

金融商品取引業協会等に関する内閣府令 Cabinet Office Order on Financial Instruments Firms Associations

(平成十九年八月七日内閣府令第五十三号)
(Cabinet Office Order No. 53 of August 7, 2007)

金融商品取引法（昭和二十三年法律第二十五号）及び金融商品取引法施行令（昭和四十年政令第三百二十一号）の規定に基づき、並びに同法及び同令を実施するため、金融商品取引業協会等に関する内閣府令を次のように定める。

Pursuant to the provisions of the Financial Instruments and Exchange Act (Act No. 25 of 1948) and the Order for Enforcement of the Financial Instruments and Exchange Act (Cabinet Order No. 321 of 1965), and for the purpose of enforcing the Act and the Order, the Cabinet Office Order on Financial Instruments Firms Associations is established as follows.

第一章 総則（第一条）

Chapter I General Provisions (Article 1)

第二章 認可金融商品取引業協会（第一条の二―第二十一条）

Chapter II Authorized Financial Instruments Firms Associations (Article 1-2 to Article 21)

第三章 認定金融商品取引業協会（第二十二条―第二十九条）

Chapter III Certified Financial Instruments Firms Associations (Article 22 to Article 29)

第四章 認定投資者保護団体（第三十条―第三十二条）

Chapter IV Certified Investor Protection Organization (Article 30 to Article 32)

第五章 雑則（第三十三条・第三十四条）

Chapter V Miscellaneous Provisions (Articles 33 and 34)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

第一条 この府令において「有価証券」、「発行者」、「認可金融商品取引業協会」、「金融商品取引所」又は「取引所金融商品市場」とは、それぞれ金融商品取引法（以下「法」という。）第二条に規定する有価証券、発行者、認可金融商品取引業協会、金融商品取引所又は取引所金融商品市場をいう。

Article 1 (1) The terms "Securities", "Issuer", "Authorized Financial Instruments Firms Association", "Financial Instruments Exchange" and "Financial

Instruments Exchange Market" as used in this Cabinet Office Order mean Securities, Issuer, Authorized Financial Instruments Firms Association, Financial Instruments Exchange and Financial Instruments Exchange Market, respectively, as prescribed in Article 2 of the Financial Instruments and Exchange Act (hereinafter referred to as "the Act").

2 この府令において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

(2) In this Cabinet Office Order, the meanings of the terms set forth in the following items are as prescribed respectively in those items:

一 店頭売買有価証券 法第二条第八項第十号ハに規定する店頭売買有価証券をいう。

(i) Over-the-Counter Traded Securities mean Over-the-Counter Traded Securities prescribed in Article 2, paragraph (8), item (x), (c) of the Act;

二 店頭売買有価証券市場 法第六十七条第二項に規定する店頭売買有価証券市場をいう。

(ii) Over-the-Counter Securities Market means Over-the-Counter Securities Market prescribed in Article 67, paragraph (2) of the Act;

三 取扱有価証券 法第六十七条の十八第四号に規定する取扱有価証券をいう。

(iii) Tradable Securities mean Tradable Securities prescribed in Article 67-18, item (iv) of the Act;

四 上場株券等 法第六十七条の十八第七号に規定する上場株券等をいう。

(iv) Listed Share Certificates, etc. mean Listed Share Certificates, etc. prescribed in Article 67-18, item (vii) of the Act.

第二章 認可金融商品取引業協会

Chapter II Authorized Financial Instruments Firms Associations

(一般投資家等買付けの禁止の対象とならない者)

(Persons Not Subject to Prohibition of Purchasing for General Investors)

第一条の二 法第六十七条第三項に規定する内閣府令で定める者は、次に掲げる者（第一号から第三号までに掲げる者にあつては、協会員（認可金融商品取引業協会（以下「認可協会」という。）の会員をいう。以下同じ。）に当該有価証券の買付けの委託をする者に限る。）とする。

Article 1-2 (1) The persons specified by Cabinet Office Order prescribed in Article 67, paragraph (3) of the Act are the following persons (persons set forth in items (i) to (iii) are limited to persons who entrust the purchase of the Securities to a Member Firm (meaning members of an Authorized Financial Instruments Firms Association (hereinafter referred to as "Authorized Association")); the same applies hereinafter):

一 有価証券の発行者

(i) Issuer of Securities;

二 有価証券の発行者の取締役等（取締役、監査役、執行役、理事若しくは監事又は

これらに準ずる者をいう。)であり、かつ、当該発行者の総株主等の議決権(法第二十九条の四第二項に規定する総株主等の議決権をいう。以下この条において同じ。)の百分の五十を超える議決権(社債、株式等の振替に関する法律(平成十三年法律第七十五号)第四百七十七条第一項又は第四百八条第一項(これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条(第二号に係る部分に限る。))において準用する場合を含む。)の規定により発行者に対抗することができない株式又は出資に係る議決権を含む。以下この条において「対象議決権」という。)を自己若しくは他人の名義をもって保有する者(以下この条において「特定役員」という。)又は当該特定役員の被支配法人等(前号に掲げる者を除く。)

(ii) director, etc. of the Issuer of Securities (meaning a person who is a director, company auditor, executive officer, board member or auditor or a person equivalent thereto) who holds, under the name of the person or another person, voting rights (including voting rights of shares or contribution which cannot be asserted against the Issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Transfer of Bonds, Shares, etc. (Act No. 75 of 2001) (including the cases where those provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the part in relation to item (ii)) of that Act; hereinafter referred to as "Subject Voting Rights" in this Article) exceeding 50 percent of the Voting Rights Held by All the Shareholders, etc. (meaning Voting Rights Held by All the Shareholders, etc. prescribed in Article 29-4, paragraph (2) of the Act; hereinafter the same applies in this Article) of the Issuer (hereinafter referred to as "Specified Officer" in this Article) or a Controlled Juridical Person, etc. of the Specified Officer (excluding those set forth in the preceding item);

三 有価証券の発行者の総株主等の議決権の百分の五十を超える対象議決権を自己又は他人の名義をもって保有する会社(前号に掲げる者を除く。)

(iii) a company which holds, under the name of the person or another person, Subject Voting Rights exceeding 50 percent of the Voting Rights Held by All the Shareholders, etc. of the Issuer of Securities (excluding those set forth in the preceding item);

四 有価証券(次に掲げるものに限る。)の発行者の役員等(当該発行者の発行する当該有価証券の買付け(当該発行者の他の役員等と共同して、一定の計画に従い、個別の投資判断に基づかず、継続的に買付けを行うことを内容とする契約であって各役員等の一回当たりの拠出金額が百万円に満たないものに基づいて行うものに限る。)を協会員に委託する者に限り、第二号に掲げる者を除く。)

(iv) officer, etc. of the Issuer of Securities (limited to those set forth as follows) (limited to persons who entrust the purchase of the Securities issued by the Issuer (limited to those conducted jointly with other Officers, etc. of the

Issuer according to a certain plan, which is not based on individual investment decisions but based on a contract in which it is agreed that purchase will be conducted continually and that the amount contributed by Officers, etc. will be less than one million yen per purchase) to a Member Firm, excluding those set forth in item (ii):

イ 法第二条第一項第九号に掲げる有価証券

(a) Securities set forth in Article 2, paragraph (1), item (ix) of the Act;

ロ 法第二条第一項第十一号に掲げる有価証券のうち、投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）に規定する投資証券、新投資口予約権証券又は外国投資証券で投資証券若しくは新投資口予約権証券に類する証券

(b) among the Securities set forth in Article 2, paragraph (1), item (xi) of the Act, investment securities, investment equity subscription rights certificates or foreign investment securities similar to investment securities or investment equity subscription rights certificates prescribed in the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951);

ハ 法第二条第一項第十七号に掲げる有価証券のうち、同項第九号に掲げる有価証券の性質を有するもの

(c) Securities set forth in Article 2, paragraph (1), item (xvii) of the Act which have the nature of Securities set forth in item (ix) of that paragraph;

ニ イからハまでに掲げる有価証券を金融商品取引法施行令（以下「令」という。）第二条の三第三号に規定する受託有価証券とする同号に規定する有価証券信託受益証券

(d) beneficiary securities of securities trusts prescribed in Article 2-3, item (iii) of the Order for Enforcement of the Financial Instruments and Exchange Act (hereinafter referred to as "the Order") in which Securities set forth in (a) to (c) are entrusted securities prescribed in the same item; and

ホ 法第二条第一項第二十号に掲げる有価証券でイからハまでに掲げる有価証券に係る権利を表示するもの

(e) Securities set forth in Article 2, paragraph (1), item (xx) of the Act which indicate the rights in relation to Securities set forth in (a) to (c).

2 特定役員とその被支配法人等が合わせて他の法人等（法人その他の団体をいう。以下この条において同じ。）の総株主等の議決権の百分の五十を超える対象議決権を自己又は他人の名義をもって保有する場合には、当該他の法人等は、当該特定役員の被支配法人等とみなして、前項第二号及びこの項の規定を適用する。

(2) When a Specified Officer and Controlled Juridical Person, etc. of the Specified Officer jointly hold, under their own respective names or under the name of another person, Subject Voting Rights exceeding 50 percent of the Voting Rights Held by All the Shareholders, etc. of another juridical person, etc. (meaning juridical person or other organization; hereinafter the same applies

in this Article), the relevant other juridical person, etc. is deemed as a Controlled Juridical Person, etc. of the Specified Officer, and the provisions of item (ii) of the preceding paragraph and this paragraph apply to the cases.

3 第一項第二号及び前項の「被支配法人等」とは、特定役員が他の法人等の総株主等の議決権の百分の五十を超える対象議決権を自己又は他人の名義をもって保有する場合における当該他の法人等をいう。

(3) "Controlled Juridical Person, etc." as used in paragraph (1), item (ii) and the preceding paragraph means, when a Specified Officer holds, under the name of the person or another person, Subject Voting Rights exceeding 50 percent of the Voting Rights Held by All the Shareholders, etc. of another juridical person, etc., the relevant other juridical person, etc.

4 第一項第四号の「役員等」とは、令第一条の三の三第五号に規定する役員等をいう。

(4) "Officer, etc." as used in paragraph (1), item (iv) means Officer, etc. prescribed in Article 1-3-3, item (v) of the Order.

(認可申請書の提出等)

(Submission of Written Application for Authorization)

第二条 法第六十七条の二第二項の認可を受けようとする者は、法第六十七条の三第一項の認可申請書に同条第二項に規定する書類を添付し、金融庁長官を経由して内閣総理大臣に提出しなければならない。

Article 2 (1) A person who intends to obtain an authorization under Article 67-2, paragraph (2) of the Act must attach the documents prescribed in Article 67-3, paragraph (2) of the Act to the written application for authorization referred to in paragraph (1) of that Article, and submit the same to the Prime Minister via the Commissioner of the Financial Services Agency.

2 法第六十七条の三第二項に規定する内閣府令で定める書類は、次に掲げる書類とする。

(2) Documents specified by Cabinet Office Order prescribed in Article 67-3, paragraph (2) of the Act are the following documents:

一 役員の履歴書

(i) *résumés* of the officers;

二 役員の住民票の抄本（本籍の記載のあるものに限る。）又はこれに代わる書面

(ii) extracts of a copy of a resident record of the officers (limited to those stating their registered domicile) or other documents in lieu thereof;

三 役員の婚姻前の氏名を当該役員の氏名に併せて法第六十七条の三第一項の認可申請書に記載した場合において、前号に掲げる書類が当該役員の婚姻前の氏名を証するものでないときは、当該婚姻前の氏名を証する書面

(iii) if the name of an officer that was used before marriage is stated together with the officer's current name in a written application for authorization referred to in Article 67-3, paragraph (1) of the Act, and the document set forth in the preceding item does not certify the officer's name used before

marriage, a document certifying the name before marriage; and

四 役員が法第二十九条の四第一項第二号イからリまでのいずれにも該当しない者であることを当該役員が誓約する書面

(iv) a document with which the officer pledges that the officer does not fall under any of Article 29-4, paragraph (1), item (ii), (a) to (i) of the Act.

(業務の委託)

(Entrustment of Services)

第三条 認可協会は、法第七十七条の三第一項に定める業務のほか、定款の定めるところにより、法第六十七条の八第一項第九号、第十二号及び第十四号に掲げる事項に関する業務の一部を他の認可協会又は法第七十八条第二項に規定する認定金融商品取引業協会（以下「認定協会」という。）に委託することができる。

Article 3 (1) An Authorized Association may, pursuant to the provisions of the articles of incorporation, entrust part of a service related to matters set forth in Article 67-8, paragraph (1), items (ix), (xii) and (xiv) of the Act to another Authorized Association or a Certified Financial Instruments Firms Association prescribed in Article 78, paragraph (2) of the Act (hereinafter referred to as "Recognized Association"), beyond the service prescribed in Article 77-3, paragraph (1) of the Act.

2 前項の規定により業務の委託を受けた認可協会又は認定協会は、当該委託に係る業務を再委託することができない。

(2) An Authorized Association or a Recognized Association that has been entrusted with a service pursuant to the provisions of the preceding paragraph may not entrust that service to another person.

(店頭売買有価証券登録原簿の写しの公衆縦覧)

(Public Inspection of Copy of Register of Over-the-Counter Traded Securities)

第四条 認可協会は、法第六十七条の十一第二項の規定により、その業務時間内は、店頭売買有価証券登録原簿の写しを公衆の縦覧に供しなければならない。

Article 4 An Authorized Association must, pursuant to the provisions of Article 67-11, paragraph (2) of the Act, make a copy of the Register of Over-the-Counter Traded Securities available for public inspection during its operating hours.

(店頭売買有価証券登録原簿への登録に係る届出)

(Notification in Relation to Registration in Registers of Over-the-Counter Traded Securities)

第五条 法第六十七条の十三の規定により登録に係る届出をする認可協会は、登録を行うおうとする有価証券の種類、銘柄及び登録の予定年月日を記載した届出書に、次に掲げる書類を添付して、当該認可協会の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内にある場合にあつては、福岡財務支局長。次条

第一項において同じ。)に提出しなければならない。

Article 5 (1) An Authorized Association making notification in relation to the registration pursuant to the provisions of Article 67-13 of the Act must attach the following documents to a written notice stating the class, issues and the scheduled date of the registration of Securities to be registered, and submit the same to the Director-General of the Local Finance Bureau having jurisdiction over the location of the principal office of the Authorized Association (if the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director-General of the Fukuoka Local Finance Branch Bureau; hereinafter the same applies in paragraph (1) of the following Article):

一 当該有価証券の登録が法第六十七条の十二第一号の規定により当該認可協会がその規則に定める登録の基準及び方法に適合していることを示す書類

(i) documents indicating that the registration of the Securities is in accordance with the standards and methods of registration specified by the Authorized Association in its rules pursuant to the provisions of Article 67-12, item (i) of the Act; and

二 その他当該有価証券に関し参考となる資料

(ii) other materials that will be helpful for understanding the Securities.

2 前項の届出は、同項の登録を行おうとする日の前日までにしなければならない。

(2) The notification referred to in the preceding paragraph must be made by the day before the date on which registration referred to in that paragraph is to be done.

(店頭売買有価証券の登録の取消しに係る届出)

(Notification in Relation to Rescission of Registration of Over-the-Counter Traded Securities)

第六条 法第六十七条の十三の規定により登録の取消しに係る届出をする認可協会は、登録の取消しを行おうとする店頭売買有価証券の種類、銘柄並びに登録の取消しの予定年月日及びその理由を記載した届出書に、次に掲げる書類を添付して、当該認可協会の主たる事務所の所在地を管轄する財務局長に提出しなければならない。

Article 6 (1) An Authorized Association making notification in relation to the rescission of registration pursuant to the provisions of Article 67-13 of the Act must attach the following documents to a written notice stating the class and issues of Over-the-Counter Traded Securities of which registration is to be rescinded as well as the scheduled date of the rescission of registration and the reason for it, and submit the same to the Director-General of the Local Finance Bureau having jurisdiction over the location of the principal office of the Authorized Association:

一 当該店頭売買有価証券の登録の取消しが法第六十七条の十二第一号の規定により当該認可協会がその規則に定める登録の取消しの基準及び方法に適合していることを示す書類

- (i) documents indicating that the rescission of registration of the Over-the-Counter Traded Securities is in accordance with the standards and methods of the rescission of registration specified by the Authorized Association in its rules pursuant to the provisions of Article 67-12, item (i) of the Act; and
 - 二 当該店頭売買有価証券の登録の取消しについての当該店頭売買有価証券の発行者の同意の有無を記載した書類
 - (ii) documents stating whether or not the Issuer of the Over-the-Counter Traded Securities has consented to the rescission of the registration of the Over-the-Counter Traded Securities.
- 2 前項の届出は、同項の登録の取消しを行おうとする日の七日前（当該店頭売買有価証券の発行者に次に掲げる事実が発生した場合にあっては、前日）までにしなければならない。
- (2) The notification referred to in the preceding paragraph must be made by seven days before the date on which the rescission of registration referred to in that paragraph is to be done (if any of the following facts has occurred in the Issuer of the Over-the-Counter Traded Securities, the day before the relevant date):
- 一 手形若しくは小切手の不渡り（支払資金の不足を事由とするものに限る。）又は手形交換所による取引停止処分
 - (i) dishonoring negotiable instruments or checks (limited to those on the grounds of shortage of funds for payment) or a disposition to suspend transactions with a clearinghouse;
 - 二 事業の全部の休止又は廃止
 - (ii) suspension or closing of the entire business;
 - 三 破産手続開始、再生手続開始又は更生手続開始の申立て
 - (iii) application for commencement of bankruptcy proceedings, rehabilitation proceedings or reorganization proceedings; or
 - 四 前三号に掲げる事実のほか、速やかに登録の取消しを行う必要があるものとして当該認可協会がその規則に定める事実
 - (iv) beyond the facts set forth in the preceding three items, facts specified by the Authorized Association in its rules as those which require prompt rescission of registration.

（店頭売買有価証券の売買が成立した場合の報告）

(Reporting When the Purchase and Sale of Over-the-Counter Traded Securities Has Been Effected)

第七条 法第六十七条の十八第一号に掲げる場合における同条の規定による報告は、次の各号に掲げる場合の区分に応じ、当該各号に定める時までに行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することとする。

Article 7 (1) The report pursuant to the provisions of Article 67-18 of the Act in the case set forth in item (i) of that Article must be made in accordance with the categories of cases set forth in the following items by the time specified therein; provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist:

一 その所属する認可協会（以下この章において「所属認可協会」という。）の営業日の午前八時十分から午後五時までの間に売買が成立した場合 売買の成立後五分以内

(i) if purchase and sale has been effected between 8:10am and 5:00pm on a business day of the Authorized Association to which a Member Firm belongs (hereinafter referred to as "Member Firm's Authorized Association" in this Chapter): within five minutes after purchase and sale was effected;

二 所属認可協会の営業日の当日午前八時十分以前に売買が成立した場合 当該営業日の午前八時三十分

(ii) if purchase and sale has been effected at 8:10am or earlier on a business day of the Member Firm's Authorized Association: 8:30am of the business day; or

三 前二号に掲げる場合以外の場合 売買が成立した日の翌営業日の午前八時三十分

(iii) in cases other than those set forth in the preceding two items: 8:30am on the business day following the day on which purchase and sale was effected.

2 法第六十七条の十八第一号に規定する内閣府令で定める事項は、売買が成立した日時とする。

(2) Matters specified by Cabinet Office Order prescribed in Article 67-18, item (i) of the Act are the date and time when purchase and sale was effected.

(店頭売買有価証券の売付け又は買付けの申込みをした場合の報告)

(Reporting When an Offer for Sales or Purchase of Over-the-Counter Traded Securities Has Been Made)

第八条 法第六十七条の十八第二号に掲げる場合における同条の規定による報告は、所属認可協会の営業日の午前八時から午前十一時まで及び午後零時五分から午後三時までの間にした申込みについて、当該申込み後直ちに行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することとする。

Article 8 (1) The report pursuant to the provisions of Article 67-18 of the Act in the case set forth in item (ii) of that Article on an offer made between 8:00am and 11:00am and between 12:05pm and 3:00pm on a business day of the Member Firm's Authorized Association must be made immediately after the

offer; provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist.

2 法第六十七条の十八第二号に規定する内閣府令で定める事項は、数量及び売付け又は買付けの別とする。

(2) Matters specified by Cabinet Office Order prescribed in Article 67-18, item (ii) of the Act are volume and sales or purchase.

(店頭売買有価証券の売買の受託等をした場合の報告)

(Reporting When Entrustment of Purchase and Sale of Over-the-Counter Traded Securities Has Been Accepted)

第九条 法第六十七条の十八第三号に掲げる場合における同条の規定による報告は、受託等（法第四十四条の二第一項第一号に規定する受託等をいう。以下同じ。）に基づき行った注文（所属認可協会の営業日の午前八時から午前十一時まで及び午後零時五十分から午後三時までの間に行ったものに限る。）について、当該注文後直ちに行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することとする。

Article 9 (1) The report pursuant to the provisions of Article 67-18 of the Act in the case set forth in item (iii) of that Article on orders performed (limited to those performed between 8:00am and 11:00am and between 12:05pm and 3:00pm on a business day of the Member Firm's Authorized Association) based on Acceptance of an Entrustment, etc. (meaning Accepting an Entrustment, etc. prescribed in Article 44-2, paragraph (1), item (i) of the Act; the same applies hereinafter) must be made immediately after the order; provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist.

2 法第六十七条の十八第三号に規定する内閣府令で定める事項は、売付け又は買付けの別とする。

(2) Matters specified by Cabinet Office Order prescribed in Article 67-18, item (iii) of the Act are sales or purchase.

(取扱有価証券の売買が成立した場合の報告)

(Reporting When the Purchase and Sale of Tradable Securities Has Been Effected)

第十条 法第六十七条の十八第四号に掲げる場合における同条の規定による報告は、売買が成立した日の午後五時まで（所属認可協会がその規則により当該売買が成立した

日後の最初の月曜日までに報告すれば足りるものと認めた銘柄にあっては、当該月曜日（当該月曜日が当該所属認可協会の休業日に当たる場合にあっては、その翌営業日。第十二条第一項及び第十三条第一項において同じ。）まで）に行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することとする。

Article 10 (1) The report pursuant to the provisions of Article 67-18 of the Act in the case set forth in item (iv) of that Article must be made by 5:00pm on the day on which purchase and sale was effected (for issues of which reporting by the first Monday after the day on which the purchase and sale was effected is deemed sufficient by the Member Firm's Authorized Association in its rules, by that Monday (if the Monday falls on a non-business day of the Member Firm's Authorized Association, by the following business day: hereinafter the same applies in Article 12, paragraph (1) and Article 13, paragraph (1)); provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist.

2 法第六十七条の十八第四号に規定する内閣府令で定める事項は、売買が成立した日時とする。

(2) Matters specified by Cabinet Office Order prescribed in Article 67-18, item (iv) of the Act are the date and time when purchase and sale was effected.

（取扱有価証券）

(Tradable Securities)

第十一条 法第六十七条の十八第四号に規定する内閣府令で定める有価証券は、次に掲げるものとする。

Article 11 Securities specified by Cabinet Office Order prescribed in Article 67-18, item (iv) of the Act are as follows:

一 新株予約権証券

(i) share option certificates;

二 出資証券（法第二条第一項第六号に掲げる有価証券をいう。以下同じ。）

(ii) subscription certificates (meaning Securities set forth in Article 2, paragraph (1), item (vi) of the Act; the same applies hereinafter);

三 資産の流動化に関する法律（平成十年法律第百五号）に規定する優先出資証券

(iii) preferred equity investment certificates prescribed in the Act on the Securitization of Assets (Act No. 105 of 1998);

四 投資証券（投資信託及び投資法人に関する法律に規定する投資証券をいう。以下同じ。）

(iv) investment securities (meaning investment securities prescribed in the Act on Investment Trusts and Investment Corporations; the same applies

hereinafter); and

五 新投資口予約権証券（投資信託及び投資法人に関する法律に規定する新投資口予約権証券をいう。以下同じ。）

(v) investment equity subscription rights certificates (meaning investment equity subscription rights certificates prescribed in the Act on Investment Trusts and Investment Corporations; the same applies hereinafter).

（取扱有価証券の売付け又は買付けの申込みをした場合の報告）

(Reporting When an Offer for Sales or Purchase of Tradable Securities Has Been Made)

第十二条 法第六十七条の十八第五号に掲げる場合における同条の規定による報告は、直近の申込みについて、当該申込みをした日の午後五時まで（所属認可協会がその規則により当該申込みをした日後の最初の月曜日までに報告すれば足りるものと認めた銘柄にあっては、当該月曜日まで）に行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することとする。

Article 12 (1) The report pursuant to the provisions of Article 67-18 of the Act in the case set forth in item (v) of that Article on the latest offer must be made by 5:00pm on the day on which the offer was made (for issues of which reporting by the first Monday after the day on which the offer was made is deemed sufficient by the Member Firm's Authorized Association in its rules, by that Monday); provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist.

2 法第六十七条の十八第五号に規定する内閣府令で定める事項は、数量及び売付け又は買付けの別とする。

(2) Matters specified by Cabinet Office Order prescribed in Article 67-18, item (v) of the Act are volume and sales or purchase.

（取扱有価証券の売買の受託等をした場合の報告）

(Reporting When the Entrustment of Purchase and Sale of Tradable Securities Has Been Accepted)

第十三条 法第六十七条の十八第六号に掲げる場合における同条の規定による報告は、直近の受託等について、当該受託等をした日の午後五時まで（所属認可協会がその規則により当該受託等をした日後の最初の月曜日までに報告すれば足りるものと認めた銘柄にあっては、当該月曜日まで）に行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することと

する。

Article 13 (1) The report pursuant to the provisions of Article 67-18 of the Act in the case set forth in item (vi) of that Article on the latest Acceptance of an Entrustment, etc. must be made by 5:00pm on the day of the Acceptance of an Entrustment, etc. (for issues of which reporting by the first Monday after the day of the Acceptance of an Entrustment, etc. is deemed sufficient by the Member Firm's Authorized Association in its rules, by that Monday); provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist.

2 法第六十七条の十八第六号に規定する内閣府令で定める事項は、売付け又は買付けの別とする。

(2) Matters specified by Cabinet Office Order prescribed in Article 67-18, item (vi) of the Act are sales or purchase.

(上場株券等)

(Listed Share Certificates)

第十四条 法第六十七条の十八第七号に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 14 Those specified by Cabinet Office Order prescribed in Article 67-18, item (vii) of the Act are as follows:

一 株券

(i) share certificates;

二 新株予約権付社債券

(ii) corporate bond certificates with share options;

三 新株予約権証券

(iii) share option certificates;

四 出資証券

(iv) subscription certificates;

五 協同組織金融機関の優先出資に関する法律（平成五年法律第四十四号）に規定する優先出資証券

(v) preferred equity investment certificates prescribed in the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions (Act No. 44 of 1993);

六 投資信託及び投資法人に関する法律に規定する投資信託の受益証券

(vi) beneficiary securities of investment trusts prescribed in the Act on Investment Trusts and Investment Corporations;

七 投資証券

(vii) investment securities; and

八 新投資口予約権証券

(viii) investment equity subscription rights certificates.

(上場株券等の取引所金融商品市場外での売買が成立した場合の報告)

(Reporting When the Purchase and Sale of Listed Share Certificates Conducted Outside of Financial Instruments Exchange Market Has Been Effected)

第十五条 法第六十七条の十八第七号に掲げる場合における同条の規定による報告は、次の各号に掲げる場合の区分に応じ、当該各号に定める時までに行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することとする。

Article 15 (1) The report pursuant to the provisions of Article 67-18 of the Act in the case set forth in item (vii) of that Article must be made in accordance with the categories of cases set forth in the following items by the time specified therein; provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist:

一 電子情報処理組織を使用して同時に多数の者を一方の当事者又は各当事者として売買が成立した場合 売買が成立した日の翌営業日の午前八時三十分

(i) if purchase and sale has been effected by using an electronic data processing system in which a large number of persons participate simultaneously as one party or individual parties: 8:30am on the business day following the day on which purchase and sale was effected;

二 所属認可協会がその規則に定める時間帯に売買が成立した場合（前号に掲げる場合を除く。） 売買の成立後五分以内

(ii) if purchase and sale has been effected in the time frame specified by the Member Firm's Authorized Association in its rules (excluding the case set forth in the preceding item): within five minutes after purchase and sale was effected; or

三 前二号に掲げる場合以外の場合 売買が成立した日の当日又は翌営業日において所属認可協会がその規則に定める時刻

(iii) in cases other than those set forth in the preceding two items: The time specified by the Member Firm's Authorized Association in its rules on the day on which purchase and sale was effected or the following business day.

2 法第六十七条の十八第七号に規定する内閣府令で定める事項は、売買が成立した日時並びに価格の計算の基準とした売買価格を公表した金融商品取引所及び当該売買価格とする。

(2) Matters specified by Cabinet Office Order prescribed in Article 67-18, item (vii) of the Act are the date and time when purchase and sale was effected as well as the Financial Instruments Exchange which publicized the trading price

that served as the basis of calculation of price and the trading price.

(同時に多数の者に対し取引所金融商品市場外での上場株券等の売付け又は買付けの申込みをした場合の報告)

**(Reporting When Offer for Sales or Purchase of Listed Share Certificates
Conducted Outside of Financial Instruments Exchange Market Has Been
Made to a Large Number of Persons Simultaneously)**

第十六条 法第六十七条の十八第八号に掲げる場合における同条の規定による報告は、申込みをした日の翌営業日の午前八時三十分までに行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することとする。

Article 16 (1) The report pursuant to the provisions of Article 67-18 of the Act in the case set forth in item (viii) of that Article must be made by 8:30am on the business day following the day on which the offer was made; provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist.

2 法第六十七条の十八第八号に規定する内閣府令で定める場合は、同時に多数の者に対し、取引所金融商品市場外での上場株券等の売付け又は買付けの申込みをした場合とする。

(2) The case specified by Cabinet Office Order prescribed in Article 67-18, item (viii) of the Act is the case in which an offer for sales or purchase of Listed Share Certificates, etc. outside of a Financial Instruments Exchange Market is made to a large number of persons simultaneously.

3 法第六十七条の十八第八号に規定する売付け又は買付けの申込みに係る有価証券の価格を報告するときは、売付けの申込みに係るものにあつては申込みをした日における当該有価証券の銘柄中最も低い価格を、買付けの申込みに係るものにあつては申込みをした日における当該有価証券の銘柄中最も高い価格を報告するものとする。

(3) When reporting the price of Securities for which an offer for sales or purchase is made as prescribed in Article 67-18, item (viii) of the Act, among the issues of the Securities for which an offer for sales is made, the lowest price on the day on which the offer is made is to be reported, and among issues of the Securities for which an offer for purchase is made, the highest price on the day on which the offer is made is to be reported.

4 法第六十七条の十八第八号に規定する内閣府令で定める事項は、前項に係る申込みをした時における数量及び売付け又は買付けの別とする。

(4) Matters specified by Cabinet Office Order prescribed in Article 67-18, item (viii) of the Act are volume and sales or purchase at the time when an offer in relation to the preceding paragraph has been made.

(売買高、価格等の通知等)

(Notices of Trading Volume, Price, and Other Matters)

第十七条 法第六十七条の十九の規定により、認可協会は、その規則で定める方法により、その開設する店頭売買有価証券市場における店頭売買有価証券の売買については別表第一の上欄に掲げる通知及び公表の区分に応じそれぞれ同表の中欄に掲げる事項を、取扱有価証券の売買については別表第二の上欄に掲げる通知及び公表の区分に応じそれぞれ同表の中欄に掲げる事項をその協会員に通知し、公表しなければならない。

Article 17 (1) Pursuant to the provisions of Article 67-19 of the Act, an Authorized Association must, by a method specified in its rules, notify its Member Firms or also publicize the matters set forth in the middle column of Appended Table 1 according to the respective categories of notice and public announcement set forth in the left column of the same Table with respect to the purchase and sale of Over-the-Counter Traded Securities conducted in an Over-the-Counter Securities Market established by the Authorized Association, and the matters set forth in the middle column of Appended Table 2 according to the respective categories of notice and public announcement set forth in the left column of the same Table with respect to the purchase and sale of Tradable Securities.

2 法第六十七条の十九の規定により、認可協会は、その規則で定める方法により、上場株券等の取引所金融商品市場外での売買については別表第三の上欄に掲げる通知又は公表の区分に応じそれぞれ同表の中欄に掲げる事項をその協会員に通知し、又は公表しなければならない。

(2) Pursuant to the provisions of Article 67-19 of the Act, an Authorized Association must, by a method specified in its rules, notify its Member Firms or also publicize the matters set forth in the middle column of Appended Table 3 according to the category of notice or public announcement set forth in the left column of the same Table with respect to the purchase and sale of Listed Share Certificates, etc. conducted outside of a Financial Instruments Exchange Market.

(売買高、価格等の報告)

(Report of Trading Volume, Price, and Other Matters)

第十八条 法第六十七条の二十の規定により、認可協会は、その開設する店頭売買有価証券市場における店頭売買有価証券の売買については別表第四の上欄に掲げる報告の区分に応じそれぞれ同表の中欄に掲げる事項を、取扱有価証券の売買については別表第五の上欄に掲げる報告の区分に応じそれぞれ同表の中欄に掲げる事項を、上場株券等の取引所金融商品市場外での売買については別表第六の上欄に掲げる報告の区分に応じそれぞれ同表の中欄に掲げる事項を金融庁長官に報告しなければならない。

Article 18 Pursuant to the provisions of Article 67-20 of the Act, an Authorized Association must report to the Commissioner of the Financial Services Agency

the matters set forth in the middle column of Appended Table 4 according to the reporting categories set forth in the left column of the same Table with respect to the purchase and sale of Over-the-Counter Traded Securities conducted in an Over-the-Counter Securities Market established by the Authorized Association, the matters set forth in the middle column of Appended Table 5 according to the reporting categories set forth in the left column of the same Table with respect to the purchase and sale of Tradable Securities, and the matters set forth in the middle column of Appended Table 6 according to the reporting categories set forth in the left column of the same Table with respect to the purchase and sale of Listed Share Certificates, etc. conducted outside of a Financial Instruments Exchange Market.

(あっせん委員となることができない者)

(Persons Who Cannot Serve as a Mediator)

第十九条 次の各号のいずれかに該当する者は、法第七十七条の二第二項（法第七十七条の三第四項において準用する場合を含む。次条及び第二十一条第一項において同じ。）に規定するあっせん委員となることができない。

Article 19 A person who falls under any of the following items may not become a mediator prescribed in Article 77-2, paragraph (2) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 77-3, paragraph (4) of the Act; hereinafter the same applies in the following Article and Article 21, paragraph (1)):

一 成年被後見人、被保佐人若しくは被補助人又は破産手続開始の決定を受けて復権を得ない者

(i) an adult ward, a person under curatorship or person under assistance, or a person who has received an order commencing bankruptcy proceedings and has not obtained restoration of rights;

二 禁錮以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から五年を経過しない者

(ii) a person who has been sentenced to imprisonment without work or heavier punishment, and for whom five years have not passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

三 公務員で懲戒免職の処分を受け、当該処分の日から二年を経過しない者

(iii) a public officer who has been dismissed from that position by disciplinary action and two years have not yet passed from the date of the disposition;

四 弾劾裁判所の罷免の裁判を受けた者

(iv) a person whose removal from office has been decreed by an impeachment court;

五 弁護士法（昭和二十四年法律第二百五号）又は外国弁護士による法律事務の取扱いに関する特別措置法（昭和六十一年法律第六十六号）の規定による懲戒処分によ

- り弁護士会からの除名の処分を受け、当該処分の日から三年を経過しない者
- (v) a person who has been subjected to exclusion from membership in a bar association through disciplinary action pursuant to the provisions of the Attorney Act (Act No. 205 of 1949) or the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers (Act No. 66 of 1986), and three years have not yet passed from the date of the disposition; or
- 六 公認会計士法（昭和二十三年法律第百三十三号）、税理士法（昭和二十六年法律第二百三十七号）又は司法書士法（昭和二十五年法律第百九十七号）の規定による懲戒処分により、公認会計士の登録の抹消、税理士の業務の禁止の処分又は司法書士の業務の禁止の処分を受け、当該処分の日から三年を経過しない者
- (vi) a person who has been subjected to deletion of registration as a certified public accountant, prohibition of business as a certified public tax accountant or prohibition of business as a judicial scrivener through disciplinary action pursuant to the provisions of the Certified Public Tax Accountants Act (Act No. 103 of 1948), Licensed Tax Accountants Act (Act No. 237 of 1951) or Judicial Scrivener Act (Act No. 197 of 1950), and three years have not yet passed from the date of the disposition.

（あっせん委員の特別の利害関係）

(Special Interest of Mediators)

第二十条 法第七十七条の二第二項に規定する事件の当事者（以下この条及び次条において単に「当事者」という。）と特別の利害関係のない者とは、次の各号のいずれにも該当しない者をいう。

Article 20 A person who has no special interest in any party involved in the Case as prescribed in Article 77-2, paragraph (2) of the Act (hereinafter simply referred to as the "party" in this Article and the following Article) is a person who does not fall under any of the following items:

一 当事者又はその配偶者若しくは配偶者であった者

(i) the party or the party's spouse, or the party's former spouse;

二 当事者の四親等内の血族、三親等内の姻族若しくは同居の親族である者又はこれらであった者

(ii) a person who is or has been the party's relative by blood within the fourth degree of kinship, the party's relative by affinity within the third degree of kinship or a relative sharing residence with the party;

三 当事者の後見人、後見監督人、保佐人、保佐監督人、補助人又は補助監督人である者

(iii) a person who is the party's guardian, a supervisor of the guardian, the party's curator, a supervisor of the curator, the party's assistant, or a supervisor of the assistant;

四 事件について当事者の代理人若しくは補佐人である者又はこれらであった者

(iv) a person who is or has been the party's proxy or assistant in the Case; or

五 当事者から役務の提供により収入を得ている者又は得ないこととなった日から三年を経過しない者

(v) a person who receives an income from the party by providing a service or three years have not yet passed from the day on which receipt of the income terminated.

(あっせんを行わない旨の通知)

(Notice of Not Conducting Mediation)

第二十一条 認可協会（当該認可協会が法第七十七条の三第一項の規定により法第七十七条の二第一項に規定するあっせんの業務を委託した場合にあっては、当該業務の委託を受けた者。以下この条において同じ。）は、法第七十七条の二第二項に規定するあっせん委員が同項ただし書の規定によりあっせんを行わないものとしたときは、当事者に対し、遅滞なく、その旨を書面により通知するものとする。

Article 21 (1) An Authorized Association (if the Authorized Association has entrusted the mediation service prescribed in Article 77-2, paragraph (1) of the Act pursuant to the provisions of Article 77-3, paragraph (1) of the Act, the person entrusted with the service; hereinafter the same applies in this Article) is to, when the mediator prescribed in Article 77-2, paragraph (2) of the Act has decided not to conduct mediation pursuant to the provisions of the proviso to that paragraph, notify the party to that effect in writing without delay.

2 認可協会は、前項の規定による書面による通知に代えて、あらかじめ、同項の当事者に対し、次に掲げる方法のうち当該認可協会が使用するもの（以下この条において「電磁的方法」という。）及びファイルへの記録の方式を示し、当該当事者の書面又は電磁的方法による承諾を得て、同項の規定により通知すべき事項を電磁的方法により通知することができる。この場合において、当該認可協会は、当該書面による通知をしたものとみなす。

(2) An Authorized Association may, in lieu of the written notice pursuant to the provisions of the preceding paragraph, indicate to the party referred to in that paragraph the method to be used by the Authorized Association from among the following methods (hereinafter referred to as "electronic or magnetic means" in this Article) and the form of file recording in advance, obtain the party's consent in writing or by electronic or magnetic means, and notify the matters to be notified pursuant to the provisions of that paragraph by electronic or magnetic means. In this case, the Authorized Association is deemed to have given the notice in writing:

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

(i) among methods involving the use of an electronic data processing system, a method by which the matters to be notified are transmitted through electric telecommunication lines that interconnects the computer used by the sender

- and the computer used by the recipient and recorded in a file stored in the computer used by the recipient; or
- 二 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものを交付する方法
- (ii) magnetic disk, CD-ROM or other means similar thereto by which a file prepared in the form of media capable of making accurate records of certain matters is recorded and delivered.
- 3 前項各号に掲げる方法は、受信者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。
- (3) The methods set forth in the items of the preceding paragraph must enable the recipient to prepare written documents by outputting the records in the file.
- 4 第二項に規定する当事者の承諾を得た認可協会は、当該当事者から書面又は電磁的方法により電磁的方法による通知を受けない旨の申出があったときは、当該当事者に対し、第一項の規定により通知すべき事項の通知を電磁的方法によってしてはならない。ただし、当該当事者が再び第二項の規定による承諾をした場合は、この限りでない。
- (4) An Authorized Association that has obtained the party's consent prescribed in paragraph (2) must not, when a request not to receive a notice by electronic or magnetic means has been made by the party in writing or by electronic or magnetic means, notify the party of the matters to be notified pursuant to the provisions of paragraph (1) by electronic or magnetic means; provided, however, that this does not apply to cases where the party has given consent again under the provisions of paragraph (2).

第三章 認定金融商品取引業協会

Chapter III Certified Financial Instruments Firms Associations

(認定の申請書の添付書類)

(Documents to Be Attached to a Written Application for Recognition)

第二十二条 令第十八条の四の十四第二項に規定する内閣府令で定める書類は、次に掲げる書類とする。

Article 22 The documents specified by Cabinet Office Order prescribed in Article 18-4-14, paragraph (2) of the Order are the following documents:

一 認定の申請に係る業務の実施の方法を記載した書類

(i) a document stating the method of carrying out operations in relation to the application for recognition;

二 認定の申請に係る業務を適正かつ確実に行うに足りる知識及び能力を有することを明らかにする書類

(ii) a document showing that the Association has the knowledge and ability sufficient to carry out operations in relation to the application for recognition

appropriately and certainly;

三 最近の事業年度（申請の日の属する事業年度に設立された法人にあっては、その設立の時）における財産目録その他の財産的基礎を有することを明らかにする書類

(iii) inventory of assets in the last business year (in the case of a juridical person established in the business year to which the day of the application belongs, at the time of its establishment) and other documents showing that the Association has financial basis;

四 役員の履歴書

(iv) résumés of the officers;

五 役員の住民票の抄本（本籍の記載のあるものに限る。）又はこれに代わる書面

(v) extracts of a copy of a resident record of the officers (limited to those stating their registered domicile) or other documents in lieu thereof;

六 役員の婚姻前の氏名を当該役員の氏名に併せて令第十八条の四の十四第一項の申請書に記載した場合において、前号に掲げる書類が当該役員の婚姻前の氏名を証するものでないときは、当該婚姻前の氏名を証する書面

(vi) if the name of an officer that was used before marriage is stated together with the officer's current name in a written application referred to in Article 18-4-14, paragraph (1) of the Order, and the document set forth in the preceding item does not certify the officer's name used before marriage, a document certifying the name before marriage; and

七 その他参考となる事項を記載した書類

(vii) other documents stating matters that will be helpful.

（業務の委託）

(Entrustment of Services)

第二十三条 認定協会は、法第七十八条の八第一項に定める業務のほか、法第七十九条の三第一項の規程の定めるところにより、法第七十八条第二項第一号から第三号までに掲げる業務の一部を認可協会又は他の認定協会に委託することができる。

Article 23 (1) A Recognized Association may, pursuant to the provisions of Article 79-3, paragraph (1) of the Act, entrust part of the services set forth in Article 78, paragraph (2), items (i) to (iii) of the Act to an Authorized Association or another Recognized Association, beyond the service specified in Article 78-8, paragraph (1) of the Act.

2 前項の規定により業務の委託を受けた認可協会又は認定協会は、当該委託に係る業務を再委託することができない。

(2) An Authorized Association or a Recognized Association that has been entrusted with a service pursuant to the provisions of the preceding paragraph may not entrust the entrusted service to another person.

（上場株券等の取引所金融商品市場外での売買が成立した場合の報告）

(Reporting When Purchase and Sale of Listed Share Certificates Conducted

Outside of Financial Instruments Exchange Market Has Been Effectuated)

第二十四条 法第七十八条の三第一号に掲げる場合における同条の規定による報告は、次の各号に掲げる場合の区分に応じ、当該各号に定める時までに行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することとする。

Article 24 (1) The report pursuant to the provisions of Article 78-3 of the Act in the case set forth in item (i) of that Article must be made in accordance with the categories of cases set forth in the following items by the time specified therein; provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist:

一 電子情報処理組織を使用して同時に多数の者を一方の当事者又は各当事者として売買が成立した場合 売買が成立した日の翌営業日の午前八時三十分

(i) if purchase and sale has been effected by using an electronic data processing system in which a large number of persons participate simultaneously as one party or individual parties or if purchase and sale has been effected between 8:10 am and 5:00 pm on a business day of the Recognized Association to which the member belongs (hereinafter referred to as "Member's Recognized Association" in the following item): 8:30am on the business day following the day on which purchase and sale was effected;

二 所属する認定協会（次号において「所属認定協会」という。）がその規則に定める時間帯に売買が成立した場合（前号に掲げる場合を除く。） 売買の成立後五分以内

(ii) if purchase and sale has been effected in the time frame specified by the Recognized Association to which the member belongs (hereinafter referred to as "Member's Recognized Association" in the following item) in its rules (excluding the case set forth in the preceding item): within five minutes after the purchase and sale was effected; or

三 前二号に掲げる場合以外の場合 売買が成立した日の当日又は翌営業日において所属認定協会がその規則に定める時刻

(iii) in cases other than those set forth in the preceding two items: the time specified by the Member's Recognized Association in its rules on the day on which purchase and sale was effected or the following business day.

2 法第七十八条の三第一号に規定する内閣府令で定める事項は、売買が成立した日時並びに価格の計算の基準とした売買価格を公表した金融商品取引所及び当該売買価格とする。

(2) Matters specified by Cabinet Office Order prescribed in Article 78-3, item (i) of the Act are the date and time when purchase and sale was effected as well

as the Financial Instruments Exchange which publicized the trading price that served as the basis of calculation of price and the trading price.

(同時に多数の者に対し取引所金融商品市場外での上場株券等の売付け又は買付けの申込みをした場合の報告)

(Reporting When an Offer for Sales or Purchase of Listed Share Certificates Conducted Outside of Financial Instruments Exchange Market Has Been Made to a Large Number of Persons Simultaneously)

第二十五条 法第七十八条の三第二号に掲げる場合における同条の規定による報告は、申込みをした日の翌営業日の午前八時三十分までに行わなければならない。ただし、電子情報処理組織の異常若しくは保守点検又は報告すべき事項が著しく急激に増加したことその他やむを得ない事由がある場合においては、当該事由の消滅後速やかに報告することとする。

Article 25 (1) The report pursuant to the provisions of Article 78-3 of the Act in the case set forth in item (ii) of that Article must be made by 8:30am on the business day following the day on which the offer was made; provided, however, that in the event of malfunctioning or maintenance/inspection of the electronic data processing system, or if matters to be reported have dramatically and rapidly increased or if there is any other compelling reason, the report is to be made promptly after the reason ceases to exist.

2 法第七十八条の三第二号に規定する内閣府令で定める場合は、同時に多数の者に対し、取引所金融商品市場外での上場株券等の売付け又は買付けの申込みをした場合とする。

(2) The case specified by Cabinet Office Order prescribed in Article 78-3, item (ii) of the Act is the case in which an offer for sales or purchase of Listed Share Certificates, etc. outside of a Financial Instruments Exchange Market is made to a large number of persons simultaneously.

3 法第七十八条の三第二号に規定する売付け又は買付けの申込みに係る有価証券の価格を報告するときは、売付けの申込みに係るものにあつては申込みをした日における当該有価証券の銘柄中最も低い価格を、買付けの申込みに係るものにあつては申込みをした日における当該有価証券の銘柄中最も高い価格を報告するものとする。

(3) When reporting the price of Securities for which an offer for sales or purchase is made as prescribed in Article 78-3, item (ii) of the Act, among the issues of the Securities for which an offer for sales is made, the lowest price on the day on which the offer is made is to be reported, and among issues of the Securities for which an offer for purchase is made, the highest price on the day on which the offer is made is to be reported.

4 法第七十八条の三第二号に規定する内閣府令で定める事項は、前項に係る申込みをした時における数量及び売付け又は買付けの別とする。

(4) Matters specified by Cabinet Office Order prescribed in Article 78-3, item (ii) of the Act are volume and sales or purchase at the time when an offer in

relation to the preceding paragraph has been made.

(売買高、価格等の通知等)

(Notices of Trading Volume, Price, and Other Matters)

第二十六条 法第七十八条の四の規定により、認定協会は、その規則で定める方法により、別表第七の上欄に掲げる通知又は公表の区分に応じ、それぞれ同表の中欄に掲げる事項をその会員に通知し、又は公表しなければならない。

Article 26 Pursuant to the provisions of Article 78-4 of the Act, a Recognized Association must, by a method specified in its rules, notify its members or publicize the matters set forth in the middle column of Appended Table 7 according to the category of notice or public announcement set forth in the left column of the same Table.

(売買高、価格等の報告)

(Report of Trading Volume, Price, and Other Matters)

第二十七条 法第七十八条の五の規定により、認定協会は、別表第八の上欄に掲げる報告の区分に応じ、それぞれ同表の中欄に掲げる事項を金融庁長官に報告しなければならない。

Article 27 Pursuant to the provisions of Article 78-5 of the Act, a Recognized Association must report to the Commissioner of the Financial Services Agency the matters set forth in the middle column of Appended Table 8 according to the reporting categories set forth in the left column of the same Table.

(あつせんに関する規定の準用)

(Application Mutatis Mutandis of Provisions on Mediation)

第二十八条 第十九条から第二十一条までの規定は、法第七十八条の七において法第七十七条の二第二項の規定を準用する場合及び法第七十八条の八第四項において法第七十八条の七において準用する法第七十七条の二第二項の規定を準用する場合について準用する。

Article 28 The provisions of Articles 19 to 21 apply mutatis mutandis to cases in which the provisions of Article 77-2, paragraph (2) of the Act are applied mutatis mutandis pursuant to Article 78-7 of the Act, and cases in which the provisions of Article 77-2, paragraph (2) are applied mutatis mutandis under Article 78-7 of the Act pursuant to Article 78-8, paragraph (4) of the Act.

(売買その他の取引の勧誘を行うことが禁じられない有価証券)

(Securities for Which Solicitation for Purchase and Sale or for Other Transactions Is Not Prohibited)

第二十九条 法第七十九条の三第一項第二号に規定する内閣府令で定める有価証券は、次に掲げるものとする。

Article 29 Securities specified by Cabinet Office Order prescribed in Article 79-3,

paragraph (1), item (ii) of the Act are as follows:

一 新株予約権証券

(i) share option certificates;

二 出資証券

(ii) subscription certificates;

三 資産の流動化に関する法律に規定する優先出資証券

(iii) preferred equity investment certificates prescribed in the Act on the Securitization of Assets;

四 投資証券

(iv) investment securities; and

五 新投資口予約権証券

(v) investment equity subscription rights certificates.

第四章 認定投資者保護団体

Chapter IV Certified Investor Protection Organization

(苦情の解決又はあっせんの業務等)

(Resolution of Complaints or Mediation Services)

第三十条 令第十八条の四の十五第二項第八号に規定する内閣府令で定める業務は、商品先物取引法（昭和二十五年法律第二百三十九号）第二百四十一条第一項に規定する商品デリバティブ取引等を行う業務に対する苦情の解決又は当該業務に争いがある場合のあっせんとする。

Article 30 (1) The service specified by Cabinet Office Order prescribed in Article 18-4-15, paragraph (2), item (viii) of the Order is the resolution of complaints against services to perform Commodity Derivatives Transactions, etc. prescribed in Article 241, paragraph (1) of the Commodity Futures Act (Act No. 239 of 1950) or mediation if there is a dispute over the services.

2 令第十八条の四の十五第二項第八号に規定する内閣府令で定める書類は、前項の苦情の解決又はあっせんを適正かつ確実に行うに足る知識及び能力を有するかどうかについて農林水産大臣及び経済産業大臣の意見が記載された書面とする。

(2) The documents specified by Cabinet Office Order prescribed in Article 18-4-15, paragraph (2), item (viii) of the Order are documents stating the opinions of the Minister of Agriculture, Forestry and Fisheries and the Minister of Economy, Trade and Industry as to whether the Organization has the knowledge and ability sufficient to resolve complaints and conduct mediation referred to in the preceding paragraph appropriately and with certainty.

(対象事業者)

(Covered Operators)

第三十一条 法第七十九条の十一第一項に規定する内閣府令で定める者は、令第十八条の四の十五第五項の表の上欄に掲げる者（それぞれ同表の中欄に掲げる取引を行う者

に限る。)とする。

Article 31 Persons specified by Cabinet Office Order prescribed in Article 79-11, paragraph (1) of the Act are persons set forth in the left column of the table in Article 18-4-15, item (v) of the Order (limited to persons who conduct transactions set forth in the middle column of the same table).

(あっせんの対象となる取引等)

(Transactions Subject to Mediation)

第三十二条 法第七十九条の十三において読み替えて準用する法第七十七条の二第一項に規定する内閣府令で定める取引は、有価証券の売買その他の取引又はデリバティブ取引等（法第三十三条第三項に規定するデリバティブ取引等をいう。）に付随する取引及び令第十八条の四の十五第五項の表の中欄に掲げる取引とする。

Article 32 (1) Transactions specified by Cabinet Office Order prescribed in Article 77-2, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 79-13 of the Act following the deemed replacement of terms are purchase and sale or other transactions of Securities or transactions incidental to Derivative Transactions, etc. (meaning Derivative Transactions, etc. prescribed in Article 33, paragraph (3) of the Act) and transactions set forth in the middle column of the table in Article 18-4-15, paragraph (5) of the Order.

2 第十九条から第二十一条までの規定は、法第七十九条の十三において法第七十七条の二第二項の規定を準用する場合について準用する。

(2) The provisions of Articles 19 to 21 apply mutatis mutandis to cases in which the provisions of Article 77-2, paragraph (2) of the Act are applied mutatis mutandis pursuant to Article 79-13 of the Act.

第五章 雑則

Chapter V Miscellaneous Provisions

(業務に関する報告)

(Reports on Business)

第三十三条 法第百八十八条の規定により、認可協会は、毎月、店頭売買有価証券市場を開設する業務において使用する電子情報処理組織（以下この条において単に「電子情報処理組織」という。）の保守及び管理の状況を記載した書類を作成し、翌月末日までに金融庁長官に提出しなければならない。

Article 33 (1) Pursuant to the provisions of Article 188 of the Act, an Authorized Association must prepare documents stating the status of maintenance and administration of the electronic data processing system used in the business to establish an Over-the-Counter Securities Market (hereinafter simply referred to as "electronic data processing system" in this Article) every month, and submit the same to the Commissioner of the Financial Services Agency by the last day of the following month.

- 2 法第百八十八条の規定により、認可協会は、電子情報処理組織に異常が発生した場合において、当該電子情報処理組織を使用して有価証券の売買、相場の公表若しくは受渡しその他の決済又は令第三十条第一項第二号に規定する公衆の縦覧を継続的に行わせることが困難となったときは、直ちにその旨を金融庁長官に報告し、遅滞なく、当該異常発生の概要、原因、処理、改善すべき事項その他必要な事項を記載した書類を金融庁長官に提出しなければならない。

(2) Pursuant to the provisions of Article 188 of the Act, an Authorized Association must, in the event of the malfunction of the electronic data processing system, when it has become difficult to continually conduct the purchase and sale, public announcement of market price, transfer or other settlement of Securities or the public inspection prescribed in Article 30, paragraph (1), item (ii) of the Order by using the electronic data processing system, immediately report to that effect to the Commissioner of the Financial Services Agency, and submit a document stating the outline of the malfunctioning, cause, process, matters to be improved upon and other necessary matters to the Commissioner of the Financial Services Agency without delay.

- 3 法第百八十八条の規定により、認可協会は、電子情報処理組織の設置場所、容量若しくは保守の方法又は電子情報処理組織に異常が発生した場合の対処方法の変更を伴う当該電子情報処理組織の内容の変更があった場合には、遅滞なく、当該変更の内容を記載した書類を金融庁長官に提出しなければならない。

(3) Pursuant to the provisions of Article 188 of the Act, an Authorized Association must, if there have been changes in the content of the electronic data processing system which involve changes in its installation site, capacity, the method of maintaining the electronic data processing system, or the method of troubleshooting in the event of malfunctioning of the electronic data processing system, submit a document describing the changes to the Commissioner of the Financial Services Agency without delay.

(標準処理期間)

(Standard Processing Period)

第三十四条 内閣総理大臣又は金融庁長官は、法第六十七条の二第二項、第六十七条の八第二項、第六十七条の十二、第七十七条の六第二項若しくは第七十九条の三第一項の認可、第七十八条第一項の規定による認定又は第七十九条の七第一項の認定に関する申請がその事務所に到達してから一月以内に、当該申請に対する処分をするよう努めるものとする。

Article 34 (1) The Prime Minister or the Commissioner of the Financial Services Agency is to endeavor to process an application for authorization referred to in Article 67-2, paragraph (2), Article 67-8, paragraph (2), Article 67-12, Article 77-6, paragraph (2) or Article 79-3, paragraph (1) of the Act, recognition under the provisions of Article 78, paragraph (1) or certification under Article 79-7,

paragraph (1) within one month of the arrival of the application at the office of the Prime Minister or the Commissioner.

2 前項に規定する期間には、次に掲げる期間を含まないものとする。

(2) The period prescribed in the preceding paragraph is not to include the following periods:

一 当該申請を補正するために要する期間

(i) period required to make corrections to the application;

二 当該申請をした者が当該申請の内容を変更するために要する期間

(ii) period required by the person who filed the application to change the content of the application; or

三 当該申請をした者が当該申請に係る審査に必要と認められる資料を追加するために要する期間

(iii) period required by the person who filed the application to add materials deemed necessary for examination of the application.

別表第一（第十七条関係）

Appended Table 1 (related to Article 17)

別表第二（第十七条関係）

Appended Table 2 (related to Article 17)

別表第三（第十七条関係）

Appended Table 3 (related to Article 17)

別表第四（第十八条関係）

Appended Table 4 (related to Article 18)

別表第五（第十八条関係）

Appended Table 5 (related to Article 18)

別表第六（第十八条関係）

Appended Table 6 (related to Article 18)

別表第七（第二十六条関係）

Appended Table 7 (related to Article 26)

別表第八（第二十七条関係）

Appended Table 8 (related to Article 27)