescribed in Article 54, paragraph (1) of the Act as of the day of occurrence of an insurable contingency.

七 令第六条の二第一項第六号に規定する利息 当該長期信用銀行債等に係る発行要項に基づき計算される利息のうち、利息計算の起算の日から保険事故が発生した日までの日数につき日割計算により算出した金額

(vii) the interest prescribed in Article 6-2, paragraph (1), item (vi) of the Order; among the interest calculated based on the issuing guidelines of the Long-Term Credit Bank Bonds, etc., an amount calculated in proportion to the number of days from the initial date of calculation of the interest to the day of occurrence of an insurable contingency.

八 令第六条の二第一項第七号に規定するもの 同号に規定する金額のうち、当該長

期信用銀行債等の購入の日から保険事故が発生した日までの日数につき日割計算により算出した金額

(viii) those prescribed in Article 6-2, paragraph (1), item (vii) of the Order; among the amount prescribed in Article 6-2, paragraph (1), item (vii) of the Order, an amount calculated in proportion to the number of days from the day of the purchase of the Long-Term Credit Bank Bonds, etc. to the day of occurrence of an insurable contingency.

(預金等情報)

(Information on Deposits, etc.)

第二十一条 法第五十五条の二第二項（法第六十九条の二第一項の規定により特定決済債務（同項に規定する特定決済債務をいう。以下この条において同じ。）に係る債権を支払対象決済用預金に係る債権とみなして適用する場合を含む。次項において同じ。）に規定する内閣府令・財務省令で定める事項は、次の各号に掲げる法第五十五条の二第四項（法第六十九条の二第一項の規定により読み替えて適用する場合を含む。）に規定するデータベースの区分に応じ、当該各号に定めるものとする。

Article 21 (1) The particulars specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 55-2, paragraph (2) of the Act (including the cases where the provisions of Article 69-2, paragraph (1) of the Act are applied by deeming claims pertaining to the Specified Settlement Obligations (meaning the Specified Settlement Obligations prescribed in Article 69-2, paragraph (1) of the Act; hereinafter the same applies in this Article) as claims pertaining to the Covered Deposits for Settlement; the same applies in the following paragraph) are to be specified in each of the following items according to the category of database prescribed in Article 55-2, paragraph (4) of the Act (including the cases where it is applied by replacing the term pursuant to Article 69-2, paragraph (1) of the Act) specified in the item:

一 名寄用顧客ファイル 法第二条第三項に規定する預金者等（以下この条において「預金者等」という。）の氏名又は名称、生年月日又は設立年月日、顧客番号、電話番号の全部又は一部その他の事項で機構が電子情報処理組織を用いて速やかに預金者等の特定を行うために必要と認めるもの

(i) customer files for name-based aggregation; all or part of names, dates of birth or dates of establishment, customer numbers, telephone numbers, and other particulars that are deemed necessary by the Corporation in order to promptly identify depositors, etc. prescribed in Article 2, paragraph (3) of the Act (hereinafter referred to as "Depositors, etc." in this Article) using an electronic data processing system.

二 顧客ファイル 預金者等の氏名又は名称、住所若しくは居所又は営業所若しくは事務所の所在地、郵便番号、顧客番号その他の事項で機構が預金者等との連絡を円滑に行うために必要と認めるもの及び預金者等に係る法第五十四条第一項に規定す

る利息等に係る所得税法（昭和四十年法律第三十三号）その他の所得税等に関する法令の規定の適用に関する事項で機構が必要と認めるもの

- (ii) customer files; the name, address, residence, location of business office or office, postal code, customer number of the Depositors, etc. and other particulars that are deemed necessary by the Corporation in order to contact the Depositors, etc. smoothly and particulars regarding the application of the Income Tax Act (Act No. 33 of 1965) and other laws and regulations relating to income tax, etc. on interest, etc. prescribed in Article 54, paragraph (1) of the Act pertaining to the Depositors, etc.

三 預金ファイル 顧客番号、法第二条第二項に規定する預金等（以下この条において「預金等」という。）の口座に関する事項（口座番号、口座開設日等をいう。次項第三号において同じ。）、預金等に係る債権の内容に関する事項（預金等の種目、元本の額、利率、預入日、満期日等をいう。同号において同じ。）、当該預金等に係る債権を目的とする担保権の設定に関する事項、預金等に係る法第五十四条第一項に規定する利息等に係る所得税法その他の所得税等に関する法令の規定の適用に関する事項その他の事項で機構が預金等に係る債権の内容を把握するために必要と認めるもの

- (iii) depositor files; customer number, particulars regarding accounts (meaning account number, date of establishment of accounts, etc.; the same applies in item (iii) of the following paragraph) for deposits, etc. prescribed in Article 2, paragraph (2) of the Act (hereinafter referred to as "Deposits, etc." in this Article), and particulars regarding the details of claims pertaining to the Deposits, etc. (meaning the type of the Deposits, etc., amount of principal, interest rate, date of deposit, maturity date, etc.; the same applies in the item), the establishment of a security interest in the claims pertaining to the Deposits, etc., and the application of the Income Tax Act and other laws and regulations relating to income tax, etc. on interest, etc. prescribed in Article 54, paragraph (1) of the Act pertaining to the Deposits, etc., and other particulars that are deemed necessary by the Corporation in order to ascertain the details of claims pertaining to the Deposits, etc.

四 総合・当座貸越担保預金ファイル 預金等の種目及び口座番号、担保預金等（担保権の目的となつている預金等に係る債権をいう。第六号並びに次項第四号及び第六号において同じ。）の種目及び口座番号その他の事項で機構が貸越しの存する預金等の口座を特定し、かつ、当該貸越しのために担保権の目的となつている預金等の口座を特定するために必要と認めるもの

- (iv) files for general and current deposit with security for overdraft; the type and account number of the Deposits, etc. and secured Deposits, etc. (meaning claims pertaining to the Deposits, etc. that are the subject matter of a security interest; the same applies in item (vi) and items (iv) and (vi) of the following paragraph) and other particulars that are deemed necessary by the Corporation in order to specify accounts for the Deposits, etc. with overdraft

and accounts for the Deposits, etc. that are the subject matter of a security interest for the overdraft;

五 債務ファイル 顧客番号、貸付残高、未収利息額その他の事項で機構が預金担保貸付（預金等に係る債権を担保権の目的とする貸付けをいう。次項第五号において同じ。）に係る債務者を特定し、かつ、当該債務者の債務の額を算出するために必要と認めるもの

(v) obligation files; customer number, outstanding loans, the amount of accrued interest, and other particulars that are deemed necessary by the Corporation in order to specify obligors pertaining to loans secured by deposits (meaning loans for which claims pertaining to the Deposits, etc. are the subject matter of a security interest therein; the same applies in item (v) of the following paragraph) and calculate the amount of obligations of the obligors;

六 債務担保預金ファイル 顧客番号、担保預金等の種目及び口座番号その他の事項で機構が前号の債務者の有する債務に係る担保預金等の口座を特定するために必要と認めるもの

(vi) files for obligations secured by deposits; customer number, type and account number of secured Deposits, etc. and other particulars that are deemed necessary by the Corporation in order to specify accounts for secured Deposits, etc. held by the obligor prescribed in the preceding item;

七 特定決済債務ファイル 特定決済債務に係る債権の額その他の事項で機構が特定決済債務に係る債権の内容を把握するために必要と認めるもの

(vii) files for the Specified Settlement Obligations; the amount of claims pertaining to the Specified Settlement Obligations and other particulars that are deemed necessary by the Corporation in order to ascertain the details of the claims;

八 前各号に掲げるもののほか、預金等に係る債権及び特定決済債務に係る債権の額を速やかに把握するために必要なものとして機構が別に定めるファイル 当該ファイルの目的等に応じ機構が必要と認める事項

(viii) beyond those listed in the preceding items, files that are separately prescribed by the Corporation as being necessary in order to promptly ascertain the amount of claims pertaining to the Deposits, etc. and the amount of claims pertaining to the Specified Settlement Obligations; particulars that are deemed necessary by the Corporation for the purpose of the files, etc.

2 法第五十五条の二第二項の金融機関が郵便貯金銀行（郵政民営化法（平成十七年法律第九十七号）第九十四条に規定する郵便貯金銀行をいう。以下この項及び次条第二項において同じ。）である場合における法第五十五条の二第二項に規定する内閣府令・財務省令で定める事項は、前項の規定にかかわらず、次の各号に掲げる情報の区分に応じ、当該各号に定めるものとすることができる。

(2) In the case where a Financial Institution prescribed Article 55-2, paragraph (2) of the Act is a post savings bank (meaning the post savings bank prescribed

in Article 94 of the Postal Service Privatization Act (Act No. 97 of 2005); hereinafter the same applies in this paragraph and paragraph (2) of the following Article), the particulars specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 55-2, paragraph (2) of the Act may, notwithstanding the provisions of the preceding paragraph, be prescribed in each of the following items according to the category of information specified in the item:

一 預入限度額管理に関する情報 預金者等の氏名又は名称、生年月日又は設立年月日、顧客番号、電話番号の全部又は一部その他の事項で郵便貯金銀行が預入限度額（郵政民営化法第百七条各号に定める額をいう。）を管理するために用いる事項のうち、機構が速やかに預金者等の特定を行うために必要と認めるもの

(i) Information on the management of deposit limit; among the particulars used by a post savings bank to manage deposit limits (meaning the amounts prescribed in each item of Article 107 of the Postal Service Privatization Act), all or part of names, dates of birth or dates of establishment, customer numbers, telephone numbers of the Depositors, etc. and other particulars that are deemed necessary by the Corporation in order to promptly specify the Depositors, etc.

二 顧客に関する情報 預金者等の氏名又は名称、住所若しくは居所又は営業所若しくは事務所の所在地、郵便番号、顧客番号その他の事項で機構が預金者等との連絡を円滑に行うために必要と認めるもの

(ii) Information on customers; the name, address or residence or location of business office or office, postal code, and customer number of Depositors, etc. and other particulars that are deemed necessary by the Corporation in order to contact the Depositors, etc. smoothly;

三 預金等に関する情報 顧客番号、預金等の口座に関する事項、預金等に係る債権の内容に関する事項、当該預金等に係る債権を目的とする担保権の設定に関する事項、預金等に係る法第五十四条第一項に規定する利息等に係る所得税法その他の所得税等に関する法令の規定の適用に関する事項その他の事項で機構が預金等に係る債権の内容を把握するために必要と認めるもの

(iii) information on the Deposits, etc.; customer number, particulars regarding accounts for the Deposits, etc., details of claims pertaining to the Deposits, etc., establishment of security interest whose subject matter is claims pertaining to the Deposits, etc., and the application of the Income Tax Act and other laws and regulations relating to income tax, etc. on interest, etc. prescribed in Article 54, paragraph (1) of the Act pertaining to the Depositors, etc. and other particulars that are deemed necessary by the Corporation in order to ascertain the details of claims pertaining to the Deposits, etc.

四 総合・当座貸越担保預金に関する情報 預金等の種目及び口座番号、担保預金等の種目及び口座番号その他の事項で機構が貸越しの存する預金等の口座を特定し、かつ、当該貸越しのために担保権の目的となつてゐる預金等の口座を特定するため

に必要と認めるもの

- (iv) information on general and current deposit with security for overdraft; the type and account number of the Deposits, etc. and secured Deposits, etc. and other particulars that are deemed necessary by the Corporation in order to specify accounts for the Deposits, etc. with overdraft and accounts for the Deposits, etc. that are the subject matter of a security interest for the overdraft.

五 債務に関する情報 顧客番号、貸付残高その他の事項で機構が預金担保貸付に係る債務者を特定し、かつ、当該債務者の債務の額を算出するために必要と認めるもの

- (v) information on obligations; customer number, outstanding loans and other particulars that are deemed necessary by the Corporation in order to specify obligors pertaining to loans secured by deposits and calculate the amount of obligations of the obligor.

六 債務担保預金に関する情報 顧客番号、担保預金等の種目及び口座番号その他の事項で機構が前号の債務者の有する債務に係る担保預金等の口座を特定するために必要と認めるもの

- (vi) information on obligations secured by deposits; customer number, type and account number of secured Deposits, etc. and other particulars that are deemed necessary by the Corporation in order to specify accounts for secured Deposits, etc. pertaining to obligations owed by the obligor prescribed in the preceding item.

七 特定決済債務に関する情報 特定決済債務に係る債権の額その他の事項で機構が特定決済債務に係る債権の内容を把握するために必要と認めるもの

- (vii) information on the Specified Settlement Obligations; the amount of claims pertaining to the Specified Settlement Obligations and other particulars that are deemed necessary by the Corporation in order to ascertain the details of claims pertaining to the Specified Settlement Obligations;

八 預金等債権の買取りに関する情報 郵便貯金銀行が法第七十条第一項に規定する買取りの対象となる預金等債権（預金者等が有する支払対象一般預金等（法第五十四条第一項に規定する支払対象一般預金等をいう。以下この号において同じ。）に係る債権（法第五十四条の三第一項第一号の規定により同号に規定する加入者等の支払対象預金等に係る債権とみなされたもののうち支払対象一般預金等に係るものを含む。）のうち元本の額（その額が同一人について二以上あるときは、その合計額）が保険基準額（令第六条の三に規定する金額をいう。）を超えたことにより法第五十四条第二項又は法第五十四条の三第二項の規定により支払対象一般預金等の保険金の額に含まれないものとされた金額に相当するものに限る。）について抽出を行った場合に、当該預金等に係る預金者等の氏名又は名称その他の事項で機構が当該預金者等を特定し、かつ、当該預金等に係る債権の内容を把握するために必要と認めるもの

- (viii) information on the purchase of deposits and other claims; in the case

where a post savings bank has selected deposits and other claims subject to the purchase prescribed in Article 70, paragraph (1) of the Act (limited to an amount that is held not to be included in the amount of insurance claims for the Covered General Deposits, etc. under Article 54, paragraph (2) or Article 54-3, paragraph (2) of the Act on the ground that, among claims pertaining to the Covered General Deposits, etc. (meaning the Covered General Deposits, etc., prescribed in Article 54, paragraph (1) of the Act; hereinafter the same applies in this item) held by the Depositors, etc. (including, among claims that are deemed under Article 54-3, paragraph (1), item (i) of the Act to be claims pertaining to the covered Deposits, etc. of subscribers, etc. prescribed therein, claims pertaining to the Covered General Deposits, etc.), the amount of principal (when there are two or more the amounts for one person, the total amount thereof) has exceeded the Base Insurance Amount (meaning the amount prescribed in Article 6-3 of the Order)), the name of the Depositors, etc. pertaining to the Deposits, etc. and other particulars that are deemed necessary by the Corporation in order to specify the Depositors, etc. and claims pertaining to the details of the Deposits, etc.

九 前各号に掲げるもののほか、預金等に係る債権及び特定決済債務に係る債権並びに法第七十条第一項に規定する買取りの対象となる預金等債権の額を速やかに把握するために必要なものとして機構が別に定める情報 当該情報の目的等に応じ機構が必要と認める事項

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

(預金等情報の提出方法)

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

第二十二條 法第五十五條の二第二項の規定により資料の提出を求められた金融機関は、機構が示す様式に従つて前条第一項各号に定める事項を記録したデータベースを機構が指定する磁気テープ（これに準ずる方法により一定の事項を確実に記録しておくことができる物を含む。）をもつて調製し、又は当該データベースを電子情報処理組織を使用して提出しなければならない。

Article 22 (1) A Financial Institution that is requested to submit materials pursuant to Article 55-2, paragraph (2) of the Act must prepare a database recording the particulars specified in each item of paragraph (1) of the preceding Article in accordance with the form indicated by the Corporation using magnetic tapes designated by the Corporation (including other medium

in which certain particulars can be securely recorded by equivalent means) or submit the database using an electronic data processing system.

- 2 法第五十五条の二第二項の規定により資料の提出を求められた金融機関が郵便貯金銀行である場合における前項の規定の適用については、同項中「前条第一項各号」とあるのは「前条第一項各号又は第二項第七号から第九号まで」とする。

(2) For the purpose of applying the provisions of the preceding paragraph in the case where the Financial Institution requested to submit materials pursuant to Article 55-2, paragraph (2) of the Act is a post savings bank, the term "each item of paragraph (1) of the preceding Article" in the same paragraph is deemed to be "each item of paragraph (1) of the preceding Article or item (vii) through item (ix) of paragraph (2)."

(適格性の認定の申請)

(Application for Authorization of Eligibility)

第二十三条 金融機関又は銀行持株会社等（法第二条第五項に規定する銀行持株会社等をいう。第二十九条の五第四号において同じ。）は、法第六十一条第一項（法第一百条第五項、第一百十八条第二項及び附則第十五条の四第五項において準用する場合を含む。第三号において同じ。）の規定により、法第五十九条第二項に規定する合併等の認定を受けようとするときは、認定申請書に次に掲げる書類を添付して金融庁長官に提出しなければならない。

Article 23 (1) A Financial Institution or Bank Holding Company, etc. (meaning the Bank Holding Company, etc. prescribed in Article 2, paragraph (5) of the Act; the same applies in Article 29-5, item (iv)) must, when it seeks to obtain the authorization prescribed in Article 61, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 101, paragraph (5) and Article 118, paragraph (2) of the Act and Article 15-4, paragraph (5) of the Supplementary Provisions of the Act; the same applies in item (iii)) for a merger, etc. prescribed in Article 59, paragraph (2) of the Act, submit a written application for authorization to the Commissioner of the Financial Services Agency, attaching the following documents:

一 理由書

(i) a statement of reasons;

二 最終の貸借対照表（関連する注記を含む。以下同じ。） 、 損益計算書（関連する注記を含む。以下同じ。） 及び株主資本等変動計算書（関連する注記を含む。以下同じ。）並びに最近の日計表

(ii) the latest balance sheet (including related notes; the same applies hereinafter), profit and loss statement (including related notes; the same applies hereinafter) and statement of changes in net assets (including related notes; the same applies hereinafter) and a recent daily trial balance sheet;

三 その他法第六十一条第一項に規定する認定をするため参考となるべき事項を記載した書類



(iii) other documents stating particulars to be referred for the purpose of granting the authorization under Article 61, paragraph (1) of the Act.

2 前項第二号の株主資本等変動計算書は、法第六十六条第二項に規定する信用金庫等にあつては剰余金処分計算書又は損失金処理計算書とする。（第二十五条第二号及び第二十九条の四第三号において同じ。）

(2) The statement of changes in net assets prescribed in item (ii) of the preceding paragraph is a surplus appropriation statement or loss disposition statement in the case of the Shinkin Bank, etc. prescribed in Article 66, paragraph (2) of the Act (the same applies in Article 25, item (ii) and Article 29-4, item (iii)).

（電磁的記録）

(Electronic or magnetic Record)

第二十三条の二 法第六十六条第一項（法第一百一条第七項、第一百十八条第四項、第二百二十六条の三十一、第二百二十六条の三十八第七項、附則第十五条の四第七項及び附則第十五条の四の二第七項において準用する場合を含む。）に規定する内閣府令・財務省令で定める電磁的記録は、工業標準化法（昭和二十四年法律第百八十五号）に基づく日本工業規格（以下この条において「日本工業規格」という。）X 6223に適合する九十ミリメートルフレキシブルディスクカートリッジに該当する構造の磁気ディスクとする。

Article 23-2 (1) The electronic or magnetic record specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 66, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 101, paragraph (7), Article 118, paragraph (4), Article 126-31, and Article 126-38, paragraph (7) of the Act, and Article 15-4, paragraph (7) and Article 15-4-2, paragraph (7) of the Supplementary Provisions of the Act) is a magnetic disk with a structure being that of a 90 millimeter flexible disk cartridge that complies with Japanese Industrial Standards (hereinafter referred to as JIS in this Article) X 6223 and complying with the Industrial Standardization Act (Act No. 185 of 1949).

2 前項の電磁的記録への記録は、次に掲げる方式に従つてしなければならない。

(2) Recording by the electronic or magnetic record prescribed in the preceding paragraph must be made in accordance with the following:

一 トラックフォーマットについては、日本工業規格X 6225に規定する方式  
(i) the format prescribed in JIS X 6225 must be used with regard to track format;

二 ボリューム及びファイル構成については、日本工業規格X 0605に規定する方式

(ii) the format prescribed in JIS X 0605 must be used with regard to volume and file configuration.

3 第一項の電磁的記録には、日本工業規格X 6223に規定するラベル領域に、次に掲げる事項を記載した書面をはり付けなければならない。

(3) Documents stating the following must be attached to the label area prescribed in JIS X 6223 of the electronic or magnetic record prescribed in paragraph (1):

一 提出者の商号又は名称

(i) trade name or name of the person submitting the record;

二 提出年月日

(ii) the date of submission.

(業務の継続の承認申請書の添付書類)

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

第二十四条 令第十四条第四号及び第二十九条の二十四第四号に規定する内閣府令・財務省令で定める書類は、法第六十七条第二項（法第二百二十六条の三十一及び附則第十五条の四第七項において準用する場合を含む。第三十七条において同じ。）に規定する業務に係る取引の状況について知ることができる書面その他金融庁長官（労働金庫、労働金庫連合会又は労働金庫等子法人等（法第二百二十六条の二第二項第一号に規定する等をいう。第二十六条及び第三十七条において同じ。）にあつては金融庁長官及び厚生労働大臣とし、株式会社商工組合中央金庫又は商工組合子法人等（法第二百二十六条の二第二項第一号に規定する商工組合子法人等をいう。第二十六条及び第三十七条において同じ。）にあつては金融庁長官、財務大臣及び経済産業大臣とする。次条及び第二十七条において同じ。）が必要と認める事項を記載した書面とする。

Article 24 The documents specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 14, item (iv) and Article 29-24, item (iv) of the Order are documents stating the status of transactions pertaining to business prescribed in Article 67, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-31 of the Act and Article 15-4, paragraph (7) of the Supplementary Provisions of the Act; the same applies in Article 37) and other particulars that are deemed necessary by the Commissioner of the Financial Services Agency (in the case of a labor bank, The Rokinren Bank, or a Subsidiary, etc. of a Labor Bank, etc. (meaning the Subsidiary, etc. of a Labor Bank, etc. prescribed in Article 126-2-2, item (i) of the Act; the same applies in Articles 26 and 37), the Commissioner of the Financial Services Agency and the Minister of Health, Labour and Welfare, and in the case of The Shoko Chukin Bank, Ltd. or a Subsidiary, etc. of The Shoko Chukin Bank (meaning the Subsidiary, etc. of The Shoko Chukin Bank prescribed in Article 126-2, paragraph (2), item (i) of the Act; the same applies in Articles 26 and 37), the Commissioner of the Financial Services Agency, the Minister of Finance and the Minister of Economy, Trade and Industry; the same applies in the following Article and Article 27).

(金融機関の申出)

(Notification by Financial Institution)

第二十五条 金融機関は、法第七十四条第二項及び第五項の規定による申出を行おうとするときは、申出書に次に掲げる書類を添付して金融庁長官（労働金庫又は労働金庫連合会にあつては金融庁長官及び厚生労働大臣とし、株式会社商工組合中央金庫にあつては金融庁長官、財務大臣及び経済産業大臣とする。第二十七条において同じ。）に提出しなければならない。

Article 25 A Financial Institution must, when giving notification under Article 74, paragraphs (2) and (5) of the Act, submit a written notification to the Commissioner of the Financial Services Agency (in the case of a labor bank or The Rokinren Bank, the Commissioner of the Financial Services Agency and the Minister of Health, Labour and Welfare, and in the case of The Shoko Chukin Bank, Ltd., the Commissioner of the Financial Services Agency, the Minister of Finance and the Minister of Economy, Trade and Industry; the same applies in Article 27), attaching the following documents:

一 理由書

(i) a statement of reasons;

二 最終の貸借対照表、損益計算書及び株主資本等変動計算書並びに最近の日計表

(ii) the latest balance sheet, profit and loss statement, and statement of changes in net assets, and recent daily cash count sheet;

三 有価証券その他当該金融機関において時価評価が可能な資産の当該申出の日の直前の評価額及び評価損益を記載した書類

(iii) with respect to securities and other assets of the Financial Institution that can be measured at market value, documents stating their estimated amount and income or loss from valuation as of immediately prior to the day of the notification;

四 その他参考となるべき事項を記載した書類

(iv) documents stating particulars for reference;

（株主の名義書換の禁止の公告）

(Public Notice of Prohibition of Name Change of Shareholders)

第二十六条 法第七十六条第一項（法第二百二十六条の十八において準用する場合を含む。）の規定により株主の名義書換を禁止したときは、金融庁長官（処分に係る金融機関等（法第二百二十六条の二第二項に規定する金融機関等をいう。以下同じ。）が労働金庫等子法人等である場合にあつては金融庁長官及び厚生労働大臣とし、株式会社商工組合中央金庫又は商工組合子法人等である場合にあつては金融庁長官、財務大臣及び経済産業大臣とする。）がその旨を官報に掲載して公告するものとする。

Article 26 When an entry of name change of shareholders is prohibited under Article 76, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-18 of the Act), public notice thereof is to be given in the official gazette by the Commissioner of the Financial Services Agency (if a Financial Institution, etc. (meaning the Financial Institution, etc. prescribed in Article 126-2, paragraph (2) of the Act; the same

applies hereinafter) pertaining to the disposition is a Subsidiary, etc. of a Labor Bank, etc., the Commissioner of the Financial Services Agency and the Minister of Health, Labour and Welfare, and if the Financial Institution, etc. is The Shoko Chukin Bank, Ltd. or a Subsidiary, etc. of The Shoko Chukin Bank, the Commissioner of the Financial Services Agency, the Minister of Finance and the Minister of Economy, Trade and Industry).

(金融整理管財人の職務を行うべき者の指名等)

(Designation of Person to Perform Duties of Financial Administrator)

第二十七条 法第七十四条第一項に規定する管理を命ずる処分があつた場合において、金融整理管財人に選任された者が法人であるときは、当該法人は、役職員のうち金融整理管財人の職務を行うべき者を指名し、その旨を金融庁長官に届け出るとともに、当該管理を命ずる処分を受けた金融機関に通知しなければならない。

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

(資本金の額の減少の場合に催告を要しない債権者)

(Creditors to Whom Individual Notice for Objection Need Not Be Given

Concerning Reduction in Amount of Stated Capital)

第二十八条 令第二十三条第五号及び第二十九条の五第八号に規定する債権者で内閣府令・財務省令で定めるものは、保護預り契約に係る債権者とする。

Article 28 The creditors prescribed in Article 23, item (v) and Article 29-5, item (viii) of the Order as specified by Cabinet Office Order and Order of the Ministry of Finance are creditors relating to a custody agreement.

(協定承継銀行に生じた損失の金額)

(Amount of Loss Caused to Contracted Bridge Bank)

第二十九条 令第二十四条第二号に規定する損益計算上の当期損失として内閣府令・財務省令で定めるものは、第一号に掲げる費用等の額から第二号に掲げる収益等の額及び第三号に掲げる繰越利益剰余金の額を控除した残額とする。

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

一 経常費用及び特別損失の額

(i) amount of ordinary expenses and extraordinary losses;

二 経常収益及び特別利益の額（協定承継銀行（法第九十七条第一項第一号に規定する協定承継銀行をいう。）に前事業年度における損失に係る補填として機構により補填された金額があるときは当該補填された金額を控除した残額）

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

三 繰越利益剰余金の額（当期純利益が繰り入れられているときはその繰り入れられた額を控除した残額とし、当期純損失が繰り入れられているときはその繰り入れられた額を加算した額とする。）

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

2 前項に規定する「経常費用」、「特別損失」、「経常収益」、「特別利益」、「繰越利益剰余金」、「当期純利益」又は「当期純損失」とは、それぞれ銀行法施行規則（昭和五十七年大蔵省令第十号）第十八条第二項に規定する別紙様式第三号又は第三号の二の損益計算書又は貸借対照表に記載された経常費用、特別損失、経常収益、特別利益、繰越利益剰余金、当期純利益又は当期純損失とする。

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

（特定回収困難債権として買取りの対象となる資産）

(Assets Subject to Purchase as Specified Difficult-to-Collect Claims)

第二十九条の二 法第百一条の二第一項に規定する内閣府令・財務省令で定める資産は、手形に係る債権、債券に係る債権、金融機関と債務者との取引契約の違約金又は当該取引契約を実行するための手数料に係る債権その他の当該取引契約に基づく債権とする。

Article 29-2 The assets specified by Cabinet Office Order and Order of the

Ministry of Finance prescribed in Article 101-2, paragraph (1) of the Act are claims pertaining to negotiable instruments, claims pertaining to bonds, claims pertaining to penalties under transactional contracts between a Financial Institution and an obligor or fees to execute the contracts, or other claims based on the contracts.

(法第百二条第三項の決定の対象となる金融機関)

(Financial Institutions Subject to the Decision under Article 102, Paragraph (3) of the Act)

第二十九条の二の二 法第百二条第三項に規定する同条第一項各号に掲げる金融機関のうち内閣府令・財務省令で定めるものは、同項第二号に規定する第二号措置又は同項第三号に規定する第三号措置に係る認定（同項に規定する認定をいう。第三十六条第三項において同じ。）に係る金融機関とする。

Article 29-2-2 The Financial Institutions specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in each item of Article 102, paragraph (1) of the Act, as provided in Article 102, paragraph (3) of the Act, are the Financial Institutions related to the Confirmation (meaning the Confirmation prescribed in Article 102, paragraph (1) of the Act; the same applies in Article 36, paragraph (3)) pertaining to the Measures Under Item (ii) prescribed in Article 102, paragraph (1), item (ii) of the Act and Measures Under Item (iii) prescribed in Article 102, paragraph (1), item (iii) of the Act.

(自己資本その他の財務の状況が適当であるかどうかの基準に照らし財務内容の健全性の確保に資する社債等)

(Bonds That Contribute to Ensuring the Soundness of Financial Conditions in Light of the Standards on the Appropriateness of the Adequacy of Equity Capital and Any Other Financial Conditions)

第二十九条の二の三 法第百二条第三項に規定する銀行法（昭和五十六年法律第五十九号）その他の法令の規定に基づき定められる自己資本その他の財務の状況が適当であるかどうかの基準に照らし財務内容の健全性の確保に資する社債として内閣府令・財務省令で定めるものは、担保が付されていない社債とする。

Article 29-2-3 (1) The bonds specified by Cabinet Office Order and Order of the Ministry of Finance as those that contribute to ensuring the soundness of financial conditions in light of the standards on the appropriateness of the adequacy of equity capital and any other financial conditions specified based on the Banking Act (Act No. 59 of 1981) and any other laws and regulations, as prescribed in Article 102, paragraph (3) of the Act, are the bonds for which no security right is offered.

2 法第百二条第三項に規定する銀行法その他の法令の規定に基づき定められる自己資本その他の財務の状況が適当であるかどうかの基準に照らし財務内容の健全性の確保に資する株式として内閣府令・財務省令で定めるものは、担保が付されていない株式

とする。

(2) The shares specified by Cabinet Office Order and Order of the Ministry of Finance as those that contribute to ensuring the soundness of financial conditions in light of the standards on the appropriateness of the adequacy of equity capital and any other financial conditions specified based on the Banking Act and any other laws and regulations, as prescribed in Article 102, paragraph (3) of the Act, are the shares for which no security right is offered.

3 法第百二条第三項に規定する銀行法その他の法令の規定に基づき定められる自己資本その他の財務の状況が適当であるかどうかの基準に照らし財務内容の健全性の確保に資する金銭の消費貸借として内閣府令・財務省令で定めるものは、担保が付されていない金銭の消費貸借とする。

(3) The loans for consumption specified by Cabinet Office Order and Order of the Ministry of Finance as those that contribute to ensuring the soundness of financial conditions in light of the standards on the appropriateness of the adequacy of equity capital and any other financial conditions specified based on the Banking Act and any other laws and regulations, as prescribed in Article 102, paragraph (3) of the Act, are the loans for consumption for which no security right is attached.

(第一号措置に係る株式交換等の認可)

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

第二十九条の三 法第百八条の二第一項（法第百八条の三第八項において準用する場合を含む。以下この条において同じ。）の規定による株式交換等（法第百八条の二第一項に規定する株式交換等をいう。以下この条において同じ。）の認可を受けようとする発行金融機関等（同項に規定する発行金融機関等をいい、承継金融機関（法第百八条の三第二項第一号に規定する承継金融機関をいう。次条第六号において同じ。）であつて機構が現に保有する取得株式等（法第百八条第三項に規定する取得株式等をいう。以下この条において同じ。）である株式の発行者であるもの及び組織再編成後発行銀行持株会社等（法第百八条の三第五項に規定する組織再編成後発行銀行持株会社等をいう。）を含む。）は、認可申請書に次に掲げる書類を添付して、金融庁長官に提出しなければならない。

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

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

一 理由書

(i) a statement of reasons;

二 株式交換等に関する株主総会の議事録（会社法（平成十七年法律第八十六号）第三百十九条第一項の規定により株主総会の決議があつたものとみなされる場合には、当該場合に該当することを証する書面。第三十五条の六第二号において同じ。）その他必要な手続があつたことを証する書面

(ii) the minutes of shareholders meeting for the Share Exchange, etc. (in the case where a resolution of shareholders meeting is deemed to have been passed pursuant to the provisions of Article 319, paragraph (1) of the Companies Act (Act No. 86 of 2005), a document certifying that the provisions are applicable; the same applies in Article 35-6, item (ii)) and that other necessary procedures have been taken;

三 株式交換契約の内容を記載した書面又は株式移転計画の内容を記載した書面

(iii) a document containing details of share exchange contract or share transfer plan;

四 最終の貸借対照表、損益計算書及び株主資本等変動計算書、最近の日計表その他の最近における業務、財産及び損益の状況を知ることのできる書類

(iv) the latest balance sheet, profit and loss statement and statement of changes in net assets, recent daily cash count sheet, and other documents containing information on the status of recent business, assets, income and losses;

五 法第百八条の二第二項第一号（法第百八条の三第八項において準用する場合を含む。次号及び第七号において同じ。）に掲げる要件に該当することを証する書面

(v) a document certifying that the requirements prescribed in Article 108-2, paragraph (2), item (i) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act; the same applies in the following item and item (vii)) are satisfied;

六 株式交換等の前において機構が保有する取得株式等である株式に係る議決権が当該発行金融機関等の総株主の議決権に占める割合及び株式交換等の後において機構が保有する取得株式等である株式に係る議決権が法第百八条の二第二項第一号に規定する会社の総株主の議決権に占める割合を記載した書面

(vi) a document stating the ratio of voting rights pertaining to acquired Shares, etc. held by the Corporation prior to the Share Exchange, etc. to the voting



rights of all shareholders of the Issuing Financial Institution, etc. and the ratio of voting rights pertaining to acquired Shares, etc. held by the Corporation after the Share Exchange, etc. to the voting rights of all shareholders of the company specified in Article 108-2, paragraph (2), item (i) of the Act;

七 法第百八条の二第一項の認可を受けて当該発行金融機関等に係る対象子会社等（法第百八条の三第四項に規定する対象子会社等をいう。次条及び第二十九条の五第四号において同じ。）が法第百八条の二第三項（法第百八条の三第八項において準用する場合を含む。）により提出することが見込まれる経営健全化計画（法第百五条第三項に規定する経営健全化計画をいう。次条第六号及び第二十九条の五第四号において同じ。）に記載される法第百八条の二第二項第一号に規定する会社における令第二十五条の四第三号に掲げる方策の概要を記載した書面その他の同項第三号（法第百八条の三第八項において準用する場合を含む。）に掲げる要件に該当することを証する書面

(vii) a document stating the outline of the measures provided in Article 25-4, item (iii) of the Order that are to be taken by the company provided in Article 108-2, paragraph (2), item (i) of the Act and are stated in the management soundness improvement plan (meaning the management soundness improvement plan provided in Article 105, paragraph (3) of the Act; the same applies in item (vi) of the following Article and Article 29-5, item (iv)) which is expected to be submitted pursuant to Article 108-2, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act) by the Subject Subsidiary Company, etc. (meaning the Subject Subsidiary Company, etc. as defined in Article 108-3, paragraph (4) of the Act; the same applies in the following Article and Article 29-5, item (iv)) pertaining to the Issuing Financial Institution, etc. after obtaining the permission provided in Article 108-2, paragraph (1) of the Act, and other documents certifying that the requirements provided in Article 108-2, paragraph (2), item (iii) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act) are satisfied;

八 その他法第百八条の二第一項の認可に係る審査をするため参考となるべき書類  
(viii) any other document to be referenced in the examination pertaining to the granting of the authorization provided in Article 108-2, paragraph (1) of the Act.

（第一号措置に係る組織再編成の認可）

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

第二十九条の四 法第百八条の三第一項（同条第四項において準用する場合を含む。以下この条において同じ。）の規定による組織再編成（法第百八条の三第一項に規定す

る組織再編成をいう。以下この条及び次条において同じ。)の認可を受けようとする対象金融機関(同項に規定する対象金融機関をいう。以下この条において同じ。)又は対象子会社等は、認可申請書に次に掲げる書類を添付して、金融庁長官に提出しなければならない。

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

一 理由書

(i) a statement of reasons;

二 次に掲げる組織再編成の区分に応じそれぞれ次に定める書面

(ii) the documents prescribed in each of the following items according to the category of the Corporate Reorganization specified therein:

イ 合併 合併契約の内容を記載した書面及び銀行法施行規則第二十二條第二号、長期信用銀行法施行規則(昭和五十七年大蔵省令第十三号)第二十一條第二号、信用金庫法施行規則(昭和五十七年大蔵省令第十五号)第八十六條第一項第二号、中小企業等協同組合法施行規則(平成二十年内閣府・財務省・厚生労働省・農林水産省・経済産業省・国土交通省・環境省令第一号)第一百七十八條第一項第六号又は労働金庫法施行規則(昭和五十七年大蔵省・労働省令第一号)第六十九條第一項第二号に掲げる書面

(a) A merger; documents containing details of the merger contract and documents listed in Article 22, item (ii) of the Order for Enforcement of the Banking Act, Article 21, item (ii) of the Order for Enforcement of the Long-Term Credit Bank Act (Order of the Ministry of Finance No. 13 of 1982), Article 86, paragraph (1), item (ii) of the Order for Enforcement of the Shinkin Bank Act (Order of the Ministry of Finance No. 15 of 1982), Article 178, paragraph (1), item (vi) of the Order for Enforcement of the Small and Medium-Sized Enterprise Cooperatives Act (Order of the Cabinet Office, Ministry of Finance, Ministry of Health, Labour and Welfare, Ministry of Agriculture, Forestry and Fisheries, Ministry of Economy, Trade and Industry, Ministry of Land, Infrastructure, Transport and Tourism, and Ministry of the Environment No. 1 of 2008) or Article 69, paragraph (1), item (ii) of the Order for Enforcement of the Labor Bank Act (Order of the Ministry of Finance, Ministry of Labour No. 1 of 1982)

- ロ 会社分割又は会社分割による事業の承継 新設分割計画の内容を記載した書面又は吸収分割契約の内容を記載した書面及び銀行法施行規則第二十二条の二第二号又は長期信用銀行法施行規則第二十一条の二第二号に掲げる書面
- (b) A company split or the succession of business in a company split; a document containing details of an incorporation-type company split plan or an absorption-type company split contract and documents listed in Article 22-2, item (ii) of the Order for Enforcement of the Banking Act or Article 21-2, item (ii) of the Order for Enforcement of the Long-Term Credit Bank Act
- ハ 事業の全部又は一部の譲渡又は譲受け 当該譲渡又は譲受けの契約の内容を記載した書面及び銀行法施行規則第二十三条第二号、長期信用銀行法施行規則第二十二條第二号、信用金庫法施行規則第七十九条第一項第二号若しくは第八十条第一項第二号、中小企業等協同組合法施行規則第一百四十一条第一項第二号若しくは第一百四十二条第二号又は労働金庫法施行規則第六十二条第一項第二号若しくは第六十三条第一項第二号に掲げる書面
- (c) A transfer or assumption of the whole or part of business; documents containing details of a contract for the transfer or assumption and documents listed in Article 23, item (ii) of the Order for Enforcement of the Banking Act, Article 22, item (ii) of the Order for Enforcement of the Long-Term Credit Bank Act, Article 79, paragraph (1), item (ii) or Article 80, paragraph (1), item (ii) of the Order for Enforcement of the Shinkin Bank Act, Article 141, paragraph (1), item (ii) or Article 142, item (ii) of the Order for Enforcement of the Small and Medium-Sized Enterprise Cooperatives Act, or Article 62, paragraph (1), item (ii) or Article 63, paragraph (1), item (ii) of the Order for Enforcement of the Labor Bank Act
- 三 最終の貸借対照表、損益計算書及び株主資本等変動計算書、最近の日計表その他の最近における業務、財産及び損益の状況を知ることのできる書類
- (iii) the latest balance sheet, profit and loss statement, statement of shareholder's equity, recent daily cash count sheet, and other documents containing information on the recent status of recent business, assets, income and losses;
- 四 銀行法、長期信用銀行法（昭和二十七年法律第百八十七号）、信用金庫法（昭和二十六年法律第二百三十八号）、中小企業等協同組合法（昭和二十四年法律第百八十一号）、労働金庫法（昭和二十八年法律第二百二十七号）又は金融機関の合併及び転換に関する法律（昭和四十三年法律第八十六号）の規定による認可を必要とする組織再編成であるときは、当該認可の申請を行つてゐることを証する書類
- (iv) when the Corporate Reorganization requires the authorization prescribed in the Banking Act, the Long-Term Credit Bank Act (Act No. 187 of 1952), the Shinkin Bank Act (Act No. 238 of 1951), the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949), the Labor Bank Act (Act No. 227 of 1953), or the Act on Financial Institutions' Merger and Conversion

(Act No. 86 of 1968), a document certifying that an application for the relevant authorization has been made;

五 法第百八条の三第二項第一号（同条第四項において準用する場合を含む。）に掲げる要件に該当することを証する書面

(v) a document certifying that the requirements prescribed in Article 108-3, paragraph (2), item (i) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act) are satisfied;

六 組織再編成に係る承継金融機関又は承継子会社（法第百八条の三第四項に規定する承継子会社をいう。）がある場合における当該承継金融機関又は承継子会社が同条第三項の規定（同条第四項において準用する場合を含む。）により提出することが見込まれる経営健全化計画の概要を記載した書面その他の同条第二項第二号及び第四号（これらの規定を同条第四項において準用する場合を含む。）に掲げる要件に該当することを証する書面

(vi) in the case where there is a Bridge Financial Institution or bridge subsidiary company (meaning the bridge subsidiary company prescribed in Article 108-3, paragraph (4) of the Act) pertaining to the Corporate Reorganization, a document stating the outline of the management soundness improvement plan that is expected to be submitted under Article 108-3, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act) by the Bridge Financial Institution or bridge subsidiary company and any other document certifying that the requirements prescribed in Article 108-3, paragraph (2), items (ii) and (iv) of the Act (including the cases where these provisions are applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act) are satisfied;

七 その他法第百八条の三第一項の規定による認可に係る審査をするため参考となるべき書類

(vii) any other document for reference for the purpose of examination pertaining to the granting of the authorization prescribed Article 108-3, paragraph (1) of the Act.

第二十九条の五 法第百八条の三第五項による組織再編成の認可を受けようとする同項に規定する発行金融機関等は、認可申請書に次に掲げる書類を添付して、金融庁長官に提出しなければならない。

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

一 前条第一号、第三号及び第四号に掲げる書類

(i) documents listed in items (i), (iii) and (iv) of the preceding Article;

二 次に掲げる組織再編成の区分に応じそれぞれ次に定める書面

(ii) documents prescribed below according to the category of the Corporate

Reorganization specified therein;

イ 合併 合併契約の内容を記載した書面及び銀行法施行規則第三十四条の二十九第一項第二号又は長期信用銀行法施行規則第二十五条の十第一項第二号に掲げる書面

(a) A merger; documents containing details of the merger contract and documents listed in Article 34-29, paragraph (1), item (ii) of the Order for Enforcement of the Banking Act or Article 25-10, paragraph (1), item (ii) of the Order for Enforcement of the Long-Term Credit Bank Act

ロ 会社分割又は会社分割による事業の承継 新設分割計画の内容を記載した書面又は吸収分割契約の内容を記載した書面及び銀行法施行規則第三十四条の三十第一項第二号又は長期信用銀行法施行規則第二十五条の十の二第一項第二号に掲げる書面

(b) A company split or the succession of business in a company split; a document containing details of an incorporation-type company split plan or an absorption-type company split contract and documents listed in Article 34-30, paragraph (1), item (ii) of the Order for Enforcement of the Banking Act or Article 25-10-2, paragraph (1), item (ii) of the Order for Enforcement of the Long-Term Credit Bank Act;

ハ 事業の全部又は一部の譲渡又は譲受け 当該譲渡又は譲受けの契約の内容を記載した書面及び銀行法施行規則第三十四条の三十一第一項第二号又は長期信用銀行法施行規則第二十五条の十一第一項第二号に掲げる書面

(c) A transfer or assumption of the whole or part of business; a document containing details of a contract for the transfer or assumption and documents listed in Article 34-31, paragraph (1), item (ii) of the Order for Enforcement of the Banking Act or Article 25-11, paragraph (1), item (ii) of the Order for Enforcement of the Long-Term Credit Bank Act

三 法第百八条の三第六項第一号に掲げる要件に該当することを証する書面

(iii) a document certifying that the requirements listed in Article 108-3, paragraph (6), item (i) of the Act satisfied;

四 法第百八条の三第六項第一号に規定する他の銀行持株会社等がある場合における当該発行金融機関等に係る対象子会社等が同条第七項の規定により提出することが見込まれる経営健全化計画の概要を記載した書面その他の同条第六項第二号及び第三号に掲げる要件に該当することを証する書面

(iv) when there is another Bank Holding Company, etc. prescribed in Article 108-3, paragraph (6), item (i) of the Act, the outline of the management soundness improvement plan that is expected to be submitted under Article 108-3, paragraph (7) of the Act by the Subject Subsidiary Company, etc. pertaining to the Issuing Financial Institution, etc. and any other document

certifying that the requirements listed in Article 108-3, paragraph (6), items (ii) and (iii) of the Act are satisfied;

五 その他法第百八条の三第五項の認可に係る審査をするため参考となるべき書類  
(v) any other document for reference for the purpose of examination pertaining to the granting of the authorization prescribed in Article 108-3, paragraph (5) of the Act.

(特別危機管理銀行の財務の公表)

(Publication of Financial Information of Bank under Special Crisis Management)

第三十条 法第百十三条に規定する公表は、法第百十一条第二項の公告時における貸借対照表を官報に掲載して行うものとする。

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

2 前項の貸借対照表は、銀行法施行規則第十九条第一項又は長期信用銀行法施行規則第十八条第一項に規定する様式により作成するものとする。

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

(負担金納付の際の提出書類)

(Documents to be Submitted Time of Payment of Burden Charge)

第三十一条 法第百二十二条第二項に規定する内閣府令・財務省令で定める書類は、別紙様式第二による負担金計算書とする。

Article 31 The document specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 122, paragraph (2) of the Act is a statement of burden charge set forth in appended Form 2.

(負担金の額の計算上除かれる負債)

(Liabilities Excluded from Calculation of Amount of Burden Charge)

第三十二条 法第百二十二条第三項に規定する内閣府令・財務省令で定めるものは、次に掲げるものとする。

Article 32 Those specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 122, paragraph (3) of the Act are the following:

一 信用金庫法施行規則第七十四条第二項第一号、労働金庫法施行規則第五十七条第二項第一号、協同組合による金融事業に関する法律施行規則（平成五年大蔵省令第十号）第三十七条第二項第一号及び会社計算規則（平成十八年法務省令第十三号）第六条第二項第一号の規定に基づき計上された引当金（債務性のない負債性引当金に限る。）

(i) reserves recorded based on Article 74, paragraph (2), item (i) of the Order for Enforcement of the Shinkin Bank Act, Article 57, paragraph (2), item (i) of the Order for Enforcement of the Labor Bank Act, Article 37, paragraph (2), item (i) of the Order for Enforcement of the Act on Financial Businesses by Cooperatives (Order of the Ministry of Finance No. 10 of 1993) and Article 6, paragraph (2), item (i) of the Company Accounting Rules (Order of the Ministry of Justice No. 13 of 2006) (limited to liability reserves without legal obligations for payment);

二 金融商品取引責任準備金（金融商品取引法（昭和二十三年法律第二十五号）第四十八条の三第一項の金融商品取引責任準備金をいう。）

(ii) financial instruments transaction liability reserve (meaning financial instruments transaction liability reserve prescribed in Article 48-3, paragraph (1) of the Financial Instruments and Exchange Act (Act No. 25 of 1948));

三 繰延税金負債（銀行法施行規則第十八条第二項に規定する別紙様式第三号若しくは第三号の二、長期信用銀行法施行規則第十七条第二項に規定する別紙様式第二号若しくは第二号の二、信用金庫法施行規則第一百三十一条第一項に規定する別紙様式第十三号、第十四号若しくは第十五号、協同組合による金融事業に関する法律施行規則第六十八条第一項に規定する別紙様式第九号若しくは第十号、労働金庫法施行規則第一百三十一条第一項に規定する別紙様式第九号若しくは第十号又は経済産業省・財務省・内閣府関係株式会社商工組合中央金庫法施行規則（平成二十年内閣府・財務省・経済産業省令第一号）第八十一条第二項に規定する別紙様式第二号の貸借対照表（次号において「各貸借対照表」という。）に記載された繰延税金負債をいう。）

(iii) deferred tax liabilities (meaning the deferred tax liabilities stated in a balance sheet (referred to as "Each Balance Sheet" in the following item) set forth in appended Form 3 or 3-2 prescribed in Article 18, paragraph (2) of the Order for Enforcement of the Banking Act, appended Form 2 or 2-2 prescribed in Article 17, paragraph (2) of the Order for Enforcement of the Long-Term Credit Bank Act, appended Form 13, 14 or 15 prescribed in Article 131, paragraph (1) of the Order for Enforcement of the Shinkin Bank Act, appended Form 9 or 10 prescribed in Article 68, paragraph (1) of the Order for Enforcement of the Act on Financial Businesses by Cooperatives, appended Form 9 or 10 prescribed in Article 113, paragraph (1) of the Order for Enforcement of the Labor Bank Act, or appended Form 2 prescribed in Article 81, paragraph (2) of the Order for Enforcement of The Shoko Chukin Bank, Ltd. Act Relating to Ministry of Economy, Trade and Industry, Ministry of Finance, and Cabinet Office (Order of the Cabinet Office, Ministry of Finance, Ministry of Economy, Trade and Industry No. 1 of 2008));

四 再評価に係る繰延税金負債（各貸借対照表に記載された再評価に係る繰延税金負

債をいう。)

(iv) Deferred tax liabilities pertaining to revaluation (meaning deferred tax liabilities pertaining to revaluation stated in Each Balance Sheet);

(負担金又は特定負担金の決定に係る報告事項)

(Particulars to be Reported Concerning Decision on Burden Charge or Specified Contributions)

第三十三条 令第二十七条第十二号に規定する内閣府令・財務省令で定める事項は、次に掲げる事項とする。

Article 33 The particulars specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 27, item (xii) of the Order are the following:

一 法第二百五条第一項の規定により政府の補助を受けた金額

(i) the amount of subsidies provided by the government under Article 125, paragraph (1) of the Act;

二 法第二百五条第二項の規定により国庫に納付した金額

(ii) the amount of payment made to the national treasury under Article 125, paragraph (2) of the Act.

(危機対応勘定の損益計算上の利益金)

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

第三十四条 法第二百五条第二項に規定する内閣府令・財務省令で定めるところにより計算した金額は、第十八条第一項に規定する会計規程に基づく危機対応勘定の損益計算書に記載された当期利益金の額とする。

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

(機構の提出書類)

(Documents the Corporation)

第三十五条 令第二十八条第二項に規定する内閣府令・財務省令で定める書類は、法第二百五条第二項の規定により機構が国庫へ納付する金額の計算の基礎を明らかにした書類とする。

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



(法第百二十六条の二第四項の決定の対象となる金融機関等)

(Financial Institutions Subject to the Decision under Article 126-2, Paragraph (4) of the Act)

第三十五条の二 法第百二十六条の二第四項に規定する同条第一項各号に掲げる金融機関等のうち内閣府令・財務省令で定めるものは、同項第二号に規定する特定第二号措置に係る特定認定（同項に規定する特定認定をいう。第三十五条の四及び第三十六条第三項において同じ。）に係る金融機関等とする。

Article 35-2 The Financial Institutions, etc. specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in each item of Article 126-2, paragraph (1) of the Act, as provided in Article 126-2, paragraph (4) of the Act, are the Financial Institutions, etc. related to the Specified Confirmation (meaning the Specified Confirmation prescribed in Article 126-2, paragraph (1) of the Act; the same applies in Article 35-4 and Article 36, paragraph (3)) pertaining to the Specified Measures Under Item (ii) prescribed in Article 126-2, paragraph (1), item (ii) of the Act.

(自己資本その他の財務の状況が適当であるかどうかの基準に照らし財務内容の健全性の確保に資する社債等)

(Bonds That Contribute to Ensuring the Soundness of Financial Conditions in Light of the Standards on the Appropriateness of the Adequacy of Equity Capital and Any Other Financial Conditions)

第三十五条の三 法第百二十六条の二第四項に規定する銀行法その他の法令の規定に基づき定められる自己資本その他の財務の状況が適当であるかどうかの基準に照らし財務内容の健全性の確保に資する社債として内閣府令・財務省令で定めるものは、担保が付されていない社債とする。

Article 35-3 (1) The bonds specified by Cabinet Office Order and Order of the Ministry of Finance as those that contribute to ensuring the soundness of financial conditions in light of the standards on the appropriateness of the adequacy of equity capital and any other financial conditions specified based on the Banking Act and any other laws and regulations, as prescribed in Article 126-2, paragraph (4) of the Act, are the bonds for which collateral is not offered.

2 法第百二十六条の二第四項に規定する銀行法その他の法令の規定に基づき定められる自己資本その他の財務の状況が適当であるかどうかの基準に照らし財務内容の健全性の確保に資する株式として内閣府令・財務省令で定めるものは、担保が付されていない株式とする。

(2) The shares specified by Cabinet Office Order and Order of the Ministry of Finance as those that contribute to ensuring the soundness of financial conditions in light of the standards on the appropriateness of the adequacy of equity capital and any other financial conditions specified based on the Banking Act and any other laws and regulations, as prescribed in Article 126-2, paragraph (4) of the Act, are the shares for which collateral is not offered.

- 3 法第二百二十六条の二第四項に規定する銀行法その他の法令の規定に基づき定められる自己資本その他の財務の状況が適当であるかどうかの基準に照らし財務内容の健全性の確保に資する金銭の消費貸借として内閣府令・財務省令で定めるものは、担保が付されていない金銭の消費貸借とする。

(3) The loans for consumption specified by Cabinet Office Order and Order of the Ministry of Finance as those that contribute to ensuring the soundness of financial conditions in light of the standards on the appropriateness of the adequacy of equity capital and any other financial conditions specified based on the Banking Act and any other laws and regulations, as prescribed in Article 126-2, paragraph (4) of the Act, are the loans for consumption for which collateral is not offered.

(金融機関等とみなされる事由)

(Events for Which a Person is Regarded as a Financial Institution)

第三十五条の四 法第二百二十六条の二第十三項に規定する内閣府令・財務省令で定める事由は、次に掲げる事由とする。

Article 35-4 The events specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 126-2, paragraph (13) of the Act are the following:

一 特定認定に係る者の銀行法第四十七条第一項、長期信用銀行法第四条第一項、保険業法（平成七年法律第百五号）第三条第一項若しくは第百八十五条第一項若しくは金融商品取引法第百五十六条の二十四第一項の内閣総理大臣の免許が取り消されたこと又は当該免許が効力を失ったこと。

(i) cases where the license from the Prime Minister set forth in Article 47, paragraph (1) of the Banking Act, Article 4, paragraph (1) of the Long Term Credit Bank Act, Article 3, paragraph (1) or Article 185, paragraph (1) of the Insurance Business Act (Act No. 105 of 1995), Article 156-24, paragraph (1) of the Financial Instruments and Exchange Act for the person pertaining to the Specified Confirmation has been rescinded, or where the license has lost its effect;

二 特定認定に係る者の銀行法第五十二条の十七第一項若しくは第三項、長期信用銀行法第十六条の二の四第一項若しくは第三項若しくは保険業法第二百七十一条の十八第一項若しくは第三項の内閣総理大臣の認可が取り消されたこと又は当該認可が効力を失ったこと。

(ii) cases where the authorization from the Prime Minister set forth in Article 52-17, paragraph (1) or (3) of the Banking Act, Article 16-2-4, paragraph (1) or (3) of the Long Term Credit Bank Act, Article 271-18, paragraph (1) or (3) of the Insurance Business Act for the person pertaining to the Specified Confirmation has been rescinded, or where the authorization has lost its effect;

三 特定認定に係る者の金融商品取引法第二十九条の内閣総理大臣の登録が取り消さ

れたこと又は当該登録が効力を失ったこと。

- (iii) cases where the registration by the Prime Minister set forth in Article 29 of the Financial Instruments and Exchange Act for the person pertaining to the Specified Confirmation has been rescinded, or where the relevant registration has lost its effect;

四 特定認定に係る者の金融商品取引法第五十七条の十二第一項の内閣総理大臣の指定若しくは貸金業法施行令（昭和五十八年政令第百八十一号）第一条の二第三号の金融庁長官の指定が解除されたこと又はこれらの指定が効力を失ったこと。

- (iv) cases where the designation by the Prime Minister set forth in Article 57-12, paragraph (1) of the Financial Instruments and Exchange Act or the designation by the Commissioner of the Financial Services Agency set forth in Article 1-2, item (iii) of the Order for Enforcement of the Money Lending Act (Cabinet Order No. 181 of 1983) for the person pertaining to the Specified Confirmation has been rescinded, or where the designation has lost its effect;

五 特定認定に係る者に対して破産手続開始の決定、再生手続開始の決定、更生手続開始の決定その他これらに準ずる事由が生じ、当該特定認定に係る者を金融機関等子法人等（法第二百二十六条の二第五項に規定する金融機関等子法人等をいう。第三十五条の十二及び第三十五条の十四において同じ。）とする金融機関等と当該特定認定に係る者との間に有効な支配従属関係が存在しないこととなつたこと。

- (v) cases where an order for the commencement of bankruptcy proceedings, an order for the commencement of rehabilitation proceedings or an order for the commencement of reorganization proceedings has been issued with respect to the person pertaining to the Specified Confirmation, or there is any other reason equivalent thereto, and where an effective parent-subsidiary relationship ceases to exist between the Financial Institution, etc. which has the person pertaining to the Specified Confirmation as a Subsidiary, etc. of a Financial Institution, etc. (meaning the Subsidiary, etc. of a Financial Institution, etc. prescribed in Article 126-2, paragraph (5) of the Act; the same applies in Articles 35-12 and 35-14) and the person pertaining to the Specified Confirmation; or

六 その他前各号に掲げるものに準ずる事由により特定認定に係る者が金融機関等に該当しないこととなつたこと。

- (vi) cases where the person pertaining to the Specified Confirmation ceases to be a Financial Institution, etc. due to any reason equivalent to those set forth in the preceding items.

（回収等停止要請の対象となる回収等）

(Collection of Claims Subject to the Request for Suspension of Collection of Claims)

第三十五条の五 法第二百二十六条の十四に規定する債権の回収その他内閣府令・財務省

令で定める債権者としての権利の行使は、特別監視金融機関等（法第二百二十六条の三第二項に規定する特別監視金融機関等をいう。附則第三条の三の二において同じ。）に対する債権の債権者として当該特別監視金融機関等に対し行う裁判上又は裁判外の行為の全部又は一部とする。

**Article 35-5** The collection of claims or exercise of any other right of a creditor specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 126-14 of the Act is all or part of the judicial and non-judicial acts conducted against a Financial Institution, etc. under Special Surveillance (meaning the Financial Institution, etc. under Special Surveillance prescribed in Article 126-3, paragraph (2) of the Act; the same applies in Article 3-3-2 of the Supplementary Provisions) by a creditor of claims held against the Financial Institution, etc. under Special Surveillance.

（特定第一号措置に係る株式交換等の認可）

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

第三十五条の六 法第二百二十六条の二十五第一項（法第二百二十六条の二十六第八項において準用する場合を含む。以下この条において同じ。）の規定による株式交換等（法第二百二十六条の二十五第一項に規定する株式交換等をいう。以下この条において同じ。）の認可を受けようとする発行金融機関等（同項に規定する発行金融機関等をいい、承継金融機関等（法第二百二十六条の二十六第二項第一号に規定する承継金融機関等をいう。次条第六号において同じ。）であつて機構が現に保有する取得特定株式等（法第二百二十六条の二十四第三項に規定する取得特定株式等をいう。以下この条において同じ。）である株式の発行者であるもの及び組織再編成後金融機関等（法第二百二十六条の二十六第五項に規定する組織再編成後金融機関等をいう。）を含む。）は、認可申請書に次に掲げる書類を添付して、金融庁長官に提出しなければならない。

**Article 35-6** An Issuing Financial Institution, etc. (meaning the Issuing Financial Institution, etc. prescribed in Article 126-25, paragraph (1) of the Act including a Bridge Financial Institution, etc. (meaning the Bridge Financial Institution, etc. prescribed in Article 126-26, paragraph (2), item (i) of the Act; the same applies in item (vi) of the following Article) that is an issuer of Acquired Specified Shares, etc. actually held by the Corporation (meaning the Acquired Specified Shares, etc. prescribed in Article 126-24, paragraph (3) of the Act; hereinafter the same applies in this Article) and a Financial Institution, etc. after Corporate Reorganization (meaning the Financial Institution, etc. after Corporate Reorganization prescribed in Article 126-26, paragraph (5) of the Act)) that seeks to obtain the authorization for the Share Exchange, etc. (meaning the Share Exchange, etc. prescribed in Article 126-25, paragraph (1) of the Act; hereinafter the same applies in this Article) under Article 126-25, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-26, paragraph (8) of the Act;

hereinafter the same applies in this Article) must submit a written application for authorization to the Commissioner of the Financial Services Agency, attaching the following documents:

一 理由書

(i) a statement of reasons;

二 株式交換等に関する株主総会の議事録その他必要な手続があつたことを証する書面

(ii) minutes of shareholders' meetings and other documents certifying that necessary proceedings were followed with regard to Share Exchange, etc.;

三 株式交換契約の内容を記載した書面又は株式移転計画の内容を記載した書面

(iii) a document containing details of share exchange contract or share transfer plan;

四 最終の貸借対照表、損益計算書及び株主資本等変動計算書、最近の日計表その他の最近における業務、財産及び損益の状況を知ることのできる書類

(iv) the latest balance sheet, profit and loss statement, statement of changes in net assets, recent daily cash count sheet, and other documents containing information on the status of recent business, assets, income and losses;

五 法第二百二十六条の二十五第二項第一号（法第二百二十六条の二十六第八項において準用する場合を含む。次号及び第七号において同じ。）に掲げる要件に該当することを証する書面

(v) a document certifying that the requirements prescribed in Article 126-25, paragraph (2), item (i) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-26, paragraph (8) of the Act; the same applies in the following item and item (vii)) are satisfied;

六 株式交換等の前において機構が保有する取得特定株式等である株式に係る議決権が当該発行金融機関等の総株主の議決権に占める割合及び株式交換等の後において機構が保有する取得特定株式等である株式に係る議決権が法第二百二十六条の二十五第二項第一号に規定する会社の総株主の議決権に占める割合を記載した書面

(vi) a document stating the ratio of voting rights pertaining to Acquired Specified Shares, etc. held by the Corporation prior to the Share Exchange, etc. to the voting rights of all shareholders of the Issuing Financial Institution, etc. and the ratio of voting rights pertaining to Acquired Specified Shares, etc. held by the Corporation after the Share Exchange, etc. to the voting rights of all shareholders of the company specified in Article 126-25, paragraph (2), item (i) of the Act;

七 法第二百二十六条の二十五第一項の認可を受けて当該発行金融機関等に係る特定対象子法人等（法第二百二十六条の二十六第四項に規定する特定対象子法人等をいう。次条及び第三十五条の八第三号において同じ。）が法第二百二十六条の二十五第三項（法第二百二十六条の二十六第八項において準用する場合を含む。）により提出することが見込まれる経営健全化計画（法第二百二十六条の二十二第五項に規定する経営健全化計画をいう。次条第六号及び第三十五条の八第三号において同じ。）に記載

される法第二百二十六条の二十五第二項第一号に規定する会社における令第二十九条の十一第三号に掲げる方策の概要を記載した書面その他の同項第三号（法第二百二十六条の二十六第八項において準用する場合を含む。）に掲げる要件に該当することを証する書面

- (vii) a document stating the outline of the measures provided in Article 29-11, item (iii) of the Order that are to be taken by the company provided in Article 126-25, paragraph (2), item (i) of the Act and are stated in the Management Soundness Improvement Plan (meaning the Management Soundness Improvement Plan prescribed in Article 126-22, paragraph (5) of the Act; the same applies in item (vi) of the following Article and Article 35-8, item (iii)) which is expected to be submitted pursuant to Article 126-25, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-26, paragraph (8) of the Act) by the Specified Subject Subsidiary, etc. (meaning the Specified Subject Subsidiary, etc. prescribed in Article 126-26, paragraph (4) of the Act; the same applies in the following Article and Article 35-8, item (iii)) pertaining to the Issuing Financial Institution, etc. after obtaining the authorization provided in Article 126-25, paragraph (1) of the Act, and other documents certifying that the requirements provided in Article 126-25, paragraph (2), item (iii) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-26, paragraph (8) of the Act) are satisfied;

八 その他法第二百二十六条の二十五第一項の認可に係る審査をするため参考となるべき書類

- (viii) any other document to be referenced in the examination pertaining to the granting of the authorization provided in Article 126-25, paragraph (1) of the Act.

（特定第一号措置に係る組織再編成の認可）

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

第三十五条の七 法第二百二十六条の二十六第一項（同条第四項において準用する場合を含む。以下この条において同じ。）の規定による組織再編成（法第二百二十六条の二十六第一項に規定する組織再編成をいう。以下この条及び次条において同じ。）の認可を受けようとする対象金融機関等（同項に規定する対象金融機関等をいう。）又は特定対象子法人等は、認可申請書に次に掲げる書類を添付して、金融庁長官に提出しなければならない。

Article 35-7 (1) A Subject Financial Institution, etc. (meaning the Subject Financial Institution, etc. prescribed in Article 126-26, paragraph (1) of the Act) or Specified Subject Subsidiary, etc. that seeks to obtain the authorization for the Corporate Reorganization (meaning the Corporate Reorganization prescribed in Article 126-26, paragraph (1) of the Act; hereinafter the same

applies in this Article and the following Article) under Article 126-26, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-26, paragraph (4) of the Act; hereinafter the same applies in this Article) must submit a written application for authorization to the Commissioner of the Financial Services Agency, attaching the following documents:

一 理由書

(i) a statement of reasons;

二 次に掲げる組織再編成の区分に応じそれぞれ次に定める書面

(ii) the documents prescribed in each of the following items according to the category of the Corporate Reorganization specified therein;

イ 合併 合併契約の内容を記載した書面及び銀行法施行規則第二十二條第二号若しくは第三十四條の二十九第一項第二号、長期信用銀行法施行規則第二十一條第二号若しくは第二十五條の十第一項第二号、信用金庫法施行規則第八十六條第一項第二号、中小企業等協同組合法施行規則第七十八條第一項第六号、労働金庫法施行規則第六十九條第一項第二号又は保険業法施行規則（平成八年大蔵省令第五号）第一百五條第一項第三号若しくは第二百十條の十二第一項第二号に掲げる書面その他これらに準ずる書面

(a) A merger; documents containing details of the merger contract and documents listed in Article 22, item (ii) or Article 34-29, paragraph (1), item (ii) of the Order for Enforcement of the Banking Act, Article 21, item (ii) or Article 25-10, paragraph (1), item (ii) of the Order for Enforcement of the Long-Term Credit Bank Act, Article 86, paragraph (1), item (ii) of the Order for Enforcement of the Shinkin Bank Act, Article 178, paragraph (1), item (vi) of the Order for Enforcement of the Small and Medium-Sized Enterprise Cooperatives Act, Article 69, paragraph (1), item (ii) of the Order for Enforcement of the Labor Bank Act, or Article 105, paragraph (1), item (iii) or Article 210-12, paragraph (1), item (ii) of the Order for Enforcement of the Insurance Business Act (Order of the Ministry of Finance No. 5 of 1996), or other documents equivalent thereto;

ロ 会社分割又は会社分割による事業の承継 新設分割計画の内容を記載した書面又は吸収分割契約の内容を記載した書面及び銀行法施行規則第二十二條の二第二号若しくは第三十四條の三十第一項第二号、長期信用銀行法施行規則第二十一條の二第二号若しくは第二十五條の十の二第一項第二号又は保険業法施行規則第一百五條の六第一項第三号若しくは第二百十條の十二の三第一項第二号に掲げる書面その他これらに準ずる書面

(b) A company split or the succession of business in a company split; a document containing details of an incorporation-type company split plan or an absorption-type company split contract and documents listed in Article 22-2, item (ii) or Article 34-30, paragraph (1), item (ii) of the Order for Enforcement of the Banking Act, Article 21-2, item (ii) or Article 25-10-2,

paragraph (1), item (ii) of the Order for Enforcement of the Long-Term Credit Bank Act, or Article 105-6, paragraph (1), item (iii) or Article 210-12-3, paragraph (1), item (ii) of the Order for Enforcement of the Insurance Business Act, or other documents equivalent thereto;

ハ 事業の全部又は一部の譲渡又は譲受け 当該譲渡又は譲受けの契約の内容を記載した書面及び銀行法施行規則第二十三条第二号若しくは第三十四条の三十一第一項第二号、長期信用銀行法施行規則第二十二条第二号若しくは第二十五条の十一第一項第二号、信用金庫法施行規則第七十九条第一項第二号若しくは第八十条第一項第二号、中小企業等協同組合法施行規則第一百四十一条第一項第二号若しくは第一百四十二条第二号、労働金庫法施行規則第六十二条第一項第二号若しくは第六十三条第一項第二号又は保険業法施行規則第九十四条第一項第三号若しくは第二百十条の十三第一項第二号に掲げる書面その他これらに準ずる書面

(c) A transfer or assumption of the whole or part of business; documents containing details of a contract for the transfer or assumption and documents listed in Article 23, item (ii) or Article 34-31, paragraph (1), item (ii) of the Order for Enforcement of the Banking Act, Article 22, item (ii) or Article 25-11, paragraph (1), item (ii) of the Order for Enforcement of the Long-Term Credit Bank Act, Article 79, paragraph (1), item (ii) or Article 80, paragraph (1), item (ii) of the Order for Enforcement of the Shinkin Bank Act, Article 141, paragraph (1), item (ii) or Article 142, item (ii) of the Order for Enforcement of the Small and Medium-Sized Enterprise Cooperatives Act, Article 62, paragraph (1), item (ii) or Article 63, paragraph (1), item (ii) of the Order for Enforcement of the Labor Bank Act, or Article 94, paragraph (1), item (iii) or Article 210-13, paragraph (1), item (ii) of the Order for Enforcement of the Insurance Business Act, or other documents equivalent thereto;

三 最終の貸借対照表、損益計算書及び株主資本等変動計算書、最近の日計表その他の最近における業務、財産及び損益の状況を知ることのできる書類

(iii) the latest balance sheet, profit and loss statement, statement of changes in net assets, recent daily cash count sheet, and other documents containing information on the status of recent business, assets, income and losses;

四 銀行法、長期信用銀行法、信用金庫法、中小企業等協同組合法、労働金庫法、金融機関の合併及び転換に関する法律、保険業法又は金融商品取引法の規定による認可を必要とする組織再編成であるときは、当該認可の申請を行つていることを証する書類

(iv) when the Corporate Reorganization requires the authorization prescribed in the Banking Act, the Long-Term Credit Bank Act, the Shinkin Bank Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Labor Bank Act, the Act on Financial Institutions' Merger and Conversion, the Insurance Business Act, or the Financial Instruments and Exchange Act, a document certifying that an application for the relevant authorization has been made;



五 法第二百二十六条の二十六第二項第一号（同条第四項において準用する場合を含む。）に掲げる要件に該当することを証する書面

(v) a document certifying that the requirements prescribed in Article 126-26, paragraph (2), item (i) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-26, paragraph (4) of the Act) are satisfied;

六 組織再編成に係る承継金融機関等又は承継子法人等（法第二百二十六条の二十六第四項に規定する承継子法人等をいう。）がある場合における当該承継金融機関等又は承継子法人等が同条第三項の規定（同条第四項において準用する場合を含む。）により提出することが見込まれる経営健全化計画の概要を記載した書面その他の同条第二項第二号及び第四号（これらの規定を同条第四項において準用する場合を含む。）に掲げる要件に該当することを証する書面

(vi) in the case where there is a Bridge Financial Institution, etc. or Bridge Subsidiary, etc. (meaning the Bridge Subsidiary, etc. prescribed in Article 126-26, paragraph (4) of the Act) pertaining to the Corporate Reorganization, a document stating the outline of the Management Soundness Improvement Plan that is expected to be submitted under Article 126-26, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-26, paragraph (4) of the Act) by the relevant Bridge Financial Institution, etc. or Bridge Subsidiary, etc. and any other document certifying that the requirements prescribed in Article 126-26, paragraph (2), items (ii) and (iv) of the Act (including the cases where these provisions are applied mutatis mutandis pursuant to Article 126-26, paragraph (4) of the Act) are satisfied; or

七 その他法第二百二十六条の二十六第一項の規定による認可に係る審査をするため参考となるべき書類

(vii) any other document to be referenced in the examination pertaining to the granting of the authorization provided in Article 126-26, paragraph (1) of the Act.

第三十五条の八 法第二百二十六条の二十六第五項の規定による組織再編成の認可を受けようとする同項に規定する特定金融機関等は、認可申請書に次に掲げる書類を添付して、金融庁長官に提出しなければならない。

Article 35-8 A Specified Financial Institution, etc. prescribed in Article 126-26, paragraph (5) of the Act that seeks to obtain the authorization for the Corporate Reorganization under Article 126-26, paragraph (5) of the Act must submit a written application for authorization to the Commissioner of the Financial Services Agency, attaching the following documents:

一 前条第一号から第四号までに掲げる書類

(i) the documents listed in items (i) through (iv) of the preceding Article;

二 法第二百二十六条の二十六第六項第一号に掲げる要件に該当することを証する書面

(ii) a document certifying that the requirements listed in Article 126-26, paragraph (6), item (i) of the Act are satisfied;

三 法第百二十六条の二十六第六項第一号に規定する他の金融機関等がある場合における当該特定金融機関等に係る特定対象子法人等が同条第七項の規定により提出することが見込まれる経営健全化計画の概要を記載した書面その他の同条第六項第二号及び第三号に掲げる要件に該当することを証する書面

(iii) in the case where there is another Financial Institution, etc. prescribed in Article 126-26, paragraph (6), item (i) of the Act, a document stating the outline of the Management Soundness Improvement Plan that is expected to be submitted under Article 126-26, paragraph (7) of the Act by a Specified Subject Subsidiary, etc. of the Specified Financial Institution, etc. and any other document certifying that the requirements prescribed in Article 126-26, paragraph (6), items (ii) and (iii) of the Act are satisfied; or

四 その他法第百二十六条の二十六第五項の認可に係る審査をするため参考となるべき書類

(iv) any other document to be referenced in the examination pertaining to the granting of the authorization provided in Article 126-26, paragraph (5) of the Act.

(特定適格性認定の申請)

(Application for Specified Authorization of Eligibility)

第三十五条の九 金融機関等は、法第百二十六条の二十九第一項（法第百二十六条の三十八第五項及び附則第十五条の四の二第五項において準用する場合を含む。第三号において同じ。）の規定により、法第百二十六条の二十八第二項に規定する特定合併等の認定を受けようとするときは、認定申請書に次に掲げる書類を添付して金融庁長官に提出しなければならない。

Article 35-9 A Financial Institution, etc. must, when it seeks to obtain the authorization for the Specified Merger, etc. prescribed in Article 126-28, paragraph (2) of the Act under Article 126-29, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-38, paragraph (5) of the Act and Article 15-4-2, paragraph (5) of the Supplementary Provisions of the Act; the same applies in item (iii)), submit a written application for authorization to the Commissioner of the Financial Services Agency, attaching the following documents:

一 理由書

(i) a statement of reasons;

二 最終の貸借対照表、損益計算書及び株主資本等変動計算書、最近の日計表その他これらに準ずる書類

(ii) the latest balance sheet, profit and loss statement, and statement of changes in net assets, recent daily cash count sheet, and any other documents equivalent thereto;

三 その他法第二百二十六条の二十九第一項に規定する認定をするため参考となるべき事項を記載した書類

(iii) any other document to be referenced in the review pertaining to the granting of the authorization provided in Article 126-29, paragraph (1) of the Act.

(協定特定承継金融機関等に生じた損失の金額)

(Amount of Loss Caused to Contracted Specified Bridge Financial Institution, etc.)

第三十五条の十 令第二十九条の三十四第二号に規定する損益計算上の当期損失として内閣府令・財務省令で定めるものは、第一号に掲げる費用等の額から第二号に掲げる収益等の額及び第三号に掲げる繰越利益剰余金の額を控除した残額とする。

Article 35-10 (1) An amount specified by Cabinet Office Order and Order of the Ministry of Finance as a current loss resulting from the settlement of income and losses prescribed in Article 29-34, item (ii) of the Order is the amount remaining after deducting from the amount of expenses, etc. specified in item (i) the amount of income, etc. specified in item (ii) and the amount of accumulated carried forward income specified in item (iii).

一 経常費用、営業費用、営業外費用、特別損失の額その他これらに準ずるもの

(i) a mount of ordinary expenses, operating expenses, non-operating expenses, extraordinary loss and any other expenses, etc. equivalent thereto;

二 経常収益、営業収益、営業外収益、特別利益の額（協定特定承継金融機関等（法第二百二十六条の三十七において読み替えて準用する法第九十七条第一項第一号に規定する協定特定承継金融機関等をいう。）に前事業年度における損失に係る補填として機構により補填された金額があるときは当該補填された金額を控除した残額）その他これらに準ずるもの

(ii) amount of ordinary income, operating income, non-operating income, extraordinary income (when the Corporation has made any payment to the Contracted Specified Bridge Financial Institution, etc. (meaning the Contracted Specified Bridge Financial Institution, etc. prescribed in Article 97, paragraph (1), item (i) of the Act as applied mutatis mutandis by replacing certain terms pursuant to Article 126-37 of the Act) in a business year as compensation for loss that arose in the previous business year, the amount remaining after deducting the amount of the compensation) and any other income, etc. equivalent thereto;

三 繰越利益剰余金の額（当期純利益が繰り入れられているときはその繰り入れられた額を控除した残額とし、当期純損失が繰り入れられているときはその繰り入れられた額を加算した額とする。）その他これに準ずるもの

(iii) amount of accumulated income carried forward (if net income for the current period has been carried over, the amount remaining after deducting the carried-over amount therefrom, and if a net loss for the current period

has been carried over, the amount obtained by adding the carried-over amount thereto) and any other income, etc. equivalent thereto;

- 2 前項に規定する「経常費用」、「営業費用」、「営業外費用」、「特別損失」、「経常収益」、「営業収益」、「営業外収益」、「特別利益」、「繰越利益剰余金」、「当期純利益」又は「当期純損失」とは、それぞれ銀行法施行規則第十八条第二項に規定する別紙様式第三号若しくは第三号の二、保険業法施行規則第五十九条第二項に規定する別紙様式第七号若しくは第七号の二、金融商品取引業等に関する内閣府令（平成十九年内閣府令第五十二号）第百七十二条第一項に規定する別紙様式第十二号又は会社計算規則の規定に基づき作成した損益計算書又は貸借対照表に記載された経常費用、営業費用、営業外費用、特別損失、経常収益、営業収益、営業外収益、特別利益、繰越利益剰余金、当期純利益又は当期純損失とする。

- (2) The terms "ordinary expenses," "operating expenses," "non-operating expenses," "extraordinary loss," "ordinary income," "operating revenue," "non-operating revenue," "extraordinary income," "accumulated carried forward income," "current net income," or "net loss for the current period" prescribed in the preceding paragraph are, respectively, the ordinary expenses, operating expenses, non-operating expenses, extraordinary loss, ordinary income, operating income, non-operating income, extraordinary income, accumulated carried forward income, current net profit, or net loss for the current period stated in the profit and loss statement or balance sheet that is prepared pursuant to appended Form 3 or 3-2 under Article 18, paragraph (2) of the Order for Enforcement of the Banking Act, appended Form 7 or 7-2 under Article 59, paragraph (2) of the Order for Enforcement of the Insurance Business Act, appended Form 12 under Article 172, paragraph (1) of the Cabinet Office Order on Financial Instruments Business, etc. (Cabinet Office Order No. 52 of 2007), or the Company Accounting Rules.

（特定負担金納付の際の提出書類）

(Documents to be Submitted at Time of Payment of Specified Contributions)

第三十五条の十一 法第百二十六条の三十九第二項に規定する内閣府令・財務省令で定める書類は、別紙様式第三による特定負担金計算書とする。

Article 35-11 The document specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 126-39, paragraph (2) of the Act is a statement of Specified Contributions set forth in appended Form 3.

（特定負担金を納付する金融機関等）

(Financial Institution, etc. to Pay the Specified Contributions)

第三十五条の十二 法 第百二十六条の三十九第二項に規定する内閣府令・財務省令で定める者は、金融機関等子法人等でない者とする。

Article 35-12 The Financial Institution, etc. specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 126-39, paragraph

(2) of the Act is the Financial Institution, etc. which is not a Subsidiary, etc. of a Financial Institution, etc.

(特定負担金の額の計算上除かれる負債)

(Liabilities Excluded from Calculation of Amount of Specified Contributions)

第三十五条の十三 法第二百二十六条の三十九第三項及び第四項に規定する内閣府令・財務省令で定める負債は、次に掲げるもの（同項の場合にあつては、これらに相当するものが第三十五条の十五に規定する連結貸借対照表又はこれらに準ずるものに計上されているものに限る。）とする。

Article 35-13 The liabilities specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 126-39, paragraphs (3) and (4) of the Act are the following (in cases of Article 126-39, paragraph (4), limited to those equivalent thereto that are recorded in the consolidated balance sheets prescribed in Article 35-15 or documents equivalent thereto):

一 信用金庫法施行規則第七十四条第二項第一号、労働金庫法施行規則第五十七条第二項第一号、協同組合による金融事業に関する法律施行規則第三十七条第二項第一号、保険業法施行規則第二十四条の四第二項第一号及び会社計算規則第六条第二項第一号の規定に基づき計上された引当金（債務性のない負債性引当金に限る。）

(i) reserves recorded based on Article 74, paragraph (2), item (i) of the Order for Enforcement of the Shinkin Bank Act, Article 57, paragraph (2), item (i) of the Order for Enforcement of the Labor Bank Act, Article 37, paragraph (2), item (i) of the Order for Enforcement of the Act on Financial Businesses by Cooperatives, Article 24-4, paragraph (2), item (i) of the Order for Enforcement of the Insurance Business Act and Article 6, paragraph (2), item (i) of the Company Accounting Rules (limited to liability reserves without legal obligations for payment);

二 金融商品取引責任準備金（金融商品取引法第四十六条の五第一項及び第四十八条の三第一項の金融商品取引責任準備金をいう。）

(ii) Financial instruments transaction liability reserves (meaning financial instruments transaction liability reserves prescribed in Article 46-5, paragraph (1) and Article 48-3, paragraph (1) of the Financial Instruments and Exchange Act);

三 繰延税金負債（銀行法施行規則第十八条第二項に規定する別紙様式第三号、第三号の二、第四号若しくは第四号の二、長期信用銀行法施行規則第十七条第二項に規定する別紙様式第二号若しくは第二号の二、信用金庫法施行規則第一百三十一条第一項に規定する別紙様式第十三号、第十四号若しくは第十五号、協同組合による金融事業に関する法律施行規則第六十八条第一項に規定する別紙様式第九号若しくは第十号、労働金庫法施行規則第一百三十一条第一項に規定する別紙様式第九号若しくは第十号、経済産業省・財務省・内閣府関係株式会社商工組合中央金庫法施行規則第八十一条第二項に規定する別紙様式第二号、保険業法施行規則第五十九条第二項に規定する別紙様式第七号若しくは第七号の二若しくは同令第四百四十三条第二項に規定

する別紙様式第十二号若しくは第十二号の二、金融商品取引業等に関する内閣府令第七十二条第一項に規定する別紙様式第十二号、証券金融会社に関する内閣府令（昭和三十年大蔵省令第四十五号）第三条の四第一項に規定する別紙様式一若しくは会社計算規則の規定に基づき作成した貸借対照表又はこれらに準ずるもの（次号において「各貸借対照表」という。）に記載された繰延税金負債をいう。）

(iii) deferred tax liabilities (meaning the deferred tax liabilities stated in a balance sheet prepared pursuant to appended Form 3, 3-2, 4 or 4-2 prescribed in Article 18, paragraph (2) of the Order for Enforcement of the Banking Act, appended Form 2 or 2-2 prescribed in Article 17, paragraph (2) of the Order for Enforcement of the Long-Term Credit Bank Act, appended Form 13, 14 or 15 prescribed in Article 131, paragraph (1) of the Order for Enforcement of the Shinkin Bank Act, appended Form 9 or 10 prescribed in Article 68, paragraph (1) of the Order for Enforcement of the Act on Financial Businesses by Cooperatives, appended Form 9 or 10 prescribed in Article 113, paragraph (1) of the Order for Enforcement of the Labor Bank Act, appended Form 2 prescribed in Article 81, paragraph (2) of the Order for Enforcement of The Shoko Chukin Bank, Ltd. Act Relating to Ministry of Economy, Trade and Industry, Ministry of Finance, and Cabinet Office, appended Form 7 or 7-2 prescribed in Article 59, paragraph (2) of the Order for Enforcement of the Insurance Business Act, or appended Form 12 or 12-2 prescribed in Article 143, paragraph (2) of the Order for Enforcement of the Insurance Business Act, appended Form 12 prescribed in Article 172, paragraph (1) of the Cabinet Office Order on Financial Instruments Business, etc., appended Form 1 prescribed in Article 3-4, paragraph (1) of the Cabinet Office Order on Securities Finance Companies (Order of the Ministry of Finance No. 45 of 1955) or the Company Accounting Rules, or documents equivalent thereto (referred to as "Each Balance Sheet" in the following item);

四 再評価に係る繰延税金負債（各貸借対照表に記載された再評価に係る繰延税金負債をいう。）

(iv) deferred tax liabilities pertaining to revaluation (meaning deferred tax liabilities pertaining to revaluation stated in Each Balance Sheet);

五 基準決済用預金（第十九条に規定する別紙様式第一の基準決済用預金をいう。）

(v) standard Deposits for Settlement (meaning the Standard Deposits for Settlement under appended Form 1 prescribed in Article 19);

六 基準一般預金等（第十九条に規定する別紙様式第一の基準一般預金等をいう。以下この号において同じ。）のうち法第二条第十一項に規定する保険金計算規定により計算した保険金の額に対応する預金等（同条第二項に規定する預金等をいう。次号において同じ。）が基準一般預金等に占める割合として金融庁長官が定める割合を乗じて得た額に相当する部分

(vi) the portion of the Standard General Deposits, etc. (meaning the Standard

General Deposits, etc. under appended Form 1 prescribed in Article 19; hereinafter the same applies in this item) that is equivalent to the amount obtained by multiplying the Standard General Deposits, etc. by the ratio specified by the Commissioner of the Financial Services Agency as the ratio of the Deposits, etc. (meaning the Deposits, etc. prescribed in Article 2, paragraph (2) of the Act; the same applies in the following item) corresponding to the amount of insurance proceeds calculated under the Insurance Claim Calculation Provision prescribed in Article 2, paragraph (11) of the Act to the Standard General Deposits, etc.;

七 協同組織中央金融機関（法第二条第一項第六号から第八号までに掲げる者をいう。）が協同組織金融機関（同項第三号から第五号までに掲げる者をいい、当該協同組織中央金融機関の会員であるものに限る。）から受け入れた預金等

(vii) Deposits, etc. that a Cooperative Structured Central Financial Institution (meaning the persons specified in Article 2, paragraph (1), items (vi) through (viii) of the Act) has received from Cooperative Financial Institutions (meaning the persons specified in Article 2, paragraph (1), items (iii) through (v) of the Act, and limited to those who are members of the Cooperative Structured Central Financial Institution);

八 保険業法第二百六十二条第二項第一号に掲げる免許の種類に属する免許を受けた保険会社（法第二百六十二条の二第二項第二号に規定する保険会社をいう。次号において同じ。）又は外国保険会社等（法第二百六十二条の二第二項第二号に規定する外国保険会社等をいう。次号において同じ。）に係る保険契約準備金（次に掲げるものをいい、金融庁長官が定めるものを除く。以下この号において同じ。）のうち保険業法第二百七十条の三第二項第一号に掲げる額に相当する部分が保険契約準備金に占める割合として金融庁長官が定める割合を乗じて得た額に相当する部分

(viii) the portion of the insurance contract reserve (meaning the following, and excluding those specified by the Commissioner of the Financial Services Agency; the same applies in this item hereinafter) pertaining to an Insurance Company (meaning the Insurance Company prescribed in Article 126-2, paragraph (2), item (ii) of the Act; the same applies in the following item) or Foreign Insurance Company, etc. (meaning the Foreign Insurance Company, etc. prescribed in Article 126-2, paragraph (2), item (ii) of the Act; the same applies in the following item) that has received a license that falls under the Class of License prescribed in Article 262, paragraph (2), item (i) of the Insurance Business Act, which is equivalent to the amount obtained by multiplying the insurance contract reserve by the ratio specified by the Commissioner of the Financial Services Agency as the ratio of the portion corresponding to the amount specified in Article 270-3, paragraph (2), item (i) of the Insurance Business Act to the insurance contract reserve;

イ 責任準備金（保険業法施行規則第五十九条第二項に規定する別紙様式第七号若しくは第七号の二又は同令第四百四十三条第二項に規定する別紙様式第十二号若し

くは第十二号の二の貸借対照表（ロ及びハにおいて「各貸借対照表」という。）に記載された責任準備金をいう。次号イにおいて同じ。）

(a) Liability reserve (meaning the liability reserve stated in the balance sheet under appended Form 7 or 7-2 prescribed in Article 59, paragraph (2) of the Order for Enforcement of the Insurance Business Act or appended Form 12 or 12-2 prescribed in Article 143, paragraph (2) of the Order for Enforcement of the Insurance Business Act (referred to as "Each Balance Sheet" in sub-items (b) and (c)); the same applies in sub-item (a) of the following item);

ロ 支払備金（各貸借対照表に記載された支払備金をいう。次号ロにおいて同じ。）

(b) Reserve for outstanding claims (meaning the reserve for outstanding claims stated in Each Balance Sheet; the same applies in sub-item (b) of the following item);

ハ 社員配当準備金（各貸借対照表に記載された社員配当準備金をいう。）又は契約者配当準備金（各貸借対照表に記載された契約者配当準備金をいう。）

(c) Members' dividend reserve (meaning the members' dividend reserve stated in Each Balance Sheet) or policy dividend reserve (meaning the policy dividend reserve stated in Each Balance Sheet);

九 保険業法第二百六十二条第二項第二号に掲げる免許の種類に属する免許を受けた保険会社又は外国保険会社等に係る保険契約準備金（次に掲げるものをいい、金融庁長官が定めるものを除く。以下この号において同じ。）のうち同法第二百七十条の三第二項第一号に掲げる額に相当する部分が保険契約準備金に占める割合として金融庁長官が定める割合を乗じて得た額に相当する部分

(ix) the portion of the insurance contract reserve (meaning the following, and excluding those specified by the Commissioner of the Financial Services Agency; the same applies in this item hereinafter) pertaining to an Insurance Company or Foreign Insurance Company, etc. that has received a license that falls under the Class of License prescribed in Article 262, paragraph (2), item (ii) of the Insurance Business Act, which is equivalent to the amount obtained by multiplying the insurance contract reserve by the ratio specified by the Commissioner of the Financial Services Agency as the ratio of the portion corresponding to the amount specified in Article 270-3, paragraph (2), item (i) of the Insurance Business Act to the insurance contract reserve;

イ 責任準備金

(a) Liability reserve;

ロ 支払備金

(b) Reserve for outstanding claims;

十 法第二百六条の二第二項第三号に規定する金融商品取引業者に係る顧客からの預り金（金融商品取引業等に関する内閣府令第百七十二条第一項に規定する別紙様式第十二号の貸借対照表に記載された顧客からの預り金をいう。）のうち金融商品



取引法第七十九条の五十六第一項の規定に基づく支払の対象となる債権に係る部分  
(x) the portion of the deposits received from customers (meaning the deposits received from customers as stated in the balance sheet under appended Form 12 prescribed in Article 172, paragraph (1) of the Cabinet Office Order on Financial Instruments Business, etc.) pertaining to a Financial Instruments Business Operator prescribed in Article 126-2, paragraph (2), item (iii) of the Act, which pertains to the claims subject to the payment under Article 79-56, paragraph (1) of the Financial Instruments and Exchange Act;

十一 法第百二条第三項又は第百二十六条の二第四項に規定する社債及び金銭の消費貸借に係る負債

(xi) liabilities pertaining to the bonds and loans for consumption prescribed in Article 102, paragraph (3) or Article 126-2, paragraph (4) of the Act;

十二 短資業者（令第二十九条の二に規定する短資業者をいう。第三十六条第四項において同じ。）の負債のうち金融庁長官が定める負債

(xii) liabilities of a call broker (meaning the call broker prescribed in Article 29-2 of the Order; the same applies in Article 36, paragraph (4)), which are specified by the Commissioner of the Financial Services Agency; and

十三 その他前各号に掲げるものに準ずるものとして金融庁長官が定める負債

(xiii) liabilities specified by the Commissioner of the Financial Services Agency as being equivalent to those listed in the preceding items.

（納付金融機関がその経営を支配している法人）

(Corporation Whose Management Is Controlled by Paying Financial Institution)

第三十五条の十四 法第百二十六条の三十九第四項に規定する納付金融機関（同項に規定する納付金融機関をいう。）がその経営を支配している法人として内閣府令・財務省令で定めるものは、当該納付金融機関の金融機関等子法人等（当該納付金融機関の子会社を除く。）とする。

Article 35-14 The corporation specified by Cabinet Office Order and Order of the Ministry of Finance as the corporation whose management is controlled by a Paying Financial Institution (meaning the Paying Financial Institution prescribed in Article 126-39, paragraph (4) of the Act), as prescribed in Article 126-39, paragraph (4) of the Act, is a Subsidiary, etc. of a Financial Institution, etc. of the relevant Paying Financial Institution (excluding a subsidiary company of the Paying Financial Institution).

（納付金融機関等の負債）

(Liabilities of Paying Financial Institution)

第三十五条の十五 法第百二十六条の三十九第四項に規定する内閣府令・財務省令で定める書類上の、銀行法施行規則第十八条第四項に規定する別紙様式第五号の二若しくは同令第三十四条の二十四第二項に規定する別紙様式第十二号、長期信用銀行法施行

規則第十七条第四項に規定する別紙様式第三号の二若しくは同令第二十五条の七第二項に規定する別紙様式第九号、信用金庫法施行規則第百三十一条第二項に規定する別紙様式第十三号の二若しくは第十四号の二、協同組合による金融事業に関する法律施行規則第六十八条第二項に規定する別紙様式第九号の二若しくは第十号の二、労働金庫法施行規則第百十三条第二項に規定する別紙様式第九号の二若しくは第十号の二、経済産業省・財務省・内閣府関係株式会社商工組合中央金庫法施行規則第八十一条第四項に規定する別紙様式第四号、保険業法施行規則第五十九条第五項に規定する別紙様式第七号の三若しくは同令第二百十条の十第二項に規定する別紙様式第十五号、金融商品取引業等に関する内閣府令第二百八条の十二第一項に規定する別紙様式第十七号の四若しくは同令第二百八条の二十三第一項に規定する別紙様式第十七号の五若しくは会社計算規則の規定に基づき作成した連結貸借対照表又はこれらに準ずるものに計上されている負債とする。

**Article 35-15 The liabilities stated in documents specified by Cabinet Office**

Order and Order of the Ministry of Finance prescribed in Article 126-39, paragraph (4) of the Act are the liabilities recorded in the consolidated balance sheet prepared pursuant to appended Form 5-2 prescribed in Article 18, paragraph (4) of the Order for Enforcement of the Banking Act or appended Form 12 prescribed in Article 34-24, paragraph (2) of the Order for Enforcement of the Banking Act, appended Form 3-2 prescribed in Article 17, paragraph (4) of the Order for Enforcement of the Long-Term Credit Bank Act or appended Form 9 prescribed in Article 25-7, paragraph (2) of the Order for Enforcement of the Long-Term Credit Bank Act, appended Form 13-2 or 14-2 prescribed in Article 131, paragraph (2) of the Order for Enforcement of the Shinkin Bank Act, appended Form 9-2 or 10-2 prescribed in Article 68, paragraph (2) of the Order for Enforcement of the Act on Financial Businesses by Cooperatives, appended Form 9-2 or 10-2 prescribed in Article 113, paragraph (2) of the Order for Enforcement of the Labor Bank Act, appended Form 4 prescribed in Article 81, paragraph (4) of the Order for Enforcement of The Shoko Chukin Bank, Ltd. Act Relating to Ministry of Economy, Trade and Industry, Ministry of Finance, and Cabinet Office, appended Form 7-3 prescribed in Article 59, paragraph (5) of the Order for Enforcement of the Insurance Business Act or appended Form 15 prescribed in Article 210-10, paragraph (2) of the Order for Enforcement of the Insurance Business Act, appended Form 17-4 prescribed in Article 208-12, paragraph (1) of the Cabinet Office Order on Financial Instruments Business, etc. or appended Form 17-5 prescribed in Article 208-23, paragraph (1) of the Cabinet Office Order on Financial Instruments Business, etc., or the Company Accounting Rules, or other documents equivalent thereto.

(連結負債合計額に占める割合)

(Ratio to Consolidated Total Amount of Liabilities)

第三十五条の十六 法第二百二十六条の三十九第四項に規定する内閣府令・財務省令で定める割合は、同項に規定する納付金融機関等の連結負債合計額（同項に規定する連結負債合計額をいう。以下この項において同じ。）に係る当該納付金融機関等に該当する各金融機関等の個別帰属負債額（同条第一項に規定する特定負担金を納付すべき日を含む連結事業年度の直前の連結事業年度の連結負債合計額のうち当該納付金融機関等に該当する各金融機関等に帰せられるものをいう。以下この項において同じ。）の合計額のうち占める当該納付金融機関等に該当する各金融機関等の個別帰属負債額の割合とする。

Article 35-16 (1) The ratio specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 126-39, paragraph (4) of the Act is, with regard to the Consolidated Total Amount of Liabilities (meaning the Consolidated Total Amount of Liabilities prescribed in Article 126-39, paragraph (4) of the Act; the same applies in this paragraph) of the Paying Financial Institutions, etc. prescribed in Article 126-39, paragraph (4) of the Act, the ratio of the amount of liabilities individually attributable to each Financial Institution, etc. that is a Paying Financial Institution, etc. (meaning the amount of liabilities that are attributable to each Financial Institution, etc. that is a Paying Financial Institution, etc., out of the Consolidated Total Amount of Liabilities in the consolidated business year immediately preceding the consolidated business year including the day on which the Specified Contributions prescribed in Article 126-39, paragraph (1) of the Act are to be paid; the same applies in this paragraph) to the total amount of liabilities individually attributable to Financial Institutions, etc. that are Paying Financial Institutions, etc.

2 前項の割合の計算に関し必要な事項については、別に金融庁長官が定める。

(2) Necessary particulars for the calculation of the ratio under the preceding paragraph will be specified by the Commissioner of the Financial Services Agency separately.

（事業譲渡等の場合に催告を要しない債権者）

(Creditors to Whom Individual Notice for Objection Need Not Be Given  
Concerning Assignment of Business)

第三十五条の十七 令第三十条に規定する債権者で内閣府令・財務省令で定めるものは、保護預り契約に係る債権者、保険契約に係る債権者及び令第二十九条の五第五号から第七号までに掲げる者とする。

Article 35-17 The creditors specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 30 of the Order are creditors pertaining to a custody agreement, creditors pertaining to an insurance contract, and the persons specified in Article 29-5, items (v) through (vii) of the Order.

(金融システムと関連性を有する取引)

(Transactions Associated with Financial System)

第三十五条の十八 法第百三十七条の三第一項に規定する内閣府令・財務省令で定めるものは、取引所の相場その他の市場の相場がある商品に係る取引又はこれに準ずる取引で金融機関又は金融機関等を当事者の一方とする契約に係る取引とする。

Article 35-18 The transactions specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 137-3, paragraph (1) of the Act are transactions pertaining to goods with a quotation on an exchange or any other market quotation, or transactions equivalent thereto, whereby a Financial Institution or Financial Institution, etc. is a party.

(特定解除等)

(Specified Cancellation, etc.)

第三十五条の十九 法第百三十七条の三第二項に規定する内閣府令・財務省令で定めるものは、契約に係る取引を行つている当事者の一方に関連措置等（同条第一項に規定する関連措置等をいう。）が講じられた場合に、当該当事者の双方の意思にかかわらず、当該関連措置等が講じられた時において、当該契約に係る取引について生ずる次に掲げるものとする。

Article 35-19 The effects specified by Cabinet Office Order and Order of the Ministry of Finance prescribed in Article 137-3, paragraph (2) of the Act are, in cases where the Related Measure, etc. (meaning the Related Measure, etc. prescribed in Article 137-3, paragraph (1) of the Act) is taken to one of the parties executing transactions pertaining to a contract, the following effects that, regardless of the parties' intention, arise out of the transactions pertaining to the contract at the time when the Related Measure, etc. is taken.

一 当該関連措置等が講じられた時における当該取引のそれぞれに係る評価額を合算して得られる純合計額が、当該当事者間における一の債権又は一の債務となること。

(i) That the total net amount obtained by totaling the estimated amount pertaining to the respective transactions at the time when the Related Measure, etc. is taken becomes one claim or one obligation between the parties; and

二 当該当事者間における債務がその対当額につき消滅すること。

(ii) That the obligations between the parties extinguish at the corresponding amount.

(経由官庁等)

(Government Agency through Which Submission Is Made)

第三十六条 法第九条に規定する発起人は、法第十一条の規定に基づき定款を内閣総理大臣に提出するときは、金融庁長官を経由して提出しなければならない。

Article 36 (1) The founders prescribed in Article 9 of the Act must submit the articles of incorporation to the Prime Minister under Article 11 of the Act

through the Commissioner of the Financial Services Agency.

- 2 機構の役員（法第二十四条に規定する役員をいう。ただし、監事を除く。）は、法第三十条ただし書の規定による内閣総理大臣の承認を受けようとするときは、金融庁長官を経由して、内閣総理大臣に承認申請書を提出しなければならない。

(2) Officers of the Corporation (meaning the officers prescribed in Article 24 of the Act; excluding, however, the inspector) must, when they seek to obtain the approval of the Prime Minister under the proviso to Article 30 of the Act, submit a written application for approval to the Prime Minister through the Commissioner of the Financial Services Agency.

- 3 法第百二条第一項第一号に規定する第一号措置に係る認定に係る金融機関又は法第百二十六条の二第一項第一号に規定する特定第一号措置に係る特定認定に係る金融機関等は、法第百四条第一項又は第百二十六条の二十一第一項の規定による計画を内閣総理大臣に提出するときは、金融庁長官を経由して提出しなければならない。

(3) A Financial Institution subject to the Confirmation pertaining to the Measures under Item (i) prescribed in Article 102, paragraph (1), item (i) of the Act or a Financial Institution, etc. subject to the Specified Confirmation pertaining to the Specified Measures under Item (i) prescribed in Article 126-2, paragraph (1), item (i) of the Act must submit a plan prescribed in Article 104, paragraph (1) or Article 126-21, paragraph (1) of the Act to the Prime Minister through the Commissioner of the Financial Services Agency.

- 4 金融機関等（法第百二十六条の二第二項第一号に規定する外国銀行支店、同項第二号に掲げる者、同項第三号に規定する指定親会社、同項第四号に規定する証券金融会社、短資業者、金融商品取引法第五十七条の二第二項に規定する特別金融商品取引業者及び金融庁長官が指定するものを除く。）は、第二十三条若しくは第三十五条の九に規定する認定申請書、第二十九条の三から第二十九条の五まで若しくは第三十五条の六から第三十五条の八までに規定する認可申請書並びに法第五十九条第六項（法第百一条第五項、第百十八条第二項及び附則第十五条の四第五項において準用する場合を含む。）、第六十条第二項（第百二十六条の三十一において準用する場合を含む。）、第六十五条及び第六十六条第一項（これらの規定を法第百一条第七項、第百十八条第四項、第百二十六条の三十一、第百二十六条の三十八第七項、附則第十五条の四第七項及び附則第十五条の四の二第七項において準用する場合を含む。）並びに第百二十六条の二十八第七項（法第百二十六条の三十八第五項及び附則第十五条の四の二第五項において準用する場合を含む。）に規定する報告を金融庁長官に提出するとき、法第百八条の二第三項（法第百八条の三第八項において準用する場合を含む。）、第百八条の三第三項（同条第四項において準用する場合を含む。）若しくは同条第七項の規定により法第百五条第三項に規定する経営健全化計画を金融庁長官に提出するとき又は法第百二十六条の二十五第三項（法第百二十六条の二十六第八項において準用する場合を含む。）、第百二十六条の二十六第三項（同条第四項において準用する場合を含む。）若しくは同条第七項の規定により法第百二十六条の二十二第五項に規定する経営健全化計画を金融庁長官に提出するとき（前項の規定により金融庁長官を経由して内閣総理大臣に提出する場合を除く。）は、金融機関等の本店又は

主たる事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあっては福岡財務支局長とし、当該所在地が財務事務所又は小樽出張所若しくは北見出張所の管轄区域内にある場合にあっては当該財務事務所長又は出張所長とする。次条において同じ）を経由して提出しなければならない。

- (4) A Financial Institution, etc. (excluding a Foreign Bank Branch prescribed in Article 126-2, paragraph (2), item (i) of the Act, the person specified in Article 126-2, paragraph (2), item (ii) of the Act, a Designated Parent Company prescribed in Article 126-2, paragraph (2), item (iii) of the Act, Securities Finance Company prescribed in Article 126-2, paragraph (2), item (iv) of the Act, a call broker, a Special Financial Instruments Business Operator prescribed in Article 57-2, paragraph (2) of the Financial Instruments and Exchange Act, and those designated by the Commissioner of the Financial Services Agency) must, when submitting a written application for authorization prescribed in Article 23 or 35-9, a written application for authorization prescribed in Article 29-3 to Article 29-5, or Article 35-6 to Article 35-8 and a report prescribed in Article 59, paragraph (6) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 101, paragraph (5) and Article 118, paragraph (2) of the Act and Article 15-4, paragraph (5) of the Supplementary Provisions of the Act), Article 60, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 126-31), Article 65 and Article 66, paragraph (1) of the Act (including the cases where these provisions are applied mutatis mutandis pursuant to Article 101, paragraph (7), Article 118, paragraph (4), Article 126-31, and Article 126-38, paragraph (7) of the Act, and Article 15-4, paragraph (7) and Article 15-4-2, paragraph (7) of the Supplementary Provisions of the Act), and Article 126-28, paragraph (7) (including the cases where it is applied mutatis mutandis pursuant to Article 126-38, paragraph (5) of the Act and Article 15-4-2, paragraph (5) of the Supplementary Provisions of the Act) to the Commissioner of the Financial Services Agency, a management soundness improvement plan prescribed in Article 105, paragraph (3) of the Act under Article 108-2, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (8) of the Act), Article 108-3, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 108-3, paragraph (4) of the Act) or Article 108-3, paragraph (7) of the Act to the Commissioner of the Financial Services Agency, or a management soundness improvement plan prescribed in Article 126-22, paragraph (5) under Article 126-25 paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-26, paragraph (8) of the Act), Article 126-26, paragraph (3) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 126-26,

paragraph (4) of the Act) or Article 126-26, paragraph (7) of the Act to the Commissioner of the Financial Services Agency (excluding the cases where the submission is made to the Prime Minister through the Commissioner of the Financial Services Agency under the preceding paragraph), make the submission through the Director-General of Local Finance Bureau (in the case where the office is located within the jurisdictional district of the Fukuoka Local Finance Branch Bureau (excluding those within the jurisdictional district of a finance office), the Director-General of the Fukuoka Local Finance Branch Bureau, and in the case where the relevant location is within the jurisdictional district of a finance office, Otaru branch office, or Kitami branch office, the head of such finance office or branch office; the same applies in the following Article) having jurisdiction over the location of the head office or principal office of the Financial Institution, etc.

(予備審査)

(Preliminary Examination)

第三十七条 金融機関等は、法第六十一条第一項若しくは第二百二十六条の二十九第一項の認定、法第六十七条第二項の承認又は法第百八条の二第一項、法第百八条の三第一項若しくは第五項、第二百二十六条の二十五第一項、第二百二十六条の二十六第一項若しくは第五項の認可を受けようとするときは、当該認定、承認又は認可の申請をする際に金融庁長官又は財務局長（当該金融機関等が労働金庫、労働金庫連合会又は労働金庫等子法人等である場合にあつては金融庁長官及び厚生労働大臣とし、株式会社商工組合中央金庫又は商工組合子法人等である場合にあつては金融庁長官、財務大臣及び経済産業大臣とする。以下この条において「金融庁長官等」という。）に提出すべき書類に準じた書類を金融庁長官等に提出して予備審査を求めることができる。

Article 37 A Financial Institution, etc. may, when it seeks to obtain the authorization under Article 61, paragraph (1) or Article 126-29, paragraph (1) of the Act, approval under Article 67, paragraph (2) of the Act, or authorization under Article 108-2, paragraph (1) or Article 108-3, paragraph (1) or (5), Article 126-25, paragraph (1), Article 126-26, paragraph (1) or (5) of the Act, request the Commissioner of the Financial Services Agency or the Director-General of Local Finance Bureau (in the case where the Financial Institution, etc. is a labor bank, The Rokinren Bank or a Subsidiary, etc. of a Labor Bank, etc., to the Commissioner of the Financial Services Agency and the Minister of Health, Labour and Welfare, and in the case where the Financial Institution, etc. is The Shoko Chukin Bank, Ltd. or a Subsidiary, etc. of The Shoko Chukin Bank, to the Commissioner of the Financial Services Agency, the Minister of Finance and the Minister of Economy, Trade and Industry; hereinafter referred to as "Commissioner of the Financial Services Agency, etc." in this Article) to conduct a preliminary examination by submitting to the Commissioner of the Financial Services Agency, etc. documents equivalent to those required to be

submitted at the time of applying for the authorization or approval.