

銀行法施行規則

Regulation for Enforcement of the Banking Act

(昭和五十七年三月三十一日大蔵省令第十号)
(Ministry of Finance Order No. 10 of March 31, 1982)

銀行法及び銀行法施行令の規定に基づき、並びに同法及び同令を実施するため、銀行法施行細則（昭和二年大蔵省令第三十一号）の全部を改正する省令を次のように定める。

In accordance with provisions of the Banking Act and the Enforcement Order of the Banking Act, and in order to enforce that Act and that Order, a ministerial order to amend all the Detailed Regulations of the Banking Act (Ministry of Finance Order No. 31 of 1927) is provided as follows.

第一章 総則（第一条—第十一条）

Chapter I General Provisions (Articles 1 to 11)

第二章 業務（第十二条—第十七条）

Chapter II Services (Articles 12 to 17)

第三章 子会社等（第十七条の二—第十七条の七の三）

Chapter III Subsidiary Companies (Articles 17-2 to 17-7-3)

第四章 経理（第十七条の七の四—第二十一条）

Chapter IV Accounting (Articles 17-7-4 to 21)

第五章 合併、会社分割又は事業の譲渡若しくは譲受け（第二十二条—第二十四条）

Chapter V Merger, Company Splits, or Business Transfer or Acquisition

(Articles 22 to 24)

第六章 廃業及び解散（第二十五条—第二十七条）

Chapter VI Discontinuance and Dissolution (Articles 25 to 27)

第七章 外国銀行支店（第二十八条—第三十四条）

Chapter VII Foreign Bank Branches (Articles 28 to 34)

第七章の二 外国銀行代理業務に関する特則（第三十四条の二—第三十四条の二の四十六）

Chapter VII-2 Special Provisions on Foreign Bank Agency Services (Article 34-2 to Article 34-2-46)

第八章 株主

Chapter VIII Shareholders

第一節 通則（第三十四条の二の四十七—第三十四条の五）

Section 1 General Rules (Articles 34-2-47 to 34-5)

第二節 銀行主要株主に係る特例

Section 2 Special Provisions on Banks' Major Shareholders

第一款 通則（第三十四条の六一—第三十四条の八）

Subsection 1 General Rules (Articles 34-6 to 34-8)

第二款 監督（第三十四条の九）

Subsection 2 Supervision (Article 34-9)

第三節 銀行持株会社に係る特例

Section 3 Special Provisions on Bank Holding Companies

第一款 通則（第三十四条の十一第三十四条の十四）

Subsection 1 General Rules (Articles 34-10 to 34-14)

第二款 業務及び子会社等（第三十四条の十四の二第三十四条の二十三の二）

Subsection 2 Services and Subsidiary Companies (Articles 34-14-2 to 34-23-2)

第三款 経理（第三十四条の二十四第三十四条の二十八）

Subsection 3 Accounting (Articles 34-24 to 34-28)

第四款 合併、分割又は営業等の譲渡若しくは譲受け（第三十四条の二十九第三十四条の三十一）

Subsection 4 Merger, Split, Transfer or Acquisition of Business (Articles 34-29 to 34-31)

第八章の二 銀行代理業

Chapter VIII-2 Bank Agency Services

第一節 通則（第三十四条の三十二第三十四条の四十）

Section 1 General Rules (Articles 34-32 to 34-40)

第二節 業務（第三十四条の四十一第三十四条の五十七）

Section 2 Services (Articles 34-41 to 34-57)

第三節 経理（第三十四条の五十八第三十四条の六十）

Section 3 Accounting (Articles 34-58 to 34-60)

第四節 監督（第三十四条の六十一第三十四条の六十二）

Section 4 Supervision (Articles 34-61 and 34-62)

第五節 所属銀行等（第三十四条の六十三第三十四条の六十四）

Section 5 Principal Banks (Articles 34-63 and 34-64)

第八章の三 電子決済等代行業

Chapter VIII-3 Electronic Payment Services

第一節 通則（第三十四条の六十四の二第三十四条の六十四の八）

Section 1 General Rules (Articles 34-64-2 to 34-64-8)

第二節 業務（第三十四条の六十四の九第三十四条の六十四の十九）

Section 2 Services (Articles 34-64-9 to 34-64-19)

第三節 監督（第三十四条の六十四の二十一第三十四条の六十四の二十二）

Section 3 Supervision (Articles 34-64-20 to 34-64-22)

第四節 認定電子決済等代行業者協会（第三十四条の六十四の二十三第三十四条の六十四の二十六）

Section 4 Certified Associations of Electronic Payment Service Providers (Articles 34-64-23 to 34-64-26)

第八章の四 指定紛争解決機関

Chapter VIII-4 Designated Dispute Resolution Organizations

第一節 通則（第三十四条の六十五—第三十四条の六十八）

Section 1 General Rules (Articles 34-65 to 34-68)

第二節 業務（第三十四条の六十九—第三十四条の七十六）

Section 2 Services (Articles 34-69 to 34-76)

第三節 監督（第三十四条の七十七・第三十四条の七十八）

Section 3 Supervision (Articles 34-77 to 34-78)

第九章 雑則（第三十五条—第四十条）

Chapter IX Miscellaneous Provisions (Articles 35 to 40)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

（定義）

(Definitions)

第一条 この府令において「銀行」、「銀行業」、「定期積金」、「定期積金等」、「預金者等」、「総株主等の議決権」、「株式等」、「子会社」、「主要株主基準値」、「銀行主要株主」、「持株会社」、「銀行持株会社」、「銀行代理業」、「銀行代理業者」、「所属銀行」、「電子決済等代行業」、「電子決済等代行業者」、「認定電子決済等代行事業者協会」、「指定紛争解決機関」、「銀行業務」、「苦情処理手続」、「紛争解決手続」、「紛争解決等業務」又は「手続実施基本契約」とは、それぞれ銀行法（昭和五十六年法律第五十九号。以下「法」という。）第二条に規定する銀行、銀行業、定期積金、定期積金等、預金者等、総株主等の議決権、株式等、子会社、主要株主基準値、銀行主要株主、持株会社、銀行持株会社、銀行代理業、銀行代理業者、所属銀行、電子決済等代行業、電子決済等代行業者、認定電子決済等代行事業者協会、指定紛争解決機関、銀行業務、苦情処理手続、紛争解決手続、紛争解決等業務又は手続実施基本契約をいう。

Article 1 The terms "bank", "banking", "installment savings", "installment savings, etc.", "depositor, etc.", "total shareholder or investor voting rights", "shares or equity", "subsidiary company", "major shareholder threshold", "bank's major shareholder", "holding company", "bank holding company", "bank agency services", "bank agent", "principal bank", "electronic payment services", "electronic payment service provider", "certified association of electronic payment service providers", "designated dispute resolution organization", "banking services", "complaint processing procedures", "dispute resolution procedures", "dispute resolution services", and "basic contract for the implementation of dispute resolution procedures" as used in this Cabinet Office Order means a bank, banking, installment savings, installment savings, etc., depositor, etc., total shareholder or investor voting rights, shares or equity, subsidiary company, major shareholder threshold, bank's major shareholder,

holding company, bank holding company, bank agency services, bank agent, principal bank, electronic payment services, electronic payment service provider, certified association of electronic payment service providers, designated dispute resolution organization, banking services, complaint processing procedures, dispute resolution procedures, dispute resolution services, and basic contract for the implementation of dispute resolution procedures, respectively, as provided in Article 2 of the Banking Act (Act No. 59 of 1981; hereinafter referred to as "the Act").

(会社の財務及び営業の方針の決定に対して重要な影響を与えることが推測される事実が存在するものとされる要件)

(Requirements for Judgement of Existence of a Fact That Is Presumed to Significantly Affect Decisions on Financial and Business Policies of the Company)

第一条の二 法第二条第九項に規定する内閣府令で定める要件は、財務諸表等の用語、様式及び作成方法に関する規則（昭和三十八年大蔵省令第五十九号。以下「財務諸表等規則」という。）第八条第六項第二号イからホまでに掲げる要件とする。

Article 1-2 The requirements specified by Cabinet Office Order that are provided for in Article 2, paragraph (9) of the Act means the requirements set forth in Article 8, paragraph (6), item (ii), (a) through (e) of the Regulation on Terminology, Forms, and Preparation Methods of Financial Statements, etc. (Ministry of Finance Order No. 59 of 1963; hereinafter referred to as the "Regulation on Financial Statements, etc.").

(会社又は議決権の保有者が保有する議決権に含めない議決権)

(Voting Rights Not Included in the Voting Rights Held by a Company or a Holder of Voting Rights)

第一条の三 法第二条第十一項（法第三条の二第二項、第十六条の四第九項、第五十二条の二の十一第二項、第五十二条の三第五項、第五十二条の四第四項、第五十二条の二十四第九項及び第五十三条第六項並びに銀行法施行令（昭和五十七年政令第四十号。以下「令」という。）第四条第四項並びに第十七条の二第十五項、第十七条の五第六項、第十七条の七第三項、第十七条の七の三第四項、第三十四条の十第六項、第三十四条の十六第十三項、第三十四条の十九第六項、第三十四条の二十一第三項、第三十四条の二十三の二第四項、第三十四条の二十九第三項、第三十四条の三十第三項、第三十四条の三十一第三項及び第三十五条第十一項において準用する場合を含む。次項において同じ。）の規定により、会社又は議決権の保有者が保有する議決権に含めないものとされる内閣府令で定める議決権は、次に掲げる株式等に係る議決権（法第二条第六項に規定する議決権をいう。第二号、次項、第一条の五から第一条の八まで、第三条、第三章、第五章、第八章（第三十四条の二十六を除く。）、第八章の四及び第九章において同じ。）とする。

Article 1-3 (1) Voting rights specified by Cabinet Office Order, which is not to be

included in the voting rights held by a company or a holder of voting rights pursuant to the provisions of Article 2, paragraph (11) of the Act (including as applied mutatis mutandis pursuant to the provisions of Article 3-2, paragraph (2); Article 16-4, paragraph (9); Article 52-2-11, paragraph (2); Article 52-3, paragraph (5); Article 52-4, paragraph (4); Article 52-24, paragraph (9), and Article 53, paragraph (6) of the Act, and Article 4, paragraph (4); Article 17-2, paragraph (15); Article 17-5, paragraph (6); Article 17-7, paragraph (3); Article 17-7-3, paragraph (4); Article 34-10, paragraph (6); Article 34-16, paragraph (13); Article 34-19, paragraph (6); Article 34-21, paragraph (3); Article 34-23-2, paragraph (4); Article 34-29, paragraph (3); Article 34-30, paragraph (3); Article 34-31, paragraph (3); and Article 35, paragraph (11) of the Enforcement Order of the Banking Act (Cabinet Order No. 40 of 1982; hereinafter referred to as "the Order"; hereinafter the same applies in the following paragraph)) are the voting rights for the following shares, etc. (meaning the voting rights prescribed in Article 2, paragraph (6) of the Act; the same applies to item (ii) of this paragraph, the following paragraph, Articles 1-5 through 1-8, Article 3, and Chapter III, Chapter V, Chapter VIII (excluding Article 34-26), Chapter VIII-4 and Chapter IX):

一 有価証券関連業（金融商品取引法（昭和二十三年法律第二十五号）第二十八条第八項に規定する有価証券関連業をいう。以下同じ。）を営む金融商品取引業者（同法第二条第九項に規定する金融商品取引業者をいう。以下同じ。）及び外国の会社が業務として所有する株式等

(i) shares or equity held as a business by a financial instruments business operator (meaning a financial instruments business operator prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act (Act No. 25 of 1948): the same applies hereinafter) that engages in securities-related business (meaning a securities-related business as prescribed in Article 28, paragraph (8) of that Act; the same applies hereinafter), and by a foreign company;

二 金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第六条の規定により元本の補填又は利益の補足の契約をしている金銭信託以外の信託に係る信託財産である株式等（当該株式等に係る議決権について、委託者又は受益者が行使し、又はその行使について当該議決権の保有者に指図を行うことができるものを除く。）

(ii) shares or equity held as trust property in connection with a trust, other than a money trust, for which a contract for compensation of losses in principal or supplementation of profits has been concluded pursuant to the provisions of Article 6 of the Act on Engagement in Trust Business Activities by a Financial Institution (Act No. 43 of 1943) (excluding shares, etc. in connection with which a settlor or a beneficiary is entitled to exercise associated voting rights or to instruct the holders of associated voting rights

as to the exercise thereof);

三 投資事業有限責任組合契約に関する法律（平成十年法律第九十号）第二条第二項に規定する投資事業有限責任組合（以下この号、第十七条の七の三第一項第一号及び第三十四条の二十三の二第一項第一号において「投資事業有限責任組合」という。）の有限責任組合員となり、組合財産として取得し、又は所有する株式等（有限責任組合員が議決権を行使することができる場合及び議決権の行使について有限責任組合員が投資事業有限責任組合の無限責任組合員に指図を行うことができる場合を除く。）

(iii) when a corporation or an individual carrying out business becomes a limited liability partner of an investment limited partnership as prescribed in Article 2, paragraph (2) of the Limited Partnership Act for Investment (Act No. 90 of 1998) (hereinafter referred to as an "investment limited partnership" in this item, Article 17-7-3, paragraph (1), item (i) and Article 34-23-2, paragraph (1), item (i)), shares, etc. acquired or held as assets of the partnership (excluding cases in which a limited liability partner may exercise the voting rights, and in which a limited liability partner may give instructions to an unlimited liability partner of an investment limited partnership regarding the exercise of voting rights);

四 民法（明治二十九年法律第八十九号）第六百六十七条第一項に規定する組合契約で会社に対する投資事業を営むことを約するものによつて成立する組合（一人又は数人の組合員にその業務の執行を委任しているものに限る。）の組合員（業務の執行を委任された者を除く。以下この号において「非業務執行組合員」という。）となり、組合財産として取得し、又は所有する株式等（非業務執行組合員が議決権を行使することができる場合及び議決権の行使について非業務執行組合員が業務の執行を委任された者に指図を行うことができる場合を除く。）

(iv) when a corporation or an individual carrying out business becomes a partner (excluding a person entrusted to execute the business; hereinafter referred to as a "non-managing partner" in this item) of a partnership (limited to those that entrust management of the business to one or more partners) established by parties that agree to engage in investment business to a company under a partnership contract as prescribed in Article 667, paragraph (1) of the Civil Code (Act No. 89 of 1896), shares or equity acquired or held as assets of the partnership (excluding cases in which the non-managing partner may exercise the voting rights, and in which the non-managing partner may give instructions to a person entrusted to execute the business regarding the exercise of voting rights); or

五 前二号に準ずる株式等で、金融庁長官の承認を受けたもの

(v) shares or equity approved by the Commissioner of the Financial Services Agency among shares or equity equivalent to those set forth in the preceding two items.

2 法第二条第十一項の規定により、信託財産である株式等に係る議決権で、会社又は

当該議決権の保有者が委託者若しくは受益者として行使し、又はその行使について指図を行うことができるものから除かれる内閣府令で定める議決権は、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）第十条の規定により当該会社が投資信託委託会社（同法第二条第十一項に規定する投資信託委託会社をいう。以下同じ。）としてその行使について指図を行う株式等に係る議決権及び同法第十条の規定に相当する外国の法令の規定により当該会社が同法に相当する外国の法令の規定により投資信託委託会社に相当する者としてその行使について指図を行う株式等に係る議決権とする。

(2) The voting rights specified by Cabinet Office Order that, pursuant to the provisions of Article 2, paragraph (11) of the Act, are excluded from those considered as voting rights for shares or equity constituting trust property that a company or the person holding those voting rights may exercise, as the settlor or beneficiary, or with regard to whose exercise the company or person may give instructions, as the settlor or beneficiary, means voting rights for shares or equity with regard to whose exercise the company may give instructions, pursuant to the provisions of Article 10 of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951), as the settlor company of an investment trust (meaning the settlor company of an investment trust as prescribed in Article 2, paragraph (11) of that Act; the same applies hereinafter), and voting rights for shares or equity with regard to whose exercise that company may give instructions, pursuant to the provisions of foreign laws or regulations that are equivalent to the provisions of Article 10 of that Act, as a person that, pursuant to the provisions of foreign laws or regulations equivalent to that Act, is equivalent to an investment trust management company.

3 銀行は、第一項第五号の承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官に提出しなければならない。

(3) When seeking the approval referred to in Article 1, item (v), a bank must attach a written statement of reasons to a written application for approval and submit them to the Commissioner of the Financial Services Agency.

4 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請に係る株式等について、当該申請をした銀行が議決権を行使し、又はその行使について指図を行うことができないものであるかどうかを審査するものとする。

(4) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to investigate whether it is impermissible for the bank filing the application to exercise voting rights, or to give instructions concerning the exercise of voting rights, in connection with the shares, etc. to which the application pertains.

(総資産の額等)

(Total Asset Amount)

第一条の三の二 法第二条第十二項に規定する内閣府令で定める方法による資産の合計金額は、会社の最終の貸借対照表（当該会社の設立後最初の事業年度が終了していない場合にあつては、当該会社の成立の日における貸借対照表）による資産の合計金額とし、当該貸借対照表に係る事業年度終了の日（当該会社の設立後最初の事業年度が終了していない場合にあつては、当該会社の成立の日）後において会社法（平成十七年法律第八十六号）第百九十九条第一項に規定する募集株式の発行、新株予約権の行使による株式の交付、社債の発行、株式交換、合併、会社分割、事業の譲受け、事業の譲渡その他当該会社の資産に重要な変更があつた場合には、これらによる総資産の額の変動を加え、又は除いた額とする。

Article 1-3-2 (1) The total amount of assets calculated by a method specified by Cabinet Office Order, as provided in Article 2, paragraph (12) of the Act, is the total amount of assets on the latest balance sheet of a company (if the first business year after the incorporation of the company is not completed, the balance sheet on the day of the company's incorporation), and if an issuance of shares for subscription as prescribed in Article 199, paragraph (1) of the Companies Act (Act No. 86 of 2005), delivery of shares as a result of the exercise of share options, issuance of corporate bonds, share exchange, merger, company split, acquisition of business, transfer of business or any other significant change in the company's assets has occurred after the last day of the business year that the balance sheet is for (or, after the day of the company's incorporation if the first business year after the incorporation of the company is not completed), the total amount of assets is the amount arrived at after adding or deducting the fluctuation in the total asset amount that resulted from these changes.

2 法第二条第十二項に規定する内閣府令で定める資産は、銀行持株会社（金融庁長官が指定するものに限る。）の子会社（金融庁長官が指定するものに限る。）に対する貸付金その他金融庁長官が定める資産とする。

(2) The assets specified by Cabinet Office Order that are provided for in Article 2, paragraph (12) of the Act are loans to subsidiary companies (limited to those designated by the Commissioner of the Financial Services Agency) of a bank holding company (limited to those designated by the Commissioner of the Financial Services Agency) and any other assets prescribed by the Commissioner of the Financial Services Agency.

3 法第二条第十二項に規定する内閣府令で定めるところにより算出した額は、会社が会社法第四百三十五条第二項の規定により作成した最終の事業年度に係る計算書類の附属明細書に別紙様式第十五号に基づき記載された前項に規定する資産の合計金額（当該会社の設立後最初の事業年度が終了していない場合にあつては、当該会社の成立時の貸借対照表に記載された前項に規定する資産の合計金額）とする。

(3) The amount calculated by the method specified by Cabinet Office Order, as provided in Article 2, paragraph (12) of the Act, is the total amount of assets prescribed in the preceding paragraph, as stated according to Appended Form

No. 15 in annexed detailed statements associated with the financial statements for the most recent business year that a company has prepared pursuant to the provisions of Article 435, paragraph (2) of the Companies Act (if the first business year after the incorporation of the company is not completed, the total amount of assets prescribed in the preceding paragraph as stated in the balance sheet as of the time of the company's incorporation).

(電子決済等代行業に該当しない行為)

(Acts Not Constituting Electronic Payment Services)

第一条の三の三 法第二条第十七項に規定する内閣府令で定める行為は、同項第一号に掲げる行為であつて、次に掲げるものとする。ただし、預金者（法第二条第十七項第一号に規定する預金者をいう。以下この条、次条、第三十四条の六十四の九第三項第一号及び第三十四条の六十四の十一において同じ。）から当該預金者に係る識別符号等（銀行が、電子情報処理組織を利用して行う役務の提供に際し、その役務の提供を受ける者を他の者と区別して識別するために用いる符号その他の情報をいう。第三十四条の六十四の九第四項第五号において同じ。）を取得して行うものを除く。

Article 1-3-3 The acts specified by Cabinet Office Order that are provided in Article 2, paragraph (17) of the Act are the following acts that are set forth in item (i) of that paragraph; provided, however, that this excludes acts that the person in question undertakes after having acquired the identification code or other such information (meaning a code or other such information that is used by a bank when providing services using an electronic data processing system in order to identify a person receiving the services, as distinguished from other persons; the same applies in Article 34-64-9, paragraph (4), item (v)) of a depositor (meaning a depositor as prescribed in Article 2, paragraph (17), item (i) of the Act; hereinafter the same applies in this Article, the following Article, Article 34-64-9, paragraph (3), item (i), and Article 34-64-11) from that depositor:

一 預金者による特定の者に対する定期的な支払を目的として行う行為

(i) an act that the person undertakes for the purpose of enabling a depositor to make periodic payments to a specific person;

二 預金者による当該預金者に対する送金を目的として行う行為

(ii) an act that the person undertakes for the purpose of enabling a depositor to make a remittance to that depositor;

三 預金者による国、地方公共団体、独立行政法人通則法（平成十一年法律第三百号）第二条第一項に規定する独立行政法人、国立大学法人法（平成十五年法律第一百十二号）第二条第一項に規定する国立大学法人、同条第三項に規定する大学共同利用機関法人又は地方独立行政法人法（平成十五年法律第一百十八号）第二条第一項に規定する地方独立行政法人に対する支払を目的として行う行為

(iii) an act that the person undertakes for the purpose of enabling a depositor to make payment to the national government, a local government, an

incorporated administrative agency as prescribed in Article 2, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999), a national university corporation as prescribed in Article 2, paragraph (1) of the National University Corporation Act (Act No. 112 of 2003), an inter-university research institute as prescribed in paragraph (3) of that Article, or a local incorporated administrative agency as prescribed in Article 2, paragraph (1) of the Local Incorporated Administrative Agency Act (Act No. 118 of 2003); and

四 預金者による商品の売買契約又は役務の提供に係る契約の相手方に対するこれらの契約に係る債務の履行のみを目的として、当該相手方又は当該契約の締結の媒介（当該履行に係る為替取引を行うことの指図（当該指図の内容のみを含む。）の伝達により行う媒介を除く。）を業とする者（以下この号において「相手方等」という。）が当該契約に基づく取引に付随して行う行為であつて、当該行為に先立つて、法第二条第十七項第一号の銀行と当該相手方等との間で当該履行に用いる方法に係る契約を締結しているもの

(iv) an act that the other party to a contract for the sale of goods or a contract for the provision of services or a person in the business of brokering a person's entry into such a contract (excluding brokerage performed by communicating an instruction to execute a fund transfer transaction in performance of the obligation (including the content of the instruction alone)) (hereinafter referred to as the "other party or broker" in this item) undertakes incidental to a transaction based on the contract and for the sole purpose of enabling the depositor to perform an obligation under that contract, if, before that act is undertaken, a bank as referred to in Article 2, paragraph (17), item (i) of the Act and the other party or broker have entered into a contract on the means that will be used to perform the obligation.

（電子決済等代行業に該当する方法）

(Means Corresponding to Electronic Payment Service)

第一条の三の四 法第二条第十七項第一号に規定する内閣府令で定める方法は、預金者の使用に係る電子機器の映像面に当該預金者が同号の銀行に開設している口座に係る資金を移動させる為替取引を行うことについて当該銀行に対する指図を行うための画像を表示させることを目的として、当該為替取引の相手方及び金額に係る情報を当該銀行に対して伝達する方法とする。

Article 1-3-4 The means specified by Cabinet Office Order that is provided for in Article 2, paragraph (17), item (i) of the Act is a means of providing a bank as referred to in that item with information on the other party to a fund transfer and the amount of the transaction, with the purpose of causing an image that will allow a depositor to instruct that bank to execute a fund transfer transaction in which funds will be transferred from an account that the depositor holds at that bank, to be displayed on the screen of the electronic

device used by the depositor.

(法人に準ずるもの)

(Organization Equivalent to a Corporation)

第一条の四 法第三条の二第一項第一号に規定する法人に準ずるものとして内閣府令で定めるものは、法人でない社団又は財団で代表者又は管理人の定めがあるものとする。

Article 1-4 The organization specified by Cabinet Office Order as being equivalent to a corporation that is provided for in Article 3-2, paragraph (1), item (i) of the Act, means an unincorporated association or foundation that has rules concerning its representative or administrator.

(計算書類等に係る連結の方法等)

(Method of Consolidation Concerning Financial Statements)

第一条の五 法第三条の二第一項第二号に規定する内閣府令で定めるところにより連結してその計算書類その他の書類を作成するものとされる会社は、連結財務諸表の用語、様式及び作成方法に関する規則（昭和五十一年大蔵省令第二十八号。以下「連結財務諸表規則」という。）第二条第一号に規定する連結財務諸表提出会社とする。

Article 1-5 (1) A company that is required to prepare financial statements or other documents on a consolidated basis pursuant to the provisions of Cabinet Office Order, as provided in Article 3-2, paragraph (1), item (ii) of the Act, means a company that submits consolidated financial statements prescribed in Article 2, item (i) of the Regulation on Terminology, Forms, and Preparation Methods of Consolidated Financial Statements (Ministry of Finance Order No. 28 of 1976; hereinafter referred to as the "Regulation on Consolidated Financial Statements").

2 法第三条の二第一項第二号に規定する内閣府令で定めるところにより計算される数は、当該会社の保有する当該銀行の特定議決権（法第二条第六項に規定する議決権から会社法第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を除いたものをいう。以下この条において同じ。）の数に、その連結する会社等（同号に規定する会社等をいう。以下この条から第一条の七までにおいて同じ。）について、次の各号に掲げる区分に従い、それぞれ当該各号に定める当該銀行の特定議決権の数を合算した数に係る特定議決権比率（その保有する一の銀行の特定議決権の数を当該銀行の総株主の特定議決権の数で除して得た数をいう。）を当該銀行の総株主の議決権の数に乗じて得た数とする。

(2) The number calculated pursuant to the provisions of Cabinet Office Order prescribed in Article 3-2, paragraph (1), item (ii) of the Act is the number arrived at when the number of specified voting rights (meaning voting rights as prescribed in Article 2, paragraph (6) of the Act other than any voting rights from shares that are deemed to carry voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act; hereinafter the same applies in this Article) in the bank in question that each of the following items

prescribes in line with the categories set forth in those items for the relevant company's consolidated companies, etc. (meaning companies, etc. as prescribed in Article 3-2, paragraph (1), item (ii) of the Act; hereinafter the same applies in this Article through Article 1-7) is combined with the number of specified voting rights in that bank that the relevant company holds, and the specified voting rights percentage (meaning the number arrived at when the number of specified voting rights in a single bank that they hold is divided by the number of specified voting rights for all of the bank's shareholders) associated with that number is multiplied by the total number of shareholder voting rights:

一 当該会社の子会社（財務諸表等規則第八条第三項に規定する子会社をいう。）
その保有する当該銀行の特定議決権の数

(i) the relevant company's subsidiary companies (meaning a subsidiary company as prescribed in Article 8, paragraph (3) of the Regulation on Financial Statements, etc.): the number of specified voting rights in the bank that they hold;

二 当該銀行に係る議決権の行使について財務諸表等規則第八条第六項第三号に規定する認められる者及び同意している者となる者 その保有する当該銀行の特定議決権の数

(ii) persons that are found to be as provided in Article 8, paragraph (6), item (iii) of the Regulation on Financial Statements, etc., and persons that have agreed as provided for in that item, with regard to the exercise of voting rights associated with the relevant bank: the number of specified voting rights in the bank that they hold; and

三 当該会社の関連会社（財務諸表等規則第八条第五項に規定する関連会社をいう。）（前号に掲げる者を除く。） 当該関連会社の純資産のうち当該会社に帰属する部分の当該純資産に対する割合を当該関連会社の保有する当該銀行の特定議決権の数に乗じて得た数

(iii) the relevant company's affiliated companies (meaning an affiliated company prescribed in Article 8, paragraph (5) of the Regulation on Financial Statements, etc.) (excluding a person set forth in the preceding item): the number arrived at when the percentages of the affiliated companies' net assets that are vested in the relevant company are multiplied by the number of specified voting rights in the bank that the relevant affiliated companies hold.

（密接な関係を有する会社等）

(Closely Related Companies)

第一条の六 法第三条の二第一項第三号に規定する内閣府令で定める会社等は、次に掲げる会社等とする。

Article 1-6 (1) The company, etc. specified by Cabinet Office Order as provided for in Article 3-2, paragraph (1), item (iii) of the Act means any of the following

companies, etc.:

一 当該会社等が他の会社等の総株主又は総出資者の議決権の過半数を保有している場合における当該他の会社等

(i) a second company, etc. in which the relevant company, etc. holds a majority of the total shareholder or total investor voting rights; or

二 他の会社等が当該会社等の総株主又は総出資者の議決権の過半数を保有している場合における当該他の会社等

(ii) a second company, etc. that holds a majority of the total shareholder or total investor voting rights in the relevant company, etc.

2 前項の場合において、他の会社等によつてその総株主又は総出資者の議決権の過半数を保有されている会社等が保有する議決権は、当該他の会社等が保有する議決権とみなす。

(2) In a case as referred to in the preceding paragraph, the voting rights held by a first company, etc. in which a second company, etc. holds a majority of the total shareholder or total investor voting rights are deemed to be voting rights that the second company, etc. holds.

3 前二項の場合において、会社等又は他の会社等が保有する議決権には、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ものとする。

(3) In a case as referred to in one of the preceding two paragraphs, the voting rights held by a first company, etc. or a second company, etc. are to include shares or voting rights from a contribution which may not be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry of Corporate Bonds and Shares (Act No. 75 of 2001) (including as applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1), and Article 276 (limited to the part pertaining to item (ii)) of that Act).

（連結基準対象会社等に準ずる者）

(Person Equivalent to a Company Subject to Standards for Consolidation)

第一条の七 法第三条の二第一項第七号に規定する内閣府令で定める者及び内閣府令で定めるところにより計算される数は、次の各号に掲げる者の区分に応じ当該各号に定める数とする。

Article 1-7 The person specified by Cabinet Office Order and the number calculated pursuant to the provisions of Cabinet Office Order as provided for in Article 3-2, paragraph (1), item (vii) of the Act means the numbers specified in any of the following items in accordance with the categories of the persons set forth in the items:

一 銀行持株会社の主要株主基準値以上の数の議決権の保有者（法第三条の二第一項第一号に掲げる者を含み、同項第二号から第六号までに掲げる者を除く。）その保有する当該銀行持株会社の議決権の数を当該銀行持株会社の総株主の議決権の数で除して得た数に当該銀行持株会社の子会社である銀行の総株主の議決権の数を乗じて得た数又は当該者、当該銀行持株会社及び当該銀行持株会社の子会社等（法第五十二条の二十五に規定する子会社等をいう。次号において同じ。）が保有する当該銀行持株会社の子会社である銀行の議決権の数を合算して得た数のうちいずれか少ない数

(i) a holder of a number of voting rights in a bank holding company which is equal to or greater than the major shareholder threshold (including a person set forth in Article 3-2, paragraph (1), item (i) of the Act, but excluding a person set forth in items (ii) through (vi) of that paragraph): whichever is the smaller of either the number arrived at when the number of voting rights the holder holds in that bank holding company is divided by the total number of shareholder voting rights in that bank holding company and the quotient is multiplied by the total number of shareholder voting rights in the banks that are subsidiary companies of the bank holding company; or the number arrived at when the number of voting rights that the holder, the bank holding company, and the bank holding company's subsidiary companies, etc. (meaning subsidiary companies, etc., as prescribed in Article 52-25 of the Act; the same applies in the following item) hold in the banks that are subsidiary companies of the bank holding company are combined; or

二 法第三条の二第一項第二号から第六号までの規定中「銀行」を「銀行持株会社」と読み替えて適用することとしたならば当該各号に掲げる者となる者（当該各号に掲げる者及び前号に掲げる者を除く。）それぞれ当該各号に定める議決権の数を当該議決権に係る株式を発行した銀行持株会社の総株主の議決権の数で除して得た数に当該銀行持株会社の子会社である銀行の総株主の議決権の数を乗じて得た数又は当該者、当該者の連結する会社等、当該者に係る会社等集団（同項第三号に規定する会社等集団をいう。）に属する会社等、当該者の合算議決権数（同項第五号に規定する合算議決権数をいう。）を計算する場合においてその保有する議決権を合算若しくは加算する会社等若しくは個人若しくは当該者の共同保有者（同項第六号に規定する共同保有者をいう。第三十四条の五において同じ。）、当該銀行持株会社及び当該銀行持株会社の子会社等が保有する当該銀行持株会社の子会社である銀行の議決権の数をそれぞれ合算して得た数のうちいずれか少ない数

(ii) a person that corresponds to a person set forth in Article 3-2, paragraph (1), items (ii) through (vi) of the Act if the term "bank" in those items is deemed to be replaced with "bank holding company" and those items are applied (excluding a person set forth in those items and a person set forth in the preceding item): whichever is the smaller of either the number arrived at when the numbers of voting rights specified in Article 3-2, paragraph (1), items (ii) through (vi) of the Act are each divided by the total number of

shareholder voting rights in the bank holding company that have issued shares associated with them, each quotient is multiplied by the total number of shareholder voting rights in banks that are subsidiary companies of that bank holding company, and the products are combined; or the number arrived by combining the number of voting rights that the holder; its consolidated companies, etc.; companies, etc. that belong to the group of companies, etc. (meaning a group of companies, etc., as prescribed in item (iii) of that paragraph) with which the holder is associated; companies, etc., individuals, and joint holders (meaning joint holders as prescribed in item (vi) of that paragraph; the same applies in Article 34-5) whose voting rights are combined with or added to those of the holder when the holder's combined number of voting rights (meaning the combined number of voting rights as prescribed in item (v) of that paragraph) is calculated; the relevant bank holding company; and that bank holding company's subsidiary companies, etc. hold in banks that are the subsidiary companies of the relevant bank holding company.

(営業の免許の申請等)

(Application for a Business License)

第一条の八 法第四条第一項の規定による営業の免許を受けようとする株式会社は、取締役（指名委員会等設置会社にあつては、取締役及び執行役）全員が署名した免許申請書に次に掲げる書面を添付して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 1-8 (1) A stock company seeking a business license under Article 4, paragraph (1) of the Act must attach the following documents to the written application for licensing that all of the directors (for a company with nominating committee, etc., directors and executive officers) have signed and submit the documents to the Prime Minister through the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該株式会社に関する次に掲げる書面

(ii) the following documents concerning the stock company:

イ 定款

(a) articles of incorporation;

ロ 会社の登記事項証明書

(b) certificate of registered matters of the company;

ハ 創立総会の議事録（会社法第八十二条第一項の規定により創立総会の決議があ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。以下同じ。）（当該株式会社が株式移転により設立された場合又は会社分割により設立された場合には、これに関する株主総会の議事録（会社法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。以下同じ。) その他必要な手続があつたことを証する書面)

(c) minutes of the organizational meeting (if it is deemed that there was a resolution at the organizational meeting pursuant to the provisions of Article 82, paragraph (1) of the Companies Act, documents certifying that the case corresponds to that case; the same applies hereinafter) (if that stock company is established by share transfer or by a company split, the minutes of the shareholders meeting concerning this (if it is deemed that there was a resolution at a shareholders meeting pursuant to the provisions of Article 319, paragraph (1) of the Companies Act, documents certifying that the case corresponds to that case; the same applies hereinafter) or other documents certifying that the necessary procedures were taken);

ニ 事業開始後三事業年度における収支及び自己資本の充実の状況等の見込みを記載した書面

(d) a document stating the prospective income and expenditures and adequacy of equity capital for three business years after the commencement of business;

ホ 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書

(e) the resumes of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers);

ヘ 会計参与設置会社にあつては、会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書。以下同じ。）

(f) for a company with accounting advisors, the resumes of the accounting advisors (if an accounting advisor is a corporation, a document stating the history of that accounting advisor and the resume of the member responsible for performing the duties thereof; the same applies hereinafter);

ト 会計監査人の履歴書（会計監査人が法人であるときは、当該会計監査人の沿革を記載した書面及びその職務を行うべき社員の履歴書。以下同じ。）

(g) the resume of a financial auditor (if a financial auditor is a corporation, a document stating the history of the financial auditor and the resume of the member responsible for performing the duties thereof; the same applies hereinafter);

チ 株主の氏名、住所又は居所、国籍及び職業（株主が法人その他の団体である場合には、その名称、主たる営業所又は事務所の所在地及び営んでいる事業の内容）並びにその保有する議決権の数を記載した書面

- (h) name, domicile or residence, nationality, and occupation of the shareholders (if a shareholder is a corporation or other organizations, its name, the location of its main business office or its main office, and details of the business conducted), and the number of voting rights held by the shareholder;
- リ 営業所の位置を記載した書面
- (i) a document stating the location of business offices;
- ヌ 最近の日計表その他の最近における財産及び損益の状況を知ることができる書面
- (j) recent daily trial balance sheet or other documents which provide the recent status of assets, and that of profits and losses; and
- ル 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面
- (k) a document showing the extent to which it has secured employees who have knowledge and experience concerning the bank's services;
- 三 当該株式会社が子会社等（法第十三条第二項前段に規定する子会社等又は法第十四条の二第二号に規定する子会社等のいずれかに該当するものをいう。以下、ホ及び第三項第三号を除き、この条において同じ。）を有する場合には、次に掲げる書面
- (iii) the following documents if the stock company has a subsidiary company, etc. (meaning a subsidiary company, etc. corresponding to either as prescribed in Article 13, the first sentence of paragraph (2) of the Act, or as prescribed in Article 14-2, item (ii) of the Act; hereinafter the same applies in this Article, except for (e), and paragraph (3), item (iii)):
- イ 当該子会社等の名称及び主たる営業所又は事務所の位置を記載した書面
- (a) a document stating the name of that subsidiary company, etc. and the location of its main business office or its main office;
- ロ 当該子会社等の業務の内容を記載した書面
- (b) a document stating the details of the business of that subsidiary company, etc.;
- ハ 当該子会社等の最終の貸借対照表（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。）、株主資本等変動計算書（関連する注記を含む。以下同じ。）その他の当該子会社等の最近における業務、財産及び損益の状況を知ることができる書面
- (c) the latest balance sheet (including relevant notes; the same applies hereinafter), profit and loss statement (including relevant notes; the same applies hereinafter), statement of changes in net assets (including relevant notes; the same applies hereinafter) of that subsidiary company, etc., and other documents which provide the status of recent business, assets, and profit and loss of that subsidiary company, etc.
- ニ 当該子会社等の役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

- (d) a document stating the titles and names of the officers of that subsidiary company, etc. (if an officer is a corporation, including the person responsible for performing the duties thereof); and
- ホ 当該株式会社の事業開始後三事業年度における当該株式会社及びその子会社等（法第十四条の二第二号に規定する子会社等をいう。第三項第三号において同じ。）の収支及び連結自己資本の充実の状況等の見込みを記載した書面
- (e) a document stating the prospective income and income and expenditures and adequacy of consolidated equity capital of that company and its subsidiary company, etc. (meaning a subsidiary company, etc., as prescribed in Article 14-2, item (ii) of the Act; the same applies in paragraph (3), item (iii)) for three business years after the commencement of business of that stock company;
- 四 前各号に掲げるもののほか法第四条第二項及び第三項の規定による審査をするため参考となるべき事項を記載した書面
- (iv) beyond what is set forth in each of the preceding items, a document giving information that is to serve as a reference for conducting an examination under Article 4, paragraphs (2) and (3) of the Act.
- 2 銀行以外の株式会社が従前の目的を変更して銀行業を営むため法第四条第一項の規定による営業の免許を受けようとするときは、前項各号に掲げる書面（同項第二号ハに掲げる書面を除く。）のほか、次に掲げる書面を免許申請書に添付しなければならない。
- (2) If a stock company other than a bank seeks to obtain a business license under Article 4, paragraph (1) of the Act by changing its prior purposes in order to carry out banking, in addition to the documents set forth in the preceding items (except for documents set forth in item (ii), (c) of that paragraph), the following documents must be attached to the written application for license:
- 一 株主総会の議事録
- (i) minutes of shareholders meetings;
- 二 従前の定款及び免許申請の際に現に存する取引の性質を明らかにした書面
- (ii) prior articles of incorporation and a document which clarifies the nature of existing transactions at the time of filing the application for license; and
- 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
- (iii) the latest balance sheet, profit and loss statement, and statement of changes in net assets.
- 3 内閣総理大臣は、前二項の規定による免許の申請に係る法第四条第二項の規定による審査をするときは、次に掲げる事項に配慮するものとする。
- (3) When implementing an examination under Article 4, paragraph (2) of the Act pertaining to an application for license under the preceding two paragraphs, the Prime Minister is to take into consideration of the following particulars:
- 一 銀行業の免許を申請した者（以下この項において「申請者」という。）の資本金の額が令第三条に規定する額以上であり、かつ、その営もうとする銀行の業務を健

全かつ効率的に遂行するに足りる額であること。

(i) the amount of stated capital of a person that applies for a banking license (hereinafter referred to as the "applicant" in this paragraph) is equal to or greater than the amount as prescribed in Article 3 of the Order and is an amount which is sufficient for the applicant to soundly and efficiently perform the services of a bank in which it seeks to engage;

二 事業開始後三事業年度を経過する日までの間に申請者の一の事業年度における当期利益が見込まれること。

(ii) profit in the current term is expected for one of the business years of the applicant by the day on which three business years have elapsed after the commencement of the business;

三 申請者並びに申請者及びその子会社等の自己資本の充実の状況が事業開始後三事業年度を経過するまでに適当となることが見込まれること。

(iii) the status of the adequacy of equity capital of the applicant and of the applicant and its subsidiary company, etc. is expected to be appropriate until three business years elapse after the commencement of the business; and

四 銀行の業務に関する十分な知識及び経験を有する取締役、執行役、会計参与、監査役若しくは会計監査人又は従業員の確保の状況、銀行の経営管理に係る体制等に照らし、申請者が銀行の業務を的確、公正かつ効率的に遂行することができ、かつ、十分な社会的な信用を有する者であること。

(iv) in light of things such as the extent to which it has secured directors, executive officers, accounting advisors, auditors or financial auditors, or employees who possess sufficient knowledge of and experience in the services of a bank, and business management systems of a bank, the applicant is able to carry out the services of a bank appropriately, fairly, and efficiently and has sufficient social credibility;

五 銀行の業務の内容及び方法が預金者等の保護その他の信用秩序の維持の観点から適当であること。

(v) that the bank's business content and business methods are appropriate from the standpoint of protection of depositors, etc. and maintenance of an orderly financial system.

(営業の免許の予備審査)

(Preliminary Examination of Business License)

第二条 法第四条第一項の規定による営業の免許を受けようとする者は、前条に定めるところに準じた書面を金融庁長官を経由して内閣総理大臣に提出して予備審査を求めることができる。

Article 2 A person that seeks to obtain a business license under Article 4, paragraph (1) of the Act may request a preliminary examination by submitting the documents equivalent to those provided in the provisions of the preceding Article to the Prime Minister through the Commissioner of the Financial

Services Agency.

(外国銀行に係る特殊関係者)

(Specific Interest Party to Foreign Banks)

第三条 令第一条の二第七号に規定する内閣府令で定める者は、次に掲げる者とする。

Article 3 The person specified by Cabinet Office Order that is provided for in

Article 1-2, item (vii) of the Order means those specified in the following items:

一 外国の法令に準拠して外国において銀行業を営む者（法第四条第五項に規定する銀行等を除く。第十条の二第一項を除き、以下「外国銀行」という。）又は当該外国銀行に係る令第一条の二第一号から第六号までに掲げる者が銀行業の免許を申請した者の議決権の一部を保有している場合における当該外国銀行又は当該外国銀行に係る令第一条の二第一号から第六号までに掲げる者と主たる営業所の所在地を同一の国とする者で、当該銀行業の免許を申請した者の議決権の一部を保有しているもの

(i) if a person that carries out banking in a foreign state in conformity with the laws and regulations of the foreign state (excluding a bank, etc. as prescribed in Article 4, paragraph (5) of the Act; hereinafter referred to as a "foreign bank" except in Article 10-2, paragraph (1)) or a person as set forth in Article 1-2, items (i) through (vi) of the Order associated with that foreign bank holds a portion of the voting rights in a banking license applicant, a person that has their main business office or their main office in the same state as that foreign bank or the person as set forth in Article 1-2, items (i) through (vi) of the Order associated with that foreign bank, and that holds a portion of the voting rights in that banking license applicant; or

二 銀行が支店の設置又は銀行業を営むための会社の設立をすることができない国に主たる営業所を設けている二以上の者（そのいずれの者も外国銀行の発行済株式の総数又は出資の総額（以下「発行済株式等」という。）の百分の五を超える数又は額の株式等を保有しているものに限る。）により合計して外国銀行の発行済株式等の百分の五十を超える数又は額の株式等が保有されている場合における当該二以上の者のいずれかに該当する者

(ii) any one of the two or more persons whose main business offices are located in a state where a bank is unable to establish a branch office or to incorporate a company to carry out banking (limited to a person that holds a number or amount of shares or equity constituting over five percent of the total number of issued shares of or total amount of contribution to (hereinafter referred to as "issued shares or contribution") a foreign bank) and whose total number or amount of shares or equity, constitutes over fifty percent of the issued shares or contribution of a foreign bank.

(法第四条第三項に規定する総株主の議決権に乗じる率)

(Percentage for Multiplying the Total Shareholder Voting Rights as Prescribed

in Article 4, Paragraph (3) of the Act)

第四条 法第四条第三項に規定する内閣府令で定める率は、百分の五十とする。

Article 4 The percentage specified by Cabinet Office Order that is provided for in Article 4, paragraph (3) of the Act is fifty percent.

(銀行等に含まれる金融機関)

(Financial Institutions Included in the Definition of "Bank, etc.")

第四条の二 法第四条第五項に規定する内閣府令で定める金融機関は、次に掲げるものとする。

Article 4-2 Financial institutions specified by Cabinet Office Order that are provided for in Article 4, paragraph (5) of the Act mean those specified in the following items:

一 株式会社商工組合中央金庫

(i) the Shoko Chukin Bank Limited

二 信用金庫連合会

(ii) the Federation of Credit Unions

三 農林中央金庫

(iii) the Norinchukin Bank

(資本金の額の減少の認可の申請)

(Application for Authorization of Reduction of Stated Capital Amount)

第五条 銀行は、法第五条第三項の規定による資本金の額の減少の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官、財務局長又は福岡財務支局長（以下「金融庁長官等」という。）に提出しなければならない。

Article 5 When seeking authorization for a reduction of stated capital amount under Article 5, paragraph (3) of the Act, a bank must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency, the Director General of Local Finance Bureau or Fukuoka Local Finance Branch Bureau (hereinafter referred to as the "Commissioner of the Financial Services Agency or other competent authority"):

一 理由書

(i) a written statement of reasons;

二 資本金の額の減少の方法を記載した書面

(ii) a statement stating the method to reduce the amount of stated capital;

三 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

(iii) minutes of the shareholders meeting and other statements certifying that the necessary procedures were taken;

四 最近の日計表

(iv) the latest daily trial balance sheet;

五 会社法第四百四十九条第二項の規定による公告及び催告（同条第三項の規定によ

り公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告)をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該資本金の額の減少をしても当該債権者を害するおそれがないことを証する書面

(v) a document proving that public notice and demand under Article 449, paragraph (2) (if publication is made in a daily newspaper that publishes the matters on current events or by electronic public notice in addition to the official gazette pursuant to the provisions of that Article, paragraph (3) of the Companies Act, a public notice by these methods) is implemented or, proving that, if a creditor states an objection, the bank performed the obligation or provided reasonable security to that creditor, entrusted reasonable assets with the purpose to provide that creditor with performance of the obligation, or that that creditor will not be prejudiced even if that reduction of the amount of stated capital is undertaken; and

六 株券発行会社が株式の併合をする場合には、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面

(vi) if a share certificate-issuing company would consolidate shares, a document proving that public notice has been given pursuant to the provisions of Article 219, main clause of paragraph (1) of the Companies Act, or that share certificates for all of those shares are not issued.

(商号変更の認可の申請等)

(Applications for Authorization of Change of Trade Name)

第六条 銀行は、法第六条第三項の規定による商号変更の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 6 (1) When seeking authorization for a change of trade name under Article 6, paragraph (3) of the Act, a bank must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency or other competent authority:

一 理由書

(i) a written statement of reasons; and

二 株主総会の議事録

(ii) minutes of the relevant shareholders meeting.

2 金融庁長官等は、前項の規定による認可の申請があつたときは、当該申請に係る商号が他の銀行の商号と同一又は類似の商号でないかどうかを審査するものとする。

(2) When an application for authorization is filed pursuant to the provisions of the preceding paragraph, the Commissioner of the Financial Services Agency or other competent authority is to examine whether the trade name to which the application pertains is not the same as or similar to the trade name of

another bank.

(取締役等の兼職の認可の申請等)

(Application for Authorization of Concurrent Holding of Positions by Directors)

第七条 銀行の常務に従事する取締役（指名委員会等設置会社にあつては、執行役。次項において同じ。）は、法第七条第一項の規定により、他の会社の常務に従事することについて認可を受けようとするときは、認可申請書に次に掲げる書面を添付し、当該銀行を経由して金融庁長官等に提出しなければならない。

Article 7 (1) A director who engages in ordinary business of a bank (the executive officer in the case of a company with nominating committee, etc.; the same applies in the following paragraph) must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency or other competent authority via that bank pursuant to the provisions of Article 7, paragraph (1) of the Act, if seeking to obtain an authorization with regard to engaging in ordinary business of another company:

一 理由書

(i) a written statement of reasons;

二 履歴書

(ii) a resume;

三 銀行及び当該他の会社における常務の処理方法を記載した書面

(iii) a document stating the handling method of the ordinary business of the bank and that other company;

四 銀行と当該他の会社との取引その他の関係を記載した書面

(iv) a document stating transactions and other relationships between the bank and that other company; and

五 当該他の会社の定款（これに準ずるものを含む。）、最終の事業報告、貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(v) the articles of incorporation (including an equivalent document), the latest business report, balance sheet, profit and loss statement, and statement of changes in net assets of that other company, and other documents that provide the recent status of business, assets, and profit and loss of that other company.

2 金融庁長官等は、前項の規定による認可の申請があつたときは、当該申請に係る取締役が銀行の常務に従事することに対し、当該申請に係る兼職を行うことが何らの支障を及ぼすおそれのないものであるかどうかを審査するものとする。

(2) When an application for authorization under the provisions of the preceding paragraph is filed, with regard to the engagement of the director to whom the application pertains in ordinary business of a bank, the Commissioner of the Financial Services Agency or other competent authority is to examine whether

the concurrent holding of positions to which the application pertains may not cause any concern.

(営業所等の定義等)

(Definitions of Business Office)

第八条 法第八条第一項及び第二項に規定する営業所とは、銀行が法第十条第一項各号に掲げる業務の全部又は一部を営む施設又は設備（携帯型の設備及び銀行以外の者が占有し又は管理する設備を除く。以下同じ。）をいう。

Article 8 (1) A business office as prescribed in Article 8, paragraph (1) and paragraph (2) of the Act means facilities or equipment (excluding portable equipment and equipment which is possessed or managed by a person other than the bank; the same applies hereinafter) where a bank carries out all or part of business set forth in each item of Article 10, paragraph (1) of the Act.

2 法第八条第一項に規定する本店とは、銀行の業務を統括する施設であつて、本店として登記がなされているものをいう。

(2) A head office as prescribed in Article 8, paragraph (1) of the Act means a facility that presides over the bank's services and is registered as the head office.

3 法第八条第一項及び第二項に規定する支店とは、営業所のうち本店に従属し、当該営業所の名において、かつ、その計算において、銀行の業務を営む施設をいう。

(3) A branch office as prescribed in Article 8, paragraph (1) and paragraph (2) of the Act means a facility constituting a business office that is subordinate to a head office, at which a bank's services are carried out in the name of and under the account of the business office in question.

4 法第八条第一項及び第二項に規定する種類の変更とは、銀行の本店（第二項に規定する本店をいう。以下同じ。）及び支店（前項に規定する支店をいう。以下同じ。）以外の営業所（以下「出張所」という。）から支店へ並びに支店から出張所への変更をいう。

(4) A change of type as prescribed in Article 8, paragraph (1) and paragraph (2) of the Act means a change from a business office other than a head office (a head office as prescribed in paragraph (2); the same applies hereinafter) and a branch office (a branch office as prescribed in the preceding paragraph; the same applies hereinafter) of a bank (hereinafter referred to as a "sub-office") to a branch office, and a change from a branch office to a sub-office.

(営業所等の設置等の届出等)

(Notification of Establishment of Business Offices)

第九条 法第八条第一項に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 9 (1) The cases specified by Cabinet Office Order that are provided for in Article 8, paragraph (1) of the Act are the following cases:

一 出張所の設置、位置の変更又は廃止をする場合

(i) if the relevant person establishes a sub-office, changes the location of a sub-office, or closes a sub-office;

二 増改築その他のやむを得ない理由により営業所の位置の変更をする場合（変更前の位置に復することが明らかな場合に限る。）

(ii) if the location of a business office is changed due to extension or reconstruction or other compelling reasons (limited to the case where it is definite that the person will return to the business office of the original location before the change);

三 前号に規定する位置の変更に係る営業所を変更前の位置に復する場合

(iii) if the relevant person returns to the business office of the original location from the location prescribed in the preceding item.

2 銀行は、法第八条第一項の規定による営業所の設置、位置の変更、種類の変更又は廃止の届出をしようとするときは、届出書に理由書その他金融庁長官が必要と認める事項を記載した書面を添付して金融庁長官等に提出しなければならない。

(2) When a bank seeks to submit a notification of the establishment, change of location, change of type, or closure of a business office pursuant to the provisions of Article 8, paragraph (1) of the Act, it must attach a written statement of reasons and other documents giving particulars found to be necessary by the Commissioner of the Financial Services Agency to the written notification and submit them to the Commissioner of the Financial Services Agency or other competent authority

（外国における営業所の設置等の認可の申請等）

(Application for Authorization of Establishment of a Business Office in a Foreign State)

第九条の二 銀行は、法第八条第二項の規定による外国における営業所の設置、種類の変更又は廃止の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 9-2 (1) When a bank intends to obtain an authorization for the establishment, change of type, or closure of a business office in a foreign state pursuant to the provisions of Article 8, paragraph (2) of the Act, it must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency or other competent authority:

一 理由書

(i) a written statement of reasons;

二 認可を受ける事項が株主総会又は取締役会の決議を要するものである場合には、これに関する株主総会の議事録又は取締役会の議事録（会社法第三百七十条の規定により取締役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。以下同じ。）

(ii) if the matter to be authorized requires a resolution at the shareholders

meeting or of board of directors, the minutes of the shareholders meeting or minutes of the board of directors meeting concerning the case (if a resolution of the board of directors pursuant to the provisions of Article 370 of the Companies Act has been deemed to exist, a document proving that this is the case; the same applies hereinafter);

三 種類の変更をする場合には、当該営業所の最近の業況を記載した書面

(iii) in cases of changing the type of business office, a document stating the recent business status of that business office; and

四 その他金融庁長官が必要と認める事項を記載した書面

(iv) other documents giving particulars found to be necessary by the Commissioner of the Financial Services Agency.

2 金融庁長官等は、前項の規定による営業所の設置又は種類の変更の認可の申請があったときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application for authorization to establish or change the type of a business office under the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authority is to examine whether it conforms to the following standards:

一 当該営業所の設置又は種類の変更が当該申請をした銀行の経営の健全性確保に資すると認められるものである場合を除き、当該申請をした銀行の自己資本の充実の状況が銀行法第二十六条第二項に規定する区分等を定める命令（平成十二年総理府・大蔵省令第三十九号）第一条第一項に掲げる表の非対象区分、同項第二号に掲げる表の資本バッファ非対象区分及び同項第三号に掲げる表のレバレッジ非対象区分に該当し、かつ、当該申請をした銀行及びその子会社等（法第十四条の二第二号に規定する子会社等をいう。次条第二項第一号において同じ。）の自己資本の充実の状況が同令第一条第二項に掲げる表の非対象区分、同項第二号に掲げる表の資本バッファ非対象区分及び同項第三号に掲げる表のレバレッジ非対象区分に該当するものであること。

(i) except for cases in which the establishment or change of type of the business office is found to contribute to ensuring the sound management of the bank which filed the application, the condition of adequacy of equity capital of the bank which filed the application corresponds to an exception from the categories set forth in the table under Article 1, paragraph (1) of the Order Providing for the Categories, etc. prescribed in Article 26, paragraph (2) of the Banking Act (Order of the Prime Minister's Office and the Ministry of Finance No. 39 of June 26, 2000), an exception from the capital buffer categories set forth in the table under item (ii) of that paragraph, and an exception from the leverage categories set forth in the table under item (iii) of that paragraph, and the condition of adequacy of equity capital of the bank which filed the application and its subsidiary company, etc. (meaning a subsidiary company, etc., as prescribed in Article 14-2, item (ii) of the Act; the same applies in paragraph (2), item (i) of the following Article)

corresponds to an exception from the categories set forth in the table under Article 1, paragraph (2) of that Order, an exception from the capital buffer categories set forth in the table under item (ii) of that paragraph, and an exception from the leverage categories set forth in the table under item (iii) of that paragraph;

二 当該申請をした銀行の経営管理に係る体制等に照らし、銀行の業務を的確、公正かつ効率的に遂行することができること。

(ii) in light of things such as the business management systems of the bank that filed the application, it is able to perform the services of a bank reliably, fairly, and efficiently; and

三 当該営業所において必要な犯罪防止措置が講じられ、かつ、顧客の情報の管理が適切に行われること。

(iii) necessary crime prevention measures are taken by that business office and the information of customers is managed appropriately.

3 法第八条第二項に規定する内閣府令で定める場合は、次に掲げる場合とする。

(3) The case specified by Cabinet Office Order that is provided for in Article 8, paragraph (2) of the Act means those specified in the following items:

一 出張所（臨時若しくは巡回型の施設又は無人の設備に限る。）の設置をする場合

(i) if the relevant bank establishes a sub-office (limited to a temporary or circuit-type facility, or unmanned equipment); or

二 出張所を廃止する場合

(ii) if the relevant bank closes a sub-office.

4 金融庁長官等は、第一項の規定による営業所の廃止の認可の申請があつたときは、当該営業所の顧客に係る取引が当該申請をした銀行の他の営業所又は他の金融機関へ支障なく引き継がれるなど当該営業所の顧客に著しい影響を及ぼさないものであるかどうかを審査するものとする。

(4) When an application for authorization to close a business office under paragraph (1) is filed, the Commissioner of the Financial Services Agency or other competent authority is to examine whether the closure will not cause substantial effects to the customers of the business office, including things such as whether transactions involving the customers of that business office will be taken over by another of the applying bank's business offices or by another financial institution without any hindrance.

（外国における預金等の受入れを内容とする契約の締結の代理等の委託等の認可の申請等）

(Application for Authorization of Entrustment of an Agency to Conclude a Contract on the Acceptance of Deposits in a Foreign State)

第十条 銀行は、法第八条第三項の規定により法第二条第十四項各号に掲げる行為を外国において委託する旨の契約（以下この条及び次条第三項において「委託契約」という。）の締結又は当該委託契約の終了の認可を受けようとするときは、認可申請書に

次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 10 (1) When a bank seeks to obtain an authorization to conclude a contract to entrust acts set forth in each item of Article 2, paragraph (14) of the Act in a foreign state pursuant to the provisions of Article 8, paragraph (3) of the Act (hereinafter referred to as an "outsourcing contract" in this Article and paragraph (3) of the following Article) or to terminate that outsourcing contract, it must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency or other competent authority:

一 理由書

(i) a written statement of reasons; and

二 その他金融庁長官が必要と認める事項を記載した書類

(ii) other documents giving particulars found to be necessary by the Commissioner of the Financial Services Agency.

2 金融庁長官等は、前項の規定による委託契約の締結の認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application for authorization to conclude an outsourcing contract under the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authority is to examine whether it conforms to the following standards:

一 当該委託契約の締結が当該申請をした銀行の経営の健全性確保に資すると認められるものである場合を除き、当該申請をした銀行の自己資本の充実の状況が銀行法第二十六条第二項に規定する区分等を定める命令第一条第一項に掲げる表の非対象区分、同項第二号に掲げる表の資本バッファ非対象区分及び同項第三号に掲げる表のレバレッジ非対象区分に該当し、かつ、当該申請をした銀行及びその子会社等の自己資本の充実の状況が同条第二項第一号に掲げる表の非対象区分、同項第二号に掲げる表の資本バッファ非対象区分及び同項第三号に掲げる表のレバレッジ非対象区分に該当するものであること。

(i) except for cases in which the outsourcing contract is deemed to contribute to ensuring the sound management of the bank which filed the application, the condition of adequacy of equity capital of the bank which filed the application corresponds to an exception from the categories set forth in the table under Article 1, paragraph (1) of the Order Providing for the Categories, etc. prescribed in Article 26, paragraph (2) of the Banking Act, an exception from the capital buffer categories set forth in the table under item (ii) of that paragraph, and an exception from the leverage categories set forth in the table under item (iii) of that paragraph, and the condition of adequacy of equity capital of the bank which filed the application and its subsidiary company, etc. corresponds to an exception from the categories set forth in the table under paragraph (2), item (i) of that Article, an exception from the capital buffer categories set forth in the table under item (ii) of that

paragraph, and an exception from the leverage categories set forth in the table under item (iii) of that paragraph;

二 当該委託契約の締結の相手方（以下この条及び次条第三項において「外国銀行代理業者」という。）が次に掲げる全ての要件を満たすこと。

(ii) the other party concluding the outsourcing contract (hereinafter referred to as a "foreign bank agent" in this Article and paragraph (3) of the following Article) satisfies all of the following requirements:

イ 当該委託契約に係る業務（以下この条及び次条第三項において「委託業務」という。）を遂行するために必要と認められる財産的基礎を有する者であること。

(a) the other party is a person that possesses the financial basis that is found to be necessary for carrying out the business to which the outsourcing contract pertains (hereinafter referred to as "entrusted business" in this Article and paragraph (3) of the following Article);

ロ 人的構成等に照らして、委託業務を的確、公正かつ効率的に遂行するために必要な能力を有し、かつ、社会的信用を有する者であること。

(b) in light of things such as its personnel structure, the other party is a person that has the necessary ability for carrying out the entrusted business appropriately, fairly, and efficiently, and that has social credibility; and

ハ 他に業務を営むことによりその委託業務を適正かつ確実に営むことにつき支障を及ぼすおそれがあると認められない者であること。

(c) the other party is a person that is not found to cause hindrance, with regard to carrying out the entrusted business precisely and reliably, by carrying out other business;

三 当該申請をした銀行が当該外国銀行代理業者の委託業務の健全かつ適切な運営を確保するための措置を講ずることができること。

(iii) the bank which filed the application may take measures in order to secure sound and appropriate management of entrusted business with the foreign bank agent.

3 前項第二号に掲げる基準に適合するか審査をするときは、第三十四条の三十七各号に掲げる事項に配慮するものとする。

(3) When examining whether the relevant other party conforms to the standards set forth in item (ii) of the preceding paragraph, the Commissioner of the Financial Services Agency or other competent authority is to take into consideration of the particulars set forth in each item of Article 34-37.

4 金融庁長官等は、第一項の規定による委託契約の終了の認可の申請があつたときは、当該外国銀行代理業者の委託業務に関する顧客に係る取引が当該申請をした銀行の他の営業所又は他の金融機関等へ支障なく引き継がれる等、当該外国銀行代理業者の委託業務に関する顧客に著しい影響を及ぼさないものであるかどうかを審査するものとする。

(4) When an application for authorization to terminate an outsourcing contract

under paragraph (1) is filed, the Commissioner of the Financial Services Agency or other competent authority is to examine whether the termination will not cause substantial effects to the customers concerning the entrusted business of the foreign bank agent, such as transactions pertaining to those customers will be succeeded to another business office of the bank which filed the application or other financial institution without any hindrance.

(外国における預金等の受入れを内容とする契約の締結の代理等の委託等の届出)
(Notification of Entrustment of an Agency to Conclude a Contract on the
Acceptance of Deposits in a Foreign State)

第十条の二 法第八条第四項に規定する内閣府令で定める者は、次に掲げる者とする。
Article 10-2 (1) The persons specified by Cabinet Office Order that are provided for in Article 8, paragraph (4) of the Act are those specified in the following items:

一 銀行の子会社等である外国銀行（外国の法令に準拠して外国において銀行業を営む者をいう。以下この項において同じ。）

(i) a foreign bank (meaning a person that carries out banking in a foreign state in conformity with the laws and regulations of the foreign state; hereinafter the same applies in this paragraph) that is a subsidiary company, etc. of a bank;

二 銀行を子会社等とする外国銀行

(ii) a foreign bank that has a bank as its subsidiary company, etc.;

三 銀行を子会社等とする銀行持株会社の子会社等である外国銀行（前二号に掲げる者を除く。）

(iii) a foreign bank that is a subsidiary company, etc. of a bank holding company which has a bank as its subsidiary company, etc. (excluding the persons set forth in the preceding two items); and

四 銀行を子会社等とする親会社等の子会社等である外国銀行（前三号に掲げる者を除く。）

(iv) a foreign bank that is a subsidiary company, etc. of a parent company, etc. which has a bank as its subsidiary company, etc. (excluding the persons set forth in the preceding three items);

2 前項第四号に規定する「親会社等」とは、他の法人等（令第四条第一項第一号ロに規定する法人等をいう。以下同じ。）の総株主等の議決権の百分の五十を超える議決権を保有する法人等をいい、前項各号に規定する「子会社等」とは、親会社等によりその総株主等の議決権の百分の五十を超える議決権を保有されている他の法人等をいう。この場合において、子会社等が保有する議決権は、当該子会社等の親会社等が保有する議決権とみなす。

(2) The term "parent company, etc." as prescribed in item (iv) of the preceding paragraph means a corporation, etc. holding voting rights exceeding fifty percent of the total shareholder or investor voting rights in another corporation,

etc. (meaning a corporation, etc. prescribed in Article 4, paragraph (1), item (i), (b) of the Order; the same applies hereinafter); the term "subsidiary company, etc." as prescribed in the items of the preceding paragraph means a corporation, etc. in which a parent company, etc. holds voting rights accounting for over fifty percent of the total shareholder or investor voting rights. In this case, voting rights held by a subsidiary company, etc. are deemed to be voting rights held by the parent company, etc. of that subsidiary company, etc.

3 銀行は、法第八条第四項の規定による届出をしようとするときは、届出書に、次の各号に掲げる場合の区分に応じ当該各号に定める書面を添付して金融庁長官等に提出しなければならない。

(3) In seeking to give a notification under Article 8, paragraph (4) of the Act, a bank must attach the documents specified in the following items to a written notification in accordance with the categories set forth in those items and submit them to the Commissioner of the Financial Services Agency or other competent authority:

一 銀行が外国銀行代理業者との間で委託契約を締結しようとする場合 次に掲げる書面

(i) if the bank seeks to conclude an outsourcing contract with a foreign bank agent: the following documents:

イ 理由書

(a) a written statement of reasons;

ロ 外国銀行代理業者の商号又は名称を記載した書面

(b) a document stating the trade name or the name of the foreign bank agent;

ハ 銀行と外国銀行代理業者との間の資本関係を記載した書面

(c) a document stating the capital relationship between the bank and the foreign bank agent;

ニ 銀行と外国銀行代理業者との間の当該届出に係る委託契約の内容を記載した書面

(d) a document stating the content of the outsourcing contract between the bank and the foreign bank agent pertaining to the notification;

ホ ニの規定による委託契約の締結予定日を記載した書面

(e) a document stating the day on which the outsourcing contract under the sub-item (d) is to be concluded; and

ヘ 外国銀行代理業者の委託業務の内容及び方法を記載した書面

(f) a document stating the content and methods of the entrusted business of the foreign bank agent; or

二 銀行が外国銀行代理業者との間で委託契約を終了しようとする場合 次に掲げる書面

(ii) if the bank seeks to terminate an outsourcing contract with a foreign bank agent: the following documents:

イ 理由書

- (a) a written statement of reasons;
 - ロ 外国銀行代理業者の商号又は名称を記載した書面
- (b) a document stating the trade name or the name of the foreign bank agent;
 - ハ 外国銀行代理業者の委託業務の内容及び方法を記載した書面
- (c) a document stating the content and methods of the entrusted business of the foreign bank agent; and
 - ニ 当該銀行及び外国銀行代理業者との委託契約の終了予定日を記載した書面
- (d) a document stating the day on which the outsourcing contract between the bank and the foreign bank agent is to be terminated.

第十一条 削除

Article 11 Deleted

第二章 業務

Chapter II Services

(金銭債権の証書の範囲)

(Scope of Certificate of Monetary Claims)

第十二条 法第十条第二項第五号に規定する内閣府令で定める証書をもつて表示されるものは、次に掲げるものとする。

Article 12 Monetary claims indicated in the form of certificates specified by Cabinet Office Order that are provided for in Article 10, paragraph (2), item (v) of the Act are those specified in the following items:

一 譲渡性預金（払戻しについて期限の定めがある預金で、譲渡禁止の特約のないものをいう。第十三条の五第一項第一号において同じ。）の預金証書

(i) a negotiable certificate of deposits (meaning a deposit with a due date for repayment, but without a covenant of non-assignability; the same applies in Article 13-5, paragraph (1), item (i));

二 コマーシャル・ペーパー

(ii) commercial paper;

三 住宅抵当証書

(iii) a housing mortgage certificate;

四 貸付債権信託の受益権証書

(iv) a certificate of beneficial interest of a loan trust

四の二 抵当証券法（昭和六年法律第十五号）第一条第一項に規定する抵当証券

(iv)-2 a mortgage security as prescribed in the Mortgage Instrument Act (Act No. 15 of 1931);

五 商品投資に係る事業の規制に関する法律（平成三年法律第六十六号）第二条第六項に規定する商品投資受益権の受益権証書

(v) a certificate of beneficial interest for the commodity investment beneficial interest as prescribed in Article 2, paragraph (6) of the Act on Regulation of

Commodity Investment (Act No. 66 of 1991);

六 外国の法人の発行する証券又は証書で銀行業を営む者その他の金銭の貸付けを業として行う者の貸付債権を信託する信託の受益権又はこれに類する権利を表示するもの

(vi) securities or certificates issued by a foreign corporation that indicate a beneficiary interest in a trust into which has been placed a loan claim of a person engaged in banking or any other such person that carries out other money lending in the course of trade, or into which has been placed any other similar interest; or

七 法第十条第二項第十二号又は第十四号に規定する取引に係る権利を表示する証券又は証書

(vii) securities or certificates that indicate an interest pertaining to the transactions as prescribed in Article 10, paragraph (2), item (xii) or item (xiv) of the Act.

(特定社債に準ずる有価証券)

(Securities Equivalent to Specified Corporate Bonds)

第十二条の二 法第十条第二項第五号の二に規定する有価証券として内閣府令で定めるものは、金融商品取引法施行令（昭和四十年政令第三百二十一号）第十五条の十七第一項第二号又は同条第三項に規定する有価証券（同項に規定する有価証券については、金融商品取引法第二条第一項第四号又は第五号に掲げるものの性質を有するものに限る。）であつて、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）第四十条第一号に規定する譲渡資産が、指名金銭債権又は指名金銭債権を信託する信託の受益権であるものとする。

Article 12-2 The things specified by Cabinet Office Order as securities prescribed in Article 10, paragraph (2), item (v)-2 of the Act are securities prescribed in Article 15-17, paragraph (1), item (ii) or item (iii) of the Order for Enforcement of the Financial Instruments and Exchange Act (Act No. 321 of 1965) (with regard to securities prescribed in that paragraph, limited to those that have the characteristics as set forth in Article 2, paragraph (1), item (iv) or item (v) of the Financial Instruments and Exchange Act) in which the assigned assets set forth in Article 40, item (i) of the Cabinet Office Order on Financial Instruments Business (Cabinet Office Order No. 52 of 2007) are a nominative monetary claim or a beneficiary right to the trust in which the nominative monetary claim is placed.

(業務の代理又は媒介)

(Acting as Agent or Intermediary for Services)

第十三条 法第十条第二項第八号に規定する業務の代理又は媒介で内閣府令で定めるものは、次に掲げるものとする。

Article 13 Acting as an agent or intermediary for services which is specified by

Cabinet Office Order, as provided in Article 10, paragraph (2), item (viii) of the Act means those specified in the following items:

一 銀行、長期信用銀行（長期信用銀行法（昭和二十七年法律第百八十七号）第二条に規定する長期信用銀行をいう。以下同じ。）、株式会社商工組合中央金庫又は信用金庫、信用協同組合若しくは労働金庫（これらの法人をもつて組織する連合会を含む。）の業務（金融機関の信託業務の兼営等に関する法律第一条第一項に規定する信託業務（以下「信託業務」という。）を除く。）の代理又は媒介

(i) acting as an agent or intermediary for the services (excluding trust business (hereinafter referred to as "trust business") prescribed in Article 1, paragraph (1) of the Act on Engagement in Trust Business Activities by Financial Institutions) of a bank, a long-term credit bank (meaning a long-term credit bank prescribed in Article 2 of the Long-term Credit Bank Act (Act No. 187 of 1952); the same applies hereinafter), The Shoko Chukin Bank, Ltd., or credit union, credit cooperatives, or labor bank (including a federation organized by these corporations);

二 農業協同組合（農業協同組合法（昭和二十二年法律第百三十二号）第十条第一項第三号の事業を行うものに限る。第三十四条の四十三第二項を除き、以下同じ。）若しくは農業協同組合連合会（同法第十条第一項第三号の事業を行うものに限る。以下同じ。）が行う同法第十一条第二項に規定する信用事業（信託業務に係る事業を除く。）、漁業協同組合（水産業協同組合法（昭和二十三年法律第二百四十二号）第十一条第一項第四号の事業を行うものに限る。以下同じ。）若しくは漁業協同組合連合会（同法第八十七条第一項第四号の事業を行うものに限る。以下同じ。）若しくは水産加工業協同組合（同法第九十三条第一項第二号の事業を行うものに限る。以下同じ。）若しくは水産加工業協同組合連合会（同法第九十七条第一項第二号の事業を行うものに限る。以下同じ。）が行う同法第五十四条の二第二項に規定する信用事業（信託業務に係る事業を除く。）又は農林中央金庫の業務（信託業務に係る事業を除く。）の代理又は媒介

(ii) acting as an agent or intermediary for credit business (excluding a business pertaining to trust business) carried out by an agricultural cooperative (limited to a cooperative which carries out business as prescribed in Article 10, paragraph (1), item (iii) of the Agricultural Co-operatives Act (Act No. 132 of 1947); the same applies hereinafter, except for Article 34-43, paragraph (2)) prescribed in Article 11, paragraph (2) of that Act; for credit business (excluding a business pertaining to trust business) carried out by a federation of agricultural cooperatives (limited to a federation of agricultural cooperatives which carries out business as prescribed in Article 11, paragraph (1), item (iv) of the Fishery Cooperative Act (Act No. 242 of 1948); the same applies hereinafter) or a federation of fisheries cooperatives (limited to a federation of fisheries cooperatives which carries out business as prescribed in Article 87, paragraph (1), item (iv) of that Act; the same applies hereinafter), a fishery processing cooperative (limited to a fishery

- processing cooperative which carries out business as prescribed in Article 93, paragraph (1), item (ii) of that Act; the same applies hereinafter), or a federation of fishery processing cooperatives (limited to a federation of fishery processing cooperatives which carries out business as prescribed in Article 97, paragraph (1), item (ii) of that Act; the same applies hereinafter) prescribed in Article 54, paragraph (2) of that Act; or for services of the Norinchukin Bank (excluding a business pertaining to trust business);
- 二の二 資金移動業者（資金決済に関する法律（平成二十一年法律第五十九号）第二条第三項に規定する資金移動業者をいう。第十七条の三第二項第一号の四において同じ。）が営む資金移動業（同法第二条第二項に規定する資金移動業をいう。同号において同じ。）の代理又は媒介
- (ii)-2 acting as an agent or intermediary for fund transfer services (meaning the fund transfer service prescribed in Article 2, paragraph (3) of the Payment Services Act (Act No. 59 of 2009); the same applies in Article 17-3, paragraph (2), item (i)-4 of this Act) conducted by a fund transfer service provider (meaning the fund transfer service provider prescribed in Article 2, paragraph (3) of that Act; the same applies in Article 17-3, paragraph (2), item (i)-4 of this Act);
- 三 信託会社又は信託業務を営む金融機関の次に掲げる業務の代理又は媒介（法第十一条に掲げる業務に該当するものを除く。）
- (iii) acting as agent or intermediary for the following services of a trust company or a financial institution that carries out trust business (excluding services corresponding to those as set forth in Article 11 of the Act):
- イ 信託契約（金融機関の信託業務の兼営等に関する法律施行令（平成五年政令第三十一号）第三条第一号及び金融機関の信託業務の兼営等に関する法律施行規則（昭和五十七年大蔵省令第十六号）第三条第一項第一号に規定する信託に係る信託契約を除く。）の締結
- (a) conclusion of a trust contract (excluding a trust contract pertaining to a trust as prescribed in Article 3, item (i) of the Order for Enforcement of the Act on Engagement in Trust Business Activities by Financial Institutions (Cabinet Order No. 31 of 1993) and in Article 3, paragraph (1), item (i) of the Regulation for Enforcement of the Act on Engagement in Trust Business Activities by Financial Institutions (Ministry of Finance Order No. 16 of 1982));
- ロ 金融機関の信託業務の兼営等に関する法律第一条第一項各号（金融機関の信託業務の兼営等に関する法律施行令第三条各号に掲げる業務を除く。）に掲げる業務を受託する契約の締結
- (b) conclusion of a contract to accept entrustment of business as set forth in each item of Article 1, paragraph (1) of the Act on Engagement in Trust Business Activities by Financial Institutions (excluding business as set forth in each item of Article 3 of the Order for Enforcement of the Act on

Engagement in Trust Business Activities by Financial Institutions);

三の二 金融商品取引業者若しくは登録金融機関（金融商品取引法第二条第十一項に規定する登録金融機関をいう。）の投資顧問契約（同条第八項第十一号に規定する投資顧問契約をいう。）又は投資一任契約（同項第十二号ロに規定する投資一任契約をいう。以下同じ。）の締結の代理又は媒介

(iii)-2 acting as an agent or intermediary in the conclusion of an investment advisory contract (meaning an investment advisory contract as prescribed in Article 2, paragraph (8), item (xi) of the Financial Instruments and Exchange Act) or a discretionary investment contract (meaning a discretionary investment contract as prescribed in item (xii), (b) of that paragraph; the same applies hereinafter) of a financial instruments business operator or a registered financial institution (meaning a registered financial institution prescribed in Article 2, paragraph (11) of that Act);

四 保険会社（保険業法（平成七年法律第百五号）第二条第二項に規定する保険会社をいい、同条第七項に規定する外国保険会社等（以下「外国保険会社等」といふ。）を含む。）の資金の貸付けの代理又は媒介

(iv) acting as an agent or intermediary in the lending of funds by an insurance company (meaning an insurance company as prescribed in Article 2, paragraph (2) of the Insurance Business Act (Act No. 105 of 1995) and including a foreign insurance company, etc. as prescribed in paragraph (7) of that Article (hereinafter referred to as a "foreign insurance company, etc."));

五 法律の定めるところにより、予算について国会の議決を経なければならない法人で、金融業を行うものの業務の代理又は媒介

(v) acting as an agent or intermediary in the services of a corporation engaged in financial business whose budget is subject to a Diet resolution, pursuant to the provisions of laws;

六 特別の法律により設立された法人で、特別の法律により銀行に業務の一部を委託し得るものの資金の貸付けその他の金融に関する業務の代理又は媒介（前号に掲げるものを除く。）

(vi) acting as an agent or intermediary in the lending of funds or other services concerning finance of a corporation which is established by a special law and may entrust a part of its services to a bank pursuant to the special law (excluding the acts as set forth in the preceding item); or

七 前各号に掲げる業務の代理又は媒介のいずれかに準ずるもので金融庁長官が別に定めるもの

(vii) anything that is equivalent to acting as an agent or intermediary in the services set forth in each of the preceding items and that is separately specified by the Commissioner of the Financial Services Agency.

(外国銀行の業務の代理又は媒介)

(Acting as Agent or Intermediary in a Foreign Bank's Services)

第十三条の二 法第十条第二項第八号の二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 13-2 (1) The services specified by Cabinet Office Order, as provided in Article 10, paragraph (2), item (viii)-2 of the Act, mean those specified in the following items:

一 銀行の子会社である外国銀行（法第十条第一項及び第二項に規定する業務（代理又は媒介に係る業務及び銀行が同項（第八号及び第八号の二を除く。）の規定により代理又は媒介を行うことができる業務を除く。）に限る。以下この項において同じ。）の代理又は媒介を当該銀行が行う場合における当該代理又は媒介のほか、次のイからニまでに掲げる外国銀行の業務の代理又は媒介を当該イからニまでに規定する銀行が行う場合における当該代理又は媒介

(i) in addition to a bank's actions as an agent or intermediary when it does so for the services (limited to services prescribed in Article 10, paragraph (1) and paragraph (2) of the Act (excluding services associated with agent or intermediary and the services for which a bank may act as an agent or intermediary pursuant to the provisions of that paragraph (excluding item (viii) and item (viii)-2)); hereinafter the same applies in this paragraph) of a foreign bank that is a subsidiary company of the bank, a bank's actions as an agent or intermediary as prescribed in the following sub-items (a) through (d) when it acts as an agent or intermediary for the services of a foreign bank set forth respectively in those sub-items;

イ 銀行の子法人等（令第四条の二第二項に規定する子法人等をいう。以下この条において同じ。）である外国銀行（銀行の子会社である外国銀行を除く。）

(a) a foreign bank that is a subsidiary corporation, etc. (meaning the subsidiary corporation, etc. prescribed in Article 4-2, paragraph (2) of the Order; hereinafter the same applies in this Article) (excluding a foreign bank that is a subsidiary company of a bank);

ロ 銀行を子法人等とする外国銀行

(b) a foreign bank that has a bank as its subsidiary corporation, etc.;

ハ 銀行を子会社とする銀行持株会社の子法人等である外国銀行（銀行の子会社である外国銀行並びにイ及びロに掲げる者を除く。）

(c) a foreign bank that is a subsidiary corporation, etc. of a bank holding company that has a bank as its subsidiary company (excluding a foreign bank that is a subsidiary company of a bank and those set forth in sub-item (a) and sub-item (b)); and

ニ 銀行を子会社とする親法人等（令第四条の二第二項に規定する親法人等をいう。以下同じ。）の子法人等である外国銀行（銀行の子会社である外国銀行並びにイからハまでに掲げる者を除く。）

(d) a foreign bank that is a subsidiary corporation, etc. of a parent corporation, etc. (meaning the parent corporation, etc. prescribed in Article 4-2, paragraph (2) of the Order; the same applies hereinafter) that has a

bank as its subsidiary company (excluding a foreign bank that is a subsidiary company of a bank and those set forth in sub-items (a) through (c)); and

二 銀行の子会社である外国銀行及び前号イからニまでに掲げる外国銀行以外の外国銀行の業務の代理又は媒介（当該業務の代理又は媒介を外国において行う場合に限る。）

(ii) actions as an agent or intermediary for the services of a foreign bank other than a foreign bank that is a subsidiary company of a bank and foreign banks set forth in sub-items (a) through (d) of the preceding item (limited to the cases in which those actions as the agent or intermediary for the services are undertaken in a foreign state).

2 前項の規定にかかわらず、外国銀行支店（法第四十七条第二項に規定する外国銀行支店をいう。以下同じ。）に係る法第十条第二項第八号の二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。

(2) Notwithstanding the provisions of the preceding paragraph, the services specified by Cabinet Office Order that are provided for in Article 10, paragraph (2), item (viii)-2 of the Act pertaining to a foreign bank branch (meaning a foreign bank branch prescribed in Article 47, paragraph (2) of the Act; the same applies hereinafter) means those specified in the following items:

一 外国銀行支店に係る外国銀行の外国銀行外国営業所（法第四十七条第三項に規定する外国銀行外国営業所をいう。以下同じ。）の業務（法第十条第一項及び第二項に規定する業務（代理又は媒介に係る業務及び銀行が同項（第八号及び第八号の二を除く。）の規定により代理又は媒介を行うことができる業務を除く。）に限る。以下この項において同じ。）の代理又は媒介を当該外国銀行支店が行う場合における当該代理又は媒介のほか、次のイからハまでに掲げる外国銀行の業務の代理又は媒介を当該イからハまでに規定する外国銀行支店が行う場合における当該代理又は媒介

(i) in addition to a foreign bank branch's action as an agent or intermediary when it does so for the services of a business office in the home state of the foreign bank with which the foreign bank branch is associated (meaning a business office in the home state prescribed in Article 47, paragraph (3) of the Act; the same applies hereinafter) (limited to the services prescribed in Article 10, paragraph (1) and paragraph (2) of the Act (excluding the services associated with actions as an agent or intermediary and the services in association with which a bank may act as an agent or intermediary pursuant to the provisions of that paragraph (excluding item (viii) and item (viii)-2)); hereinafter the same applies in this paragraph), actions as an agent or intermediary conducted by a foreign bank branch as prescribed in the following sub-items (a) through (c) for the services of the foreign banks set forth respectively in those sub-items;

イ 外国銀行支店に係る外国銀行の子法人等である外国銀行

- (a) a foreign bank that is a subsidiary corporation, etc. of another foreign bank to which a foreign bank branch belongs;
- ロ 外国銀行支店に係る外国銀行を子法人等とする外国銀行
- (b) a foreign bank that has another foreign bank to which a foreign bank branch belongs as its subsidiary corporation, etc.;
- ハ 外国銀行支店に係る外国銀行を子会社等とする親法人等の子法人等である外国銀行（当該外国銀行支店に係る外国銀行の外国銀行外国営業所並びにイ及びロに掲げる者を除く。）
- (c) a foreign bank that is a subsidiary corporation, etc. of a parent corporation, etc. that has another foreign bank to which a foreign bank branch belongs as its subsidiary company, etc. (excluding a business office in the home state of the other foreign bank to which that foreign bank branch belongs and those set forth in sub-items (a) through (b)); and
- ニ 外国銀行支店に係る外国銀行の外国銀行外国営業所及び前号イからハまでに掲げる外国銀行以外の外国銀行の業務の代理又は媒介（当該業務の代理又は媒介を外国において行う場合に限る。）
- (ii) actions as an agent or intermediary for the services of a foreign bank other than a business office in the home state of a foreign bank to which a foreign bank branch belongs and foreign banks set forth in sub-items (a) through (c) of the preceding item (limited to the cases in which those actions as an agent or intermediary for the services are undertaken in a foreign state).

（デリバティブ取引）

(Derivative Transactions)

第十三条の二の二 法第十条第二項第十二号及び第十三号に規定する内閣府令で定めるものは、金融商品取引法第二条第二十項に規定するデリバティブ取引（有価証券関連デリバティブ取引（同法第二十八条第八項第六号に規定する有価証券関連デリバティブ取引をいう。以下同じ。）に該当するものを除く。）とする。

Article 13-2-2 Derivative transactions as specified by Cabinet Office Order that are provided for in Article 10, paragraph (2), item (xii) and item (xiii) of the Act are a derivative transaction as prescribed in Article 2, paragraph (20) of the Financial Instruments and Exchange Act (excluding a derivative transaction corresponding to the securities-related derivative transactions (meaning the securities-related derivative transactions as prescribed in Article 28, paragraph (8), item (vi) of that Act; the same applies hereinafter)).

（金融等デリバティブ取引）

(Financial Derivative Transactions)

第十三条の二の三 法第十条第二項第十四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 13-2-3 (1) The transaction specified by Cabinet Office Order that is

provided for in Article 10, paragraph (2), item (xiv) of the Act means any of the following:

一 当事者が数量を定めた商品について当該当事者間で取り決めた商品相場に基づき金銭の支払を相互に約する取引その他これに類似する取引（次に掲げる取引に限る。以下「商品デリバティブ取引」という。）

(i) a transaction to promise mutual payment, with regard to a commodity of which the quantity is specified by the parties, based on the commodity market price agreed upon between the relevant parties, and other similar transactions (limited to the following transactions; hereinafter referred to as a "commodity derivative transaction");

イ 差金の授受によつて決済される取引

(a) a transaction settled by payment of the difference;

ロ 商品及びその対価の授受を約する売買取引であつて、次に掲げる要件の全てを満たすもの

(b) a purchase and sale transaction in which the parties agree to transfer between them a commodity and the consideration therefor and which satisfies all of the following requirements:

(1) 当該売買取引に係る商品を決済の終了後に保有することとならないこと。

1. the purchase and sale transaction does not result in the holding of the commodity pertaining to that transaction on the completion of the settlement.

(2) 当該売買取引に係る商品の保管又は運搬に伴い発生しうる危険を負担しないこと。

2. the purchase and sale transaction does not result in bearing the risk that may arise in relation to the custody or transportation of the commodity pertaining to that transaction.

二 当事者が数量を定めた算定割当量（地球温暖化対策の推進に関する法律（平成十年法律第百十七号）第二条第六項に規定する算定割当量その他これに類似するものをいう。以下同じ。）について当該当事者間で取り決めた算定割当量の相場に基づき金銭の支払を相互に約する取引その他これに類似する取引（次に掲げる取引に限る。）

(ii) a transaction to promise mutual payment, with regard to a carbon dioxide equivalent quota (meaning a carbon dioxide equivalent quota as prescribed in Article 2, paragraph (6) of the Act on Promotion of Global Warming Countermeasures (Act No. 117 of 1998) and other similar substances; the same applies hereinafter) of which the quantity is stipulated by the parties, based on the quotation of a carbon dioxide equivalent as stipulated between the parties and other similar transactions (limited to the following transactions); or

イ 差金の授受によつて決済される取引

(a) a transaction settled by payment of the difference;

ロ 算定割当量及びその対価の授受を約する売買取引であつて、当該売買取引に係る算定割当量を決済の終了後に保有することとならないもの

(b) a purchase and sale transaction in which the parties agree to transfer between them a carbon dioxide equivalent quota and the consideration therefor and that does not result in the holding of the carbon dioxide equivalent quota pertaining to that purchase and sale transaction on the completion of the settlement.

三 当事者の一方の意思表示により当事者間において前二号に掲げる取引を成立させることができる権利を相手方が当事者の一方に付与し、当事者の一方がこれに対して対価を支払うことを約する取引その他これに類似する取引

(iii) a transaction in which one party grants the other party a right that may effect a transaction as set forth in the preceding two items between those parties by one party manifesting the intention, and the other party promises to pay the compensation for the granting of the right, and any other similar transaction.

2 法第十条第二項第十四号に規定する銀行の経営の健全性を損なうおそれがないと認められる取引として内閣府令で定めるものは、前項各号に掲げるものとする。

(2) A transaction specified by Cabinet Office Order as a transaction that it is found to be unlikely to damage the sound management of a bank, as provided in Article 10, paragraph (2), item (xiv) of the Act, means those transactions as set forth in the items of the preceding paragraph.

3 法第十条第二項第十五号に規定する内閣府令で定めるものは、上場商品構成物品等（商品先物取引法（昭和二十五年法律第二百三十九号）第十五条第一項第一号に規定する上場商品構成物品等をいう。）について商品市場（同法第二条第九項に規定する商品市場をいう。）における相場を利用して行う同法第二条第十四項第一号から第三号まで及び第四号（ニを除く。）に掲げる取引の媒介、取次ぎ又は代理とする。

(3) Acting as the intermediary, broker, or agent as specified by Cabinet Office Order, that is provided in Article 10, paragraph (2), item (xv) of the Act means acting as the intermediary, broker, or agent in transactions set forth in Article 2, paragraph (14), items (i) through (iii) of the Commodity Futures Act (Act No. 239 of 1950) and item (iv) of that paragraph (excluding sub-item (d)), for listed commodity component products, etc. (meaning the listed commodity component products, etc. prescribed in Article 15, paragraph (1), item (i) of that Act) by using quotations on a commodity market (meaning the commodity market prescribed in Article 2, paragraph (9) of that Act).

（リース契約の要件）

(Requirements for Lease Contracts)

第十三条の二の四 法第十条第二項第十八号イに規定する内閣府令で定めるものは、機械類その他の物件を使用させる契約のうち使用期間（同号イに規定する使用期間をいう。以下この項において同じ。）の中途において契約の解除をすることができない旨

の定めがないものであつて、相手方が、当該契約に係る使用期間の中途において当該契約に基づく義務に違反し、又は当該契約を解除する場合において、未経過期間に係る使用料のおおむね全部を支払うこととされているものとする。

Article 13-2-4 (1) The contract that is specified by Cabinet Office Order, as provided for in Article 10, paragraph (2), item (xviii), sub-item (a) of the Act means a contract for allowing the use of machinery and other objects which does not contain a provision to the effect that the parties may not cancel the contract before the end of the period of use (meaning the period of use prescribed in sub-item (a) of that item; hereinafter the same applies in this paragraph), and under which the other party to the contract is to pay almost all of the use fees for the unpaid period of use if that other party breaches the obligations based on the contract or cancels the contract before the end of the period of use specified in the contract.

2 法第十条第二項第十八号ロに規定する内閣府令で定める費用は、利子及び手数料の額とする。

(2) The costs specified by Cabinet Office Order that are provided for in Article 10, paragraph (2), item (xviii), (b) of the Act are the amounts of interest and fees.

(算定割当量の取得等)

(Acquisition of a Carbon Dioxide Equivalent Quota)

第十三条の二の五 法第十一条第四号に規定する内閣府令で定めるものは、算定割当量を取得し、若しくは譲渡することを内容とする契約の締結又はその媒介、取次ぎ若しくは代理を行う業務とする。

Article 13-2-5 The services specified by Cabinet Office Order that are provided for in Article 11, item (iv) of the Act means services for concluding a contract involving the acquisition or transfer of a carbon dioxide equivalent quota, or for acting as intermediary, broker, or agent in the conclusion of such a contract.

(預金者等に対する情報の提供)

(Provision of Information to Depositors)

第十三条の三 銀行は、法第十二条の二第一項の規定により預金者等に対する情報の提供を行う場合には、次に掲げる方法により行うものとする。

Article 13-3 (1) When a bank provides information to a depositor, etc. pursuant to the provisions of Article 12-2, paragraph (1) of the Act, it is to do so through the following means:

一 主要な預金等（法第十二条の二第一項に規定する預金等をいう。以下同じ。）の金利の明示

(i) by giving a clear indication of the money rate on the principal deposit, etc. (meaning a deposit, etc., as prescribed in Article 12-2, paragraph (1) of the Act; the same applies hereinafter);

二 取り扱う預金等に係る手数料の明示

(ii) by giving a clear indication of the fee pertaining to the deposit, etc. handled by the bank;

三 取り扱う預金等のうち預金保険法（昭和四十六年法律第三十四号）第五十三条に規定する保険金の支払の対象であるものの明示

(iii) by giving a clear indication of the deposit, etc. that is handled by the bank, and which is subject to the payment of insurance money as prescribed in Article 53 of the Deposit Insurance Act (Act No. 34 of 1971);

四 商品の内容に関する情報のうち次に掲げる事項（以下この条において「商品情報」という。）を記載した書面を用いて行う預金者等の求めに応じた説明及びその交付

(iv) by using a document stating the following particulars among information concerning the contents of financial instruments (hereinafter referred to as "financial instruments information" in this Article) to give an explanation at the request of depositors, etc., and by delivering that document:

イ 名称（通称を含む。）

(a) their names (including their aliases);

ロ 受入れの対象となる者の範囲

(b) scope of persons subject to the bank's acceptance of their deposits, etc.;

ハ 預入期間（自動継続扱いの有無を含む。）

(c) period of depositing (including an indication whether the deposit will be automatically renewed or not);

ニ 最低預入金額、預入単位その他の預入に関する事項

(d) minimum deposit amount, unit of deposit amount, and any other items concerning the depositing;

ホ 払戻しの方法

(e) method of repayment;

ヘ 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(f) method of establishing interest, payment method of interest, calculation method of interest, and other particulars regarding interest;

ト 手数料

(g) fees;

チ 付加することのできる特約に関する事項

(h) the particulars of special provisions that may be added;

リ 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(i) handling in the case of the termination of the contract during the period of depositing (including the calculation methods of interest and fees);

ヌ 次に掲げる場合の区分に応じ、それぞれ次に定める事項

(j) the particulars prescribed in each of the following in accordance with the categories of cases set forth respectively therein:

(1) 指定紛争解決機関が存在する場合 当該銀行が法第十二条の三第一項第一号に定める手続実施基本契約を締結する措置を講ずる当該手続実施基本契

約の相手方である指定紛争解決機関の商号又は名称

1. if a designated dispute resolution organization exists: the trade name or name of the designated dispute resolution organization, which is the other party to the basic contract for the implementation of dispute resolution procedures which the relevant takes the measure of concluding, prescribed in Article 12-3, paragraph (1), item (i) of the Act;

(2) 指定紛争解決機関が存在しない場合 当該銀行の法第十二条の三第一項第二号に定める苦情処理措置及び紛争解決措置の内容

2. if a designated dispute resolution organization does not exist: the details of the complaint handling measures and the dispute resolution measure of the relevant bank as prescribed in Article 12-3, paragraph (1), item (ii) of the Act; and

ル その他預金等の預入れに関し参考となると認められる事項

(k) other information found to be of reference for depositing a deposit, etc.;

五 次に掲げるものと預金等との組合せによる預入れ時の払込金が満期時に全額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全額返還される保証のないことその他当該商品に関する詳細な説明

(v) by giving a detailed explanation stating that the full amount paid at the time of depositing is not guaranteed to be repaid at its expiry and any other detailed explanations concerning the financial instruments, if it handles a financial instrument in which the full amount paid at the time of depositing for the combination of the following items and the deposit, etc. is not guaranteed to be repaid at its expiry:

イ 市場デリバティブ取引（金融商品取引法第二条第二十一項に規定する市場デリバティブ取引をいう。以下同じ。）又は外国市場デリバティブ取引（同条第二十三項に規定する外国市場デリバティブ取引をいう。以下同じ。）のうち有価証券関連デリバティブ取引に該当するもの以外のもの

(a) a derivative transaction other than that which corresponds to securities-related derivatives transactions among market derivative transactions (meaning a market derivative transaction as prescribed in Article 2, paragraph (21) of the Financial Instruments and Exchange Act; the same applies hereinafter) or foreign market derivative transactions (meaning a foreign market derivative transaction as prescribed in paragraph (23) of that Article; the same applies hereinafter);

ロ 法第十条第二項第十四号に規定する金融等デリバティブ取引

(b) a financial derivative transaction as prescribed in Article 10, paragraph (2), item (xiv) of the Act;

ハ 先物外国為替取引

(c) a forward exchange transaction;

ニ 有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲

げる取引及び外国金融商品市場（同条第八項第三号ロに規定する外国金融商品市場をいう。以下同じ。）における同条第二十一項第一号に掲げる取引と類似の取引を除く。）

(d) a securities-related derivative transaction (excluding a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act or a transaction in a foreign financial instruments market (meaning a foreign financial instruments market as prescribed in paragraph (8), item (iii), (b) of that Article; the same applies hereinafter) similar to the transaction set forth in paragraph (21), item (i) of that Article); or

ホ 金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場における同号に掲げる取引と類似の取引（同条第一項第一号及び第二号に掲げる有価証券並びに同項第三号及び第五号に掲げる有価証券（政府が元本の償還及び利息の支払について保証しているものに限る。）（第十三条の五第一項第二号、第十四条の十一の二十七第十三号ホ及び第三十四条の五十三の十二第十三号ホにおいて「国債証券等」という。）並びに同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一号の性質を有するものに係るものに限る。）

(e) a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act or a similar transaction in a foreign financial instruments market to that set forth in that item (limited to the securities set forth in paragraph (1), item (i) and item (ii) of that Article and those set forth in item (iii) and item (v) of that paragraph (limited to securities of which the national government guarantees the redemption of principal and interest payments) (which is referred to as a "certificate, etc. of national government bonds" in Article 13-5, paragraph (1), item (ii); Article 14-11-27, item (xiii), (e); and Article 34-53-12, item (xiii), (e)), and securities set forth in Article 2, paragraph (1), item (xvii) of that Act pertaining to those which have characteristics as prescribed in item (i) of that paragraph);

六 変動金利預金の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあつては、当該基準及び方法並びに金利に関する情報の適切な提供

(vi) by appropriately providing information concerning the standard in question, the way of establishing the indicator and the money rate, and the money rate itself, if the way of establishing an indicator to be the standard for establishing a money rate of a floating rate deposit and of establishing money rate is specified.

2 銀行は、前項第四号の規定による書面の交付に代えて、次項で定めるところにより、当該預金者等の承諾を得て、商品情報を電磁的方法（法第二十条第六項に規定する電磁的方法をいう。以下同じ。）により提供することができる。この場合において、当該銀行は、当該書面を交付したものとみなす。

(2) In lieu of delivering a document under item (iv) of the preceding paragraph a

bank may provide a depositor, etc. with financial instruments information by electronic or magnetic means (meaning electronic or magnetic means as prescribed in Article 20, paragraph (6) of the Act; the same applies hereinafter) after obtaining the consent of the depositor, etc., pursuant to the provisions of the following paragraph. In this case, the bank is deemed to have delivered the document.

3 銀行は、前項の規定により商品情報を提供しようとするときは、あらかじめ、当該預金者等に対し、その用いる次に掲げる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

(3) When a bank seeks to provide financial instruments information pursuant to the provisions of the preceding paragraph, that bank must indicate to the depositor, etc. the type and content of the following electronic or magnetic means that the bank will use, and must obtain consent in writing or by electronic or magnetic means in advance:

一 第十九条第七項各号に掲げる方法のうち銀行が使用するもの

(i) the means out of the means set forth in each item of Article 19, paragraph (7) that the bank will use; and

二 ファイルへの記録の方式

(ii) the formalities used to record data to the file.

4 前項の規定による承諾を得た銀行は、当該預金者等から書面又は電磁的方法により電磁的方法による提供を受けない旨の申出があつたときは、当該預金者等に対し、商品情報の提供を電磁的方法によつてしてはならない。ただし、当該預金者等が再び同項の規定による承諾をした場合は、この限りでない。

(4) If a bank that has obtained the consent under the preceding paragraph receives a notice from the depositor, etc., either in written form or by electronic or magnetic means, indicating that the depositor, etc. is not willing to be provided with information by electronic or magnetic means, the bank must not use electronic or magnetic means to provide financial instruments information to that depositor, etc.; provided, however, that this does not apply if the depositor, etc. has once again given the consent under that paragraph.

(特定社債等の権利者に対する情報の提供)

(Provision of Information to the Right Holder of Specified Corporate Bonds)

第十三条の四 銀行は、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）第八条第一項（同法第五十五条第四項において準用する場合を含む。）の規定に基づき特定社債（会社法の施行に伴う関係法律の整備等に関する法律（平成十七年法律第八十七号）第百九十九条の規定による改正前の金融機関の合併及び転換に関する法律（以下この条において「旧合併転換法」という。）第十七条の二第一項（旧合併転換法第二十四条第一項第七号において準用する場合を含む。以下この条において同じ。）に規定する普通銀行で旧合併転換法第十七条の二第一項の認可を受けたものが発行する債券及び金融システム改革のための関係法律の整備等に関する法律（平

成十年法律第七号) 附則第百六十九条の規定によりなおその効力を有するものとされる同法附則第百六十八条の規定による改正前の金融機関の合併及び転換に関する法律第十七条の二第一項に規定する普通銀行で同項の認可を受けたもの(同項に規定する消滅金融機関が外国為替銀行であるものに限る。)が発行する債券を含む。)を取り扱う場合には、前条に定めるところに準じた方法により顧客に対する情報の提供を行うものとする。

Article 13-4 A bank is to provide information to a customer by a method equivalent to that prescribed in the preceding Article in cases of handling specified corporate bonds (including, a bond issued by an ordinary bank which is prescribed in Article 17-2, paragraph (1) of the Act on Financial Institutions' Merger and Conversion prior to the amendment (hereinafter referred to as "the former Act on Merger and Conversion" in this Article) (including as applied mutatis mutandis pursuant to the provisions of Article 24, paragraph (1), item (vii) of the former Act on Merger and Conversion; hereinafter the same applies in this Article) by the provisions of Article 199 of the Act on Arrangement of Relevant Acts Incidental to Enforcement of the Companies Act (Act No. 87 of 2005) and which is authorized pursuant to the provisions of Article 17-2, paragraph (1) of the former Act on Merger and Conversion; and a bond which is issued by an ordinary bank which is prescribed in Article 17-2, paragraph (1) of the Act on Financial Institutions' Merger and Conversion prior to amendment by the provisions of Article 168 of the Supplementary Provisions of the Act on Revision of Related Acts for the Financial System Reform (Act No. 107 of 1998) which are to remain in force pursuant to the provisions of Article 169 of the same Supplementary Provisions, and which is authorized pursuant to the provisions of Article 17-2, paragraph (1) of the Act on Financial Institutions' Merger and Conversion prior to amendment (limited to a case in which a financial institution ceasing to exist as prescribed in that paragraph is a foreign exchange bank)) according to the provisions of Article 8, paragraph (1) of the Act on Financial Institutions' Merger and Conversion (Act No. 86 of 1968) (including as applied mutatis mutandis pursuant to Article 55, paragraph (4) of that Act).

(金銭債権等と預金等との誤認防止)

(Prevention of Misidentification of a Monetary Claim and Deposit)

第十三条の五 銀行は、次に掲げる商品を取り扱う場合には、業務の方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえ、顧客に対し、書面の交付その他の適切な方法により、預金等との誤認を防止するための説明を行わなければならない。

Article 13-5 (1) If a bank handles the following financial instruments, the bank must provide to a customer an explanation for preventing the customer from misidentifying those financial instruments as deposits, etc., by delivering

documents or other appropriate methods, according to the method of their business and based on the customer's knowledge, experience, financial status, and purpose of conducting the transaction:

一 法第十条第二項第五号に規定する金銭債権（国内で発行された譲渡性預金の預金証書をもつて表示されるものを除く。）

(i) a monetary claim as prescribed in Article 10, paragraph (2), item (v) of the Act (excluding a monetary claim that is indicated with a deposit certificate of negotiable deposit issued in Japan);

二 金融商品取引法第三十三条第二項第一号から第四号までに掲げる有価証券（国債証券等及び前号に掲げる有価証券に該当するものを除く。）

(ii) the securities as set forth in Article 33, paragraph (2), items (i) through (iv) of the Financial Instruments and Exchange Act (excluding national government bond certificate, etc. and securities corresponding to those set forth in the preceding item); or

三 保険業法第二条第一項に規定する保険業を行う者が保険者となる保険契約

(iii) an insurance contract in which a person engaging in insurance business as prescribed in Article 2, paragraph (1) of the Insurance Business Act becomes an insurer.

2 銀行は、前項に規定する説明を行う場合には、次に掲げる事項（当該銀行が発行する社債（法第十条第三項第一号に掲げる短期社債を除く。）にあつては、第三号及び第四号に掲げるものを除く。）を説明するものとする。

(2) If a bank provides the explanation as prescribed in the preceding paragraph, the bank is to explain the following particulars (excluding what is set forth in item (iii) and item (iv) in a case of corporate bonds (other than short-term bonds as set forth in Article 10, paragraph (3), item (i) of the Act) issued by the bank)

一 預金等ではないこと。

(i) that the product is not a deposit, etc.;

二 預金保険法第五十三条に規定する保険金の支払の対象とはならないこと。

(ii) that the product is not subject to receive payment of insurance money as prescribed in Article 53 of the Deposit Insurance Act;

三 元本の返済が保証されていないこと。

(iii) that repayment of the principal is not guaranteed;

四 契約の主体

(iv) the main subject matter of the contract; and

五 その他預金等との誤認防止に関し参考となると認められる事項

(v) other information found to be of reference for the prevention of misidentification as a deposit, etc.

3 銀行は、その営業所において、第一項に掲げる商品を取り扱う場合には、前項第一号から第三号までに掲げる事項を当該営業所内において顧客の目につきやすい場所に適切に掲示しなければならない。

(3) If a bank handles the financial instruments set forth in paragraph (1) at its business office, the bank must display those particulars set forth in items (i) through (iii) of the preceding paragraph in a place easily seen by customers.

4 銀行は、法第十条第二項第八号又は法第十二条の規定に基づき元本の補填の契約をしていない信託契約の締結又はその代理若しくは媒介を行う場合には、元本の補填の契約をしていないことを当該営業所内において顧客の目につきやすい場所に適切に掲示し、元本の補填の契約をしていない金銭信託に係る信託契約の締結又はその代理若しくは媒介を行う場合（信託業法施行規則（平成十六年内閣府令第百七号）第七十八条各号に掲げる場合を除く。）には、第二項各号に掲げる事項を説明しなければならない。

(4) If a bank concludes a trust contract without agreement for compensation of the principal based on the provisions of Article 10, paragraph (2), item (viii) of or Article 12 of the Act, or acts as an agent or intermediary in the conclusion of such a contract, the bank must display that the trust contract does not have an agreement for compensation of the principal in a place easily seen by customers; and, if a bank concludes a trust contract pertaining to a monetary trust without agreement for compensation of the principal, or acts as an agent or intermediary in the conclusion of such a contract (excluding cases set forth in each item of Article 78 of the Order for Enforcement of Trust Business Act (Cabinet Office Order No. 107 of 2004)), the bank must explain those particulars set forth in each item of paragraph (2).

（投資信託委託会社等への店舗貸しによる受益証券等の取扱い）

(Handling of Beneficiary Certificate by Renting a Business Site to Investment Trust Management Company)

第十三条の六 銀行は、投資信託委託会社又は資産運用会社（投資信託及び投資法人に関する法律第二条第十九項に規定する資産運用会社をいう。以下同じ。）が当該銀行の営業所の一部を使用して同法に規定する投資信託若しくは外国投資信託の受益証券、投資証券、投資法人債券又は外国投資証券（以下この条において「受益証券等」という。）を取り扱う場合には、銀行が預金等を取り扱う場所と投資信託委託会社又は資産運用会社が受益証券等を取り扱う場所とを明確に区分するとともに、顧客の誤解を招くおそれのある掲示を行わない等の適切な措置を講じなければならない。

Article 13-6 If an investment trust management company or an asset management company (meaning an asset management company as prescribed in Article 2, paragraph (19) of the Act on Investment Trusts and Investment Corporations; the same applies hereinafter) handles beneficiary certificates of investment trusts or foreign investment trusts, investment certificates, investment corporation bonds, or foreign mutual funds (hereinafter referred to as "beneficiary certificates, etc." in this Article) as prescribed in that Act by using part of a business office of a bank, the bank must clearly divide the location where the bank handles deposits, etc. from the location where the

investment trust management company or the asset management company handles the beneficiary certificates, etc., and must take appropriate measures such as not placing displays that may cause misunderstanding for customers.

(銀行と他の者との誤認防止)

(Prevention of Misidentification of a Bank as Another Person)

第十三条の六の二 銀行は、電気通信回線に接続している電子計算機を利用してその業務を営む場合には、顧客が当該銀行と他の者を誤認することを防止するための適切な措置を講じなければならない。

Article 13-6-2 When a bank engages in its business by using a computer connected to a telecommunications line, the bank must take appropriate measures to prevent customers from misidentifying the bank as another person.

(特定取引勘定)

(Specified Transaction Account)

第十三条の六の三 銀行は、特定取引を行う場合であつて、次に掲げる要件の全てに該当するときは、特定取引及び特定取引の対象となる財産をその他の取引及び財産と区分して経理するため、特別の勘定（以下「特定取引勘定」という。）を設けなければならない。この場合において、当該要件のいずれかに該当しない銀行又は当該要件のいずれにも該当しない銀行が特定取引勘定を設けることを妨げない。

Article 13-6-3 (1) If a bank conducts a specified transaction and corresponds to all of the following requirements, the bank must establish a special account (hereinafter referred to as a "specified transaction account") in order to separate accounting for specified transactions and assets subject to specified transactions from accounting for other transactions and assets. Such a case does not preclude a bank which does not correspond to either of those requirements or a bank which does not correspond to any of those requirements from establishing a specified transaction account:

一 直近の期末（中間期末を含む。以下この項において同じ。）の前の期末から直近の期末までの間における商品有価証券勘定及び売付商品債券勘定の合計額のうち最も大きい額が、千億円以上であり、かつ、直近の期末の前の期末の総資産の十パーセントに相当する額以上であること。

(i) the largest amount out of the total amount of financial instrument security account and sold financial instrument bond account during the term from the end of the business year prior to the end of the latest business year (including the end of the latest interim period; hereinafter the same applies in this paragraph) to the end of the latest business year is 100 billion yen or more, and is equivalent to or more than ten percent of total assets at the end of the business year prior to the end of the latest business year; or

二 直近の期末における商品有価証券勘定及び売付商品債券勘定の合計額が千億円以上であり、かつ、当該期末の総資産の十パーセントに相当する額以上であること。

(ii) the total amount of financial instrument security accounts and sold financial instrument bond accounts at the end of the latest business year is 100 billion yen or more, and is equivalent to or more than ten percent of the total assets at the end of the relevant business year.

2 前項の特定取引とは、銀行が金利、通貨の価格、金融商品市場（金融商品取引法第二条第十四項に規定する金融商品市場をいう。以下同じ。）における相場その他の指標（第五項において「指標」という。）に係る短期的な変動、市場間の格差等を利用して利益を得る目的又は当該目的で行う取引により生じ得る損失を減少させる目的で自己の計算において行う市場デリバティブ取引及び外国市場デリバティブ取引のうち有価証券関連デリバティブ取引に該当するもの以外のもの並びに次に掲げる取引をいう。

(2) The term "specified transaction" as used in the preceding paragraph means transactions other than those which correspond to securities-related derivative transactions out of market derivative transactions and foreign market derivative transactions that the bank conducts on the bank's own account; with the purpose of obtaining profit by using short-term changes in money rate, value of currencies, quotations on a financial instruments market (meaning a financial instruments market as prescribed in Article 2, paragraph (14) of the Financial Instruments and Exchange Act; the same applies hereinafter) and any other indicator (which is referred to as an "indicator" in paragraph (5)), by using differences among markets, or by using other means; or with the purpose of reducing loss that may be generated from transactions for that purpose, and the following transactions:

一 有価証券の売買（国債等（国債、地方債又は政府保証債（政府が元本の償還及び利息の支払について保証している社債その他の債券をいう。）をいう。以下この条において同じ。））、金融商品取引法第二条第一項第四号、第五号及び第八号に掲げる有価証券（同項第四号及び第五号に掲げる有価証券にあつては、法第十条第三項第一号に掲げる短期社債、同項第五号に掲げる短期社債及び同項第六号に掲げる特定短期社債に係るものを除く。以下この号において「特定取引債券」という。）又は外国若しくは外国の法人の発行する証券若しくは証書で国債等若しくは特定取引債券の性質を有するものの売買並びに金融商品取引法第二十八条第八項第三号イ及び第四号イに掲げる取引に限る。）及び有価証券関連デリバティブ取引（同項第三号イ及び第四号イに掲げる取引並びに第十四号及び第十五号に掲げるものを除く。）

(i) purchase and sale of securities (limited to, the purchase and sale of national government bonds, etc. (meaning national government bonds, local government bonds, or government guaranteed bonds (a corporate bond or other bond for which the redemption of principal and interest payments are guaranteed by the national government); hereinafter the same applies in this Article), the securities set forth in Article 2, paragraph (1), item (iv), item (v), and item (viii) of the Financial Instruments and Exchange Act (in cases of

securities set forth in item (iv) and item (v) of that paragraph, excluding those pertaining to short-term bonds set forth in Article 10, paragraph (3), item (i) of the Act, short-term bonds set forth in item (v) of that paragraph, and specified short-term bonds set forth in item (vi) in that paragraph; hereinafter referred to as "specified transaction bonds" in this item), or securities or certificates issued by a foreign state or a foreign corporation that have characteristics of national government bonds or specified transaction bonds; and transactions set forth in Article 28, paragraph (8), item (iii), (a), and item (iv), (a) of the Financial Instruments and Exchange Act) and securities-related derivatives transactions (excluding transactions set forth in item (iii), sub-item (a) and item (iv), sub-item (a) of that paragraph, and those set forth in items (xiv) and (xv));

二 国債等の引受け（国債等の発行に際して当該国債等の全部又は一部につき他にこれを取得する者がいない場合にその残部を取得する契約を締結する取引に限る。第五項において同じ。）

(ii) acceptance of national government bonds, etc. (limited to a transaction that concludes a contract to obtain the remainder portion of the issued national government bonds, etc. if there is no other person that acquires all or part of those national government bonds, etc. upon the issuance of those national government bonds, etc.; the same applies in paragraph (5));

三 金融商品取引法第二条第一項第四号に掲げる有価証券（法第十条第三項第六号に掲げる特定短期社債に係るものを除く。）、金融商品取引法第二条第一項第八号及び第十三号に掲げる有価証券並びに同項第五号に掲げる有価証券（法第十条第三項第一号に掲げる短期社債及び同項第五号に掲げる短期社債に係るものを除く。以下この号において同じ。）及び金融商品取引法第二条第一項第十七号に掲げる有価証券（同項第五号に掲げる有価証券の性質を有するものに限る。）で金融商品取引法施行令第十五条の十七第一項第二号及び同条第三項に規定する有価証券（以下この号及び第五項において「資産対応証券」という。）の引受け（資産対応証券の発行に際して当該資産対応証券の全部又は一部につき他にこれを取得する者がいない場合にその残部を取得する契約を締結する取引に限る。第五項において同じ。）

(iii) acceptance of securities as prescribed in Article 15-17, paragraph (1), item (ii) of the Order for Enforcement of Financial Instruments and Exchange Act, and paragraph (3) of that Article (hereinafter referred to as "securities corresponding to assets" in this item and paragraph (5)) out of the securities set forth in Article 2, paragraph (1), item (iv) of the Financial Instruments and Exchange Act (excluding those pertaining to specified short-term bonds set forth in Article 10, paragraph (3), item (vi) of the Act), securities set forth in Article 2, paragraph (1), items (viii) and (xiii) of the Financial Instruments and Exchange Act, and securities set forth in item (v) of that paragraph (excluding those pertaining to short-term bonds set forth in Article 10, paragraph (3), item (i) of the Act, and short-term bonds set forth in item (v)

of that paragraph; hereinafter the same applies in this item), and securities set forth in Article 2, paragraph (1), item (xvii) of the Financial Instruments and Exchange Act (upon the issuance of securities corresponding to assets, if there is no other person that acquires all or part of the securities corresponding to assets, limited to a transaction that concludes a contract to obtain the remainder portion; the same applies in paragraph (5));

四 金銭債権（第十二条第一号、第二号、第四号、第六号若しくは第七号に掲げる証書をもつて表示されるもの又は円建銀行引受手形（銀行その他の金融機関が引受けを行つた貿易に係る為替手形のうち、本邦通貨をもつて表示されるものをいう。）に限る。）の取得又は譲渡

(iv) an acquisition or transfer of a monetary claim (limited to monetary claims indicated by certificates as set forth in Article 12, item (i), item (ii), item (iv), item (vi) or item (vii), or yen-denominated bankers' acceptance (meaning bills of exchange indicated by Japanese currency out of those pertaining to trade that the bank or other financial institution has accepted));

四の二 短期社債等（法第十条第三項に規定する短期社債等をいう。以下同じ。）の取得又は譲渡

(iv)-2 an acquisition or transfer of short-term bonds, etc. (meaning short-term bonds, etc., as prescribed in Article 10, paragraph (3) of the Act; the same applies hereinafter);

五 店頭デリバティブ取引（金融商品取引法第二条第二十二項に規定する店頭デリバティブ取引をいう。以下同じ。）のうち有価証券関連デリバティブ取引に該当するもの以外のもの

(v) an over-the-counter derivative transaction (meaning an over-the-counter derivative transaction as prescribed in Article 2, paragraph (22) of the Financial Instruments and Exchange Act; the same applies hereinafter) other than those corresponding to securities-related derivative transactions;

六 削除

(vi) Deleted;

七 先物外国為替取引

(vii) a forward foreign exchange transaction;

八 削除

(viii) Deleted;

九 削除

(ix) Deleted;

十 商品デリバティブ取引

(x) a commodity derivative transaction;

十一 第十三条の二の三第一項第二号に掲げる取引

(xi) transactions as set forth in Article 13-2-3, paragraph (1), item (ii);

十二 削除

(xii) Deleted;

十三 第十三条の二の三第一項第三号に掲げる取引

(xiii) transactions as set forth in Article 13-2-3, paragraph (1), item (iii);

十四 法第十条第二項第十六号の規定により営むことができる有価証券関連店頭デリバティブ取引（同条第十項に規定する有価証券関連店頭デリバティブ取引をいう。）

(xiv) over-the-counter securities-related derivative transactions (meaning over-the-counter securities-related derivative transactions as prescribed in Article 10, paragraph (10) of the Act) which may be conducted pursuant to the provisions of paragraph (2), item (xvi) of that Article;

十五 法第十一条第二号に掲げる業務に係る有価証券の売買又は引受け及び有価証券関連デリバティブ取引

(xv) purchase and sale, or acceptance of securities pertaining to the business set forth in Article 11, item (ii) of the Act, and securities-related derivative transactions;

十六 法第十一条第四号に掲げる業務に係る算定割当量の取得又は譲渡

(xvi) acquisition or transfer of a carbon dioxide equivalent quota pertaining to the business set forth in Article 11, item (iv) of the Act; or

十七 前各号に掲げる取引のほか、当該取引又は市場デリバティブ取引及び外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。）に類似し、又は密接に関連する取引

(xvii) in addition to transactions set forth in the preceding items, transactions similar to or having a close relationship with those transactions, market derivative transactions, and foreign market derivative transactions (excluding those corresponding to securities-related derivative transactions).

3 特定取引勘定を設けた銀行（以下「特定取引勘定設置銀行」という。）は、次に掲げる行為をしてはならない。ただし、第三十五条第六項第一号ホに掲げる書面に記載された事項の範囲内で行う場合は、この限りでない。

(3) A bank which has established a specified transaction account (hereinafter referred to as a "bank with a specified transaction account") must not perform the following acts; provided, however, this does not apply when the bank performs the acts within the scope stated in the documents set forth in Article 35, paragraph (6), item (i), (e):

一 特定取引勘定に属するものとして経理された取引又は財産を特定取引勘定以外の勘定に振り替えること。

(i) transferring transactions or assets which are dealt with as being subject to a specified transaction account, to an account other than a specified transaction account; or

二 特定取引勘定に属するものとして経理された取引又は財産以外の取引又は財産を特定取引勘定に振り替えること。

(ii) transferring transactions or assets other than transactions or assets which are dealt with as being subject to a specified transaction account, to a

specified transaction account.

4 前項の行為には、一の銀行において、特定取引勘定とその他の勘定との間で行う第二項第一号から第四号の二まで及び第十五号に掲げる取引（当該取引に類似し、又は密接に関連する取引として同項第十七号の規定により特定取引とされる取引を含む。）を含むものとする。

(4) Acts prescribed in the preceding paragraph are to include transactions set forth in paragraph (2), items (i) through (iv)-2 and item (xv) that are conducted between a specified transaction account and other accounts (including transactions which are defined to be a specified transaction pursuant to the provisions of item (xvii) of that paragraph as a transaction similar to or having a close relationship with those transactions) within a single bank.

5 特定取引勘定設置銀行は、特定取引のうち事業年度終了の時ににおいて決済されていないものに係る利益相当額又は損失相当額の計算については、次の各号に掲げる取引の区分に応じ当該各号に定める額とする等、その会計を適正に処理するために必要な措置を講じなければならない。

(5) A bank with a specified transaction account must take the necessary measures to conduct the accounting appropriately, with regard to calculations of the amount equivalent to profit or the amount equivalent to loss pertaining to unsettled specified transactions at the end of a business year, such as specifying those amounts as specified in the following items in accordance with the transaction categories set forth in those items:

一 市場デリバティブ取引及び外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。） 金融商品取引所（金融商品取引法第二条第十六項に規定する金融商品取引所をいう。以下同じ。）又は外国金融商品市場における事業年度終了の日の最終価格により取引を決済したものとした場合に授受される差金に基づく額又はこれに準ずるものとして合理的な方法により算出した額

(i) market derivative transactions and foreign market derivative transactions (excluding those corresponding to securities-related derivative transactions): the amount based on the difference to be settled when the transaction is deemed to be settled at the closing price on the closing date of the business year at the financial instruments exchange (meaning a financial instruments exchange prescribed in Article 2, paragraph (16) of the Financial Instruments and Exchange Act; the same applies hereinafter) or a foreign financial instruments market, or the amount calculated as equivalent to this by a reasonable way;

二 店頭デリバティブ取引（金融商品取引法第二条第二十二項第三号、第四号及び第六号に掲げる取引並びに有価証券関連デリバティブ取引に該当するものを除く。）及び先物外国為替取引 当該取引により当事者間で授受することを約した金額（事業年度終了の日において未確定の場合は、指標の予想される数値に基づき算出される金額）を合理的な方法により事業年度終了の日の現在価値に割り引いた額

(ii) over-the-counter derivative transactions (excluding transactions set forth in

Article 2, paragraph (22), item (iii), item (iv), and item (vi) of the Financial Instruments and Exchange Act and those corresponding to securities-related derivative transactions) and forward foreign exchange transactions: the promised amount to be settled between the parties by those transactions (the amount calculated based on the prospective indicator value if the amount is not fixed on the closing day of the business year) after discounting to the current value on the closing day of the business year by a reasonable way;

三 店頭デリバティブ取引（金融商品取引法第二条第二十二項第三号及び第四号に掲げる取引に限り、有価証券関連デリバティブ取引に該当するものを除く。）及び第十三条の二の三第一項第三号に掲げる取引 当該取引の事業年度終了の日の現在価値として、権利の行使により当事者間で授受することを約した金額（事業年度終了の日において未確定の場合は、指標の予想される数値に基づき算出される金額）、事業年度終了の日の当該権利行使に係る指標の数値及び当該指標の予想される変動率を用いた合理的な方法により算定した額

(iii) over-the-counter derivative transactions (limited to the transactions set forth in Article 2, paragraph (22), item (iii) and item (iv) of the Financial Instruments and Exchange Act, and excluding those corresponding to securities-related derivative transactions) and transactions set forth in Article 13-2-3, paragraph (1), item (iii): the amount calculated by a reasonable way using the promised amount to be settled between the parties by exercise of rights as the current value of the closing day of the business year of the relevant transaction (the amount calculated based on the prospective indicator value if the amount is not fixed on the closing day of the business year), the indicator value pertaining to the exercise of rights on the closing day of the business year, and the volatility of the prospective indicator; or

四 選択権付債券売買（当事者の一方が受渡日を指定できる権利を有する債券売買であつて、一定の期間内に当該権利が行使されない場合には、当該売買の契約が解除される取引をいう。）、国債等の引受け、資産対応証券の引受け、店頭デリバティブ取引（前二号に掲げる取引に該当するものを除く。）及び商品デリバティブ取引前各号に掲げる額に準ずるものとして合理的な方法により算定した額

(iv) purchase and sale of option bonds (meaning a transaction in which one of the parties has the right to specify the settlement date, and in which that contract for purchase and sale will be canceled if that right is not exercised within a certain period), acceptance of national government bonds, etc., acceptance of securities corresponding to assets, over-the-counter derivative transactions (excluding those corresponding to transactions as set forth in the preceding two items), and commodity derivative transactions: the amount calculated as equivalent to the amount set forth in the preceding items by a reasonable way.

(預金の受払事務の委託等)

(Entrusting Another Person with Administrative Processes for Receiving and Paying Out Deposits)

第十三条の六の四 銀行は、預金又は資金の貸付けの業務に係る金銭の受入れ又は払出しに関する事務を第三者に委託する場合（銀行代理業者に銀行代理業に係る業務として委託する場合を除く。）には、次の各号のいずれかの措置を講じなければならない。

Article 13-6-4 If a bank entrusts a third party with the administrative processes involved in receiving or paying out money in relation to deposit or fund lending services (excluding cases in which a bank entrusts these services to a bank agent as bank agency services), it must take any measures listed in the following items:

一 現金自動支払機又は現金自動預入払出兼用機を用いて預金又は資金の貸付けの業務に係る金銭の受入れ又は払出しに関する事務（以下この条において「現金自動支払機等受払事務」という。）を行う場合における次に掲げる全ての措置

(i) all of the following measures, if a bank undertakes administrative processes involved in receiving or paying out money in relation to deposit or fund lending services using a cash dispenser or automatic teller machine (hereinafter referred to as "cash dispenser or ATM-based administrative processes for receiving or paying out money" in this Article):

イ 現金自動支払機等受払事務に支障を及ぼすことがないように現金自動支払機又は現金自動預入払出兼用機の管理業務に経験を有するものとして金融庁長官が別に定める者（資金の貸付け（当該銀行が受け入れた顧客の預金等又は国債を担保として行う契約を除く。）の業務に係る金銭の受入れ又は払出しに関する事務を第三者に委託する場合には、金融庁長官が別に定める業務を主たる業務とする者を除く。）に委託するための措置

(a) measures to entrust a person specified separately by the Commissioner of the Financial Services Agency as one with the experience in the business of managing cash dispensers or automatic teller machines to prevent problems with cash dispenser or ATM-based administrative processes for receiving or paying out money, with these services (if it entrusts a person with the administrative processes involved in receiving or paying out money in relation to fund lending services (excluding a contract which uses as security either a customer's deposits, etc. or national government bonds that a bank has received), excluding a person that engages in the duties specified separately by the Commissioner of the Financial Services Agency as its main business);

ロ 顧客に関する情報が漏えいしないための的確な措置

(b) appropriate measures to prevent leakage of information on customers;
and

ハ 顧客が当該銀行と当該現金自動支払機等受払事務の委託を受けた者その他の者を誤認することを防止するための適切な措置

- (c) proper measures to prevent customers from mistaking the bank for any other person such as the person entrusted with cash dispenser or ATM-based administrative processes for receiving or paying out money; and
- 二 当該銀行の使用に係る電子計算機と電気通信回線で接続された端末装置に顧客がカード等（それを提示し若しくは通知して、又はそれと引換えに、商品若しくは権利を購入し、又は有償で役務の提供を受けることができるカードその他の物又は番号、記号その他の符号をいう。へにおいて同じ。）を利用し、又は顧客の使用に係る電子機器から電気通信回線を通じて当該銀行の使用に係る電子計算機に情報を送信し、及び不正アクセス行為の禁止等に関する法律（平成十一年法律第二百二十八号）第二条第二項に規定する識別符号を入力することにより預金又は資金の貸付け（顧客による預金の払出しの請求額が当該預金の残高を超過する場合に当該銀行が極度額の限度内において行う当該超過額に相当する金額の資金の貸付けに限る。以下この号において同じ。）の業務に係る金銭の払出し（現金自動支払機等受払事務に該当するものを除く。）を行う場合における次に掲げる全ての措置
- (ii) all of the following measures, in the case in which a bank pays out money (excluding those corresponding to cash dispenser or ATM-based administrative processes for receiving or paying out money) in relation to deposit or fund lending services, if customers use cards, etc. (meaning a card or other things, or a number, symbol or other codes, that is possible to purchase products or rights, or to receive provision of services for a fee by presenting them or notifying them; the same applies in sub-item (f)), or transmit information from the electronic devices used by the customers to the computers used by the bank via telecommunication lines, and input their identification codes prescribed in Article 2, paragraph (2) of the Act on Prohibition of Unauthorized Computer Access (Act No. 128 of 1999) for deposits or loan of funds (limited to loan of funds in the case where the amount claimed for withdrawal of deposit by the customer exceeds the balance of the deposit and the bank lends the amount of money corresponding to the exceeding amount within the limit of the maximum amount; the same applies in this item)
- イ 預金又は資金の貸付けの業務に係る金銭の払出しに関する事務に支障を及ぼすことがないよう的確、公正かつ効率的に遂行することができる能力を有する者に当該事務を委託するための措置
- (a) measures to entrust a person capable of executing the administrative processes involved in paying out money in relation to deposit or fund lending services precisely, fairly, and efficiently in order to prevent problems with the services;
- ロ 顧客に関する情報が漏えいしないための的確な措置
- (b) appropriate measures to prevent leakage of information on customers;
- ハ 顧客が当該銀行と当該預金又は資金の貸付けの業務に係る金銭の払出しに関する事務の委託を受けた者（二及びへにおいて「受託者」という。）その他の者を

誤認することを防止するための適切な措置

(c) proper measures to prevent customers from mistaking the bank for a person entrusted with the administrative processes involved in paying out money in relation to deposit or fund lending services (referred to as the "entrusted person" in sub-item (d) and sub-item (f)) or any other person;

ニ 預金又は資金の貸付けの業務に係る金銭の払出しに関する事務を委託した場合の当該事務の実施に関し、受託者との間で、それぞれの役割の分担の明確化を図るための措置

(d) measures to clarify the division of roles between the bank and the entrusted person in the course of performing the administrative processes involved in paying out money in relation to deposit or fund lending services, if the bank entrusts a person with these services;

ホ 預金又は資金の貸付けの業務に係る金銭の払出しに関する事務の正確性を確保するための措置

(e) measures to ensure the accuracy of the administrative processes involved in paying out money in relation to deposit or fund lending services;

ヘ カード等の処理に係る電子計算機及び端末装置又は顧客が送信する情報の処理に係る電子計算機及び電子機器が正当な権限を有しない者によつて作動させられたことにより顧客に損失が発生した場合において、銀行、受託者及び顧客の間での当該損失の分担の明確化を図るための措置

(f) measures to clarify the sharing of losses between the bank, the entrusted person, and the customer, if the customer incurs any loss due to the computer and terminal unit used for processing the cards, etc. or the computer and electronic device used for processing the information transmitted by the customer having been operated by an unauthorized person; and

ト 預金又は資金の貸付けの業務に係る金銭の払出しの上限額の設定及び当該上限額を超えることを防止するための措置

(g) measures to set the maximum amount for the paying out of money in relation to deposit or fund lending services, and to prevent money from being paid out beyond the maximum amount.

(個人顧客情報の安全管理措置等)

(Safety Management Measures of Individual Customer Information)

第十三条の六の五 銀行は、その取り扱う個人である顧客に関する情報の安全管理、従業員の監督及び当該情報の取扱いを委託する場合にはその委託先の監督について、当該情報の漏えい、滅失又は毀損の防止を図るために必要かつ適切な措置を講じなければならない。

Article 13-6-5 If a bank entrusts the safety management of information handled by the bank concerning individual customers, the supervision of employees, and the handling of that information, the bank must take necessary and

appropriate measures on the supervision of the outsourced contractor in order to prevent leakage, loss, or damage of that information.

(返済能力情報の取扱い)

(Handling of Debt-Paying Ability Information)

第十三条の六の六 銀行は、信用情報に関する機関（資金需要者の借入金返済能力に関する情報の収集及び銀行に対する当該情報の提供を行うものをいう。）から提供を受けた情報であつて個人である資金需要者の借入金返済能力に関するものを、資金需要者の返済能力の調査以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 13-6-6 A bank must take measures to ensure that information which is provided by an institution (meaning an institution that collects information on debt-paying ability of consumers seeking funds and provides the information to a bank) on credit information and that concerns the debt-paying ability of individual consumers seeking funds is not used for purposes other than investigation of debt-paying ability of the consumers seeking funds.

(特別の非公開情報の取扱い)

(Handling of Special Non-Disclosure Information)

第十三条の六の七 銀行は、その取り扱う個人である顧客に関する人種、信条、門地、本籍地、保健医療又は犯罪経歴についての情報その他の特別の非公開情報（その業務上知り得た公表されていない情報をいう。）を、適切な業務の運営の確保その他必要と認められる目的以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 13-6-7 A bank must take measures to ensure that information handled by the bank about race, creed, family status, registered domicile, health and medical, or criminal record on individual customers, and other special non-disclosure information (meaning information which is obtained in the course of its business and not publicly disclosed) are not used for purposes other than those for securing appropriate management of the business and other necessary purposes.

(委託業務の的確な遂行を確保するための措置)

(Measures to Ensure Precise Execution of Entrusted Business)

第十三条の六の八 銀行は、その業務を第三者に委託する場合（次項の規定により当該銀行の属する銀行持株会社グループ（法第十二条の二第三項第一号に規定する銀行持株会社グループをいう。以下同じ。）に属する銀行持株会社が当該業務の的確な遂行を確保するための措置を講ずる場合を除く。）には、当該業務の内容に応じ、次に掲げる措置を講じなければならない。

Article 13-6-8 (1) If a bank entrusts a third party with its business (excluding a case in which the bank holding company belonging to the bank holding

company group (meaning the bank holding company group prescribed in Article 12-2, paragraph (3), item (i) of the Act; the same applies hereinafter) to which the bank belongs takes measures to ensure the precise execution of the business pursuant to the provisions of the following paragraph), it must take the following measures in accordance with the contents of the business:

一 当該業務を的確、公正かつ効率的に遂行することができる能力を有する者に委託するための措置

(i) measures to entrust the business to a person that has the ability to execute it precisely, fairly, and efficiently;

二 当該業務の委託を受けた者（以下この項において「受託者」という。）における当該業務の実施状況を、定期的に又は必要に応じて確認することにより、受託者が当該業務を的確に遂行しているかを検証し、必要に応じて改善させることその他の受託者に対する必要かつ適切な監督を行うための措置

(ii) measures to provide necessary and appropriate supervision to the person that has been entrusted with the business (hereinafter referred to as the "entrusted person" in this paragraph), in order to inspect whether the entrusted person is executing the business precisely and have the entrusted person improve the business as needed, by way of confirming the implementation status of the business periodically or as needed,;

三 受託者が行う当該業務に係る顧客からの苦情を適切かつ迅速に処理するために必要な措置

(iii) measures necessary for dealing with customer complaints pertaining to the business executed by the entrusted person appropriately and promptly;

四 受託者が当該業務を適切に行うことができない事態が生じた場合には、他の適切な第三者に当該業務を速やかに委託することその他の当該業務に係る顧客の保護に支障が生じることを防止するための措置

(iv) in cases of a situation in which the entrusted person is unable to appropriately execute the business, measures to prevent problems with the protection of customers pertaining to the business, such as promptly entrusting that business to another appropriate third person; or

五 銀行の業務の健全かつ適切な運営を確保し、当該業務に係る顧客の保護を図るため必要がある場合には、当該業務の委託に係る契約の変更又は解除をする等の必要な措置を講ずるための措置

(v) if it is necessary to ensure the sound and appropriate management of the bank's services and to protect the customers of those services, measures to take the necessary measures, such as for amending or for cancelling a contract pertaining to entrustment of the business.

2 法第十二条の二第三項第一号の規定により当該業務の的確な遂行を確保するための措置を講ずる銀行持株会社は、次に掲げる内容の当該持株会社における経営管理に係る方針の策定及びその実施を確保するための措置を講じなければならない。

(2) A bank holding company that takes measures to ensure the precise execution

of the relevant business pursuant to the provisions of Article 12-2, paragraph (3), item (i) of the Act must take measures to ensure the formulation and implementation of a policy on business management at the bank holding company with the following particulars:

一 当該銀行持株会社グループに属する会社であつて当該業務を的確、公正かつ効率的に遂行することができる能力を有する者に当該業務を委託すること。

(i) the bank holding company entrusts the business to a company that belongs to the bank holding company group and has the ability to execute the business precisely, fairly and efficiently;

二 当該業務の委託を受けた者（以下この項において「受託者」という。）における当該業務の実施状況を、定期的に又は必要に応じて確認することにより、受託者が当該業務を的確に遂行しているかを検証し、必要に応じて改善させることその他の受託者に対する必要かつ適切な監督を行うこと。

(ii) the bank holding company provides necessary and appropriate supervision to the person that has been entrusted with the business (hereinafter referred to as the "entrusted person" in this paragraph), in order to inspect whether the entrusted person is executing the business precisely and have the entrusted person improve the business as needed, by confirming the performance of the business by the entrusted person periodically or as needed;

三 受託者が行う当該業務に係る顧客からの苦情を適切かつ迅速に処理すること。

(iii) the bank holding company deals with customer complaints pertaining to the business executed by the entrusted person appropriately and promptly;

四 受託者が当該業務を適切に行うことができない事態が生じた場合には、当該業務を委託した銀行持株会社グループに属する二以上の会社に対し、他の適切な第三者に当該業務を速やかに委託することその他の当該業務に係る顧客の保護に支障が生じることを防止するための措置を求めること。

(iv) in cases of a situation in which the entrusted person is unable to execute the business appropriately, the bank holding company requests two or more companies belonging to the bank holding company group that have entrusted that person with their business to take measures to prevent problems with the protection of customers pertaining to the business, such as immediately entrusting the business to another appropriate third person; and

五 当該業務を委託した銀行持株会社グループに属する二以上の会社の業務の健全かつ適切な運営を確保し、当該業務に係る顧客の保護を図るため必要がある場合には、当該会社に対し、当該業務の委託に係る契約の変更又は解除をする等の必要な措置を求めること。

(v) if it is necessary to ensure the sound and appropriate management of the business of two or more companies that belong to the bank holding company group entrusted with the business, and for protecting customers pertaining to the business, the bank holding company requests these companies to take

necessary measures, such as amending or cancelling the contract pertaining to entrustment of the business.

(社内規則等)

(Internal Regulations)

第十三条の七 銀行は、その営む業務の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項の顧客に対する説明その他の健全かつ適切な業務の運営を確保するための措置（書面の交付その他の適切な方法による商品又は取引の内容及びリスク並びに当該銀行が講ずる法第十二条の三第一項に定める措置の内容の説明並びに犯罪を防止するための措置を含む。）に関する社内規則等（社内規則その他これに準ずるものをいう。以下同じ。）を定めるとともに、従業員に対する研修その他の当該社内規則等に基づいて業務が運営されるための十分な体制を整備しなければならない。

Article 13-7 A bank, in accordance with the content and method of its business, must set up internal regulations, etc. (meaning internal regulations and other things that are equivalent; the same applies hereinafter) on measures to provide customers with an explanation of important particulars taking into account of a customer's knowledge, experience, status of assets, and purposes of conducting a transaction and other measures in order to secure sound and appropriate business management (including the explanation of financial instruments, transactions, and their risks and measures taken by the bank as prescribed in Article 12-3, paragraph (1) of the Act by delivery of documents and other appropriate means, and measures to prevent crime), and must develop training programs for employees and other system to adequately manage its business based on the internal regulations, etc.

(銀行業務に関する苦情処理措置及び紛争解決措置)

(Complaint Handling Measures and Dispute Resolution Measures on Banking Services)

第十三条の八 法第十二条の三第一項第二号に規定する苦情処理措置として内閣府令で定める措置は、次の各号のいずれかとする。

Article 13-8 (1) The measures specified by Cabinet Office Order as complaint processing measures, provided in Article 12-3, paragraph (1), item (ii) of the Act means measures as in one of the following items:

一 次に掲げる全ての措置を講じること。

(i) taking all of the following measures:

イ 銀行業務関連苦情（法第二条第二十二項に規定する銀行業務関連苦情をいう。以下この項及び第三項において同じ。）の処理に関する業務を公正かつ的確に遂行するに足る業務運営体制を整備すること。

(a) developing a business operation system allowing the bank to fairly and appropriately carry out operations involving the handling of complaints

- related to banking services (meaning complaints related to banking services prescribed in Article 2, paragraph (22) of the Act; hereinafter the same applies in this paragraph and paragraph (3));
- ロ 銀行業務関連苦情の処理に関する業務を公正かつ的確に遂行するための社内規則（当該業務に関する社内における責任分担を明確化する規定を含むものに限る。）を整備すること。
- (b) developing internal regulations to fairly and appropriately carry out operations involving the handling of complaints related to banking services (limited to those including a regulation that clarifies the sharing of responsibility on the operations in the company);
- ハ 銀行業務関連苦情の申出先を顧客に周知し、並びにイの業務運営体制及びロの社内規則を公表すること。
- (c) making the place to address complaints related to banking services well known to the customers and publicly disclosing the business operation system in sub-item (a) and the internal regulations in sub-item (b).
- 二 金融商品取引法第七十七条第一項（同法第七十八条の六及び第七十九条の十二において準用する場合を含む。）の規定により金融商品取引業協会（同法第二条第十三項に規定する認可金融商品取引業協会又は同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をいう。次項第一号において同じ。）又は認定投資者保護団体（同法第七十九条の十第一項に規定する認定投資者保護団体をいう。以下同じ。）が行う苦情の解決により銀行業務関連苦情の処理を図ること。
- (ii) handling complaints related to banking services through complaint resolution by a financial instruments firms association (meaning an authorized financial instruments firms association as prescribed in Article 2, paragraph (13) of the Financial Instruments and Exchange Act or the certified financial instruments firms association prescribed in Article 78, paragraph (2) of that Act; the same applies in the following paragraph, item (i)) or a certified investor protection organization (meaning a certified investor protection organization prescribed in Article 79-10, paragraph (1) of that Act; the same applies hereinafter) pursuant to Article 77, paragraph (1) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Articles 78-6 and 79-12 of that Act);
- 三 消費者基本法（昭和四十三年法律第七十八号）第十九条第一項又は第二十五条に規定するあつせんにより銀行業務関連苦情の処理を図ること。
- (iii) handling complaints related to banking services through the mediation prescribed in Article 19, paragraph (1) or Article 25 of the Consumer Basic Act (Act No. 78 of 1968);
- 四 令第十六条の十四各号に掲げる指定を受けた者が実施する苦情を処理する手続により銀行業務関連苦情の処理を図ること。
- (iv) handling complaints related to banking services through the complaint handling procedures performed by a person that has received a designation

as set forth in the items of Article 16-14 of the Order;

五 銀行業務関連苦情の処理に関する業務を公正かつ的確に遂行するに足りる経理的基礎及び人的構成を有する法人（法第五十二条の六十二第一項第一号に規定する法人をいう。次項第五号において同じ。）が実施する苦情を処理する手続により銀行業務関連苦情の処理を図ること。

(v) handling complaints related to banking services through complaint handling procedures performed by a corporation that has a sufficient financial basis and personnel structure to fairly and appropriately carry out operations involving the handling of complaints related to banking services (meaning the corporation prescribed in Article 52-62, paragraph (1), item (i) of the Act; the same applies in item (v) of the following paragraph).

2 法第十二条の三第一項第二号に規定する紛争解決措置として内閣府令で定める措置は、次の各号のいずれかとする。

(2) The measures specified by Cabinet Office Order as dispute resolution measures, provided in Article 12-3, paragraph (1), item (ii) of the Act means any of the following items:

一 金融商品取引業協会又は認定投資者保護団体のあつせん（金融商品取引法第七十七条の二第一項（同法第七十八条の七及び第七十九条の十三において準用する場合を含む。）に規定するあつせんをいう。）により銀行業務関連紛争（法第二条第二十三項に規定する銀行業務関連紛争をいう。以下この条において同じ。）の解決を図ること。

(i) to resolve disputes related to banking services (meaning the disputes related to banking services prescribed in Article 2, paragraph (23) of the Act; hereinafter the same applies in this Article) through the mediation (meaning the mediation prescribed in Article 77-2, paragraph (1) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Articles 78-7 and Article 79-13 of that Act)) offered by a financial instruments firms association or certified investor protection organization;

二 弁護士法（昭和二十四年法律第二百五号）第三十三条第一項に規定する会則若しくは当該会則の規定により定められた規則に規定する機関におけるあつせん又は当該機関における仲裁手続により銀行業務関連紛争の解決を図ること。

(ii) to resolve disputes related to banking services through mediation by an organization prescribed in the articles of association prescribed in Article 33, paragraph (1) of the Attorney Act (Act No. 205 of 1949) or a regulation prescribed in the articles of association or through arbitration procedures at the organization;

三 消費者基本法第十九条第一項若しくは第二十五条に規定するあつせん又は同条に規定する合意による解決により銀行業務関連紛争の解決を図ること。

(iii) to resolve disputes related to banking services through mediation prescribed in Article 19, paragraph (1) or Article 25 of the Consumer Basic Act or through settlement by agreement prescribed in that Article;

四 令第十六条の十四各号に掲げる指定を受けた者が実施する紛争の解決を図る手続により銀行業務関連紛争の解決を図ること。

(iv) to resolve disputes related to banking services through a procedure for resolving disputes performed by a person that received any of the designation set forth in the items of Article 16-14 of the Order;

五 銀行業務関連紛争の解決に関する業務を公正かつ的確に遂行するに足りる経理的基礎及び人的構成を有する法人が実施する紛争の解決を図る手続により銀行業務関連紛争の解決を図ること。

(v) to resolve disputes related to banking services through procedures for resolving disputes performed by a corporation having a financial basis and personnel structure sufficient to fairly and appropriately carry out operations involving the resolution of disputes related to banking services.

3 前二項（第一項第五号及び前項第五号に限る。）の規定にかかわらず、銀行は、次の各号のいずれかに該当する法人が実施する手続により銀行業務関連苦情の処理又は銀行業務関連紛争の解決を図ってはならない。

(3) Notwithstanding the provisions of the preceding two paragraphs (limited to paragraph (1), item (v) and item (v) of the preceding paragraph), a bank must not handle complaints related to banking services or resolve disputes related to banking services through procedures performed by a corporation that falls under any of the following items:

一 法又は弁護士法の規定により罰金の刑に処せられ、その執行を終わり、又は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法人

(i) a corporation that was sentenced to a fine pursuant to the provisions of the Act or the Attorney Act if five years have not passed from the date when it completed or was relieved from the execution of the sentence.

二 法第五十二条の八十四第一項の規定により法第五十二条の六十二第一項の規定による指定を取り消され、その取消の日から五年を経過しない法人又は令第十六条の十四各号に掲げる指定を取り消され、その取消の日から五年を経過しない法人

(ii) a corporation whose designation under Article 52-62, paragraph (1) of the Act was revoked pursuant to the provisions of Article 52-84, paragraph (1) of the Act if five years have not passed from the date of that revocation; or a corporation whose designation set forth in any of the items of Article 16-14 of the Order was revoked if five years have not passed from the date of that revocation;

三 その業務を行う役員（役員が法人であるときは、その職務を行うべき者を含む。以下この号において同じ。）のうちに、次のいずれかに該当する者がある法人

(iii) a corporation which has any officer in charge of its business (if an officer is a corporation, including a person responsible for performing the duties thereof; hereinafter the same applies in this item) that falls under any of the following:

イ 禁錮以上の刑に処せられ、又は法若しくは弁護士法の規定により刑に処せられ、

その執行を終わり、又は執行を受けることがなくなつた日から五年を経過しない者

(a) a person that was sentenced to imprisonment without work or a severer punishment or sentenced to punishment pursuant to the provisions of the Act or the Attorney Act if five years have not passed from the date when the person completed or was relieved from the execution of the sentence;

ロ 法第五十二条の八十四第一項の規定により法第五十二条の六十二第一項の規定による指定を取り消された法人において、その取消しの日前一月以内にその法人の役員であつた者でその取消しの日から五年を経過しない者又は令第十六条の十四各号に掲げる指定を取り消された法人において、その取消しの日前一月以内にその法人の役員であつた者でその取消しの日から五年を経過しない者

(b) a person that was an officer of a corporation within one month prior to the date on which the designation of that corporation under Article 52-62, paragraph (1) of the Act was revoked pursuant to the provisions of Article 52-84, paragraph (1) of the Act if five years have not passed from the date of the revocation; or a person that was an officer of a corporation within one month prior to the date on which the designation of that corporation as set forth in any of the items of Article 16-14 of the Order was revoked, if five years have not passed from the date of the revocation.

(当該同一人自身を合算子法人等とする法人等に準ずる者)

(Person Equivalent to a Corporation Which Holds the Single Person Itself as a Combined Subsidiary Corporations)

第十三条の九 令第四条第一項第一号ロに規定する内閣府令で定める者は、会社である同一人自身（同項に規定する同一人自身をいう。）又は当該同一人自身を合算子法人等（同条第二項に規定する合算子法人等をいう。以下この条において同じ。）とする法人等（当該同一人自身又は当該法人等が連結財務諸表提出会社（連結財務諸表規則第二条第一号に規定する者をいう。以下この条、次条第一号及び第十三条の十一第一項第一号において同じ。）に該当する場合に限る。）の親会社（財務諸表等規則第八条第三項に規定する親会社をいい、当該同一人自身（連結財務諸表提出会社に限る。）を合算子法人等とする法人等を除く。）とする。

Article 13-9 The person specified by Cabinet Office Order that is provided for in Article 4, paragraph (1), item (i), (b) of the Order is the single person itself (meaning the single person itself prescribed in that paragraph) that is a company, or the parent company of a corporation, etc. that holds the single person itself as a combined subsidiary corporation, etc. (meaning the combined subsidiary corporation, etc. prescribed in paragraph (2) of that Article; hereinafter the same applies in this Article) (limited to the cases in which the single person itself or the corporation, etc. falls under the category of a company submitting consolidated financial statements (meaning the person prescribed in Article 2, item (i) of the Regulation on Consolidated Financial

Statements; hereinafter the same applies in this Article, item (i) of the following Article, and Article 13-11, paragraph (1), item (i)) (the parent company mentioned herein means the parent company prescribed in Article 8, paragraph (3) of the Regulation on Financial Statements, etc.; excluding a corporation, etc. that holds the single person itself (limited to one that is a company submitting consolidated financial statements) as a combined subsidiary corporation, etc.).

(受信者連結基準法人等)

(Corporations Subject to Consolidated Accounting Approach for Debtors)

第十三条の十 令第四条第二項第一号括弧書に規定する連結してその計算書類その他の書類を作成するものとされる法人等として内閣府令で定めるものは、次の各号のいずれかに該当する法人等とする。

Article 13-10 The person specified by Cabinet Office Order as a corporation, etc. that is required to prepare its financial statements and any other documents on a consolidated basis, as prescribed in the parentheses in Article 4, paragraph (2), item (i) of the Order, means a corporation, etc. that falls under any of the following items:

一 連結財務諸表提出会社

(i) a company submitting consolidated financial statements;

二 法第二十一条第二項前段の規定により書類を作成しなければならない銀行その他当該規定に類する他の法令の規定により連結してその計算書類その他の書類を作成するものとされる者（前号に掲げる者を除く。）

(ii) a bank which is required to prepare documents pursuant to the provisions of the first sentence of Article 21, paragraph (2) of the Act or any other person that is required to prepare its financial statements and other documents on a consolidated basis pursuant to the provisions of other laws and regulations similar to the provisions of the first sentence of that paragraph (excluding the person set forth in the preceding item); or

三 連結財務諸表規則又は前号の法令の規定に相当する外国の法令の規定により連結してその計算書類その他の書類を作成するものとされる者（前二号に掲げる者を除く。）

(iii) a person that is required to prepare its financial statements and any other documents on a consolidated basis pursuant to the provisions of the laws and regulations of a foreign state equivalent to the provisions of the Regulation on Consolidated Financial Statements or of the laws and regulations referred to in the preceding item (excluding the persons set forth in the preceding two items).

(意思決定機関等を支配する法人等及び合算関連法人等)

(Corporation, etc. and Consolidated Affiliated Corporation, etc. That Controls a

Decision-Making Organ)

第十三条の十一 令第四条第二項第一号に規定する内閣府令で定める他の法人等の意思決定機関を支配している法人等は、次の各号に掲げる受信者連結基準法人等（同項第一号に規定する受信者連結基準法人等をいう。以下この条において同じ。）の区分に応じ、当該各号に定める者とする。

Article 13-11 (1) The first corporation, etc. that controls the decision-making organ of a second corporation which is specified by Cabinet Office Order, as provided for in Article 4, paragraph (2), item (i) of the Order, means a person as specified in the following items in accordance with the category of corporation, etc. subject to consolidated accounting approach for debtors (meaning the corporation, etc. subject to consolidated accounting approach for debtors prescribed in item (i) of that paragraph; hereinafter the same applies in this Article) set forth in each item:

一 前条第一号に掲げる者（財務諸表等規則第一条の三に規定する外国会社、連結財務諸表規則第九十三条の規定により提出する連結財務諸表の用語、様式及び作成方法が同条に規定する指定国際会計基準に従うことができるとされる同条の指定国際会計基準特定会社のうち当該基準に従うもの、連結財務諸表規則第九十四条の規定により提出する連結財務諸表の用語、様式及び作成方法が同条に規定する修正国際基準に従うことができるとされる同条の修正国際基準特定会社のうち当該基準に従うもの及び連結財務諸表規則第九十五条の規定により提出する連結財務諸表の用語、様式及び作成方法が米国預託証券の発行等に関して要請されている用語、様式及び作成方法によることができるとされる連結財務諸表提出会社のうち当該用語、様式及び作成方法によるものを除く。）の場合 財務諸表等規則第八条第四項の規定により他の会社等（財務諸表等規則第一条第三項第五号に規定する会社等をいう。以下この項において同じ。）の意思決定機関（財務諸表等規則第八条第三項に規定する意思決定機関をいう。以下この項において同じ。）を支配している連結財務諸表提出会社（財務上又は営業上若しくは事業上の関係からみて他の会社等の意思決定機関を支配していないことが明らかであると認められる連結財務諸表提出会社を除く。）

(i) in the case of the person set forth in item (i) of the preceding Article (excluding a foreign company prescribed in Article 1-3 of the Regulation on Financial Statements, etc.; specified company complying with designated international accounting standards referred to in Article 93 of the Regulation on Consolidated Financial Statements which is allowed to conform to the designated international accounting standards prescribed in that Article for the terminology, forms and preparation methods of consolidated financial statements submitted thereby pursuant to the provisions of that Article, and which conforms to those standards; a specified company complying with Japan's modified international standards referred to in Article 94 of the Regulation on Consolidated Financial Statements which is allowed to conform to Japan's modified international standards for the terminology,

forms and preparation methods of consolidated financial statements submitted thereby pursuant to the provisions of that Article, and which conforms to those standards; and a company that submits consolidated financial statements which is allowed to conform to the terminology, forms, and preparation methods required with regard to issuance, etc. of American Depositary Receipts for the terminology, forms and preparation methods of consolidated financial statements submitted thereby pursuant to the provisions of Article 95 of the Regulation of Consolidated Financial Statements, and which conforms to the relevant terminology, forms and preparation methods regarding American Depositary Receipts): a company that submits consolidated financial statements which controls a decision-making organ (meaning the decision-making organ prescribed in Article 8, paragraph (3) of the Regulation on Financial Statements, etc.; hereinafter the same applies in this paragraph) of another company, etc. (meaning the company, etc. prescribed in Article 1, paragraph (3), item (v) of the Regulation on Financial Statements, etc.; hereinafter the same applies in this paragraph) pursuant to the provisions of Article 8, paragraph (4) of the Regulation on Financial Statements, etc. (excluding a company that submits consolidated financial statements if it is found to be apparent from the relevant financial or business relationship, that that company does not control the decision-making organ of the other corporation, etc.); and

二 前号に掲げる場合以外の場合 同号に定める者に類する者

(ii) in cases other than the case set forth in the preceding item: a person similar to the one specified in that item.

2 令第四条第三項に規定する内閣府令で定めるものは、次の各号に掲げる場合の区分に応じ、当該各号に定める者（受信合算対象者（同条第一項に規定する受信合算対象者をいう。）にあつては、金融庁長官が定める者を除く。）とする。

(2) The person specified by Cabinet Office Order that is provided for in Article 4, paragraph (3) of the Order means a person as specified in the following items in accordance with the category set forth in each item (in the case of a person subject to consolidated credit amount (meaning the person subject to consolidated credit amount prescribed in paragraph (1) of that Article), excluding the person specified by the Commissioner of the Financial Services Agency):

一 前項第一号に掲げる場合 受信者連結基準法人等の関連会社（連結財務諸表規則第二条第七号に規定する関連会社をいう。）

(i) in the case set forth in item (i) of the preceding paragraph: an affiliated company (meaning the affiliated company prescribed in Article 2, item (vii) of the Regulation on Consolidated Financial Statements) of a corporation, etc. subject to consolidated accounting approach for debtors; and

二 前項第二号に掲げる場合 前号に定める者に類する者

(ii) in the case set forth in item (ii) of the preceding paragraph: a person similar to the one specified in the preceding item.

(同一人に対する信用の供与等)

(Extending Credit or Making Contribution to a Single Person)

第十四条 令第四条第四項第一号に規定する貸出金として内閣府令で定めるものは、資金の貸付け又は手形の割引のうち別紙様式第三号（特定取引勘定設置銀行にあつては別紙様式第三号の二、外国銀行支店にあつては別紙様式第四号（第三十五条第一項第十八号に掲げる場合に該当し、法第五十三条の規定による届出を行つた外国銀行支店（以下「特定取引勘定届出外国銀行支店」という。）にあつては別紙様式第四号の二））中の貸借対照表（以下この条において「貸借対照表」という。）の貸出金勘定に計上されるものとする。

Article 14 (1) Those specified by Cabinet Office Order as loans which are provided for in Article 4, paragraph (4), item (i) of the Order means lending of funds or discounting of bills and notes that have been recorded in the loan account of a balance sheet (hereinafter referred to as a "balance sheet" in this Article) as prescribed in item (iii) of the Appended Form (the Appended Form No. 3-2, in the case of a bank with a specified transaction account; or the Appended Form No. 4, in the case of a foreign bank branch (the Appended Form No. 4-2, in the case in which that foreign bank branch that falls under Article 35, paragraph (1), item (xviii) and submitted a notification under Article 53 of the Act (hereinafter referred to as a "foreign bank branch that submitted a notification of specified transaction account"))).

2 令第四条第四項第二号に規定する債務の保証として内閣府令で定めるものは、貸借対照表の支払承諾見返勘定に計上されるものとする。

(2) Those specified by Cabinet Office Order as guarantee of obligations as provided in Article 4, paragraph (4), item (ii) of the Order means the accounts to be recorded in the customers' liabilities for acceptances and guarantees account item of the balance sheet.

3 令第四条第四項第三号に規定する出資として内閣府令で定めるものは、貸借対照表の有価証券勘定に株式又は出資（外国法人の発行する証券又は証書に表示される権利で株式又は出資の性質を有するものを含む。）として計上されるものとする。

(3) Those specified by Cabinet Office Order as making of contribution as provided in Article 4, paragraph (4), item (iii) of the Order means the accounts to be recorded as shares or contribution (including rights indicated on securities or certificates issued by a foreign corporation that have the nature of shares or a contribution) in the securities account item of the balance sheet.

4 令第四条第四項第四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。

(4) Those specified by Cabinet Office Order that are provided for in Article 4, paragraph (4), item (iv) of the Order means the accounts specified in the following items:

- 一 貸借対照表の有価証券勘定に社債として計上されるもののうち、その発行の際にその取得の申込みの勧誘が金融商品取引法第二条第三項に規定する有価証券の私募に該当するものであつた社債の保有
- (i) holding of corporate bonds that are recorded as corporate bonds in the securities account item of the balance sheet, and of which the solicitation of an offer for acquisition of the company bonds at the time of issuance corresponded to the private offering of securities as prescribed in Article 2, paragraph (3) of the Financial Instruments and Exchange Act;
- 二 貸借対照表の有価証券勘定に社債として計上されるもののうち、前号に掲げる社債の保有に該当するもの以外のもの
- (ii) out of the items that are recorded as corporate bonds in the securities account item of the balance sheet, those other than holdings of corporate bonds as set forth in the preceding item;
- 三 貸借対照表の買入金銭債権勘定に金融商品取引法第二条第一項第十五号に規定する約束手形（次号において「約束手形」という。）として計上されるもの
- (iii) any item recorded in the account for monetary claims bought of the balance sheet as a promissory note prescribed in Article 2, paragraph (1), item (xv) of the Financial Instruments and Exchange Act (referred to as a "promissory note" in the following item);
- 四 貸借対照表の特定取引勘定に約束手形又は短期社債等として計上されるもの
- (iv) any item recorded in the specified transaction account of the balance sheet as a promissory note or as short-term bonds, etc.;
- 五 デリバティブ取引に係る信用の供与として金融庁長官が定める基準に従い算出されるもの
- (v) any item calculated in accordance with standards specified by the Commissioner of the Financial Services Agency as granting of credit related to a derivatives transaction; or
- 六 貸借対照表のリース投資資産勘定に計上されるもの（法第十条第二項第十八号イに規定するリース物件を使用させるために必要となる付随費用の額が当該リース投資資産勘定に計上されない場合にあつては、当該付随費用を含む。）
- (vi) any item recorded in the lease-based investment account of the balance sheet (including incidental costs that are necessary in order to allow the use of the leased article prescribed in Article 10, paragraph (2), item (xviii), (a) of the Act, if the amount of those incidental costs is not recorded in the lease-based investment account).
- 5 第二項及び前項の規定は、銀行の清算機関（銀行（当該銀行以外の銀行を含む。）に一定の情報を提供している者であつて、金融商品取引清算機関（金融商品取引法第二条第二十九項に規定する金融商品取引清算機関をいう。）、商品取引清算機関（商品先物取引法第二条第十八項に規定する商品取引清算機関をいう。）及びこれらに準ずる外国の機関（設立された国において適切な規制及び監督の枠組みが構築されており、かつ、当該規制及び監督を受けている者に限る。以下この項において同じ。）を

いう。以下この項において同じ。) に対する信用の供与等 (法第十三条第一項本文に規定する信用の供与等をいう。以下この条から第十四条の三まで、第十四条の五及び第十四条の六において同じ。) であつて、清算機関が行う業務 (金融商品取引法第百五十六条の三第一項第六号に規定する金融商品債務引受業等、商品先物取引法第七十条第二項に規定する商品取引債務引受業等及び外国の機関が行うこれらの業務と同種類の業務をいう。) に係るもの及び金融庁長官が定めるものについては、適用しない。

(5) The provisions of paragraph (2) and the preceding paragraph do not apply to granting of credit or making of contribution (meaning granting of credit or making of contribution as prescribed in the main clause of Article 13, paragraph (1) of the Act; hereinafter the same applies in this Article through Article 14-3, Article 14-5, and Article 14-6) to a bank's clearing organization (meaning an organization which provides certain information to a bank (including a bank other than the relevant bank), a financial instruments clearing organization (meaning a financial instruments clearing organization as prescribed in Article 2, paragraph (29) of the Financial Instruments and Exchange Act), a commodity clearing organization (meaning a commodity clearing organization as prescribed in Article 2, paragraph (18) of the Commodity Futures Act), or a foreign organization equivalent to these organizations (limited to an organization which is established in a foreign state where an appropriate framework of regulations and supervision is established and is subject to the regulations and supervision; hereinafter the same applies in this paragraph); hereinafter the same applies in this paragraph), which is related to the services conducted by the clearing organization (meaning financial instruments obligation assumption services, etc. as prescribed in Article 156-3, paragraph (1), item (vi) of the Financial Instruments and Exchange Act, commodity transaction obligation assumption services, etc. as prescribed in Article 170, paragraph (2) of the Commodity Futures Act, and the same type of services as those services which are conducted by a foreign organization) or which is specified by the Commissioner of the Financial Services Agency.

6 一又は複数の資産 (以下この項において「原資産」という。) を裏付けとして間接的に行う信用の供与等 (以下この項において「間接的信用供与等」という。) のうち、金融庁長官が定める取引を通じた信用の供与等については、当該原資産を構成する個別の資産及び取引 (以下この項において「個別資産等」という。) に係る債務を負担する者その他実質的に当該間接的信用供与等を受けている者に対する信用の供与等とみなして、金融庁長官が定める方法により信用の供与等の額を計上し、又は算出するものとする。ただし、当該方法により計上され、又は算出される個別資産等ごとの信用の供与等の額が法第十三条第一項本文に規定する自己資本の額の一万分の二十五に相当する額を下回る場合又は当該方法により信用の供与等の額を計上し、若しくは算出することが不相当である場合として金融庁長官が定める場合は、この限りでない。

(6) Granting of credit or making of contribution conducted indirectly backed by a single asset or multiple assets (referred to as "underlying assets" in this paragraph) as security (referred to as the "indirect grant of credit or making of a contribution" in this paragraph), which is conducted through a transaction specified by the Commissioner of the Financial Services Agency, is deemed to be granting of credit or making of a contribution to a person that assumes an obligation related to each of the individual assets and transactions that constitute the underlying assets (hereinafter referred to as "each underlying asset, etc." in this paragraph) or any other person to which the credit has been indirectly extended or contribution have been indirectly made, and the amount in which credit has been extended or contribution have been made is to be recorded or calculated by a method specified by the Commissioner of the Financial Services Agency; provided, however, that this does not apply if the amount in which credit has been granted or contribution has been made for each underlying asset, etc. as recorded or calculated by that method falls below an amount equivalent to 0.25 percent of the amount of equity capital provided for in the main clause of Article 13, paragraph (1) of the Act, or in the case specified by the Commissioner of the Financial Services Agency as one in which it is inappropriate to apply that method to record or calculate the amount in which credit has been granted or contribution have been made.

(法第十三条第一項の規定の適用に関し必要な事項)

(Necessary Matters in Applying the Provisions of Article 13, paragraph (1) of the Act)

第十四条の二 銀行の同一人（法第十三条第一項本文に規定する同一人をいう。以下同じ。）に対する信用の供与等の額（次項及び第十四条の五第二項第一号において「単体信用供与等総額」という。）は、同一人に係る前条各項の規定により計上され、又は算出される信用の供与等（銀行その他の金融庁長官が定める者に対する債権債務の決済が同日に行われるものを除く。）の額の合計額から当該同一人に係る次の各号に掲げる額の合計額を控除して計算するものとする。

Article 14-2 (1) The amount in which a bank grants credit or makes contribution to a single person (meaning a single person as prescribed in the main clause of Article 13, paragraph (1) of the Act; the same applies hereinafter) (referred to as the "total amount of credit and contribution to a single entity" in the following paragraph and Article 14-5, paragraph (2), item (i)) is to be calculated by deducting the total amount as set forth in the following items in relation to the single person from the total amount in which the relevant bank has granted credit or made contribution (excluding granting of credit or making of contribution for which claims held against and obligations owed to a person specified by the Commissioner of the Financial Services Agency such as a bank are settled on the same day) that is recorded or calculated pursuant to

the provisions of each paragraph of the preceding Article in relation to a single person:

一 前条第一項に規定する貸出金に係る次に掲げる額の合計額

(i) total sum of the following amounts associated with a loan as prescribed in paragraph (1) of the preceding Article:

イ 当該銀行に対する預金等に係る債権を担保とする貸出金の額のうち当該担保の額

(a) the amount of security out of the amount of loans secured by claims pertaining to a deposit, etc. in the bank;

ロ 国債又は地方債を担保とする貸出金の額のうち当該担保の額

(b) the amount of the security out of the amount of loans secured by national government bonds or local government bonds;

ハ 貿易保険法（昭和二十五年法律第六十七号）第四十四条第二項第二号の損失（同法第二条第四項に規定する仲介貿易者が同条第三項に規定する仲介貿易契約に基づいて貨物を販売し、又は賃貸した場合に同法第四十四条第二項第二号イからホまでのいずれかに該当する事由によつて当該貨物の代金又は賃貸料を回収することができないことにより受ける損失を除く。）に係る同項に規定する普通貿易保険及び本邦法人若しくは本邦人又は外国法人若しくは外国人が行う同法第二条第五項に規定する外国政府等、外国法人又は外国人に対する同条第十三項第一号又は第三号に掲げるものの支払に充てられる資金に充てられる貸付金に係る債権の取得を行った者が同法第五十一条第二項各号のいずれかに該当する事由によつて当該債権の同項に規定する貸付金等を回収することができないことにより受ける損失に係る同項に規定する貿易代金貸付保険の保険金請求権を担保とする貸出金の額のうち当該担保の額又は同法第七十一条第二項に規定する海外事業資金貸付保険の付された貸出金の額のうち当該保険金額

(c) the amount of collateral out of the amount of loans secured on insurance claim rights for general trade insurance prescribed in Article 44, paragraph (2) of the Trade and Investment Insurance Act (Act No. 67 of 1950) that covers the losses referred to in item (ii) of that paragraph (excluding losses incurred by a trade intermediary prescribed in Article 2, paragraph (4) of that Act because of the inability to collect the cost or lease fees for the cargo due to grounds falling under any of the sub-items (a) through (e) of Article 44, paragraph (2), item (ii) of that Act, when the trade intermediary sells or leases the cargo based on an intermediary trade contract prescribed in paragraph (3) of that Article), and for the Buyer's Credit Insurance prescribed in Article 51, paragraph (2) of that Act that covers the losses incurred by a person that has acquired claims for loans to be allocated for use as funds to be allocated to the payment of the fees, etc. on things set forth in Article 13, item (i) or item (iii) of that Article by a Japanese corporation or Japanese national, or, foreign corporation or foreign national, to a foreign government, etc. prescribed in Article 2,

paragraph (5) of that Act, foreign corporation, or foreign national, because of the person's inability to collect the loans, etc. prescribed in Article 51, paragraph (2) of that Act due to grounds falling under any of the items of that paragraph; or the amount insured out of the amount of loans covered by the Overseas Untied Loan Insurance prescribed in Article 71, paragraph (2) of that Act;

ニ 貨物の輸入者に対する当該貨物の代金（当該貨物に係る運賃又は保険料を含む。）の決済に係る本邦通貨による貸付金（当該貨物に係る船積書類到着後六月以内に返済期限が到来するものに限る。）の額

(d) the amount of loans (limited to those for which maturity of payment occurs within six months after the receipt of shipping documents pertaining to the cargo) in Japanese currency pertaining to settlement of the price of the cargo (including transportation cost or insurance premium pertaining to the cargo) to an importer of the cargo; and

ホ 信用保証協会が債務の保証をした貸出金であつて中小企業金融公庫により当該保証に保険の付されているものの額のうち当該保険金額

(e) the insurance amount out of the amount of loans for which debt is guaranteed by a credit guarantee corporation and the guarantee is insured by the Japan Finance Corporation for Small and Medium Enterprise;

二 前条第二項に規定する債務の保証に係る次に掲げる額の合計額

(ii) total sum of the following amount pertaining to the guarantee of obligation prescribed in paragraph (2) of the preceding Article:

イ 法律の定めるところにより、予算について国会の議決を経、又は承認を受けなければならない法人の業務の代理に付随してされる債務の保証の額

(a) the amount of obligation guarantee associated with a person's actions as an agent for the services of a corporation for which the budget must obtain a resolution or an approval of the Diet, pursuant to the provisions of laws;

ロ 銀行その他の金融機関が支払人となつている手形の引受け又は裏書きの額

(b) the amount of acceptance or endorsement of bills and notes which is to be paid by a bank or other financial institutions;

ハ 国税又は地方税の徴収猶予又は延納の担保等についてする保証の額

(c) the amount that the bank provides as guarantees for security, etc. of suspension of collection of national tax or local tax or for deferred payment of national tax or local tax;

ニ 輸入取引に伴つてされる保証又は手形の引受けの額

(d) the amount of guaranteeing or acceptance of bills and notes made along with import transactions; and

ホ 貿易保険法第七十一条第二項に規定する海外事業資金貸付保険の付されている保証の額のうち当該保険金額

(e) the insurance amount out the amount guaranteed covered by Overseas Untied Loan Insurance as prescribed in Article 71, paragraph (2) of the

Trade and Investment Insurance Act;

三 前条第三項に規定する株式又は出資が財務諸表等規則第八条第二十二項に規定するその他有価証券であつて、貸借対照表計上額が帳簿価額を上回る場合における当該貸借対照表計上額と帳簿価額との差額

(iii) the difference between the amount recorded in the balance sheet and the book value if shares or contribution as prescribed in paragraph (3) of the preceding Article constitutes other securities as prescribed in Article 8, paragraph (22) of the Regulation on Financial Statements, etc. and the amount recorded in the balance sheet exceeds the book value;

四 前条第四項第一号に掲げる社債に係る信用保証協会の債務の保証相当額（株式会社日本政策金融公庫により当該保証に保険の付されているものの額のうち当該保険金相当額に限る。）

(iv) the amount equivalent to the amount of obligation guarantee provided by a credit guarantee corporation in relation to corporate bonds as set forth in paragraph (4), item (i) of the preceding Article (limited to the amount equivalent to the insurance amount out of the amount of the guarantee insured by the Japan Finance Corporation);

五 前条第四項第一号から第四号までに掲げるものに係る次に掲げる額の合計額

(v) total sum of the following amounts in relation to the particulars set forth in paragraph (4), items (i) through (iv) of the preceding Article:

イ 当該銀行に対する預金等に係る債権を担保とするもののうち当該担保の額

(a) the amount of security out of things secured by a claim pertaining to a deposit, etc. of the bank; and

ロ 国債又は地方債を担保とするもののうち当該担保の額

(b) the amount of collateral out of the things that use national government bonds or local government bonds as collateral;

六 前各号に掲げる額に準ずるものとして金融庁長官が定める額

(vi) the amount specified by the Commissioner of the Financial Services Agency as equivalent to the amount as set forth in each preceding item.

2 銀行が、自己資本比率（法第十四条の二第一号に掲げる基準に係る算式により得られる比率をいう。）を算出する場合において、担保、保険、債務の保証その他の銀行の同一人に対する信用の供与等に係る債権を保全するために提供された手段として金融庁長官が定める手段（以下この項において「信用リスク削減手法」という。）を適用するときは、前項の規定にかかわらず、当該同一人に対する単体信用供与等総額を計算するに当たり、当該同一人に係る前条各項の規定により計上され、又は算出される信用の供与等の額の合計額から信用リスク削減手法により保全される額を控除するものとする。この場合において、当該信用リスク削減手法により保全される額は、当該信用リスク削減手法により債務を負担する者等（当該信用リスク削減手法に係る発行者がある場合にあつては、当該発行者。以下この項において「担保等提供者」という。）に対する信用の供与等とみなして、当該担保等提供者に対する他の信用の供与等の額と合計して計算するものとする。ただし、信用リスク削減手法のうち金融庁長

官が定めるものについては、当該信用リスク削減手法により保全される額を信用の供与等とみなして担保等提供者に対する他の信用の供与等と合計して計算することを要しない。

(2) When a bank calculates the capital adequacy ratio (meaning the ratio arrived at by the formula associated with the criterion set forth in Article 14-2, item (i) of the Act), if it applies a means specified by the Commissioner of the Financial Services Agency as a means provided to secure a bank's claim arising from granting of credit or making of contribution to a single person, such as collateral, insurance, and guarantee of obligations (hereinafter referred to as a "credit risk mitigation technique" in this paragraph), notwithstanding the provisions of the preceding paragraph, the bank is to deduct the amount secured by the credit risk mitigation technique from the total amount in which the bank grants credit or makes a contribution as recorded or calculated pursuant to the provisions of the paragraphs of the preceding Article for the single person in the process of calculating the total amount of credit and contribution to a single entity as it regards that single person. In this case, the amount to be secured by the credit risk mitigation technique is deemed to be granting of credit or making of contribution to a person that assumes an obligation, etc. through the credit risk mitigation technique (if there is an issuer connected with the credit risk mitigation technique, the issuer; hereinafter referred to as a "provider of collateral, etc." in this paragraph), and it is to be aggregated with the amount in which other credit has been granted or other contribution have been made to that provider of collateral, etc.; provided, however, that if a bank applies a credit risk mitigation technique specified by the Commissioner of the Financial Services Agency, the bank is not required to deem the amount secured by that credit risk mitigation technique to be a grant of credit or the making of a contribution and to aggregate the secured amount with the amount in which other credit has been granted or other contribution have been made to the provider of collateral, etc.

3 法第十三条第一項本文に規定する自己資本の額は、法第十四条の二第一号に掲げる基準に従い算出される自己資本の額について金融庁長官が定めるところにより必要な調整を加えた額とする。

(3) The amount of equity capital as prescribed in the main clause of Article 13, paragraph (1) of the Act is the amount of equity capital calculated in accordance with the standards set forth in Article 14-2, item (i) of the Act to which the amount of necessary adjustments are added as specified by the Commissioner of the Financial Services Agency.

3 銀行は、何らの名義によつてするかを問わず、法第十三条第一項本文の規定による禁止を免れる取引又は行為をしてはならない。

(3) A bank, in whatever name it is performed, must not conduct a transaction or an act in order to evade the prohibitions under the main clause of Article 13,

paragraph (1) of the Act.

(信用供与等限度額を超えることとなるやむを得ない理由がある場合)

(When There Is a Compelling Reason for Exceeding the Limit on Granting of Credit)

第十四条の三 令第四条第七項第二号に規定する内閣府令で定める国民経済上特に緊要な事業は、電気事業法（昭和三十九年法律第七十号）第二条第一項第八号に規定する一般送配電事業とする。

Article 14-3 (1) A business of vital importance to the national economy as specified by Cabinet Office Order that is provided for in Article 4, paragraph (7), item (ii) of the Order means the general electricity transmission and distribution business prescribed in Article 2, paragraph (1), item (viii) of the Electricity Business Act (Act No. 170 of 1964).

2 令第四条第七項第四号に規定する内閣府令で定める理由は、次に掲げる理由とする。

(2) The reason specified by Cabinet Office Order that is provided for in Article 4, paragraph (7), item (iv) of the Order means any of the following reasons:

一 当該銀行が預金保険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又は同法第六十二条第一項若しくは第二百二十六条の三十のあつせんを受け、同法第五十九条第二項に規定する合併等又は同法第二百二十六条の二十八第二項に規定する特定合併等を行うこと。

(i) the bank obtains an approval as specified in Article 61, paragraph (1) or Article 126-29, paragraph (1) of the Deposit Insurance Act or mediation as specified in Article 62, paragraph (1) or Article 126-30 of that Act, and then conducts a merger, etc., as prescribed in Article 59, paragraph (2) of that Act or a specified merger, etc. prescribed in Article 126-28, paragraph (2) of that Act;

二 当該銀行の資本金の減少により一時的に自己資本の額が減少すること（増資等により信用供与等限度額を超えることとなる状態が速やかに解消される場合に限る。）。

(ii) the amount of equity capital is reduced temporarily due to reduction of stated capital of the bank (limited to the case in which situation of the credit and contribution exceeding the limit will be promptly resolved due to capital increase, etc.); and

三 その他前二号に準ずるものとして金融庁長官が適当と認めること。

(iii) other things found to be appropriate as equivalent to the preceding two items by the Commissioner of the Financial Services Agency.

3 銀行は、法第十三条第一項ただし書の規定による同一人に対する信用の供与等の額が同項本文に規定する信用供与等限度額を超えることの承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

(3) If a bank seeks to obtain an approval to grant credit or make a contribution to a single person pursuant to the proviso of Article 13, paragraph (1) of the Act

in an amount that exceeds the limit on credit and contribution as prescribed in the main clause of that paragraph, the bank must attach the following documents to the written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authorities:

一 理由書

(i) a written statement of reasons;

二 信用の供与等を受ける者の資金計画を記載した書面

(ii) a document stating the financial plan of the person to which credit will be granted or a contribution will be made; and

三 その他金融庁長官が必要と認める事項を記載した書面

(iii) other documents giving particulars found to be necessary by the Commissioner of the Financial Services Agency.

(当該銀行と特殊の関係のある者)

(Person in a Unique Relationship with the Bank)

第十四条の四 法第十三条第二項前段に規定する当該銀行と内閣府令で定める特殊の関係のある者は、当該銀行の子法人等（令第四条の二第二項に規定する子法人等をいい、金融庁長官が定める者を除く。次条第二項第二号及び第十四条の六の二において同じ。）とする。

Article 14-4 A person that has a unique relationship with a bank as specified by Cabinet Office Order that is provided for in the first sentence of Article 13, paragraph (2) of the Act means a subsidiary corporation, etc. of the bank (meaning a subsidiary corporation, etc., as prescribed in Article 4-2, paragraph (2) of the Order, and excluding a person specified by the Commissioner of the Financial Services Agency; the same applies in paragraph (2), item (ii) of the following Article and Article 14-6-2).

(法第十三条第二項の規定の適用に関し必要な事項)

(Necessary Matters in Applying Provisions of Article 13, paragraph (2) of the Act)

第十四条の五 法第十三条第二項前段に規定する当該銀行及び当該子会社等又は当該子会社等の同一人に対する信用の供与等の額は、合算信用供与等総額から当該同一人に係る調整対象額を控除して計算するものとする。

Article 14-5 (1) The total amount of credit that has been granted or contribution that has been made to a single person by the bank and its subsidiary company, etc., or just by its subsidiary company, etc. as prescribed in the first sentence of Article 13, paragraph (2) of the Act is to be calculated by deducting the amount subject to the adjustment associated with that single person from the total amount of consolidated credit and contribution.

2 前項に規定する「合算信用供与等総額」とは、次の各号に掲げる額の合計額をいう。

(2) The term "total amount of consolidated credit and contribution" as prescribed

in the preceding paragraph means the total amount of the amounts set forth in each of the following items:

一 当該銀行について第十四条の二第一項及び第二項の規定により計算した単体信用供与等総額

(i) the total amount of credit and contribution to a single entity calculated pursuant to the provisions of Article 14-2, paragraphs (1) and (2) with regard to the bank; and

二 当該銀行の子法人等について第十四条の二第一項及び第二項の規定の例により計算した信用の供与等の総額

(ii) total amount of credit that has been granted or contribution that has been made calculated for a subsidiary corporation, etc. of the bank, pursuant to the examples in the provisions of Article 14-2, paragraphs (1) and (2).

3 第一項に規定する「調整対象額」とは、当該子会社等（法第十三条第二項前段に規定する子会社等をいう。以下この条において同じ。）のする資金の貸付けの額のうち当該銀行又は他の子会社等が保証している額その他金融庁長官が定める額をいう。

(3) The term "amount subject to adjustment" as prescribed in paragraph (1) means the amount guaranteed by the bank or other subsidiary company, etc. out of the amount of funds lent by the subsidiary company, etc. (meaning a subsidiary company, etc., as prescribed in the first sentence of Article 13, paragraph (2) of the Act; hereinafter the same applies in this Article) and other amounts as specified by the Commissioner of the Financial Services Agency.

4 法第十三条第二項前段に規定する自己資本の純合計額は、法第十四条の二第二号に掲げる基準に従い算出される自己資本の額について金融庁長官が定めるところにより必要な調整を加えた額とする。

(4) The net total amount of equity capital as prescribed in first sentence of Article 13, paragraph (2) of the Act is the amount of equity capital calculated in accordance with the standards set forth in Article 14-2, item (ii) of the Act to which the amount of necessary adjustments are added as specified by the Commissioner of the Financial Services Agency.

5 銀行は、何らの名義によつてするかを問わず、法第十三条第二項前段の規定による禁止を免れる取引又は行為をしてはならない。

(5) A bank, in whatever name it is performed, must not conduct a transaction or an act in order to evade the prohibitions pursuant to the provisions of the first sentence of Article 13, paragraph (1) of the Act.

(合算信用供与等限度額を超えることとなるやむを得ない理由がある場合)

(When There Is a Compelling Reason for Exceeding the Total Sum of Limit on Granting of Credit)

第十四条の六 第十四条の三第二項の規定は、令第四条第十二項第五号（令第十六条の二の三第五項において読み替えて準用する場合を含む。）に規定する内閣府令で定める理由について準用する。この場合において、第十四条の三第二項第一号及び第二号

中「当該銀行」とあるのは「当該銀行又はその子会社等」と、同項第二号中「自己資本の額」とあるのは「自己資本の純合計額」と、「信用供与等限度額」とあるのは「合算信用供与等限度額」と読み替えるものとする。

Article 14-6 (1) The provisions of Article 14-3, paragraph (2) apply mutatis mutandis to reasons as specified by Cabinet Office Order that are provided for in Article 4, paragraph (12), item (v) of the Order (including as applied mutatis mutandis pursuant to Article 16-2-3, paragraph (5) of the Order following the deemed replacement of terms). In this case, the term "the bank" in Article 14-3, paragraph (2), item (i) and item (ii) is deemed to be replaced with "the bank or its subsidiary company, etc."; the term "amount of equity capital" in item (ii) of that paragraph is deemed to be replaced with "net total amount of equity capital"; and the term "limit on credit and contribution" in that item is deemed to be replaced with "consolidated limit on credit and contribution"

2 銀行は、法第十三条第二項後段において準用する同条第一項ただし書の規定による当該銀行及び当該子会社等又は当該子会社等の同一人に対する信用の供与等の合計額が同条第二項前段に規定する合算信用供与等限度額を超えることの承認を受けようとするときは、承認申請書に第十四条の三第三項各号に掲げる書面を添付して金融庁長官等に提出しなければならない。

(2) If a bank seeks approval under Article 13, proviso of paragraph (1) of the Act as applied mutatis mutandis pursuant to second sentence of paragraph (2) of that Article, for either the bank and its subsidiary companies, etc. or just its subsidiary company, etc. to extend credit or make a contribution to a single person that exceeds the consolidated limit on credit and contribution as prescribed in the first sentence of paragraph (2) of that Article, the bank must attach the documents as set forth in each item of Article 14-3, paragraph (3) to a written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authority

(法第十三条第一項及び第二項の規定を適用しない信用の供与等の相手方)

(Other Party to Extension of Credit or Making of Contribution to Which Article 13, Paragraphs (1) and (2) of the Act Do Not Apply)

第十四条の六の二 法第十三条第三項第二号に規定する信用の供与等を行う銀行又はその子会社等と実質的に同一と認められる者とは、当該銀行又は当該銀行の子法人等をいう。

Article 14-6-2 A person that is deemed to be identical, in substance, to a bank that itself extends credit and makes contribution or to its subsidiary company, etc., as provided for in Article 13, paragraph (3), item (ii) of the Act, is that bank or a subsidiary company, etc. of that bank.

(銀行の特定関係者)

(Specified Related Parties of a Bank)

第十四条の七 令第四条の二第二項に規定する内閣府令で定めるものは、次の各号に掲げる法人等（同項に規定する法人等をいう。以下この条において同じ。）とする。ただし、財務上又は営業上若しくは事業上の関係からみて他の法人等の意思決定機関（同項に規定する意思決定機関をいう。以下この項において同じ。）を支配していないことが明らかであると認められるときは、この限りでない。

Article 14-7 (1) A person as specified by Cabinet Office Order that is provided for in Article 4-2, paragraph (2) of the Order means a corporation, etc. (meaning a corporation, etc. as prescribed in that paragraph; hereinafter the same applies in this Article) as set forth in the following items; provided, however, that this does not apply when it found to be apparent from the financial or business relationships, that the person does not control the decision-making organ (meaning a decision-making organ as prescribed in that paragraph; hereinafter the same applies in this paragraph) of the second corporation, etc.:

一 他の法人等（破産手続開始の決定、再生手続開始の決定又は更生手続開始の決定を受けた他の法人等その他これらに準ずる他の法人等であつて、有効な支配従属関係が存在しないと認められるものを除く。以下この項において同じ。）の議決権の過半数を自己の計算において所有している法人等

(i) a first corporation, etc. that holds a majority of the voting rights in a second corporation, etc. (excluding the second corporation, etc. that is granted an order for commencement of bankruptcy proceedings, an order for commencement of rehabilitation proceedings, or an order for commencement of corporate reorganization proceedings, or that is otherwise equivalent to the second corporation and found to have no effective parent-subsidiary relationship with others; hereinafter the same applies in this paragraph) under its own account;

二 他の法人等の議決権の百分の四十以上、百分の五十以下を自己の計算において所有している法人等であつて、次に掲げるいずれかの要件に該当するもの

(ii) a first corporation, etc. whose voting rights in the second corporation, etc. under its own account are not less than forty percent and not more than fifty percent of all of those voting rights and which corresponds to any of the following requirements:

イ 当該法人等が自己の計算において所有している議決権と当該法人等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該法人等の意思と同一の内容の議決権を行使すると認められる者及び当該法人等の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、当該他の法人等の議決権の過半数を占めていること。

(a) the voting rights that are held by the first corporation, etc. under its own account make up a majority of voting rights in the second corporation, etc., when the first corporation's, voting rights are combined with the voting rights held by persons that it is found to exercise voting rights in the manner intended by the first corporation, etc. due to being closely related

thereto through contribution, personnel affairs, funding, technical skills, transactions, etc., and with the voting rights held by persons that have agreed to exercise voting rights in the manner intended by the first corporation, etc.;

ロ 当該法人等の役員、業務を執行する社員若しくは使用人である者、又はこれらであつた者であつて当該法人等が当該他の法人等の財務及び営業又は事業の方針の決定に関して影響を与えることができるものが、当該他の法人等の取締役会その他これに準ずる機関の構成員の過半数を占めていること。

(b) those of the first corporation's, etc. officers, members and employees engaged in executive operations, and persons formerly assigned to those positions, who enable the first corporation, etc. to influence the financial and business policy decisions of the second corporation, etc., make up the majority of the board of directors or other equivalent organization of the second corporation, etc.;

ハ 当該法人等と当該他の法人等との間に当該他の法人等の重要な財務及び営業又は事業の方針の決定を支配する契約等が存在すること。

(c) a contract, etc. that controls important financial and business policy decisions of the second corporation, etc. exists between the first corporation, etc. and the second corporation, etc.;

ニ 当該他の法人等の資金調達額（貸借対照表の負債の部に計上されているものに限る。）の総額の過半について当該法人等が融資（債務の保証及び担保の提供を含む。以下この条において同じ。）を行つていること（当該法人等と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の過半となる場合を含む。）。

(d) the first corporation, etc. provides funds (limited to those which are recorded in the liabilities section of the balance sheet) of the second corporation, etc. (including guarantee of debt and provision of collateral; the same applies in this Article) which account for a majority of the total amount of the funds raised (including the cases in which the amount of first corporation's financing accounts for a majority of the total amount of funds raised when it is combined with the amount of funds provided by a person that has a close relationship with the first corporation, etc., with regard to a contribution, personnel affairs, funds, technical skills, transactions, etc.); and

ホ その他当該法人等が当該他の法人等の意思決定機関を支配していることが推測される事実が存在すること。

(e) other facts from which it can be presumed that the first corporation, etc. controls the decision-making organ of the second corporation, etc. exist;

三 法人等が自己の計算において所有している議決権と当該法人等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該法人等の意思と同一の内容の議決権を行使すると認められる者及び当該法人等の意思と同一の内容の議決

権を行使することに同意している者が所有している議決権とを合わせて、他の法人等の議決権の過半数を占めている場合（当該法人等が自己の計算において議決権を所有していない場合を含む。）における当該法人等であつて、前号ロからホまでに掲げるいずれかの要件に該当するもの

(iii) a first corporation, etc. whose voting rights in the second corporation, etc. under its own account make up a majority of voting rights in the second corporation, etc. if those voting rights in the second corporation, etc. are combined with those held by persons that it is found to exercise voting rights in the manner intended by the first corporation, etc. due to being closely related thereto through contribution, personnel affairs, funding, technical skills, transactions, etc., and are combined with those held by persons that have agreed to exercise voting rights in the manner intended by the first corporation, etc. (including a case in which the first corporation, etc. does not hold those voting rights in the second corporation, etc. under its own account); and that corresponds to any of the requirements set forth in sub-item (b) to sub-item (e) of the preceding item.

2 令第四条の二第三項に規定する内閣府令で定めるものは、次の各号に掲げるものとする。ただし、財務上又は営業上若しくは事業上の関係からみて法人等（当該法人等の子法人等（同条第二項に規定する子法人等をいう。第三十四条の十五第七項並びに第三十五条第一項第十四号及び第三項第十号を除き、以下同じ。）を含む。）が子法人等以外の他の法人等の財務及び営業又は事業の方針の決定に対して重要な影響を与えることができないことが明らかであると認められるときは、この限りでない。

(2) The person specified by Cabinet Office Order that is provided for in Article 4-2, paragraph (3) of the Order means the person as set forth in any of the following items; provided, however, that this does not apply if it is found to be apparent, from the financial or business relationships that the first corporation, etc. (including its subsidiary corporations, etc. (meaning a subsidiary corporation, etc. as prescribed in paragraph (2) of that Article; the same applies hereinafter, except in Article 34-15, paragraph (7) and Article 35, paragraph (1), item (xiv) and paragraph (3), item (x))) is unable to significantly influence the financial and business policy decisions of the second corporation, etc. that is not its subsidiary corporation, etc.:

一 法人等（当該法人等の子法人等を含む。）が子法人等以外の他の法人等（破産手続開始の決定、再生手続開始の決定又は更生手続開始の決定を受けた子法人等以外の他の法人等その他これらに準ずる子法人等以外の他の法人等であつて、当該法人等がその財務及び営業又は事業の方針の決定に対して重要な影響を与えることができないと認められるものを除く。以下この項において同じ。）の議決権の百分の二十以上を自己の計算において所有している場合における当該子法人等以外の他の法人等

(i) a second corporation, etc. other than a subsidiary corporation, etc. of the first corporation etc., in which the first corporation, etc. (including its

subsidiary corporations, etc.) holds twenty percent or more of the voting rights (excluding a second corporation, etc. other than its subsidiary corporation, etc. that is subject to an order for commencement of bankruptcy proceedings, an order for commencement of rehabilitation proceedings, or an order for commencement of corporate reorganization proceedings, or is equivalent to those corporations, and is found to be unable to significantly influence their financial and business policy decisions; hereinafter the same applies in this paragraph) under its own account;

二 法人等（当該法人等の子法人等を含む。）が子法人等以外の他の法人等の議決権の百分の十五以上、百分の二十未満を自己の計算において所有している場合における当該子法人等以外の他の法人等であつて、次に掲げるいずれかの要件に該当するもの

(ii) a second corporation, etc. other than a subsidiary corporation, etc. of the first corporation etc., in which the first corporation, etc. (including its subsidiary corporations, etc.) holds not less than fifteen percent and not more than twenty percent of the voting rights under its own account; and that falls under any of the following requirements:

イ 当該法人等の役員、業務を執行する社員若しくは使用人である者、又はこれらであつた者であつて当該法人等がその財務及び営業又は事業の方針の決定に関して影響を与えることができるものが、その代表取締役、取締役又はこれらに準ずる役職に就任していること。

(a) the corporation's, etc. officers, members and employees engaged in executive operations, and persons formerly assigned to such positions, who enable the corporation, etc. to influence the second corporation's, etc. financial and business policy decisions, which have assumed the position of its representative director, other directors or any position equivalent to those positions;

ロ 当該法人等から重要な融資を受けていること。

(b) the second corporation, etc. is provided important financing by the first corporation, etc.;

ハ 当該法人等から重要な技術の提供を受けていること。

(c) the second corporation, etc. is provided important technical skills by the first corporation, etc.;

ニ 当該法人等との間に重要な販売、仕入れその他の営業上又は事業上の取引があること。

(d) the second corporation, etc. carries out business transactions with the first corporation, etc. such as important sales or purchasing transactions;
or

ホ その他当該法人等がその財務及び営業又は事業の方針の決定に対して重要な影響を与えることができることが推測される事実が存在すること。

(e) other facts from which it can be presumed that the corporation, etc. is

able to significantly influence financial and or business policy decisions exist;

三 法人等（当該法人等の子法人等を含む。）が自己の計算において所有している議決権と当該法人等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該法人等の意思と同一の内容の議決権を行使すると認められる者及び当該法人等の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、子法人等以外の他の法人等の議決権の百分の二十以上を占めている場合（当該法人等が自己の計算において議決権を所有していない場合を含む。）における当該子法人等以外の他の法人等であつて、前号イからホまでに掲げるいずれかの要件に該当するもの

(iii) the second corporation, etc. other than the first corporation's etc. subsidiary corporation, etc.; if the voting rights in the second corporation, etc. that are held by that first corporation, etc. (including its subsidiary corporation, etc.) under its own account make up twenty percent or more of voting rights in the second corporation, etc. other than the first corporation's, etc. subsidiary corporation, etc. if those voting rights in the second corporation, etc. are combined with the voting rights held by persons that it is found to exercise voting rights in the manner intended by the first corporation, etc. due to being closely related thereto through contribution, personnel affairs, funding, technical skills, transactions, etc., and with the voting rights held by persons that have agreed to exercise voting rights in the manner intended by the first corporation, etc. (including the cases in which the first corporation, etc. does not hold those voting rights in the second corporation etc. under its own account); and if the second corporation, etc. other than the first corporation's, etc. subsidiary corporation, etc. corresponds to any of the requirements set forth in the sub-items (b) through (e) of the preceding item.

3 第一項の規定にかかわらず、連結財務諸表規則第一条第一項に規定する一般に公正妥当と認められる企業会計の基準によらずに連結財務諸表規則の定めるところにより連結財務諸表を作成する者（以下「特例企業会計基準等適用法人等」という。）に係る令第四条の二第二項に規定する内閣府令で定めるものは、その採用する企業会計の基準において第一項各号に掲げる法人等と同様に取り扱われている法人等とする。

(3) Notwithstanding the provisions of paragraph (1), the person specified by Cabinet Office Order that is provided for in Article 4-2, paragraph (2) of the Order on a person that prepares consolidated financial statements pursuant to the provisions of the Regulation on Consolidated Financial Statements instead of following the business accounting standards that are generally accepted as fair and appropriate prescribed in Article 1, paragraph (1) of the Regulation on Consolidated Financial Statements (hereinafter referred to as a "corporation, etc. subject to special business accounting standards, etc.") means a corporation, etc. that is treated under the business accounting standards

adopted thereby in the same manner as the corporation, etc. set forth in the items of paragraph (1).

4 第二項の規定にかかわらず、特例企業会計基準等適用法人等に係る令第四条の二三項に規定する内閣府令で定めるものは、その採用する企業会計の基準において第二項各号に掲げるものと同様に取り扱われている法人等とする。

(4) Notwithstanding the provisions of paragraph (2), the person specified by Cabinet Office Order that is provided for in Article 4-2, paragraph (3) of the Order on a corporation, etc. subject to special business accounting standards, etc. means a corporation, etc. that is treated under the business accounting standards adopted thereby in the same manner as the corporation, etc. set forth in the items of paragraph (2).

5 特別目的会社（資産の流動化に関する法律（平成十年法律第百五号）第二条第三項に規定する特定目的会社及び事業内容の変更が制限されているこれと同様の事業を営む事業体をいう。以下この項において同じ。）については、適正な価額で譲り受けた資産から生ずる収益を当該特別目的会社が発行する証券の所有者（同条第十二項に規定する特定借入れに係る債権者を含む。）に享受させることを目的として設立されており、当該特別目的会社の事業がその目的に従って適切に遂行されているときは、当該特別目的会社に資産を譲渡した法人等（以下この項において「譲渡法人等」という。）から独立しているものと認め、第一項の規定にかかわらず、譲渡法人等の子法人等に該当しないものと推定する。

(5) If a special purpose company (meaning a specified purpose company as prescribed in Article 2, paragraph (3) of the Act on Securitization of Assets (Act No. 105 of 1998) and a business entity that carries out a business similar to the specified purpose company for which a change of content of business is restricted; hereinafter the same applies in this paragraph) is established with a purpose of providing profit generated from an asset accepted at a proper value for an owner (including a creditor of specified borrowing as prescribed in paragraph (12) of that Article) of securities issued by the special purpose company, and the business of the special purpose company is appropriately carried out in accordance with that purpose, the special purpose company is deemed to be independent from the corporation, etc. (hereinafter referred to as the "transferor corporation, etc." in this paragraph) that transferred its assets to the special purpose company, and, notwithstanding the provisions of paragraph (1), is presumed not to correspond to a subsidiary corporation, etc. of the transferor corporation, etc.

（特定関係者との間の取引等を行うやむを得ない理由）

(Compelling Reason for Executing Transactions with Designated Related Parties)

第十四条の八 法第十三条の二ただし書に規定する内閣府令で定めるやむを得ない理由は、次に掲げる理由とする。

Article 14-8 (1) The compelling reason as specified by Cabinet Office Order that is provided for in the proviso to Article 13-2 of the Act means one of the following reasons:

一 当該銀行が当該銀行の取引の通常の場合に照らして当該銀行に不利益を与える取引又は行為を、当該銀行の特定関係者（法第十三条の二本文に規定する特定関係者をいう。以下この条から第十四条の十一までにおいて同じ。）に該当する特定金融機関（破綻金融機関（預金保険法第二条第四項に規定する破綻金融機関をいう。以下この号において同じ。））及び破綻金融機関の権利義務の全部又は一部を承継する金融機関をいう。）との間で行う場合において、当該取引又は行為を行わなければ当該特定金融機関の営業又は事業の継続に支障を生ずるおそれがあること。

(i) when the bank is undertaking transactions or acts with a specified financial institution (meaning a bankrupt financial institution (meaning a bankrupt financial institution as prescribed in Article 2, paragraph (4) of the Deposit Insurance Act; hereinafter the same applies in this item) and a financial institution that succeeds to all or part of the rights and obligations of a bankrupt financial institution) that falls under that bank's designated related party (meaning a designated related party as prescribed in the main clause of Article 13-2 of the Act; hereinafter the same applies in this Article through Article 14-11), that gives disadvantages to the bank in light of the ordinary conditions of its transactions, it is likely that an impediment would arise to hinder the specified financial institution from continuing business if the bank does not undertake those transactions or acts;

二 当該銀行が外国銀行を当該銀行の子法人等又は関連法人等として有する場合（当該外国銀行が所在する国において当該銀行が支店その他の営業所を設置することができないことについてやむを得ない事由があるときに限る。）において、当該銀行が当該外国銀行との間で当該銀行の本店と支店その他の営業所との間で行う取引又は行為と同様の条件の取引又は行為を行わなければ当該外国銀行の営業又は事業の継続に支障を生ずるおそれがあること。

(ii) when the bank has a foreign bank as its subsidiary corporation, etc. or affiliated corporation, etc. (limited to cases in which there is a compelling reason that the bank is unable to establish a branch office or other business offices in a state where the foreign bank is located), it is likely that an impediment would arise to hinder the foreign bank from continuing business if the bank does not undertake those transactions or acts with the foreign bank under the same conditions as a transaction or an act undertaken between the bank's head office and its branch office or other business offices;
or

三 当該銀行が、当該銀行の取引の通常の場合に照らして当該銀行に不利益を与える取引又は行為を経営の状況の悪化した当該銀行の特定関係者との間で合理的な経営改善のための計画に基づき行う場合において、当該取引又は行為を行うことが当該特定関係者の経営の状況を改善する上で必要かつ不可欠であると見込まれること。

(iii) when the bank undertakes a transaction or an act that puts the bank at a disadvantage in light of the ordinary conditions of its transactions based on a streamlined business improvement plan with its designated related party whose business situation has been deteriorating, it is expected that conducting the transaction or act will be essential in improving the management of that designated related party; or

四 前三号に掲げるもののほか、当該銀行がその特定関係者との間で当該銀行の取引の通常 conditions に照らして当該銀行に不利益を与える取引又は行為を行うことについて、金融庁長官が必要なものとしてあらかじめ定める場合に該当すること。

(iv) beyond what is set forth in the preceding three items, the bank to undertake a transaction or an act with its designated related party that puts the bank at a disadvantage in light of the ordinary conditions of its transactions falls under a case in which the Commissioner of the Financial Services Agency specifies in advance as necessary.

2 法第十三条の二ただし書に規定する内閣府令で定める要件は、当該銀行が当該銀行を子会社とする銀行持株会社（他の銀行又は銀行持株会社の子会社でないものに限る。）の子会社（当該銀行以外の銀行に限る。）との間で行う取引又は行為で、その条件が当該銀行の取引の通常 conditions に照らして当該銀行に不利益を与えるもの（以下この項において「特定取引等」という。）に関し、次に掲げる要件の全てに該当することとする。

(2) The requirements specified by Cabinet Office Order that is provided for in the proviso to Article 13-2 of the Act is that all of the following requirements be met for transactions and acts undertaken between the bank and a subsidiary company (limited to a bank other than the relevant bank) of the bank holding company (limited to one that is not itself a subsidiary company of another bank or bank holding company) that has the relevant bank as its subsidiary company, which puts the bank at a disadvantage in light of the ordinary conditions of its transactions (hereinafter referred to as a "specified transaction, etc." in this paragraph):

一 当該銀行が特定取引等を行うことが当該銀行の経営の健全性を損なうおそれがないこと。

(i) the performance of the specified transaction, etc. by the bank is unlikely to damage the soundness of the management of the bank; and

二 当該銀行が特定取引等の条件を明確に定めていること。

(ii) the bank has clearly specified the conditions for the specified transaction, etc.

（特定関係者との間の取引等の承認の申請等）

(Application for Approval of Transactions with Designated Related Parties)

第十四条の九 銀行は、法第十三条の二ただし書の規定によるやむを得ない理由があることについての承認を受けようとするときは、承認申請書に理由書その他金融庁長官

が必要と認める事項を記載した書面を添付して金融庁長官等に提出しなければならない。

- Article 14-9 (1) When a bank seeks to obtain an approval on the existence of compelling reasons pursuant to the provisions of the proviso to Article 13-2 of the Act, it must attach a written statement of reasons and other documents giving particulars found to be necessary by the Commissioner of the Financial Services Agency to the written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authorities.
- 2 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行が法第十三条の二各号に掲げる取引又は行為をすることについて前条第一項に掲げるやむを得ない理由があるかどうかを審査するものとする。
- (2) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank that filled the application has a compelling reason as set forth in paragraph (1) of the preceding Article for executing transactions or acts as set forth in each item of Article 13-2 of the Act.

第十四条の九の二 銀行は、法第十三条の二ただし書の規定による要件を満たすことについての承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

- Article 14-9-2 (1) When a bank seeks to obtain an approval on the satisfaction of the requirements under the proviso to Article 13-2 of the Act, it must attach the following documents to a written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authorities:
- 一 理由書
 - (i) a written statement of reasons;
 - 二 当該銀行に関する次に掲げる書面
 - (ii) the following documents concerning the bank:
 - イ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面
 - (a) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest situation of business, assets, and profit and loss; and
 - ロ 当該承認後における収支の見込みを記載した書面
 - (b) a document stating an estimation of income and expenditures after obtaining the approval;
 - 三 第十四条の八第二項第二号に規定する条件を記載した書面
 - (iii) a document stating the conditions prescribed in Article 14-8, paragraph (2), item (ii);

四 第十四条の八第二項第二号に規定する条件の決定が取締役会の決議を要するものである場合には、これに関する取締役会の議事録

(iv) if the determination of the conditions prescribed in Article 14-8, paragraph (2), item (ii) requires a resolution at a meeting of the board of directors, the minute of the meeting of the board of directors on this matter; and

五 その他金融庁長官が必要と認める事項を記載した書面

(v) other documents giving particulars found to be necessary by the Commissioner of the Financial Services Agency.

2 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行が第十四条の八第二項に掲げる要件の全てに該当するかどうかを審査するものとする。

(2) When an application for approval under the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank that filed the application satisfies all of the requirements set forth in Article 14-8, paragraph (2).

(特定関係者との間の取引等)

(Transactions with Designated Related Parties)

第十四条の十 法第十三条の二第一号に規定する内閣府令で定める取引は、当該銀行が、その営む業務の種類、規模及び信用度等に照らして当該特定関係者と同様であると認められる当該特定関係者以外の者との間で、当該特定関係者との間で行う取引と同種及び同量の取引を同様の状況の下で行つた場合に成立することとなる取引の条件と比べて、当該銀行に不利な条件で行われる取引をいう。

Article 14-10 The transaction specified by Cabinet Office Order that is provided for in Article 13-2, item (i) of the Act means a transaction that the bank executes under conditions that are disadvantageous to the bank in comparison to the conditions of a transaction that would be established if it executed a transaction of the same type and the same size under the same circumstances as the transaction in question with a person other than its specified related party but that is found to be the same in terms of the type, scope, creditworthiness, and other aspects of the business in which it engages.

(特定関係者の顧客との間の取引等)

(Transactions with a Customer of a Designated Related Party)

第十四条の十一 法第十三条の二第二号に規定する内閣府令で定める取引又は行為は、次に掲げるものとする。

Article 14-11 The transaction or act specified by Cabinet Office Order that is provided for in Article 13-2, item (ii) of the Act means those specified in the following items:

一 当該特定関係者の顧客との間で行う取引で、当該銀行が、その営む業務の種類、規模及び信用度等に照らして当該特定関係者の顧客と同様であると認められる当該

特定関係者の顧客以外の者との間で、当該特定関係者の顧客との間で行う取引と同種及び同量の取引を同様の状況の下で行った場合に成立することとなる取引の条件と比べて、当該銀行に不利な条件で行われる取引（当該特定関係者と当該特定関係者の顧客が当該特定関係者が営む事業に係る契約を締結することをその取引の条件にしているものに限る。）

(i) a transaction between a bank and a customer of its designated related party that the bank executes under conditions that are disadvantageous to the bank in comparison to the conditions of a transaction that would be established if it executed a transaction of the same type and the same size under the same circumstances as the transaction in question with a person other than the customer of its designated related party but that is found to be the same in terms of the type, scope, creditworthiness, and other aspects of the business in which it engages (limited to transactions that are conditional upon that the designated related party and the customer thereof conclude a contract for the business in which that designated related party engages);

二 当該特定関係者との間で行う取引で、その条件が当該銀行の取引の通常の状態に照らして当該特定関係者に不当に不利益を与えるものと認められるもの

(ii) a transaction executed with the designated related party under conditions that are found to wrongfully put the designated related party at a disadvantage in light of the ordinary conditions of transactions by that bank;
or

三 何らの名義によつてするかを問わず、法第十三条の二の規定による禁止を免れる取引又は行為

(iii) a transaction or an act to evade a prohibition under Article 13-2 of the Act, regardless of the name by which it is executed.

(顧客の保護に欠けるおそれのないもの)

(Act Unlikely to Result in Insufficient Customer Protection)

第十四条の十一の二 第十三条の三第三号に規定する顧客の保護に欠けるおそれがないものとして内閣府令で定めるものは、銀行が不当に取引を行うことを条件として、信用を供与し、又は信用の供与を約する行為ではないものとする。

Article 14-11-2 The act specified by Cabinet Office Order as being unlikely to result in insufficient customer protection that is provided for in Article 13-3, item (iii) of the Act means an act in which a bank wrongfully grants or promises to grant credit on the condition that a customer executes the transaction.

(銀行の業務に係る禁止行為)

(Prohibited Act in Connection with a Bank's Services)

第十四条の十一の三 法第十三条の三第四号に規定する内閣府令で定める行為は、次に

掲げる行為とする。

Article 14-11-3 The act specified by Cabinet Office Order that is provided for in Article 13-3, item (iv) of the Act means the acts specified in the following items:

一 顧客に対し、その営む業務の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項について告げず、又は誤解させるおそれのあることを告げる行為

(i) act of not conveying to a customer an important matter in light of that customer's knowledge, experience, financial status, or purpose for executing the transaction in accordance with the content and method of business it engages in, or of conveying to the customer something that is likely to lead to a misunderstanding;

二 顧客に対し、不当に、自己の指定する事業者と取引を行うことを条件として、信用を供与し、又は信用の供与を約する行為（法第十三条の三第三号に掲げる行為を除く。）

(ii) act of wrongfully granting or promising to grant credit to a customer on the condition that the customer executes a transaction with a business that the bank designates (excluding acts set forth in Article 13-3, item (iii) of the Act);
or

三 顧客に対し、銀行としての取引上の優越的地位を不当に利用して、取引の条件又は実施について不利益を与える行為

(iii) act of wrongfully using its advantageous position in the transaction as a bank to give disadvantages to a customer concerning conditions for the transaction or execution of the transaction.

(顧客の利益の保護のための体制整備に係る業務の範囲)

(Scope of Business Involving the Development of a System for Protecting Customers' Interests)

第十四条の十一の三の二 法第十三条の三の二第一項に規定する内閣府令で定める業務は、銀行が営むことができる業務（以下「銀行関連業務」という。）とする。

Article 14-11-3-2 The services specified by Cabinet Office Order that are provided for in Article 13-3-2, paragraph (1) of the Act means services that are permissible for a bank to perform (hereinafter referred to as "bank-related services").

(顧客の利益が不当に害されることのないよう必要な措置)

(Measures Necessary to Prevent a Customer's Interests from Being Unduly Harmed)

第十四条の十一の三の三 銀行は、当該銀行、当該銀行を所属銀行とする銀行代理業者又は当該銀行の親金融機関等（法第十三条の三の二第二項に規定する親金融機関等をいう。以下この条において同じ。）若しくは子金融機関等（同条第三項に規定する子

金融機関等をいう。以下この条において同じ。)が行う取引に伴い、当該銀行、当該銀行を所属銀行とする銀行代理業者又は当該銀行の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されることのないよう、次に掲げる措置を講じなければならない。

- Article 14-11-3-3 (1) A bank must take the following measures to ensure that a transaction it carries out does not unduly harm the interests of a customer of the bank services it conducts; to ensure that a transaction carried out by a bank agent that has the relevant bank as its principal bank does not unduly harm the interests of a customer of the bank services that bank agent conducts; and to ensure that a transaction carried out by its parent financial institution, etc. (meaning a parent financial institution, etc. as prescribed in Article 13-3-2, paragraph (2) of the Act; the same applies hereinafter in this Article) or subsidiary financial institution, etc. (meaning a subsidiary financial institution, etc. as prescribed in paragraph (3) of that Article; the same applies hereinafter in this Article) does not unduly harm the interests of a customer of the bank services that its subsidiary financial institution, etc. conducts:
- 一 対象取引を適切な方法により特定するための体制の整備
 - (i) development of a system to identify the subject transactions in an appropriate manner;
 - 二 次に掲げる方法その他の方法により当該顧客の保護を適正に確保するための体制の整備
 - (ii) development of a system to properly ensure the protection of the customer by the following or any other methods:
 - イ 対象取引を行う部門と当該顧客との取引を行う部門を分離する方法
 - (a) method for separating the department that executes the subject transactions and the department that executes the transactions with the customer;
 - ロ 対象取引又は当該顧客との取引の条件又は方法を変更する方法
 - (b) method for changing the conditions or method of the subject transactions or transactions with the customer;
 - ハ 対象取引又は当該顧客との取引を中止する方法
 - (c) method for discontinuing the subject transactions or transactions with the customer;
 - ニ 対象取引に伴い、当該顧客の利益が不当に害されるおそれがあることについて、当該顧客に適切に開示する方法
 - (d) method for appropriately disclosing to the customer that the customer's interests may be unduly harmed in connection with the subject transactions;
 - 三 前二号に掲げる措置の実施の方針の策定及びその概要の適切な方法による公表
 - (iii) formulation of the policy on implementing the measures set forth in the preceding two items and disclosure of its outline by an appropriate method;

四 次に掲げる記録の保存

(iv) maintaining the following records:

イ 第一号の体制の下で実施した対象取引の特定に係る記録

(a) records pertaining to the identification of the subject transactions conducted under the system prescribed in item (i);

ロ 第二号の体制の下で実施した顧客の保護を適正に確保するための措置に係る記録

(b) records pertaining to the measures to appropriately ensure the protection of customers taken under the system prescribed in item (ii).

2 前項第四号に規定する記録は、その作成の日から五年間保存しなければならない。

(2) The record prescribed in item (iv) of the preceding paragraph must be preserved for five years from the date it was created.

3 第一項の「対象取引」とは、銀行、当該銀行を所属銀行とする銀行代理業者又は当該銀行の親金融機関等若しくは子金融機関等が行う取引に伴い、当該銀行、当該銀行を所属銀行とする銀行代理業者又は当該銀行の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されるおそれがある場合における当該取引をいう。

(3) The term "subject transaction" in paragraph (1) means a transaction carried out by a bank that brings about the risk of unduly harming the interests of a customer of the bank services it conducts; a transaction that is carried out by a bank agent which has that bank in question as its principal bank and that brings about the risk of unduly harming the interests of a customer of the bank services it conducts; or a transaction that is carried out by the parent financial institution, etc. or a subsidiary financial institution, etc. of the relevant bank and that brings about the risk of unduly harming the interests of a customer of the bank services conducted by a subsidiary financial institution, etc. of the relevant bank.

(特定預金等)

(Specified Deposits)

第十四条の十一の四 法第十三条の四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 14-11-4 The deposits, etc. specified by Cabinet Office Order that are provided for in Article 13-4 of the Act are those listed in the following items:

一 預金者等が預入期間の途中で解約をした場合に違約金その他これに準ずるもの（以下この号において「違約金等」という。）を支払うこととなる預金等であつて、当該違約金等の額を当該解約の時における当該預金等の残高から控除した金額が、金利、通貨の価格、金融商品市場における相場その他の指標に係る変動により預入金額を下回ることとなるおそれがあるもの

(i) a deposit, etc. that requires the depositor, etc. to pay a penalty or anything else equivalent to this (hereinafter referred to as a "penalty or its equivalent" in this item) if the depositor, etc. terminates it before maturity, regarding

which the amount arrived at when the amount of the penalty or its equivalent is deducted from the balance of the deposit, etc. at the time of the termination is likely to fall below the deposited amount due to changes in money rate, value of currencies, quotations on a financial instruments market, and other indicators;

二 預金等のうち、外国通貨で表示されるもの

(ii) a deposit, etc. that is indicated in a foreign currency; or

三 預金等のうち、その受入れを内容とする取引に金融商品取引法第二条第二十二項第三号（ロを除く。）に掲げる取引（通貨の売買に係るものに限る。）が付随するもの

(iii) a deposit, etc. entailed by a transaction (limited to transactions pertaining to purchase and sale of currencies) on acceptance of the deposit, etc. prescribed in Article 2, paragraph (22), item (iii) (excluding (b)) of the Financial Instruments and Exchange Act.

(契約の種類)

(Type of Contract)

第十四条の十一の五 法第十三条の四において準用する金融商品取引法第三十四条に規定する内閣府令で定めるものは、特定預金等契約（法第十三条の四に規定する特定預金等契約をいう。以下同じ。）とする。

Article 14-11-5 What is specified by Cabinet Office Order as provided in Article 34 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 13-4 of the Act, means a specified deposit, etc. contract (meaning a contract for specified deposit, etc., as prescribed in Article 13-4 of the Act; the same applies hereinafter).

第十四条の十一の六 削除

Article 14-11-6 Deleted

(申出をした特定投資家に交付する書面の記載事項)

(Information to Be Stated in the Documents to Be Delivered to a Professional Investor Who Has Made a Request)

第十四条の十一の七 法第十三条の四において準用する金融商品取引法第三十四条の二第三項第四号に規定する内閣府令で定める事項は、申出者（同項に規定する申出者をいう。）は、同条第二項の規定による承諾を行つた銀行のみから対象契約（同項に規定する対象契約をいう。第十四条の十一の九の二において同じ。）に関して特定投資家（金融商品取引法第二条第三十一項に規定する特定投資家をいう。以下同じ。）以外の顧客として取り扱われることになる旨とする。

Article 14-11-7 The particulars specified by Cabinet Office Order as provided in Article 34-2, paragraph (3), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act

means an indication that the applicant (meaning the applicant prescribed in that paragraph) is to be treated as a customer other than a professional investor (meaning a professional investor prescribed in Article 2, paragraph (31) of the Financial Instruments and Exchange Act; the same applies hereinafter) with regard to the subject contract (meaning a subject contract prescribed in Article 34-2, paragraph (2) of that Act; the same applies in Article 14-11-9-2) only by a bank that accepted the application under that paragraph.

(情報通信の技術を利用した提供)

(Provision by Use of Information and Communications Technology)

第十四条の十一の八 法第十三条の四において準用する金融商品取引法第三十四条の二第四項（法第十三条の四において準用する金融商品取引法第三十四条の三第十二項（法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。））、第三十四条の四第三項、第三十七条の三第二項及び第三十七条の四第二項において準用する場合を含む。以下この条において同じ。）に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 14-11-8 (1) The means that is specified by Cabinet Office Order as provided in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 34-3, paragraph (12) (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act); Article 34-4, paragraph (3); Article 37-3, paragraph (2); or Article 37-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; hereinafter the same applies in this Article), as applied mutatis mutandis pursuant to Article 13-4 of the Act, is any of the following means:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

(i) any of the following means of employing an electronic data processing system:

イ 銀行（法第十三条の四において準用する金融商品取引法第三十四条の二第四項に規定する事項の提供を行う銀行との契約によりファイルを自己の管理する電子計算機に備え置き、これを当該事項を提供する相手方（以下この条において「顧客」という。）又は当該銀行の用に供する者を含む。以下この条において同じ。）の使用に係る電子計算機と顧客等（顧客及び顧客との契約により顧客ファイル（専ら顧客の用に供せられるファイルをいう。以下この条において同じ。）を自己の管理する電子計算機に備え置く者をいう。以下この条において同じ。）の使用に係る電子計算機とを接続する電気通信回線を通じて書面に記載すべき事項（以下この条において「記載事項」という。）を送信し、顧客等の使用に係る電子計算機に備えられた顧客ファイルに記録する方法（同項に規定する方法によ

る提供を受ける旨の承諾又は受けない旨の申出をする場合にあつては、同項に規定する事項の提供を行う銀行の使用に係る電子計算機に備えられたファイルにその旨を記録する方法)

(a) a means that causes the information that is required be stated in a document (hereinafter referred to as "required information" in this Article) to be transmitted over a telecommunications line that connects the computer used by a bank (including a person that prepares a file on a computer under its management based on a contract with a bank which provides persons with the particulars prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, and makes the file available for use by the persons to which the bank provides those particulars (hereinafter each such person is referred to as a "customer" in this Article) or by that bank; hereinafter the same applies in this Article) and the computer used by a customer, etc. (meaning a customer or a person that prepares a customer file (meaning a file that is made available exclusively for use by a customer; hereinafter the same applies in this Article) on a computer under its management based on a contract with the customer; hereinafter the same applies in this Article), and to be recorded in a customer file that has been prepared on the computer used by the customer, etc. (for consent indicating that a person is willing to be, or a notice indicating that a person is not willing to be, provided with information by the means prescribed in the preceding paragraph, this means a means that causes what has been indicated to be recorded in a file that has been prepared on a computer used by a bank which provides persons with the particulars prescribed in that paragraph);

ロ 銀行の使用に係る電子計算機に備えられたファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供し、顧客等の使用に係る電子計算機に備えられた当該顧客の顧客ファイルに当該記載事項を記録する方法（法第十三条の四において準用する金融商品取引法第三十四条の二第四項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあつては、銀行の使用に係る電子計算機に備えられたファイルにその旨を記録する方法)

(b) a means that uses a telecommunications line to make the required information that has been recorded into a file which has been prepared on a computer used by a bank available for a customer to inspect and causes that required information to be recorded in the customer file for that customer that has been prepared on a computer used by the customer, etc. (for consent indicating that a person is willing to be, or a notice indicating that a person is not willing to be, provided with information by the means prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the

Act, meaning a means that causes what has been indicated to be recorded in a file that has been prepared on a computer used by a bank);

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

(c) a means that uses a telecommunications line to make the required information that has been recorded into a customer file which has been prepared on a computer used by a bank available for a customer to inspect; or

ニ 閲覧ファイル（銀行の使用に係る電子計算機に備えられたファイルであつて、同時に複数の顧客の閲覧に供するため記載事項を記録させるファイルをいう。以下この条において同じ。）に記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(d) a means that uses a telecommunications line to make the required information that has been recorded in an inspection file (meaning a file that has been prepared on a computer used by a bank into which required information is recorded so that it can be made available for multiple customers to inspect simultaneously) available for a customer to inspect.

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つて調製するファイルに記載事項を記録したものを交付する方法

(ii) a means of delivering to the relevant persons a record of the required information that has been recorded into a file created using a magnetic disk, CD-ROM, or other objects with an equivalent means of reliably recording certain data.

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

(2) The means set forth in each item of the preceding paragraph must conform to the following standards:

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

(i) it enables the customer to create a document by outputting what has been recorded in the customer file or inspection file;

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

(ii) for the means as set forth in item (i), sub-item (a), sub-item (c), or sub-item (d) of the preceding paragraph (excluding a means that records required information on a customer file that has been prepared on a computer used by the customer), notification is made to the customer that the required information will be or has been recorded in the customer file or inspection

file; provided, however, that this does not apply if it has been confirmed that the customer has inspected the required information;

三 前項第一号ハ又はニに掲げる方法にあつては、記載事項に掲げられた取引を最後に行つた日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があつたときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）次に掲げる事項を消去し又は改変することができないものであること。ただし、閲覧に供している記載事項を書面により交付する場合、顧客の承諾（令第四条の三に規定する方法による承諾をいう。）を得て前項第一号イ若しくはロ若しくは第二号に掲げる方法により提供する場合又は顧客による当該記載事項に係る消去の指図がある場合は、当該記載事項を消去することができる。

(iii) for the means as set forth in item (i), sub-item (c) and sub-item (d) of the preceding paragraph, the relevant person cannot delete or modify the following information for five years after the final date on which a transaction set forth in the required information is carried out (if a complaint involving the required information is filed by the day on which that period ends, until the date on which that period ends or the date on which that complaint is resolved, whichever comes later); provided, however, that if the relevant person delivers, in writing, the required information that it has made available for inspection; if the relevant person obtains the customer's consent (meaning consent by a means as prescribed in Article 4-3 of the Order) and provides the relevant information by a means set forth in item (i), sub-item (a) or sub-item (b) of the preceding paragraph or item (ii); or if the customer gives instruction to delete the required information; the person may delete that required information:

イ 前項第一号ハに掲げる方法については、顧客ファイルに記録された記載事項
(a) the required information recorded in the customer file, for the means as set forth in item (i), sub-item (c) of the preceding paragraph; or

ロ 前項第一号ニに掲げる方法については、閲覧ファイルに記録された記載事項
(b) the required information recorded in the inspection file, for the means as set forth in item (i), sub-item (d) of the preceding paragraph;

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

(iv) when the means as set forth in item (i), sub-item (d) of the preceding paragraph are used, the means are to conform to the following standards:

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

(a) it is to record the information necessary for a customer to inspect the inspection file in the customer file; and

ロ 前号に規定する期間を経過するまでの間において、イの規定により顧客が閲覧ファイルを閲覧するために必要な情報を記録した顧客ファイルと当該閲覧ファイルとを電気通信回線を通じて接続可能な状態を維持させること。ただし、閲覧の

提供を受けた顧客が接続可能な状態を維持させることについて不要である旨通知した場合は、この限りでない。

(b) to maintain the state that allows the customer to connect the customer file that recorded the information necessary for a customer to inspect the inspection file pursuant to sub-item (a) and the inspection file itself using a telecommunications line until the end of the period prescribed in the preceding item; provided, however, that this does not apply if a customer that has been given access to those files has notified that it is not necessary to maintain them in a state that allows the customer to connect to them.

3 第一項第一号の「電子情報処理組織」とは、銀行の使用に係る電子計算機と、顧客ファイルを備えた顧客等又は銀行の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The term "electronic data processing system" as used in paragraph (1), item (i) means an electronic data processing system that uses a telecommunications line to connect the computer used by the bank and the computer on which the customer file has been prepared that is used by the customer, etc., or the bank.

(電磁的方法の種類及び内容)

(Type and Content of the Electronic or Magnetic Means)

第十四条の十一の九 令第四条の三第一項及び第四条の四第一項の規定により示すべき方法の種類及び内容は、次に掲げる事項とする。

Article 14-11-9 The type and content of the means that the bank is required to indicate pursuant to the provisions of Article 4-3, paragraph (1) and Article 4-4, paragraph (1) of the Order means the following particulars:

一 前条第一項各号又は第十四条の十一の九の三第一項各号に掲げる方法のうち銀行が使用するもの

(i) out of the means set forth in each item of paragraph (1) of the preceding Article or each item of Article 14-11-9-3, paragraph (1), the means to be used by the bank; and

二 ファイルへの記録の方式

(ii) the method of recording data to the file.

(特定投資家への復帰申出をした者が同意を行う書面の記載事項)

(Information to Be Entered into Documents with Which a Person That Has Requested Reinstatement as a Professional Investor Gives Consent)

第十四条の十一の九の二 法第十三条の四において準用する金融商品取引法第三十四条の二第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-9-2 The particulars specified by Cabinet Office Order that are provided for in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act,

are the following particulars:

一 法第十三条の四において準用する金融商品取引法第三十四条の二第十一项の規定による承諾をする日（第四号及び第五号において「承諾日」という。）

(i) the date when acceptance is obtained (which is referred to as the "approval date" in item (iv) and item (v)) pursuant to the provisions of Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act;

二 対象契約が特定預金等契約である旨

(ii) an indication that a subject contract is a contract for specified deposit, etc.;

三 復帰申出者（法第十三条の四において準用する金融商品取引法第三十四条の二第十一项に規定する復帰申出者をいう。以下この条において同じ。）が次に掲げる事項を理解している旨

(iii) an indication that the person requesting reinstatement (meaning the person requesting reinstatement prescribed in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; hereinafter the same applies in this Article) understands the following particulars:

イ 法第十三条の四において準用する金融商品取引法第四十五条各号（第三号及び第四号を除く。）に掲げる規定は、対象契約に関して復帰申出者が当該各号に定める者である場合（同条ただし書に規定する場合を除く。）には適用されない旨

(a) an indication that the provisions set forth in the items of Article 45 (excluding item (iii) and item (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are not applicable if the person requesting reinstatement for the subject contract is a person prescribed in any of those items (excluding the cases prescribed in the proviso to Article 45 of the Financial Instruments and Exchange Act);

ロ 対象契約に関して特定投資家として取り扱われることがその知識、経験及び財産の状況に照らして適当ではない者が特定投資家として取り扱われる場合には、当該者の保護に欠けることとなるおそれがある旨

(b) an indication that, if a person that it is inappropriate to be treated as a professional investor for the subject contract in light of the person's knowledge, experience, and financial status, is treated as a professional investor, it is likely to result in insufficient protection of that person;

四 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、復帰申出者を再び特定投資家として取り扱う旨

(iv) an indication that the person requesting reinstatement is to be treated again as a professional investor if the person requesting reinstatement is solicited to conclude or concludes the subject contract on or after the approval date;

五 復帰申出者は、承諾日以後いつでも、法第十三条の四において準用する金融商品

取引法第三十四条の二第一項の規定による申出ができる旨

- (v) an indication that, at any time on or after the approval date, the person requesting reinstatement may make an application under Article 34-2, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

(情報通信の技術を利用した同意の取得)

(Obtaining Consent by the Use of Information and Communications Technology)

第十四条の十一の九の三 法第十三条の四において準用する金融商品取引法第三十四条の二第十二項（法第十三条の四において準用する金融商品取引法第三十四条の三第三項（法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）において準用する場合を含む。以下この条において同じ。）に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 14-11-9-3 (1) The means specified by Cabinet Office Order that is provided for in Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 34-3, paragraph (3) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act), as applied mutatis mutandis pursuant to Article 13-4 of the Act; hereinafter the same applies in this Article), as applied mutatis mutandis pursuant to Article 13-4 of the Act, means the following:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

- (i) any of the following means of employing an electronic data processing system:

イ 銀行の使用に係る電子計算機と法第十三条の四において準用する金融商品取引法第三十四条の二第十二項の規定により同意を得ようとする相手方（以下この条において「顧客」という。）の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) a means of transmitting information over a telecommunications line that connects a computer used by a bank and a computer used by a person from whom the bank is seeking to obtain consent pursuant to the provisions of Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (hereinafter referred to as the "customer" in this Article), and to record the information in a file that has been prepared on the computer used by the recipient; or

ロ 銀行の使用に係る電子計算機に備えられたファイルに記録された顧客の同意に関する事項を電気通信回線を通じて当該顧客の閲覧に供し、当該銀行の使用に係

る電子計算機に備えられたファイルに当該顧客の同意に関する事項を記録する方法

(b) a means of making the particulars on the customer's consent recorded in a file that has been prepared on a computer used by a bank available for inspection by the customer using a telecommunication line and recording the particulars on the customer's consent on a file that has been prepared on a computer used by the bank;

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つて調製するファイルに同意に関する事項を記録したものを得る方法

(ii) a means of obtaining a record of the particulars of the consent that has been recorded into a file created using a magnetic disk, CD-ROM, or other objects equivalent to them for reliably recording certain data.

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

(2) The means set forth in each item of the preceding paragraph must enable a bank to prepare a document by outputting what has been recorded in the file.

3 第一項第一号の「電子情報処理組織」とは、銀行の使用に係る電子計算機と、顧客の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The term "electronic data processing system" as used in paragraph (1), item (i) means an electronic data processing system that uses a telecommunications line to connect the computer used by the bank and the computer used by the customer.

(特定投資家以外の顧客である法人が特定投資家とみなされる場合の期限日)

(Due Date If a Corporation, Who Is a Customer Other than a Professional Investor, Is Deemed to Be a Professional Investor)

第十四条の十一の十 法第十三条の四において準用する金融商品取引法第三十四条の三第二項に規定する内閣府令で定める場合は、銀行が一定の日を定め、次に掲げる事項を当該銀行の営業所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 14-11-10 (1) The case specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act means the case in which a bank specifies a certain date and publicly discloses the following particulars by posting in a clearly visible place at a business office of that bank or by other appropriate methods:

一 当該日

(i) that date; and

二 次項に規定する日を期限日（法第十三条の四において準用する金融商品取引法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第十四

条の十一の十二において同じ。) とする旨

(ii) an indication that the due date (meaning a due date as prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; the same applies in paragraph (2), item (i) of the following Article and Article 14-11-12) is the date as prescribed in the following paragraph.

2 法第十三条の四において準用する金融商品取引法第三十四条の三第二項に規定する内閣府令で定める日は、銀行が前項の規定により定めた日であつて承諾日（同条第二項第一号に規定する承諾日をいう。次条第二項第三号及び第十四条の十一の十二において同じ。）から起算して一年以内の日のうち最も遅い日とする。

(2) The date specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is a date that is specified by a bank pursuant to the provisions of the preceding paragraph and that is the last date within one year from the approval date (meaning the approval date prescribed in Article 34-3, paragraph (2), item (i) of the Financial Instruments and Exchange Act; the same applies in paragraph (2), item (iii) of the following Article and Article 14-11-12).

(申出をした特定投資家以外の顧客である法人が同意を行う書面の記載事項)

(Information to Be Stated in Documents to Which a Corporation, Which Is a Customer Other than the Professional Investor That Has Made a Request, Gives Its Consent)

第十四条の十一の十一 法第十三条の四において準用する金融商品取引法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、法第十三条の四において準用する金融商品取引法第四十五条各号（第三号及び第四号を除く。）に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第十四条の十一の十二の二において同じ。）に関して申出者（法第十三条の四において準用する金融商品取引法第三十四条の三第二項に規定する申出者をいう。次項において同じ。）が当該各号に定める者である場合（法第十三条の四において準用する金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 14-11-11 (1) The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (2), item (iv), (a) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are that the provisions set forth in each item of Article 45 (excluding item (iii) and item (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act do not apply if an applicant (meaning an applicant as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; the same applies in the following paragraph) in the subject contract (meaning the subject contract as

prescribed in Article 45, item (ii) of the Financial Instruments and Exchange Act; the same applies in the following paragraph and Article 14-11-12-2) is a person as prescribed in each of those items of Article 45 of the Financial Instruments and Exchange Act (excluding cases as prescribed in the proviso to Article 45 of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act).

2 法第十三条の四において準用する金融商品取引法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following particulars:

一 期限日以前に締結した対象契約に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであつても、申出者を特定投資家として取り扱う旨

(i) an indication that an applicant is treated as a professional investor, for an act performed based on the provisions of laws or regulations or the stipulations of a contract in relation to the subject contract concluded before the due date, even if this act is performed after the due date; and

二 申出者は、法第十三条の四において準用する金融商品取引法第三十四条の三第二項の規定による承諾を行つた銀行のみから対象契約に関して特定投資家として取り扱われることになる旨

(ii) an indication that an applicant is treated as a professional investor for the subject contract only by a bank that has provided an approval under Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

三 申出者は、承諾日以後いつでも、法第十三条の四において準用する金融商品取引法第三十四条の三第九項の規定による申出ができる旨

(iii) an indication that, at any time on or after the approval date, an applicant may make an application under Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

(申出をした特定投資家以外の顧客である法人が更新申出をするために必要な期間)
(Period Necessary for a Corporation, Which Is a Customer Other than the Professional Investor That Has Made a Request, to Make a Request for Renewal)

第十四条の十一の十二 法第十三条の四において準用する金融商品取引法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあつては、当該各号に定める期間）とする。

Article 14-11-12 (1) The period specified by Cabinet Office Order that is provided

for in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is 11 months (the period prescribed in the following items for the cases set forth in each item).

一 承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除く。） 当該期間から一月を控除した期間

(i) the period between the approval date and the due date is less than one year (excluding the cases set forth in the following items): a period obtained by deducting one month from that period;

二 承諾日から期限日までの期間が一月を超えない場合 一日

(ii) the period between the approval date and the due date does not exceed one month: one day;

2 法第十三条の四において準用する金融商品取引法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項各号中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) In applying the provisions of the preceding paragraph in the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, the term "approval date" in the items of that paragraph is deemed to be replaced with "the day immediately following the previous due date".

(特定投資家以外の顧客への復帰申出をした法人に交付する書面の記載事項)

(Information to Be Stated in Documents to Be Delivered to a Corporation That Has Made a Request for Reinstatement as a Customer Other than a Professional Investor)

第十四条の十一の十二の二 法第十三条の四において準用する金融商品取引法第三十四条の三第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-12-2 The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following particulars:

一 法第十三条の四において準用する金融商品取引法第三十四条の三第十項の規定により承諾をする日（第三号において「承諾日」という。）

(i) the date when acceptance is made pursuant to the provisions of Article 34-3, paragraph (10) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (referred to as the "approval date" in item (iii));

二 対象契約が特定預金等契約である旨

(ii) an indication that the subject contract is a contract for specified deposit, etc.;

三 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、法第十三条の

四において準用する金融商品取引法第三十四条の三第九項の規定による申出をした法人を再び特定投資家以外の顧客として取り扱う旨

(iii) an indication that the relevant person will once again treat a corporation that has made a request under Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, as a customer other than a professional investor when soliciting that corporation to conclude a subject contract on or after the approval date or when concluding a subject contract with that corporation on or after the approval date.

(特定投資家として取り扱うよう申し出ることができる営業者等)

(Proprietors and Others That May Request to Be Treated as Professional Investors)

第十四条の十一の十三 法第十三条の四において準用する金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定めるものは、次に掲げる要件のいずれかに該当するものとする。

Article 14-11-13 (1) The excluded individuals specified by Cabinet Office Order who are provided for in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, means those that fall under any of the following requirements:

一 法第十三条の四において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて全ての匿名組合員の同意を得ていないこと。

(i) the individual has not obtained consent from all silent partners in making a request as prescribed in Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; or

二 その締結した商法（明治三十二年法律第四十八号）第五百三十五条に規定する匿名組合契約に基づく出資の合計額が三億円未満であること。

(ii) the total amount of contribution based on the silent partnership agreement as prescribed in Article 535 of the Commercial Code (Act No. 48 of 1899) that the individual has concluded is less than 300 million yen.

2 法第十三条の四において準用する金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定める個人は、次に掲げる者とする。

(2) The individual specified by Cabinet Office Order who is provided for in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, means any of the following persons:

一 民法第六百六十七条第一項に規定する組合契約を締結して組合の業務の執行を委任された組合員である個人（次に掲げる要件の全てに該当する者に限る。）

(i) an individual who is a partner that concluded a partnership agreement as

prescribed in Article 667, paragraph (1) of the Civil Code and is entrusted with the execution of business of the partnership (limited to a person that corresponds to all of the following requirements):

イ 法第十三条の四において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他の全ての組合員の同意を得ていること。

(a) the individual who has obtained the consent of all other partners in making a request under Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; and

ロ 当該組合契約に基づく出資の合計額が三億円以上であること。

(b) the total amount of contribution based on the partnership agreement that the individual has concluded is 300 million yen or more;

二 有限責任事業組合契約に関する法律（平成十七年法律第四十号）第三条第一項に規定する有限責任事業組合契約を締結して組合の重要な業務の執行の決定に関与し、かつ、当該業務を自ら執行する組合員である個人（次に掲げる要件の全てに該当する者に限る。）

(ii) an individual who is a partner that concludes an agreement of a limited liability business partnership as prescribed in Article 3, paragraph (1) of the Limited Liability Partnership Act (Act No. 40 of 2005), participates in deciding execution of important business of the partnership, and personally conducts the business (limited to a person that corresponds to all of the following requirements):

イ 法第十三条の四において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他の全ての組合員の同意を得ていること。

(a) the individual who has obtained the consent of all other partners in making a request under Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; and

ロ 当該有限責任事業組合契約に基づく出資の合計額が三億円以上であること。

(b) the total amount of contribution based on the limited liability business partnership agreement that the individual has concluded is 300 million yen or more.

（特定投資家として取り扱うよう申し出ることができる個人）

(An Individual Who May Request to Be Treated as a Professional Investor)

第十四条の十一の十四 法第十三条の四において準用する金融商品取引法第三十四条の四第一項第二号に規定する内閣府令で定める要件は、次に掲げる要件の全てに該当することとする。

Article 14-11-14 The requirement specified by Cabinet Office Order that is provided for in Article 34-4, paragraph (1), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to

Article 13-4 of the Act, is that all of the following requirements must be met:

一 取引の状況その他の事情から合理的に判断して、承諾日（法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第一号に規定する承諾日をいう。次号、次条第二項、第十四条の十一の十六第二項第三号及び第十四条の十一の十六の二において同じ。）における申出者（法第十三条の四において準用する金融商品取引法第三十四条の四第二項に規定する申出者をいう。以下この条及び第十四条の十一の十六において同じ。）の資産の合計額から負債の合計額を控除した額が三億円以上になると見込まれること。

(i) in making a reasonable judgment in light of the condition of transactions and other circumstances, the amount arrived at when the total amount of liabilities is deducted from the total amount of assets of the applicant (meaning an applicant as prescribed in Article 34-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; hereinafter the same applies in this Article and Article 14-11-16) on the approval date (meaning the approval date as prescribed in Article 34-3, paragraph (2), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; the same applies in the following item, paragraph (2) of the following Article, Article 14-11-16, paragraph (2), item (iii), and Article 14-11-16-2) is estimated to be 300 million yen or more;

二 取引の状況その他の事情から合理的に判断して、承諾日における申出者の資産（次に掲げるものに限る。）の合計額が三億円以上になると見込まれること。

(ii) in making a reasonable judgment in light of the condition of transactions and other circumstances, the total amount of assets (limited to those prescribed in the following items) of an applicant on the approval date is estimated to be 300 million yen or more:

イ 有価証券（ホに掲げるもの及びへに掲げるもの（不動産特定共同事業法（平成六年法律第七十七号）第二条第九項に規定する特例事業者と締結したものに限る。）を除く。）

(a) securities (excluding those set forth in sub-item (e) and in sub-item (f) (limited to those based on a contract concluded with a special enterprise operator prescribed in Article 2, paragraph (9) of the Act on Specified Joint Real Estate Ventures (Act No. 77 of 1994)));

ロ デリバティブ取引（金融商品取引法第二条第二十項に規定するデリバティブ取引をいう。第三十四条の二の十四第二号ロにおいて同じ。）に係る権利

(b) rights pertaining to derivative transactions (meaning derivative transactions as prescribed in Article 2, paragraph (20) of the Financial Instruments and Exchange Act; the same applies in Article 34-2-14, item (ii), (b));

ハ 法第十三条の四に規定する特定預金等（ハ及び第三十四条の二の十四第二号ハ

を除き、以下「特定預金等」という。) 、農業協同組合法第十一条の五に規定する特定貯金等、水産業協同組合法第十一条の九に規定する特定貯金等、協同組合による金融事業に関する法律(昭和二十四年法律第百八十三号) 第六条の五の十一に規定する特定預金等、信用金庫法(昭和二十六年法律第二百三十八号) 第八十九条の二に規定する特定預金等、長期信用銀行法第十七条の二に規定する特定預金等、労働金庫法(昭和二十八年法律第二百二十七号) 第九十四条の二に規定する特定預金等、農林中央金庫法(平成十三年法律第九十三号) 第五十九条の三に規定する特定預金等及び株式会社商工組合中央金庫法(平成十九年法律第七十四号) 第二十九条に規定する特定預金等

- (c) a specified deposit, etc. as prescribed in Article 13-4 of the Act (hereinafter referred to as a "specified deposit, etc.", except in item (c) and Article 34-2-14, item (ii), item (c)); specified savings, etc., as prescribed in Article 11-5 of the Agricultural Cooperatives Act; specified savings, etc., as prescribed in Article 11-9 of the Fisheries Cooperatives Act; specified deposit, etc., as prescribed in Article 6-5-11 of the Act on Financial Business by Cooperatives (Act No. 183 of 1949); specified deposit, etc., as prescribed in Article 89-2 of the Shinkin Bank Act (Act No. 238 of 1951); specified deposit, etc., as prescribed in Article 17-2 of the Long-Term Credit Bank Act; specified deposit, etc., as prescribed in Article 94-2 of the Labor Bank Act (Act No. 227 of 1953); specified deposit, etc., as prescribed in Article 59-3 of the Norinchukin Bank Act (Act No. 93 of 2001); and specified deposit, etc. as prescribed in Article 29 of the Shoko Chukin Bank Limited Act (Act No. 74 of 2007);
- ニ 農業協同組合法第十一条の二十七に規定する特定共済契約、消費生活協同組合法(昭和二十三年法律第二百号) 第十二条の三第一項に規定する特定共済契約、水産業協同組合法第十五条の七に規定する特定共済契約、中小企業等協同組合法(昭和二十四年法律第百八十一号) 第九条の七の五第二項に規定する特定共済契約及び保険業法第三百条の二に規定する特定保険契約に基づく保険金、共済金、返戻金その他の給付金に係る権利
- (d) rights pertaining to insurance money, mutual aid money, refund, or other payments based on a specified mutual aid contract as prescribed in Article 11-27 of the Agricultural Cooperatives Act, a specified mutual aid contract prescribed in Article 12-3, paragraph (1) of the Consumer Cooperatives Act (Act No. 200 of 1948), a specified mutual aid contract prescribed in Article 15-7 of the Fishery Cooperatives Act, a specified mutual aid contract as prescribed in Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949), and a specified insurance contract as prescribed in Article 300-2 of the Insurance Business Act;
- ホ 信託業法(平成十六年法律第百五十四号) 第二十四条の二に規定する特定信託契約に係る信託受益権

(e) a beneficiary right of trust pertaining to a specified trust contract as prescribed in Article 24-2 of the Trust Business Act (Act No. 154 of 2004);
へ 不動産特定共同事業法第二条第三項に規定する不動産特定共同事業契約に基づく権利

(f) a right based on a specified joint real estate venture contract as prescribed in Article 2, paragraph (3) of the Act on Specified Joint Real Estate Ventures; and

ト 商品市場における取引（商品先物取引法第二条第十項に規定する商品市場における取引をいう。第三十四条の二の十四第二号トにおいて同じ。） 、外国商品市場取引（同法第二条第十三項に規定する外国商品市場取引をいう。同号トにおいて同じ。）及び店頭商品デリバティブ取引（同法第二条第十四項に規定する店頭商品デリバティブ取引をいう。同号トにおいて同じ。）に係る権利

(g) a right pertaining to a transaction on a commodity market (meaning the transaction on a commodity market prescribed in Article 2, paragraph (10) of the Commodity Derivatives Transaction Act; the same applies in Article 34-2-14, item (ii), (g)), a foreign commodity market transaction (meaning the foreign commodity market transaction prescribed in Article 2, paragraph (13) of that Act; the same applies in sub-item (g) of that item), and an over-the-counter commodity derivative transaction (meaning the over-the-counter commodity derivative transaction as prescribed in Article 2, paragraph (14) of that Act; the same applies in sub-item (g) of that item);

三 申出者が最初に当該銀行との間で特定預金等契約を締結した日から起算して一年を経過していること。

(iii) one year has elapsed from the date that an applicant concluded a contract for specified deposit, etc. for the first time with the bank.

(特定投資家以外の顧客である個人が特定投資家とみなされる場合の期限日)

(Due Date in the Case When an Individual Who Is a Customer Other than a Professional Investor Is Deemed to Be a Professional Investor)

第十四条の十一の十五 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項に規定する内閣府令で定める場合は、銀行が一定の日を定め、次に掲げる事項を当該銀行の営業所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 14-11-15 (1) The case specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, means the case in which a bank specifies a certain date and publicly discloses the following particulars by posting in a place easily seen by the public at a business office of that bank or by other appropriate methods:

一 当該日

(i) that date; and

二 次項に規定する日を期限日（法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第十四条の十一の十六の二において同じ。）とする旨

(ii) an indication that the date (meaning an due date as prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; the same applies in paragraph (2), item (i) of the following Article and Article 14-11-16-2) is the date as prescribed in the following paragraph.

2 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項に規定する内閣府令で定める日は、銀行が前項の規定により定めた日であつて承諾日から起算して一年以内の日のうち最も遅い日とする。

(2) The date specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, means the latest date specified by a bank pursuant to the provisions of the preceding paragraph that is within one year from the approval date.

（申出をした特定投資家以外の顧客である個人が同意を行う書面の記載事項）

(Information to Be Stated in Documents to Which an Individual, Who Is a Customer Other than a Professional Investor That Has Made a Request, Gives Its Consent)

第十四条の十一の十六 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、法第十三条の四において準用する金融商品取引法第四十五条各号（第三号及び第四号を除く。）に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第十四条の十一の十六の三において同じ。）に関して申出者が当該各号に定める者である場合（法第十三条の四において準用する金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 14-11-16 (1) The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (2), item (iv), (a) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, mean an indication that the provisions set forth in each item of Article 45 (excluding item (iii) and item (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, do not apply when an applicant in the subject contract

(meaning the subject contract as prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act; the same applies in the following paragraph and Article 14-11-16-3 of the Act) is a person specified in those items of Article 45 of the Financial Instruments and Exchange Act (excluding cases as prescribed in the proviso to Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act).

2 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following particulars:

一 期限日以前に締結した対象契約に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであつても、申出者を特定投資家として取り扱う旨

(i) an indication that an applicant is treated as a professional investor, with regard to an act performed based on the provisions of laws or regulations or the stipulations of a contract in relation to a subject contract concluded before the due date, even if this act is performed after the due date; and

二 申出者は、法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項の規定による承諾を行った銀行のみから対象契約に関して特定投資家として取り扱われることになる旨

(ii) an indication that an applicant is treated as a professional investor in the subject contract only by a bank that provides an approval under Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

三 申出者は、承諾日以後いつでも、法第十三条の四において準用する金融商品取引法第三十四条の四第四項の規定による申出ができる旨

(iii) an indication that, at any time on or after the approval date, an applicant may make a request under Article 34-4, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

(申出をした特定投資家以外の顧客である個人が更新申出をするために必要な期間)
(Period Necessary for an Individual, Who Is a Customer Other than the Professional Investor That Has Made a Request, to Make a Request for Renewal)

第十四条の十一の十六の二 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあつては、当該各号に定める期間）とする。

Article 14-11-16-2 (1) The period specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is 11 months (the periods prescribed in the following items in the cases set forth in each item).

一 承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除く。） 当該期間から一月を控除した期間

(i) the period between the approval date and the due date is less than one year (excluding the cases set forth in the following item): a period obtained by deducting one month from the period;

二 承諾日から期限日までの期間が一月を超えない場合 一日

(ii) the period between the approval date and the due date does not exceed one month: one day;

2 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) In applying the provisions of the preceding paragraph in the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, the term "approval date" in that paragraph is deemed to be replaced with "the day immediately following the previous due date".

(特定投資家以外の顧客への復帰申出をした個人に交付する書面の記載事項)

(Information to Be Entered Into Documents to Be Delivered to an Individual Who Has Made a Request for Reinstatement as a Customer Other than a Professional Investor)

第十四条の十一の十六の三 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第十一项に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-16-3 The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following particulars:

一 法第十三条の四において準用する金融商品取引法第三十四条の四第五項の規定に

より承諾をする日（第三号において「承諾日」という。）

(i) the date when acceptance is made pursuant to the provisions of Article 34-4, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (referred to as the "approval date" in item (iii));

二 対象契約が特定預金等契約である旨

(ii) an indication that the subject contract is a contract for specified deposit, etc.;

三 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、法第十三条の四において準用する金融商品取引法第三十四条の四第四項の規定による申出をした個人を再び特定投資家以外の顧客として取り扱う旨

(iii) an indication that the relevant person will once again treat an individual who has made a request under Article 34-4, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act as a customer other than a professional investor when soliciting that individual to conclude a subject contract on or after the approval date or when concluding the subject contract with that individual on or after the approval date.

(広告類似行為)

(Acts Similar to Advertising)

第十四条の十一の十七 法第十三条の四において準用する金融商品取引法第三十七条各項に規定する内閣府令で定める行為は、郵便、信書便（民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者又は同条第九項に規定する特定信書便事業者の提供する同条第二項に規定する信書便をいう。第三十四条の二の十七及び第三十四条の五十三の二において同じ。）、ファクシミリ装置を用いて送信する方法、電子メール（特定電子メールの送信の適正化等に関する法律（平成十四年法律第二十六号）第二条第一号に規定する電子メールをいう。第三十四条の二の十七及び第三十四条の五十三の二において同じ。）を送信する方法、ビラ又はパンフレットを配布する方法その他の方法（次に掲げるものを除く。）により多数の者に対して同様の内容で行う情報の提供とする。

Article 14-11-17 The acts specified by Cabinet Office Order that are provided for in each paragraph of Article 37 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, means providing information with the same content to many persons by postal mail, correspondence delivery (meaning correspondence delivery as prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) provided by a general letter service business operator as prescribed in paragraph (6) of that Article or a specified letter service business operator as prescribed in paragraph (9) of that Article; the same applies in Article 34-2-17 and Article 34-53-2), or using a facsimile

device, by electronic mail (meaning electronic mail as prescribed in Article 2, item (i) of the Act on Regulation of Transmission of Specified Electronic Mail (Act No. 26 of 2002); the same applies in Article 34-2-17 and Article 34-53-2), by distributing fliers or pamphlets, or by other means (excluding the following means):

一 法令又は法令に基づく行政官庁の処分に基づき作成された書類を配布する方法

(i) means of distributing documents prepared based on laws and regulations or based on the disposition of an administrative government agency pursuant to laws and regulations;

二 個別の企業の分析及び評価に関する資料であつて、特定預金等契約の締結の勧誘に使用しないものを配布する方法

(ii) means of distributing materials concerning analysis or evaluation of an individual enterprise, which are not used for soliciting conclusion of a specified deposit, etc. contract; or

三 次に掲げる全ての事項のみが表示されている景品その他の物品（口から二までに掲げる事項について明瞭かつ正確に表示されているものに限る。）を提供する方法（当該事項のうち景品その他の物品に表示されていない事項がある場合にあつては、当該景品その他の物品と当該事項が表示されている他の物品とを一体のものとして提供する方法を含む。）

(iii) means of providing persons with gifts or other goods that only show all of the following information (limited to goods on which the information set forth in sub-items (b) through (d) is shown clearly and properly) (including means of providing gifts or other goods together as a single thing together with any other goods that indicate that information, if any of the information is not indicated on the gift or other goods):

イ 商品の名称（通称を含む。）

(a) the name of goods (including its alias);

ロ この号に規定する方法により多数の者に対して同様の内容で行う情報の提供をする銀行の商号又はその通称

(b) the name or alias of a bank that provides information with the same content to many persons by a means as prescribed in this item;

ハ 令第四条の五第二項第一号に掲げる事項（当該事項の文字又は数字が当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示されているものに限る。）

(c) information as set forth in Article 4-5, paragraph (2), item (i) of the Order (limited to information indicated using characters and numerals of a size that is not significantly different from the largest size of characters and numerals used to indicate information other than the information in question); and

ニ 次に掲げるいずれかの書面の内容を十分に読むべき旨

(d) an indication to thoroughly read the content of any of the following

documents:

- (1) 法第十三条の四において準用する金融商品取引法第三十七条の三第一項に規定する書面（以下この条から第十四条の十一の三十までにおいて「契約締結前交付書面」という。）
 1. documents as prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (hereinafter referred to as a "document to be delivered prior to the conclusion of a contract" in this Article through Article 14-11-30);
- (2) 第十四条の十一の二十五第一項第一号に規定する外貨預金等書面
 2. documents for a foreign currency deposit, etc. as prescribed in Article 14-11-25, paragraph (1), item (i);
- (3) 第十四条の十一の二十五第一項第三号ロに規定する契約変更書面
 3. documents for change of a contract as prescribed in Article 14-11-25, paragraph (1), item (iii), (b).

(特定預金等契約の締結の業務の内容についての広告等の表示方法)

(Indication Method of Advertising the Content of Business of Concluding a Contract for Specified Deposit, etc.)

第十四条の十一の十八 銀行がその行う特定預金等契約の締結の業務の内容について広告又は前条に規定する行為（次項において「広告等」という。）をするとき、法第十三条の四において準用する金融商品取引法第三十七条第一項各号（第二号を除く。）に掲げる事項について明瞭かつ正確に表示しなければならない。

Article 14-11-18 (1) If a bank runs an advertisement or performs an act as prescribed in the preceding Article with regard to the content of its business in concluding contracts of specified deposit, etc. (referred to as an "advertisement, etc." in the following paragraph), the particulars set forth in each item of Article 37, paragraph (1) (excluding item (ii)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, must be indicated clearly and properly.

- 2 銀行がその行う特定預金等契約の締結の業務の内容について広告等をするとき、令第四条の五第一項第二号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。
- (2) If a bank runs an advertisement, etc. about the content of its business in concluding contracts of specified deposit, etc., characters or numerals that show the information set forth in Article 4-5, paragraph (1), item (ii) of the Order are to be indicated in a size that is not significantly different from the largest size of the characters and numerals that show information other than the information in question.
- 3 銀行がその行う特定預金等契約の締結の業務の内容について基幹放送事業者（放送法（昭和二十五年法律第百三十二号）第二条第二十三号に規定する基幹放送事業者を

いい、日本放送協会及び放送大学学園（放送大学学園法（平成十四年法律第一百五十六号）第三条に規定する放送大学学園をいう）を除く。以下同じ。）の放送設備により放送をさせる方法又は第十四条の十一の二十一第一項各号に掲げる方法（音声により放送をさせる方法を除く。）により広告をするときは、前項の規定にかかわらず、令第四条の五第二項第一号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(3) When a bank runs an advertisement on the content of its business in concluding contracts of specified deposit, etc., by means of broadcasting it using the broadcasting equipment of a basic broadcaster (meaning a basic broadcaster as prescribed in Article 2, item (xxiii) of the Broadcast Act (Act No. 132 of 1950), and excluding the Nippon Hoso Kyokai and the Open University of Japan Foundation (meaning the Open University of Japan Foundation prescribed in Article 3 of the Act on the Open University of Japan (Act No. 156 of 2002)); the same applies hereinafter), or by a means set forth in any of the items of Article 14-11-21, paragraph (1) (excluding means of broadcasting by sound), notwithstanding the provisions of the preceding paragraph, characters or numerals that show the information set forth in Article 4-5, paragraph (2), item (i) of the Order are to be indicated in a size that is not significantly different from the largest size used to indicate characters and numerals that show information other than the information in question.

（顧客が支払うべき対価に関する事項）

(Particulars of Charges to Be Paid by a Customer)

第十四条の十一の十九 令第四条の五第一項第一号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき対価（以下「手数料等」という。）の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）の概要及び当該金額の合計額若しくはその上限額又はこれらの計算方法の概要とする。ただし、これらの表示をすることができない場合にあつては、その旨及びその理由とする。

Article 14-11-19 The particulars specified by Cabinet Office Order that are provided for in Article 4-5, paragraph (1), item (i) of the Order, the amount of charges (hereinafter referred to as "fee, etc.") that a customer is to pay in connection with a contract for specified deposit, etc. according to their category, regardless of whether they are referred to as a fee, consideration, expenses, or any other name, or their maximum amount, or an outline of the way these are calculated (including the percentage of the amount of principal pertaining to the contract for specified deposit, etc.) and the total amount or maximum amount of the fee, etc., or an outline of the way these are calculated; provided, however, that if these particulars cannot be indicated, to give an indication of this and the reasons therefor.

(顧客の判断に影響を及ぼす重要事項)

(Important Matters That Impact Customers' Judgment)

第十四条の十一の二十 令第四条の五第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-20 The particulars specified by Cabinet Office Order that are provided for in Article 4-5, paragraph (1), item (iii) of the Order means the following particulars:

一 当該銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回ることにより顧客に不利となるおそれがある旨

(i) an indication that, if the right that the referenced bank holds to extend the deposit period of a specified deposit, etc. is exercised, the customer risks being put at a disadvantage by the money rate of the specified deposit, etc. falling below the money market rate; or

二 その他当該特定預金等契約に関する重要な事項について顧客の不利益となる事実

(ii) any other fact regarding the important matters on the contract for specified deposit, etc. that may become disadvantageous to the customer.

(基幹放送事業者の放送設備により放送をさせる方法に準ずる方法等)

(Means Equivalent to the Means of Broadcasting Something Using the Broadcasting Equipment of a Basic Broadcaster)

第十四条の十一の二十一 令第四条の五第二項に規定する内閣府令で定める方法は、次に掲げるものとする。

Article 14-11-21 (1) The means specified by Cabinet Office Order that is provided for in Article 4-5, paragraph (2) of the Order are:

一 一般放送事業者（放送法第二条第二十五号に規定する一般放送事業者をいう。第三十四条の二の二十一第一項第一号及び第三十四条の五十三の六第一項第一号において同じ。）の放送設備により放送をさせる方法

(i) means of broadcasting something using the broadcasting equipment of a general broadcaster (meaning the general broadcaster prescribed in Article 2, item (xxv) of the Broadcasting Act; the same applies in Article 34-2-21, paragraph (1), item (i) and Article 34-53-6, paragraph (1), item (i));

二 銀行又は当該銀行が行う広告等に係る業務の委託を受けた者の使用に係る電子計算機に備えられたファイルに記録された情報の内容（基幹放送事業者の放送設備により放送をさせる方法又は前号に掲げる方法により提供される事項と同一のものに限る。）を電気通信回線を利用して顧客に閲覧させる方法

(ii) means of having a customer inspect the content of information recorded in a file that has been prepared on a computer used by a bank or a person entrusted with the bank's services involving the advertisement, etc. (limited to information of the same content as the particulars provided by

broadcasting something to be using the broadcasting equipment of a basic broadcaster or by a means set forth in the preceding item) using a telecommunications line; or

三 常時又は一定の期間継続して屋内又は屋外で公衆に表示させる方法であつて、看板、立看板、はり紙及びはり札並びに広告塔、広告板、建物その他の工作物等に掲出させ、又は表示させるもの並びにこれらに類するもの

(iii) means of having the public indicate something at all times or continuously for a fixed period inside or outside of a building by installing or indicating it on a signboard, standing signboard, placard and label, advertising tower, advertising board, building, or other structure, etc. or by any equivalent means.

2 令第四条の五第二項第二号に規定する内閣府令で定める事項は、第十四条の十一の十七第三号ニに掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 4-5, paragraph (2), item (ii) of the Order are the particulars set forth in Article 14-11-17, item (iii), (d).

(誇大広告をしてはならない事項)

(Particulars for Which Exaggerated Advertisement is Prohibited)

第十四条の十一の二十二 法第十三条の四において準用する金融商品取引法第三十七条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-22 The particulars specified by Cabinet Office Order that are provided for in Article 37, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following particulars:

一 特定預金等契約の解除に関する事項

(i) the particulars on termination of a contract for specified deposit, etc.;

二 特定預金等契約に係る損失の全部若しくは一部の負担又は利益の保証に関する事項

(ii) the particulars on the burden of all or part of a loss pertaining to a contract for specified deposit, etc. or on guarantee of profit pertaining to a contract for specified deposit, etc.;

三 特定預金等契約に係る損害賠償額の予定（違約金を含む。）に関する事項

(iii) the particulars of liquidated damages (including a penalty) pertaining to a contract for specified deposit, etc.; and

四 特定預金等契約に関して顧客が支払うべき手数料等の額又はその計算方法、支払の方法及び時期並びに支払先に関する事項

(iv) the particulars of the amount of the fee, etc. that a customer is to pay, or its calculation method, the payment method, the payment time, and the payee in connection with a contract for specified deposit, etc..

(契約締結前交付書面の記載方法)

(Method of Making Entries Into a Document to be Delivered Prior to the Conclusion of a Contract)

第十四条の十一の二十三 契約締結前交付書面には、法第十三条の四において準用する金融商品取引法第三十七条の三第一項各号（第二号及び第六号を除く。）に掲げる事項を産業標準化法（昭和二十四年法律第百八十五号）に基づく日本産業規格（以下「日本産業規格」という。）Z八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

Article 14-11-23 (1) The particulars set forth in each item of Article 37-3, paragraph (1) (excluding item (ii) and item (vi)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, must be entered into the document to be delivered prior to the conclusion of a contract clearly and properly by using characters and numerals sized eight points or larger as defined in Japanese Industrial Standard Z 8305 based on the Industrial Standardization Act (Act No. 185 of 1949) (hereinafter referred to as "Japanese Industrial Standard").

2 前項の規定にかかわらず、契約締結前交付書面には、次に掲げる事項を枠の中に日本産業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載し、かつ、次項に規定する事項の次に記載するものとする。

(2) Notwithstanding the provisions of the preceding paragraph, the following particulars are to Be Stated in the document to be delivered prior to the conclusion of a contract clearly and properly in the boxes by using characters and numerals sized 12 points or larger as defined in Japanese Industrial Standard Z 8305, and are to be entered after the particulars prescribed in the following paragraph:

一 法第十三条の四において準用する金融商品取引法第三十七条の三第一項第四号に掲げる事項の概要並びに同項第五号及び第十四条の十一の二十七第十一号に掲げる事項

(i) a summary of the particulars set forth in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act and the particulars set forth in item (v) of that paragraph, and Article 14-11-27, item (xi); and

二 第十四条の十一の二十七第十二号に掲げる事項

(ii) the particulars set forth in Article 14-11-27, item (xii).

3 銀行は、契約締結前交付書面には、第十四条の十一の二十七第一号に掲げる事項及び法第十三条の四において準用する金融商品取引法第三十七条の三第一項各号（第二号及び第六号を除く。）に掲げる事項のうち顧客の判断に影響を及ぼすこととなる特に重要なものを、日本産業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて当該契約締結前交付書面の最初に平易に記載するものとする。

(3) A bank is to enter in the document to be delivered prior to the conclusion of a contract particulars that are of special importance in influencing customers'

judgment out of the particulars set forth in Article 14-11-27, item (i) and each item of Article 37-3, paragraph (1) (excluding item (ii) and item (vi)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, in plain language, using characters and numerals sized 12 points or larger as defined in Japanese Industrial Standard Z 8305 at the beginning of the document.

(情報の提供の方法)

(Methods of Providing Information)

第十四条の十一の二十四 法第十三条の四において準用する金融商品取引法第三十七の三第一項の規定による情報の提供は、契約締結前交付書面を交付することにより行うものとする。

Article 14-11-24 The provision of information as prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is to be implemented by the delivery of the document to be delivered prior to the conclusion of a contract.

(契約締結前交付書面の交付を要しない場合)

(When Delivery of Document to Be Delivered Prior to the Conclusion of a Contract Is Not Required)

第十四条の十一の二十五 法第十三条の四において準用する金融商品取引法第三十七条の三第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 14-11-25 (1) The case specified by Cabinet Office Order that is provided for in Article 37-3, proviso to paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act means the cases specified in the following items:

一 第十四条の十一の四第二号に掲げるもの（同条第一号又は第三号に掲げるものに該当するものを除く。以下「外貨預金等」という。）に係る特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約について法第十三条の四において準用する金融商品取引法第三十七条の三第一項第一号及び第三号から第五号までに掲げる事項並びに第十四条の十一の二十七第一号、第十一号、第十七号及び第十八号に掲げる事項を、第十四条の十一の二十三に規定する方法に準ずる方法により記載した書面（以下この条から第十四条の十一の三十までにおいて「外貨預金等書面」という。）を交付している場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があつた場合に限る。）

(i) when the bank has delivered a document (hereinafter such a document is referred to as a "document of foreign currency deposit, etc." from this Article through Article 14-11-30) in which the particulars set forth in Article 37-3, paragraph (1), item (i) and items (iii) through (v) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to

Article 13-4 of the Act, and the particulars set forth in Article 14-11-27, item (i), item (xi), item (xvii), and item (xviii), with regard to the specified deposit, etc. contract, are stated by a method equivalent to that as prescribed in Article 14-11-23, to the customer within one year before the conclusion of a contract specified deposit, etc. in relation to the particulars set forth in Article 14-11-4, item (ii) (excluding particulars corresponding to those set forth in item (i) or item (iii) of that Article; hereinafter referred to as a "foreign currency deposit, etc.") (limited to cases in which the customer has expressed their that they do not require the delivery of the document to be delivered prior to the conclusion of a contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結前交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結前交付書面を交付していない場合を含む。）

(ii) when the bank has delivered a document to be delivered prior to the conclusion of a contract for another contract for specified deposit, etc. that has the same content as the contract for specified deposit, etc., to the customer within one year before the conclusion of the contract for specified deposit, etc. (including cases in which the bank has not delivered the document to be delivered prior to the conclusion of a contract for the other contract for specified deposit, etc. that has the same content, pursuant to provisions of the preceding item); and

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約を締結しようとする場合においては、次に掲げるとき。

(iii) cases as set forth in the following sub-items, if the bank intends to conclude a contract for specified deposit, etc. to change a part of the contract for specified deposit, etc. that has been effected:

イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがないとき。

(a) cases in which there are no changes that should be made to the particulars stated in the document to be delivered prior to the conclusion of a contract for the other contract for specified deposit, etc. that has been effected along with the changes to the contract;

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがある場合にあつては、当該顧客に対し当該変更すべき記載事項を記載した書面（次項及び第十四条の十一の三十の二第二号ハにおいて「契約変更書面」という。）を交付しているとき。

(b) if there are changes that should be made to the particulars stated in the document to be delivered prior to the conclusion of a contract for the other contract for specified deposit, etc. that has been already effected along with the changes to the contract, when the bank has delivered a document

(referred to as a "contract change document" in the following paragraph and Article 14-11-30-2, item (ii), (c)) in which those particulars that should be changed are stated, to the customer; and

- 四 一の特定預金等契約の締結について、当該銀行を所属銀行とする銀行代理業者が法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項本文の規定により当該顧客に対し同項に規定する書面を交付している場合
- (iv) when a bank agent that has that bank as its principal bank has delivered a document as provided in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, with regard to the conclusion of a single contract for specified deposit, etc., to the customer pursuant to the provisions of the main clause of that paragraph.
- 2 法第十三条の四において準用する金融商品取引法第三十四条の二第四項及び令第四条の三の規定並びに第十四条の十一の八の規定は、前項第一号の規定による外貨預金等書面の交付及び同項第三号ロの規定による契約変更書面の交付について準用する。
- (2) The provisions of Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; the provisions of Article 4-3 of the Order; and the provisions of Article 14-11-8; apply mutatis mutandis to delivery of the document of foreign currency deposit, etc., under item (i) of the preceding paragraph and delivery of the contract change document under item (iii), (b) of that paragraph.
- 3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行った場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があった場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみなして、第一項第一号の規定を適用する。
- (3) If the bank concludes a contract for specified deposit, etc. for a foreign currency deposit, etc. within one year from the date when the bank has delivered a document of foreign currency deposit, etc. (including the date when the bank is deemed to have delivered a document of foreign currency deposit, etc. pursuant to the provisions of this paragraph) (limited to the cases in which the customer has expressed the intention not requiring delivery of the document to be delivered prior to the conclusion of a contract), the bank is deemed to have delivered that document of foreign currency deposit, etc. on the date of the conclusion of the contract for specified deposit, etc., and the provisions of paragraph (1), item (i) is applied.
- 4 契約締結前交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結前交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結前交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結前交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結を行った場合には、当該締結の日において契約締結前交付書面を交付

したものとみなして、第一項第二号の規定を適用する。

- (4) If the bank concludes a contract for specified deposit, etc. that has the same content as the contract for specified deposit, etc. related to the document delivered prior to the conclusion of a contract within one year from the date when the bank has delivered that document (including the date of the conclusion of a contract for specified deposit, etc. if the bank does not deliver a document to be delivered prior to the conclusion of a contract for that contract for specified deposit, etc., pursuant to the provisions of paragraph (1), item (i), and the date when the bank is deemed to have delivered a document to be delivered prior to the conclusion of a contract pursuant to the provisions of this paragraph), the bank is deemed to have delivered that document on the date of the conclusion of that contract having the same content as the other contract, and the provisions of paragraph (1), item (ii) is applied.

(顧客が支払うべき対価に関する事項)

(Particulars of Charges to Be Paid by a Customer)

第十四条の十一の二十六 法第十三条の四において準用する金融商品取引法第三十七条の三第一項第四号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）及び当該金額の合計額若しくはその上限額又はこれらの計算方法とする。ただし、これらの記載をすることができない場合にあつては、その旨及びその理由とする。

Article 14-11-26 The particulars specified by Cabinet Office Order that are provided for in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the amount of fee, etc. that the customer is to pay for a contract for specified deposit, etc. according to their category, their maximum amount or the way they are calculated (including the percentage of the amount of principal pertaining to the contract for specified deposit, etc.; hereinafter the same applies in this Article) regardless of whether they are referred to as a fee, compensation, expenses, or any other name, and their total amount or maximum amount, or the way they are calculated; provided, however, that when these cannot be stated, to give an indication of this and the reasons therefor.

(契約締結前交付書面の記載事項)

(Information to Be Stated in a Document to be Delivered Prior to the Conclusion of a Contract)

第十四条の十一の二十七 法第十三条の四において準用する金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-27 The particulars specified by Cabinet Office Order that are provided for in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following particulars:

一 当該契約締結前交付書面の内容を十分に読むべき旨

(i) the indication to thoroughly read the content of the document to be delivered prior to the conclusion of a contract;

二 商品の名称（通称を含む。）

(ii) the name of the financial instrument (including its alias);

三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

(iii) distinction as to whether the contract is subject to payment of insurance money as prescribed in Article 53 of the Deposit Insurance Act;

四 受入れの対象となる者の範囲

(iv) scope of the persons subject to the bank's acceptance of their deposits;

五 預入期間（自動継続扱いの有無を含む。）

(v) period of deposit (including an indication of whether the deposit will be renewed automatically or not);

六 最低預入金額、預入単位その他の預入に関する事項

(vi) minimum amount of deposit, unit of deposit, and any other particulars on the deposit;

七 払戻しの方法

(vii) method of repayment;

八 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(viii) method of establishing interest, payment method of interest, calculation method of interest, and other particulars on interest;

九 付加することのできる特約に関する事項

(ix) the particulars on any special provisions that may be added;

十 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(x) the way of handling the case of cancellation before maturity of the deposit period (including the calculation methods of interest and fees);

十一 顧客が行う特定預金等契約の締結について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあつては、次に掲げる事項

(xi) the following particulars, if there is a risk for a loss to arise that has as its direct cause fluctuations of the money rate, the value of currencies, quotations on a financial instruments market, or any other indicator, as regards the contract for specified deposit, etc. into which the customer will enter:

イ 当該指標

(a) the indicator in question; and

ロ 当該指標に係る変動により損失が生ずるおそれがある理由

- (b) the reasons that fluctuations of that indicator could give rise to a loss;
- 十二 当該銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回ることにより顧客に不利となるおそれがある旨
- (xii) an indication that, if the right that the referenced bank holds to extend the deposit period of a specified deposit, etc. is exercised, the customer risks being put at a disadvantage by the money rate of the specified deposit, etc. falling below the money market rate;
- 十三 次に掲げるものと特定預金等との組合せによる預入れ時の払込金が満期時に全額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全額返還される保証のないことその他当該商品に関する詳細
- (xiii) in the case of handling a financial instrument in which the full amount paid at the time of depositing for the combination of the specified deposit, etc. with the following transactions is not guaranteed to be repaid at its expiry, a detailed explanation stating that the full amount paid at the time of depositing is not guaranteed to be repaid at its expiry and any other detailed explanations concerning the financial instrument:
- イ 市場デリバティブ取引又は外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。）
- (a) market derivative transactions or foreign market derivative transactions (excluding transactions that correspond to securities-related derivative transactions);
- ロ 法第十条第二項第十四号に規定する金融等デリバティブ取引
- (b) a financial derivative transaction as prescribed in Article 10, paragraph (2), item (xiv) of the Act;
- ハ 先物外国為替取引
- (c) a forward foreign exchange transaction;
- ニ 有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲げる取引及び外国金融商品市場における同号に掲げる取引と類似の取引を除く。）
- (d) a securities-related derivative transaction (excluding a transaction similar to that set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act and a transaction in a foreign financial instruments market similar to that as set forth in that item); and
- ホ 金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場における同号に掲げる取引と類似の取引（国債証券等及び同条第一項第十七号に掲げる有価証券のうち同項第一号の性質を有するものに係るものに限る。）
- (e) a transaction similar to that set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act or a transaction in a foreign financial instruments market similar to that as set forth in that item (limited to a National Government Bond Certificate, etc. and

securities set forth in paragraph (1), item (xvii) of that Article pertaining to those that have characteristics as prescribed in item (i) of that paragraph);

十四 変動金利預金の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあつては、当該基準及び方法並びに金利に関する事項

(xiv) if the way of establishing an indicator and of establishing money rate to be the standard for establishing a money rate of a floating rate deposit are specified, the particulars on the standards, method, and money rate;

十五 当該特定預金等契約に関する租税の概要

(xv) an outline of the taxation concerning the contract for specified deposit, etc.;

十六 顧客が当該銀行に連絡する方法

(xvi) the method to contact the bank by customers;

十七 当該銀行が対象事業者（金融商品取引法第七十九条の十一第一項に規定する対象事業者をいう。以下同じ。）となっている認定投資者保護団体（当該特定預金等契約が当該認定投資者保護団体の認定業務（同法第七十九条の十第一項に規定する認定業務をいう。）の対象となるものである場合における当該認定投資者保護団体に限る。第三十四条の五十三の十二第十七号において同じ。）の有無（対象事業者となっている場合にあつては、その名称）

(xvii) whether or not there is a certified investor protection organization (limited to the certified investor protection organization whose recognized business covers the contract for specified deposit, etc. (meaning the recognized business prescribed in Article 79-10, paragraph (1) of the Financial Instruments and Exchange Act); the same applies in Article 34-53-12, item (xvii)) that has the bank as its covered business operator (meaning a covered business operator as prescribed in Article 79-11, paragraph (1) of that Act; the same applies hereinafter) (the name of a certified investor protection organization if the bank is the covered business operator of the certified investor protection organization);

十八 次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項

(xviii) the particulars prescribed in sub-item (a) or sub-item (b) according to the categories of cases set forth in those sub-items.

イ 指定紛争解決機関が存在する場合 当該銀行が法第十二条の三第一項第一号に定める手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定紛争解決機関の商号又は名称

(a) if a designated dispute resolution organization exists: the trade name or name of the designated dispute resolution organization which is the other party to the basic contract for the implementation of dispute resolution procedures, prescribed in Article 12-3, paragraph (1), item (i) of the Act, if the bank takes a measure to conclude that basic contract;

ロ 指定紛争解決機関が存在しない場合 当該銀行の法第十二条の三第一項第二号

に定める苦情処理措置及び紛争解決措置の内容

- (b) if there is no designated dispute resolution organization: the content of the complaint handling measures and the dispute resolution measure of the bank as prescribed in Article 12-3, paragraph (1), item (ii) of the Act; and

十九 その他特定預金等の預入れに関し参考となると認められる事項

- (xix) other information found to be of reference concerning the deposit of the specified deposit, etc.

(契約締結時交付書面の記載事項)

(Information to Be Stated in a Document to be Delivered upon the Conclusion of a Contract)

第十四条の十一の二十八 特定預金等契約が成立したときに作成する法第十三条の四において準用する金融商品取引法第三十七条の四第一項に規定する書面（次条において「契約締結時交付書面」という。）には、次に掲げる事項を記載しなければならない。

Article 14-11-28 The following matters must be entered into a document that is prescribed in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (referred to as a "document to be delivered upon the conclusion of a contract" in the following Article) and is to be prepared when a contract for specified deposit, etc. is effected:

一 当該銀行の商号

(i) trade name of the bank;

二 預入金額（元本の額が外国通貨で表示される場合にあつては、当該外国通貨で表示される元本の額）

(ii) amount of deposit (amount of the principal indicated in a foreign currency if the amount is indicated in the foreign currency);

三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

(iii) distinction as to whether the contract is subject to payment of insurance money as prescribed in Article 53 of the Deposit Insurance Act;

四 預入日及び満期日（自動継続扱いの有無を含む。）

(iv) date of deposit and date of maturity (including whether the deposit will be renewed automatically or not);

五 払戻しの方法

(v) method of repayment;

六 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(vi) method of establishing interests, payment method of interests, calculation method of interests, and other particulars concerning interests;

七 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(vii) the way of handling the case of cancellation before maturity of the deposit period (including the calculation methods of interest and fees);

八 当該特定預金等契約の成立の年月日

(viii) date when the specified deposit, etc. contract is effected;

九 当該特定預金等契約に係る手数料等に関する事項

(ix) the particulars on a fee, etc. in relation to the contract for specified deposit, etc.

十 顧客の氏名又は名称

(x) name of customer; and

十一 顧客が当該銀行に連絡する方法

(xi) method for the customer to contact the bank.

(契約締結時交付書面の交付を要しない場合)

(When Delivery of a Document to Be Delivered upon the Conclusion of a Contract Is Not Required)

第十四条の十一の二十九 契約締結時交付書面に係る法第十三条の四において準用する金融商品取引法第三十七条の四第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 14-11-29 (1) The cases specified by Cabinet Office Order that is provided for in Article 37-4, proviso to paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act regarding a document to be delivered upon the conclusion of a contract are the following cases:

一 外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し外貨預金等書面を交付している場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があつた場合に限る。）

(i) a case in which the bank has delivered a document of foreign currency deposit, etc. to the customer within one year before the conclusion of a contract for specified deposit, etc. in relation to a foreign currency deposit, etc. (limited to cases in which the customer has expressed the intention of not requiring delivery of a document to be delivered upon the conclusion of a contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結時交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結時交付書面を交付していない場合を含む。）

(ii) a case in which the bank has delivered a document to be delivered upon the conclusion of a contract in relation to a contract for specified deposit, etc. that has the same content as the contract for specified deposit, etc., to the customer within one year before the conclusion of that contract (including cases in which the bank has not delivered the document to be delivered upon the conclusion of a contract with regard to the contract for specified deposit, etc. that has the same content, pursuant to the provisions of the preceding

item); and

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約が成立した場合においては、次に掲げるとき。

(iii) cases as set forth in the following sub-items if a contract for specified deposit, etc. for changing a part of the contract for specified deposit, etc. that has been effected is effected:

イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがないとき。

(a) a case in which there are no particulars stated in the document delivered upon the conclusion of a contract in relation to that other specified deposit, etc. that has been effected that should be changed along with the change of the contract;

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがある場合に於ては、当該顧客に対し当該変更すべき記載事項を記載した書面を交付しているとき。

(b) if there are particulars stated in the document to be delivered upon the conclusion of a contract in relation to the contract for specified deposit, etc. that has been effected that should be changed along with change of the contract, when the bank has delivered a document in which those particulars to be changed are stated to the customer; and

四 一の特定預金等契約の締結について、当該銀行を所属銀行とする銀行代理業者が法第五十二条の四十五の二において準用する金融商品取引法第三十七条の四第一項本文の規定により当該顧客に対し同項に規定する書面を交付している場合

(iv) if a bank agent that has that bank as its principal bank has delivered a document that is provided for in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, with regard to the conclusion of a single specified deposit, etc. contract, to the customer pursuant to the provisions of the main clause of that paragraph.

2 法第十三条の四において準用する金融商品取引法第三十四条の二第四項及び令第四条の三の規定並びに第十四条の十一の八の規定は、前項第三号ロの規定による書面の交付について準用する。

(2) The provisions of Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act and the provisions of Article 4-3 of the Order as applied mutatis mutandis pursuant to Article 13-4 of the Act; and the provisions of Article 14-11-8 of the Order, apply mutatis mutandis to delivery of documents pursuant to the provisions of item (iii), (b) of the preceding paragraph.

3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行った場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があった場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみ

なして、第一項第一号の規定を適用する。

(3) If the bank concludes a contract for specified deposit, etc. in relation to a foreign currency deposit, etc. within one year from the date when the bank has delivered a document of foreign currency deposit, etc. (including the date when the bank is deemed to have delivered a document of foreign currency deposit, etc. pursuant to the provisions of this paragraph) (limited to the cases in which the customer expressed the intention of not requiring delivery of a document to be delivered upon the conclusion of a contract), the bank is deemed to have delivered that document of foreign currency deposit, etc. on the date of the conclusion of the specified deposit, etc. contract, and the provisions of paragraph (1), item (i) are applied.

4 契約締結時交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結時交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結時交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結時交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結を行つた場合には、当該締結の日において契約締結時交付書面を交付したものとみなして、第一項第二号の規定を適用する。

(4) If the bank concludes a specified deposit, etc. contract that has the same content as another specified deposit, etc. contract in relation to a document to be delivered upon the conclusion of a contract within one year from the date when the bank has delivered that document (including the date of the conclusion of a contract for specified deposit, etc. if the bank does not deliver a document to be delivered upon the conclusion of a contract with regard to that contract for specified deposit, etc., pursuant to the provisions of paragraph (1), item (i); and the date when the bank is deemed to have delivered a document to be delivered upon the conclusion of a contract pursuant to the provisions of this paragraph), the bank is deemed to have delivered that document on the date of the conclusion of that contract that has the same content as the other contract, and the provisions of paragraph (1), item (ii) are applied.

（信用格付業者の登録の意義その他の事項）

(Significance of Registration of a Credit Rating Agency and Other Particulars)

第十四条の十一の三十 法第十三条の四において準用する金融商品取引法第三十八条第三号に規定する金融商品取引法第六十六条の二十七の登録の意義その他の事項として内閣府令で定める事項は、次に掲げるものとする。

Article 14-11-30 (1) The particulars specified by Cabinet Office Order as the significance of registration in Article 66-27 of the Financial Instruments and Exchange Act and other particulars, that are provided for in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are those set forth in the following items:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration under Article 66-27 of the Financial Instruments and Exchange Act;

二 信用格付（金融商品取引法第二条第三十四項に規定する信用格付をいう。以下この条、第三十四条の二の三十及び第三十四条の五十三の十七において同じ。）を付与した者に関する次に掲げる事項

(ii) the particulars set forth in the following with regard to a person that gave a credit rating (meaning the credit rating prescribed in Article 2, paragraph (34) of the Financial Instruments and Exchange Act; hereinafter the same applies in this Article, Article 34-2-30, and Article 34-53-17):

イ 商号、名称又は氏名

(a) their trade name or name;

ロ 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。）であるときは、役員（法人でない団体で代表者又は管理人の定めのあるものにあつては、その代表者又は管理人）の氏名又は名称

(b) their officers' name if that person is a corporation (including an organization without legal personality that appoints a representative or an administrator) (or, their representative or administrator's name for an organization without legal personality that appoints a representative or an administrator);

ハ 本店その他の主たる営業所又は事務所の名称及び所在地

(c) names and locations of the head office and other main business offices or offices.

三 信用格付を付与した者が当該信用格付を付与するために用いる方針及び方法の概要

(iii) the outline of the policy and method that the person that gave the credit rating uses to give the credit rating;

四 信用格付の前提、意義及び限界

(iv) the premise, significance, and limitations of credit rating.

2 前項の規定にかかわらず、特定関係法人（金融商品取引業等に関する内閣府令第一百六条の三第二項に規定する特定関係法人をいう。以下この項、第三十四条の二の三十第二項及び第三十四条の五十三の十七第二項において同じ。）の付与した信用格付については、法第十三条の四において準用する金融商品取引法第三十八条第三号に規定する金融商品取引法第六十六条の二十七の登録の意義その他の事項として内閣府令で定める事項は、次に掲げるものとする。

(2) Notwithstanding the provisions of the preceding paragraph, the particulars specified by Cabinet Office Order as significance of registration under Article 66-27 of the Act and other particulars, that are provided for in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, with regard to credit ratings given by a specified associated corporation (meaning specified associated

corporation prescribed in Article 116-3, paragraph (2) of the Cabinet Office Order on Financial Instruments Business; the same applies in this paragraph, Article 34-2-30, paragraph (2) and Article 34-53-17, paragraph (2)) are the following:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration under Article 66-27 of the Financial Instruments and Exchange Act;

二 金融庁長官が金融商品取引業等に関する内閣府令第百十六条の三第二項の規定に基づき、その関係法人（同令第二百九十五条第三項第十号に規定する関係法人をいう。第三十四条の二の三十第二項第二号及び第三十四条の五十三の十七第二項第二号において同じ。）を当該特定関係法人として指定した信用格付業者の商号又は名称及び登録番号

(ii) a trade name, name and registration number of a credit rating agency whose associated corporation (meaning an associated corporation prescribed in Article 295, paragraph (3), item (x) of the Cabinet Office Order on Financial Instruments Business; the same applies in Article 34-2-30, paragraph (2), item (ii) and Article 34-53-17, paragraph (2), item (ii)) is designated by the Commissioner of the Financial Services Agency as the specified associated corporation pursuant to the provisions of Article 116-3, paragraph (2) of the same Cabinet Office Order;

三 当該特定関係法人が信用格付業（金融商品取引法第二条第三十五項に規定する信用格付業をいう。第三十四条の二の三十第二項第三号及び第三十四条の五十三の十七第二項第三号において同じ。）を示すものとして使用する呼称

(iii) a name used by the specified associated corporation as an indication of the credit rating business (meaning the credit rating business provided in Article 2, paragraph (35) of the Financial Instruments and Exchange Act; the same applies in Article 34-2-30, paragraph (2), item (iii) and Article 34-53-17, paragraph (2), item (iii));

四 信用格付を付与した特定関係法人が当該信用格付を付与するために用いる方針及び方法の概要又は当該概要に関する情報を第二号に規定する信用格付業者から入手する方法

(iv) the outline of the policy and method that the specified associated corporation that gave the credit rating uses to give the credit rating, or the way to obtain information on that outline from the credit rating agency specified by item (ii);

五 信用格付の前提、意義及び限界

(v) the premise, significance, and limitations of credit rating.

(禁止行為)

(Prohibited Acts)

第十四条の十一の三十の二 法第十三条の四において準用する金融商品取引法第三十八

条第九号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 14-11-30-2 The acts specified by Cabinet Office Order that are provided for in Article 38, item (ix) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following acts:

一 第十四条の十一の三各号に掲げる行為

(i) acts as set forth in each item of Article 14-11-3;

二 次に掲げる書面の交付に関し、あらかじめ、顧客（特定投資家（法第十三条の四において準用する金融商品取引法第三十四条の二第五項の規定により特定投資家以外の顧客とみなされる者を除き、法第十三条の四において準用する金融商品取引法第三十四条の三第四項（法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）の規定により特定投資家とみなされる者を含む。）を除く。以下この号において同じ。）に対して、法第十三条の四において準用する金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（ハに掲げる書面を交付する場合にあつては、当該書面に記載されている事項であつて同項第三号から第五号まで及び第七号に掲げる事項に係るもの）について顧客の知識、経験、財産の状況及び特定預金等契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をすることなく、特定預金等契約を締結する行為

(ii) an act to conclude a contract for specified deposit, etc. without explaining particulars (those that are written in the document as set forth in item (c) and are related to the particulars set forth in items (iii) through (v) and item (vii) of that paragraph, if the bank delivers that document) set forth in Article 37-3, paragraph (1), items (iii) through (v) and item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act to a customer (excluding a professional investor (excluding a person that is deemed to be a customer other than a professional investor pursuant to the provisions of Article 34-2, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, and including a person that is deemed to be a professional investor pursuant to the provisions of Article 34-3, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (including cases in which it is applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act)); hereinafter the same applies in this item) in advance, with regard to delivery of the following documents, by using a method and to the extent necessary for the customer to understand the particulars in light of the customer's knowledge, experience, financial status, and purpose for concluding the contract for specified deposit, etc.:

イ 契約締結前交付書面

(a) a document to be delivered prior to the conclusion of a contract;

ロ 外貨預金等書面

(b) a document of foreign currency deposit, etc.; and

ハ 契約変更書面

(c) a contract change document;

三 特定預金等契約の締結又はその勧誘に関して、虚偽の表示をし、又は重要な事項につき誤解を生ぜしめるべき表示をする行為

(iii) an act to give a false indication, or to give an indication that may cause misunderstanding of important matters, with regard to conclusion of a contract for specified deposit, etc. and its solicitation;

四 特定預金等契約につき、顧客若しくはその指定した者に対し、特別の利益の提供を約し、又は顧客若しくは第三者に対し特別の利益を提供する行為（第三者をして特別の利益の提供を約させ、又はこれを提供させる行為を含む。）

(iv) an act to promise the provision of special profit to a customer or a person specified by the customer, or to provide special profit to a customer or a third person, with regard to a specified deposit, etc. contract (including an act to order a third party to promise the provision of special profit or to provide special profit); and

五 特定預金等契約の締結又は解約に関し、顧客（個人に限る。）に迷惑を覚えさせるような時間に電話又は訪問により勧誘する行為

(v) an act to solicit conclusion or termination of a contract for specified deposit, etc. by making a phone call or making a visit to a customer (limited to an individual) at the time when that customer finds it annoying.

(行為規制の適用除外の例外)

(Exemption of Exclusion from Application of Restriction on Acts)

第十四条の十一の三十一 法第十三条の四において準用する金融商品取引法第四十五条ただし書に規定する内閣府令で定める場合は、第十三条の四において準用する金融商品取引法第三十七条の四の規定の適用について、顧客の締結した特定預金等契約に関する照会に対して速やかに回答できる体制が整備されていない場合とする。

Article 14-11-31 The case specified by Cabinet Office Order that is provided for in the proviso to Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, with regard to application of provisions of Article 37-4 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is when a system for promptly responding to an inquiry concerning a contract for specified deposit, etc. that a customer concluded has not been developed.

(銀行の子会社等)

(Subsidiary Company of a Bank)

第十四条の十二 法第十四条の二第二号に規定する内閣府令で定める特殊の関係のある

会社は、次に掲げる者とする。

Article 14-12 A company in a unique relationship with a bank as specified by Cabinet Office Order as provided in Article 14-2, item (ii) of the Act means the following companies:

一 当該銀行の子法人等

(i) a subsidiary corporation, etc. of that bank; and

二 当該銀行の関連法人等

(ii) an affiliated corporation, etc. of that bank.

(休日の承認の申請等)

(Application of Approval for Non-Business Days)

第十五条 銀行は、令第五条第二項第二号の規定による休日の承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官等に提出するものとする。

Article 15 (1) When a bank intends to obtain an approval for the non-business days under Article 5, paragraph (2), item (ii) of the Order, the bank is to attach the following documents to a written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authorities:

一 理由書

(i) a written statement of reasons; and

二 令第五条第三項の規定による掲示の方法を記載した書面

(ii) a document stating the method of posting notice under Article 5, paragraph (3) of the Order.

2 金融庁長官等は、前項の規定による承認の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether it conforms to the following standards:

一 金融機関相互間の内国為替取引を通信回線を用いて処理する制度の運営に支障を及ぼすおそれがないこと。

(i) the method is not likely to cause problems with the system that processes domestic exchange transactions between financial institutions using communication lines; and

二 当該申請に係る営業所の顧客の利便を著しく損なわないこと。

(ii) the method does not considerably harm the convenience of customers of a business office to which the application pertains.

3 銀行は、令第五条第二項第二号の規定による休日の承認を受けたときは、次に掲げる事項を当該承認に係る営業所の店頭に掲示するものとする。

(3) If a bank obtains approval for the non-business days under Article 5, paragraph (2), item (ii) of the Order, it is to display the following particulars in

the front-office area of the business office to which the approval pertains:

一 令第五条第一項各号及び第二項第一号に掲げる日（第三十二条の二において「指定休日」という。）以外の休日

(i) the non-business days other than the days set forth in the items of Article 5, paragraph (1) of the Order and paragraph (2), item (i) of that Article (referred to as the "designated non-business days" in Article 32-2);

二 前号の休日の実施期間（実施期間を設定する場合に限る。）

(ii) the period during which the non-business days referred to in the preceding item will be in effect (but only if it has set such a period); and

三 当該営業所の最寄りの営業所の名称、所在地及び電話番号その他の連絡先

(iii) the name, location, telephone number, and other such contact information of the business office closest to the relevant business office.

（営業時間）

(Business Hours)

第十六条 銀行の営業時間は、午前九時から午後三時までとする。

Article 16 (1) Business hours of a bank are 9:00 a.m. to 3:00 p.m.

2 前項の営業時間は、営業の都合により延長することができる。

(2) Business hours as prescribed in the preceding paragraph may be extended due to business reasons.

3 銀行は、その営業所が次のいずれにも該当する場合（前項に該当する場合を除く。）は、当該営業所について営業時間の変更をすることができる。

(3) A bank may change business hours with regard to its business office, if that business office corresponds to all of the following cases (excluding cases corresponding to the preceding paragraph):

一 当該営業所の所在地又は設置場所の特殊事情その他の事情により第一項に規定する営業時間とは異なる営業時間とする必要がある場合

(i) if it requires to set different business hours from business hours as prescribed in paragraph (1) due to special circumstances in the locality of the business office or in the locality where it has been established, or due to other circumstances; and

二 当該営業所の顧客の利便を著しく損なわない場合

(ii) if it does not considerably harm the convenience of customers of the business office.

4 銀行は、前項の規定による営業時間の変更をするときは、次に掲げる事項を当該営業所の店頭に掲示しなければならない。

(4) If a bank changes business hours pursuant to the provisions of the preceding paragraph, it must display the following particulars in front-office area of the relevant business office:

一 変更後の営業時間

(i) the business hours after the change;

二 前号の営業時間の実施期間（実施期間を設定する場合に限る。）

(ii) the period during which the business hours referred to in the preceding item will be in effect (but only if it has set such a period); and

三 当該営業所の最寄りの営業所の名称、所在地及び電話番号その他の連絡先

(iii) the name, location, telephone number, and other such contact information of the business office closest to the relevant business office.

5 前各項の規定にかかわらず、銀行の外国に所在する営業所の営業時間は、当該営業所の所在地の法令により認められる時間とする。

(5) Notwithstanding the provisions of each item of the preceding paragraph, business hours of a of a bank's business office located in a foreign state are the times to be approved pursuant to laws and regulations of the locality of the business office.

（臨時休業の届出等）

(Notification of Temporary Suspension of Business)

第十七条 銀行は、法第十六条第一項の規定によるその業務の全部又は一部の休止又は再開の届出をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 17 (1) If a bank intends to file a notification to the effect that the bank suspends all or part of its business, or resumes all or part of it pursuant to the provisions of Article 16, paragraph (1) of the Act, the bank must attach the following documents to the written notice and submit them to the Commissioner of the Financial Services Agency or other competent authorities:

一 理由書

(i) a written statement of reasons;

二 法第十六条第一項の規定による掲示の方法を記載した書面

(ii) a document stating the method of posting pursuant to the provisions of Article

三 その他金融庁長官が必要と認める事項を記載した書面

(iii) other documents giving particulars that the Commissioner of the Financial Services Agency finds to be necessary.

2 法第十六条第一項に規定する内閣府令で定める場合は、次に掲げる場合とする。

(2) The case specified by Cabinet Office Order that is provided for in Article 16, paragraph (1) of the Act means:

一 法第二十六条第一項、第二十七条又は第五十二条の三十四第一項若しくは第四項の規定により銀行の業務の全部又は一部の停止を命ぜられた場合

(i) if all or part of a bank's services are ordered to be suspended pursuant to the provisions of Article 26, paragraph (1); Article 27; or paragraph (1) or paragraph (4) of Article 52-34 of the Act;

二 法第十五条第一項に規定する銀行の休日に、業務の全部又は一部を営む銀行の営業所において、当該休日における現金自動支払機その他の金融庁長官が別に定める

機械（以下「現金自動支払機等」という。）による業務の全部又は一部を休止する場合

(ii) if all or part of business conducted by a cash dispenser or other machines specified separately by the Commissioner of the Financial Services Agency (hereinafter referred to as a "cash dispenser, etc.") is suspended on a bank's business day as prescribed in Article 15, paragraph (1) of the Act, at a bank's business office that conducts all or part of business;

三 銀行の無人の営業所においてその業務の全部又は一部を休止する場合（前号に該当する場合を除く。）

(iii) if all or part of business at an unmanned business office of a bank is suspended (excluding cases corresponding to the preceding paragraph);

四 台風、地震その他の異常な気象、海象又は地象により営業所においてその業務を営むことが当該営業所の役員、職員又は利用者の生命又は身体に重大な危険を生じさせるおそれがあることにより当該営業所の業務の全部又は一部を休止する場合

(iv) if all or part of business at a business office is suspended due to the risk that carrying out business at that business office will seriously endanger the life or body of an officer, employee, or user because of a typhoon, earthquake, or any other such abnormal meteorological phenomena, hydrological phenomena, or terrestrial phenomena;

五 外国に所在する銀行又はその委託を受けて当該銀行の業務を営む者の当該業務を営む営業所においてその業務の全部又は一部を休止する場合

(v) if all or part of business of a bank located in a foreign state, or all or part of business of a person that is entrusted by the bank to engage in the bank's services, is suspended at a business office that conducts their business; and

六 当該銀行を所属銀行とする銀行代理業者（法第五十二条の六十一第二項の規定により銀行代理業者とみなされた銀行等（同条第一項に規定する銀行等をいう。）を含む。次項において同じ。）において当該銀行のために営む銀行代理業の業務の全部又は一部の休止に伴い銀行の業務の全部又は一部を休止する場合

(vi) if all or part of the bank's services is suspended due to suspension of all or part of business of bank agency services in which a bank agent (including a bank, etc. (meaning a bank, etc. as prescribed in paragraph (1) of the Article 52-61 of the Act) that is deemed to be a bank agent pursuant to the provisions of paragraph (2) of that Article; the same applies in the following paragraph) that has that bank as its principal bank performs for the benefit of that bank.

3 法第十六条第一項の規定により掲示する場合には、次の各号に掲げる区分に応じ、当該各号に定める日までの間、継続して営業所の店頭に掲示しなければならない。

(3) If a bank posts a notification pursuant to the provisions of Article 16, paragraph (1) of the Act, the bank must have that notification posted in the front-office area of the business office in accordance with the categories as set forth in each item of the following until the day specified in each the item:

- 一 法第十六条第一項前段の規定による掲示 銀行が臨時にその業務の全部又は一部を休止した営業所においてその業務の全部又は一部を再開する日
- (i) posting pursuant to the provisions of first sentence of paragraph (1) of Article 16 of the Act: the day on which the bank resumes all or part of business at a business office where it suspended all or part of its business temporarily;
- 二 法第十六条第一項後段の規定による掲示 銀行が臨時にその業務の全部又は一部を休止した営業所においてその業務の全部又は一部を再開した日後一月を経過する日
- (ii) posting pursuant to the provisions of second sentence of paragraph (1) of Article 16 of the Act: the day on which one month has elapsed after the day on which the bank resumes all or part of business at a business office where it suspended all or part of business temporarily.
- 4 法第十六条第二項に規定する内閣府令で定める場合は、次に掲げる場合とする。
- (4) The case specified by Cabinet Office Order that is provided for in Article 16, paragraph (2) of the Act means any of the following cases:
- 一 銀行の無人の営業所において臨時にその業務の全部又は一部を休止する場合
- (i) if a bank temporarily suspends all or part of its business at an unmanned business office;
- 二 第二項第二号又は第四号から第六号までのいずれかに該当する場合
- (ii) a case that falls under paragraph (2), item (ii), or any of items (iv) through (vi); and
- 三 休業期間が一営業日以内で、営業が速やかに再開されることが確実に見込まれる場合
- (iii) if the suspension period is one business day or less and business is reliably expected to be promptly resumed.
- 5 法第十六条第三項に規定する内閣府令で定める場合は、次に掲げる場合とする。
- (5) The case specified by Cabinet Office Order that is provided for in Article 16, paragraph (3) of the Act means any of the following cases:
- 一 銀行の無人の営業所において臨時にその業務の一部を休止する場合
- (i) if a bank temporarily suspends part of its business at an unmanned business office;
- 二 第二項第四号に該当する場合
- (ii) if paragraph (2), item (iv) applies; or
- 三 休業期間が一営業日以内で、営業が速やかに再開されることが確実に見込まれる場合
- (iii) if the suspension period is one business day or less and business is reliably expected to be promptly resumed.

第三章 子会社等

Chapter III Subsidiary Company

(専門子会社の業務等)

(Business of a Specialized Subsidiary Company)

第十七条の二 法第十六条の二第一項第三号に規定する内閣府令で定める業務は、金融商品取引法第三十五条第一項第一号から第十号まで及び第十三号に掲げる行為を行う業務並びに同条第二項第一号から第三号までに掲げる業務のほか、次に掲げるものとする。

Article 17-2 (1) The services specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (1), item (iii) of the Act means the following, apart from the services through which the relevant person performs the actions set forth in Article 35, paragraph (1), items (i) through (x) and (xiii) of the Financial Instruments and Exchange Act and the business as set forth in paragraph (2), items (i) through (iii) of that Article:

一 次条第一項各号に掲げる業務であつて、金融庁長官が定める基準により銀行、その子会社又は第四項各号に掲げる者の営む業務のために営むもの

(i) services as set forth in any of the items of paragraph (1) of the following Article which the relevant person performs for the benefit of the services performed by a bank, its subsidiary company, or a person set forth in any of the items of paragraph (4) based on standards prescribed by the Commissioner of the Financial Services Agency;

二 次条第二項各号に掲げる業務。ただし、同項第十九号から第二十三号までに掲げる業務については証券子会社等（法第十六条の二第二項第六号に規定する証券子会社等をいう。）を有する場合に限り、次条第二項第二十四号から第三十四号までに掲げる業務については保険子会社等（法第十六条の二第二項第七号に規定する保険子会社等をいう。次項第三号及び第三項第五号において同じ。）を有する場合に限り、次条第二項第三十五号から第三十七号までに掲げる業務については銀行が信託兼営銀行（法第十六条の二第二項第八号イに規定する信託兼営銀行をいう。以下同じ。）である場合又は信託子会社等（法第十六条の二第二項第八号に規定する信託子会社等をいう。以下同じ。）を有する場合に限る。

(ii) services as set forth in any of the items of paragraph (2) of the following Article; provided, however, that, with regard to services as set forth in any of items (xix) through (xxiii) of that paragraph, this is limited to the case in which the relevant person has a securities subsidiary company, etc. (meaning the security subsidiary company, etc. prescribed in Article 16-2, paragraph (2), item (vi) of the Act); with regard to services as set forth in any of items (xxiv) through (xxxiv) of paragraph (2) of the following Article, this is limited to the case in which the relevant person has an insurance subsidiary company, etc. (meaning the insurance subsidiary company, etc. prescribed in Article 16-2, paragraph (2), item (vii) of the Act; the same applies in item (iii) of the following paragraph, and paragraph (3), item (v)); and with regard to services as set forth in any of items (xxxv) through (xxxvii) of paragraph (2)

the following Article, this is limited to the case in which the relevant bank is a trust bank (meaning a trust bank prescribed in Article 16-2, paragraph (2), item (viii), (a) of the Act; the same applies hereinafter) or if the that bank has a trust subsidiary company, etc. (meaning a trust subsidiary company, etc. prescribed in Article 16-2, paragraph (2), item (viii) of the Act; the same applies hereinafter).

2 法第十六条の二第一項第三号に規定する内閣府令で定める業務は、金融商品取引法第三十五条第一項第一号から第十号まで及び第十三号に掲げる行為を行う業務並びに同条第二項第一号から第三号までに掲げる業務（同項第一号に掲げる業務にあつては、第十三条の二の三第一項第一号及び第三号（同項第一号に係る部分に限る。）に掲げるもの並びに商品先物取引所法第二条第二十一項に規定する商品市場における取引等の委託を受ける業務に限り、金融商品取引法第三十五条第二項第二号に掲げる業務にあつては、第十三条の二の三第一項第一号及び第三号（同項第一号に係る部分に限る。）に掲げるものに限る。）のほか、次に掲げるものとする。

(2) The services specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (1), item (iii) of the Act means the following services, apart from services through which the relevant person performs the acts set forth in Article 35, paragraph (1), items (i) through (x) and item (xiii) of the Financial Instruments and Exchange Act and services set forth in paragraph (2), items (i) through (iii) of that Article (limited to, with regard to the services set forth in item (i) of that paragraph, the services set forth in Article 13-2-3, paragraph (1), item (i) and item (iii) (limited to the part pertaining to item (i) of that paragraph) and the services through which it accepts the outsourcing of a transaction on a commodity market, etc. as prescribed in Article 2, paragraph (21) of the Commodity Derivatives Transaction Act; and limited to, with regard to the business set forth in Article 35, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, the business set forth in Article 13-2-3, paragraph (1), item (i) and item (iii) (limited to the part pertaining to item (i) of that paragraph)):

一 金融商品取引法第二条第八項第七号及び第十一号から第十七号までに掲げる行為並びに金融商品取引法施行令第一条の十二に規定する行為を行う業務

(i) services through which it performs the acts set forth in Article 2, paragraph (8), item (vii), and items (xi) through (xvii) of the Financial Instruments and Exchange Act and acts prescribed in Article 1-12 of the Order of Enforcement of the Financial Instruments and Exchange Act;

二 次条第一項各号（第二十三号を除く。）に掲げる業務であつて、金融庁長官が定める基準により銀行、その子会社又は第四項各号に掲げる者の営む業務のために営むもの

(ii) services as set forth in the items of paragraph (1) of the following Article (except item (xxiii)) that it performs based on the standards specified by the Commissioner of the Financial Services Agency to benefit the services

performed by a bank, its subsidiary company, or a person as set forth in each item of paragraph (4); or

三 次条第二項各号に掲げる業務（第一号に掲げる業務に該当するものを除く。）。ただし、同項第二十四号から第三十四号までに掲げる業務については保険子会社等を有する場合に限り、次条第二項第三十五号から第三十七号までに掲げる業務については、銀行が信託兼営銀行である場合又は信託子会社等を有する場合に限る。

(iii) services as set forth in each item of paragraph (2) of the following Article (excluding business corresponding to those as set forth in item (i)); provided, however, that: with regard to services as set forth in items (xxiv) through (xxxiv) of that paragraph, this is limited to the case in which the relevant person has an insurance subsidiary company, etc.; and with regard to services as set forth in paragraph (2), items (xxxv) through (xxxvii) of the following Article, this is limited to the case in which a bank is a trust bank or has a trust subsidiary company, etc.

3 法第十六条の二第一項第四号に規定する内閣府令で定める業務は、金融商品取引法第三十五条第一項第十号及び第十三号に掲げる行為を行う業務並びに同条第二項第一号から第三号までに掲げる業務のほか、次に掲げる業務とする。

(3) The services specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (1), item (iv) of the Act means any of the following services, apart from services through which the relevant person performs the actions set forth in Article 35, paragraph (1), item (x) and item (xiii) of the Financial Instruments and Exchange Act and services as set forth in paragraph (2), items (i) through (iii) of that Article:

一 金融商品取引法第二条第八項第十一号、第十二号及び第十四号に掲げる行為並びに金融商品取引法施行令第一条の十二に規定する行為を行う業務

(i) services through which it performs the actions set forth in Article 2, paragraph (8), item (xi), item (xii) and item (xiv) of the Financial Instruments and Exchange Act and the actions prescribed in Article 1-12 of the Order of Enforcement of the Financial Instruments and Exchange Act;

二 累積投資契約（金融商品取引法第三十五条第一項第七号に規定する累積投資契約をいう。）の締結の媒介

(ii) acting as intermediary in the conclusion of a cumulative investment contract (meaning a cumulative investment contract as prescribed in Article 35, paragraph (1), item (vii) of the Financial Instruments and Exchange Act);

三 金融商品取引法第三十五条第一項第一号に規定する有価証券の貸借の媒介

(iii) acting as intermediary in the lending of securities as prescribed in Article 35, paragraph (1), item (i) of the Financial Instruments and Exchange Act;

四 前項第二号に掲げる業務

(iv) services set forth in item (ii) of the preceding paragraph; and

五 次条第二項各号に掲げる業務（第一号に掲げる業務に該当するものを除く。）。ただし、同項第二十四号から第三十四号までに掲げる業務については、保険子会社

等を有する場合に限り、同項第三十五号から第三十七号までに掲げる業務については銀行が信託兼営銀行である場合又は信託子会社等を有する場合に限る。

(v) services set forth in each item of paragraph (2) of the following Article (excluding business corresponding to that as set forth in item (i)); provided, however, that: with regard to services as set forth in items (xxiv) through (xxxiv) of that paragraph, this is limited to the case in which the relevant person has an insurance subsidiary company, etc.; and with regard to business as set forth in items (xxxv) through (xxxvii) of that paragraph, this is limited to the case in which a bank is a trust bank or has a trust subsidiary company, etc.

4 法第十六条の二第一項第十一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。

(4) The entity specified by Cabinet Office Order that is provided for in Article 16-2, paragraph (1), item (xi) of the Act means:

一 当該銀行の銀行持株特定子銀行（当該銀行を子会社とする銀行持株会社の子会社（銀行又は法第五十二条の二十三第一項第一号若しくは第六号に掲げる会社に限り、当該銀行及びその特定子銀行（当該銀行の子会社のうち、法第十六条の二第一項第一号、第二号又は第七号に掲げる会社をいう。次号及び第四号において同じ。）を除く。）をいう。第四号において同じ。）

(i) the relevant bank's bank-holding specified subsidiary bank (meaning a subsidiary company (limited to a bank or a company as set forth in Article 52-23, paragraph (1), item (i) or item (vi) of the Act, and excluding that relevant bank and its specified subsidiary bank (meaning a company as set forth in Article 16-2, paragraph (1), item (i), item (ii), or item (vii) of the Act among the subsidiary companies of that relevant bank; the same applies in the following item and item (iv))) of a bank holding company that has that relevant bank as its subsidiary company; the same applies in item (iv));

二 当該銀行の銀行集団（当該銀行及びその子会社の集団又は当該銀行の特定子銀行及び当該銀行の特定子銀行以外の子会社の集団をいう。第四号において同じ。）

(ii) a group of banks of the relevant bank (meaning a group of that relevant bank and its subsidiary companies, or a group of specified subsidiary banks of that relevant bank and subsidiary companies other than the specified subsidiary banks of that relevant bank; the same applies in item (iv));

三 当該銀行の銀行持株会社集団（当該銀行を子会社とする銀行持株会社の二以上の子会社の集団又は当該銀行持株会社及びその子会社の集団のうち、銀行又は法第五十二条の二十三第一項第一号若しくは第六号に掲げる会社を含むものに限り、前号に掲げるものを除いたものをいう。次号において同じ。）

(iii) a group of bank holding companies of the relevant bank (limited to a group that includes a bank or companies as set forth in Article 52-23, paragraph (1), item (i) or item (vi) of the Act among a group of two or more subsidiary companies of a bank holding company that holds that relevant bank as a

subsidiary company and a group of that relevant bank holding company and its subsidiary companies; and excluding groups as set forth in the preceding item; the same applies in the following item);

四 当該銀行又はその特定子銀行、銀行持株特定子銀行、銀行集団若しくは銀行持株会社集団及び次に掲げる者

(iv) the relevant bank or, its specified subsidiary bank, a bank-holding specified subsidiary bank, a group of banks, or a group of bank holding companies, and the following persons:

イ 銀行等

(a) a bank, etc.;

ロ 銀行等集団

(b) a group of banks, etc.;

ハ 銀行持株会社集団

(c) a group of bank holding companies; or

ニ 長期信用銀行の長期信用銀行持株会社集団

(d) a group of long-term credit bank holding companies of a long-term credit bank.

5 前項第四号に規定する「銀行等」、「銀行等集団」及び「長期信用銀行持株会社集団」とは、それぞれ次に定めるところによる。

(5) The meaning of the terms "bank, etc.", "group of banks, etc.", and "group of long-term credit bank holding companies of a long-term credit bank" as prescribed in item (iv) of the preceding paragraph are as prescribed in each of the following item:

一 銀行等 次に掲げる者

(i) a bank, etc.: the following persons:

イ 銀行又は長期信用銀行（これらの子会社のうち、銀行業を営む外国の会社を含む。）

(a) a bank or a long-term credit bank (including a foreign company that performs banking among those subsidiary companies);

ロ 信用金庫、信用協同組合又は労働金庫（これらの子会社のうち、銀行又は銀行業を営む外国の会社を含む。）

(b) a Shinkin Bank, credit cooperatives, or a labor bank (including a bank or a foreign company that performs banking, among federations organized with these corporations or their subsidiary companies);

ハ 農業協同組合、農業協同組合連合会、漁業協同組合、漁業協同組合連合会、水産加工業協同組合又は水産加工業協同組合連合会（農業協同組合連合会、漁業協同組合連合会及び水産加工業協同組合連合会にあつては、当該農業協同組合連合会、当該漁業協同組合連合会又は当該水産加工業協同組合連合会の子会社（銀行に限る。）を含む。）

(c) an agricultural cooperative, a federation of agricultural cooperatives, a fisheries cooperative, a federation of fisheries cooperatives, a fishery

processing cooperative, a federation of fishery processing cooperative (including a subsidiary company (limited to a bank) of federation of agricultural cooperatives, a federation of fisheries cooperatives, and a federation of fishery processing cooperatives, with regard to the federation of agricultural cooperatives, the federation of fisheries cooperatives, and a federation of fishery processing cooperatives); and

ニ 農林中央金庫（その子会社のうち、銀行又は銀行業を営む外国の会社を含む。）

(d) the Norinchukin Bank (including a bank or a foreign company that performs banking among the Norinchukin Bank's subsidiary companies);

ホ 株式会社商工組合中央金庫

(e) the Shoko Chukin Bank Limited

二 銀行等集団 前号に規定する銀行等及びその子会社の集団又は当該銀行等の子銀行等（当該銀行等の子会社のうち、銀行、長期信用銀行又は銀行業を営む外国の会社をいう。以下この号において同じ。）及び当該銀行等の子銀行等以外の子会社の集団

(ii) a group of banks, etc.: a group of the bank, etc., as prescribed in the preceding item and its subsidiary companies, or a group of subsidiary banks, etc. of the bank, etc. (meaning a bank, long-term credit bank, or a foreign company that performs banking, among subsidiary companies of the bank, etc.; hereinafter the same applies in this item) and subsidiary companies other than the subsidiary banks, etc. of the bank, etc.;

三 長期信用銀行持株会社集団 長期信用銀行持株会社（長期信用銀行法第十六条の四第一項に規定する長期信用銀行持株会社をいう。以下同じ。）の二以上の子会社の集団又は当該長期信用銀行持株会社及びその子会社の集団のうち、長期信用銀行又は長期信用銀行法第十六条の四第一項第一号若しくは第六号に掲げる会社を含むものに限り、前号に定めるものを除いたもの

(iii) a group of long-term credit bank holding companies: limited a group that includes a long-term credit bank or companies as set forth in Article 16-4, paragraph (1), item (i) or (vi) of the Long-Term Credit Bank Act among a group of two or more subsidiary companies of a long-term credit bank holding company (meaning a long-term credit bank holding company as prescribed in Article 16-4, paragraph (1) of the Long-Term Credit Bank Act; the same applies hereinafter) or a group of the long-term credit bank holding company and its subsidiary companies; and excluding a group as specified in the preceding item.

6 法第十六条の二第一項第十二号及び第十六条の三第七項に規定する内閣府令で定める会社は、金融商品取引所に上場されている株式又は金融商品取引法第六十七条の十一第一項の店頭売買有価証券登録原簿に登録されている株式の発行者である会社以外の会社であつて、次の各号のいずれかに該当する会社とする。

(6) The company specified by Cabinet Office Order that is provided for in Article

16-2, paragraph (1), item (xii) and Article 16-3, paragraph (7) of the Act means a company falling under any of the following items, other than one that is an issuer of shares listed on a financial instruments exchange or shares registered in a registry of over-the-counter traded securities as prescribed in Article 67-11, paragraph (1) of the Financial Instruments and Exchange Act:

一 中小企業者（中小企業等経営強化法（平成十一年法律第十八号）第二条第一項に規定する中小企業者をいう。以下この項及び第十二項において同じ。）であつて、設立の日又は新事業活動（会社が現に行っている事業と異なる種類の事業であつて、新商品の開発又は生産、新役務の開発又は提供、商品の新たな生産又は販売の方式の導入、役務の新たな提供の方式の導入その他の新たな事業活動をいう。次号及び第三号において同じ。）の開始の日以後五年を経過しておらず、かつ、前事業年度又は前年においてイに掲げる金額のロに掲げる金額に対する割合が百分の三を超えているもの

(i) a small and medium-sized enterprise operator (meaning a small and medium-sized enterprise operator prescribed in Article 2, paragraph (1) of the Small and Medium-sized Enterprises Business Enhancement Act (Act No. 18 of 1999); hereinafter the same applies in this paragraph and paragraph (12)), if five years have not elapsed since the date of incorporation or the date of its commencement of new business activities (meaning activities such as the development or production of new products, development or provision of new services, introduction of a new method of producing or selling products, and introduction of a new method of providing services, which are different in type from the business in which the company currently engages; the same applies in the following item and item (iii)); and if the percentage of its amount set forth in sub-item (a) to its amount set forth in sub-item (b) exceeds three percent in the preceding business year or preceding year:

イ 試験研究費その他新たな技術若しくは新たな経営組織の採用、市場の開拓又は新たな事業の開始のために特別に支出される費用の合計額

(a) total amount of testing and research expenses and other expenses specially paid for recruitment of new technology or new management organization, market cultivation, or commencement of new business;

ロ 総収入金額から固定資産又は法人税法（昭和四十年法律第三十四号）第二条第二十一号に規定する有価証券の譲渡による収入金額を控除した金額

(b) the amount that is the result of deducting the income amount by transfer of fixed assets or securities as prescribed in Article 2, item (xxi) of the Corporation Tax Act (Act No. 34 of 1965) from the total income amount;

二 中小企業者であつて、設立の日又は新事業活動の開始の日以後二年を経過しておらず、常勤の新事業活動従事者（新商品の開発又は生産、新役務の開発又は提供、商品の新たな生産又は販売の方式の導入、役務の新たな提供の方式の導入その他の新たな事業活動に従事する者であつて、研究者に該当しない者に限る。以下この号において同じ。）の数が二人以上であり、かつ、当該新事業活動従事者の数の常勤

- の役員及び従業員の数の合計に対する割合が十分の一以上であるもの
- (ii) a small and medium-sized enterprise operator, if two years have not elapsed since the date of its incorporation or the date of its commencement of new business activities; if it has two or more full-time workers engaged in its new business activities (limited to the persons who are engaged in the new business activities such as the development or production of new products, development or provision of new services, introduction of a new method of producing or selling products, and introduction of a new method of providing services, and who do not fall under the category of researchers; hereinafter the same applies in this item); and if the percentage of the number of those workers engaged in the new business activities to the total number of its full-time officers and employees is ten percent or more;
- 三 中小企業者であつて、設立の日又は新事業活動の開始の日以後一年を経過しておらず、常勤の研究者の数が二人以上であり、かつ、当該研究者の数の常勤の役員及び従業員の数の合計に対する割合が十分の一以上であるもの
- (iii) a small or medium-sized enterprise operator, if one year has not elapsed since the date of its incorporation or date of its commencement of new business activities; if it has two or more full-time researchers and if the percentage of the number of those researchers to the total number of its full-time officers and employees is ten percent or more; or
- 四 中小企業等経営強化法第十六条第一項に規定する認定を受けている会社
- (iv) a company that is certified as prescribed in Article 16, paragraph (1) of the Small and Medium-sized Enterprises Business Enhancement Act.
- 7 法第十六条の二第一項第十二号の二に規定する内閣府令で定める会社は、金融商品取引所に上場されている株式又は金融商品取引法第六十七条の十一第一項の店頭売買有価証券登録原簿に登録されている株式の発行者である会社以外の会社であつて、次の各号のいずれかに該当する会社とする。
- (7) The company specified by Cabinet Office Order that is provided for in Article 16-2, paragraph (1), item (xii)-2 of the Act means a company falling under any of the following items, other than one that is an issuer of shares listed on a financial instruments exchange or shares registered in a registry of over-the-counter traded securities referred to in Article 67-11, paragraph (1) of the Financial Instruments and Exchange Act:
- 一 中小企業等経営強化法第十四条第一項に規定する承認を受けている会社
- (i) a company which has obtained approval prescribed under Article 14, paragraph (1) of the Small and Medium-sized Enterprises Business Enhancement Act;
- 二 民事再生法（平成十一年法律第二百二十五号）第七十四条第一項の規定による再生計画認可の決定を受けている会社
- (ii) a company subject to an order confirming a rehabilitation plan under the provisions of Article 174, paragraph (1) of the Civil Rehabilitation Act (Act

- No. 225 of 1999);
- 三 会社更生法（平成十四年法律第百五十四号）第百九十九条第一項の規定による更生計画認可の決定を受けている会社
- (iii) a company subject to an order confirming an approval on reorganization plan under the provisions of Article 199, paragraph (1) of the Corporate Reorganization Act (Act No. 154 of 2002);
- 四 株式会社地域経済活性化支援機構法（平成二十一年法律第六十三号）第二十五条第四項に規定する再生支援決定を受けている会社
- (iv) a company subject to a decision of assistance for revitalization prescribed in Article 25, paragraph (4) of the Act on Regional Economy Vitalization Corporation of Japan (Act No. 63 of 2009);
- 五 株式会社東日本大震災事業者再生支援機構法（平成二十三年法律第百十三号）第十九条第四項に規定する支援決定を受けている会社
- (v) a company subject to a decision of assistance prescribed in Article 19, paragraph (4) of the Act on Corporation for Revitalizing Earthquake-Affected Business (Act No. 113 of 2011);
- 六 株式会社東日本大震災事業者再生支援機構法第五十九条第一項に規定する産業復興機構による支援を受けている会社
- (vi) a company which has obtained assistance from an industrial recovery organization prescribed in Article 59, paragraph (1) of the Act on Corporation for Revitalizing Earthquake-Affected Business;
- 七 産業競争力強化法（平成二十五年法律第九十八号）第二十三条第一項又は第二十五条第一項の認定を受けている会社
- (vii) a company which has obtained an approval referred to in Article 23, paragraph (1) or Article 25, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013);
- 八 合理的な経営改善のための計画（法第五十二条の六十一第一項に規定する銀行等、株式会社商工組合中央金庫、保険会社（外国保険会社等を含む。）、銀行持株会社、長期信用銀行持株会社若しくは保険業法第二条第十六項に規定する保険持株会社又はこれらの子会社（以下この号において「特定金融機関等」という。）が、当該特定金融機関等に対する会社の債務について次に掲げる措置のいずれかを実施することを内容とするものであつて、当該措置の実施により相当の期間内に当該会社の経営の状況が改善されることが見込まれるものに限る。）を実施している会社
- (viii) a company which implements a streamlined business improvement plan (limited to a plan in which a bank etc. prescribed in Article 52-61, paragraph (1) of the Act, Shoko Chukin Bank Limited, an insurance company (including a foreign insurance company, etc.), a bank holding company, a long-term credit bank holding company or an insurance holding company prescribed in Article 2, paragraph (16) of the Insurance Business Act, or a subsidiary company of any of these (hereinafter referred to as a "specified financial institution, etc." in this item) implements any of the following measures with

regard to obligations a company owes to the specified financial institution, etc., and the implementation of these measures is expected to improve the condition of the business management of the company within a reasonable period of time):

イ 当該債務の全部又は一部を免除する措置

(a) measures to release the company from all or part of the obligations;

ロ 当該債務の全部又は一部を消滅させるために株式を取得する措置

(b) measures to acquire shares of the company in order to extinguish all or part of the obligations;

ハ 当該債務に係る債権の全部又は一部が当該会社に対する他の債権に後れることとする措置（当該会社の財務指標が当該特定金融機関等及び当該会社の間であらかじめ定めた一定の基準を下回った場合に、当該会社が期限の利益を喪失する措置を併せて講じているものに限る。）

(c) measures to make all or part of the claims pertaining to the obligations subordinated to other claims against the company (but only if the specified financial institution, etc. also implements measures so that the company will lose its benefit of time when a financial indicator of the company falls short of a certain level fixed in advance by the specified financial institution, etc. and the company); and

九 代表者の死亡、高齢化その他の事由に起因して、その事業の承継のために支援の必要が生じた会社であつて、当該事業の承継に係る計画に基づく支援を受けている会社

(ix) a company that came to need assistance in order to succeed to its business for reasons such as the representative's death or old age, and that has received assistance based on a business succession plan.

8 法第十六条の二第一項第十二号の二に規定する内閣府令で定める要件は、銀行又はその子会社が前項に規定する会社（同項第九号に該当するものを除く。）の議決権を取得する場合において、次の各号に掲げる要件のいずれにも該当することとする。

(8) The requirements specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (1), item (xii)-2 of the Act are that if a bank or its subsidiary company acquires voting rights in the company prescribed in the preceding paragraph (excluding one that falls under item (ix) of that paragraph), all of the requirements set forth in the following items are satisfied:

一 法第五十二条の六十一第一項に規定する銀行等による人的な又は財政上の支援その他の当該銀行等が行う事業の再生のための支援をその内容に含む事業計画（法第十六条の二第一項第十二号の二の事業に係る計画をいう。）が作成されていること。

(i) a business plan (meaning a business plan as referred to in Article 16-2, paragraph (1), item (xii)-2 of the Act) has been prepared that includes human-resources or financial assistance by a bank, etc. as prescribed in Article 52-61, paragraph (1) of the Act or any other such assistance for

business revitalization that is provided by such a bank, etc.; and
二 前号の事業計画について、次のいずれかに該当するものが関与して策定していること。

(ii) any of the following entity is involved in formulating the business plan referred to in the preceding item:

イ 官公署

(a) a public agency;

ロ 商工会又は商工会議所

(b) a commercial and industrial association or chamber of commerce and industry;

ハ イ又はロに準ずるもの

(c) any entity equivalent to (a) or (b);

ニ 弁護士又は弁護士法人

(d) an attorney or legal professional corporation;

ホ 公認会計士又は監査法人

(e) a certified public accountant or audit corporation;

ヘ 税理士又は税理士法人

(f) a certified public tax accountant or tax accountancy corporation; or

ト 次条第二項第十五号に掲げる業務を営む会社（当該銀行の子会社等（法第十四条の二第二号に規定する子会社等をいう。）及び当該銀行を子会社とする銀行持株会社の子会社等（法第五十二条の二十五に規定する子会社等をいう。）以外の会社に限る。）

(g) a company that conducts the services set forth in paragraph (2), item (xv) of the following Article (limited to a company other than a subsidiary company, etc. (meaning a subsidiary company, etc. as prescribed in Article 14-2, item (ii) of the Act) of the bank and a subsidiary company, etc. (meaning a subsidiary company, etc. as prescribed in Article 52-25 of the Act) of a bank holding company that has the bank as its subsidiary company).

9 第六項に規定する会社のほか、会社であつて、その議決権を銀行若しくはその子会社（子会社となる会社を含む。以下この項において同じ。）の担保権の実行による株式等の取得又は第十七条の四第一項第一号に掲げる事由によらずに取得されたとき（当該会社の議決権が当該銀行又はその子会社により二回以上にわたり取得された場合においては、当該銀行若しくはその子会社の担保権の実行による株式等の取得又は同号に掲げる事由によらずに最後に取得されたとき）に第六項に規定する会社に該当していたものも、その議決権が当該銀行若しくはその子会社の担保権の実行による株式等の取得又は同号に掲げる事由によらずに新たに取得されない限り、当該銀行に係る法第十六条の二第一項第十二号に規定する内閣府令で定める会社に該当するものとする。

(9) In addition to a company as prescribed in paragraph (6), a company that was a company as prescribed in paragraph (6) at the time that its voting rights

were acquired by a bank or its subsidiary company (including a company that is to become a subsidiary company; hereinafter the same applies in this paragraph) due to grounds other than the acquisition of shares or equity through the exercise of a security right or grounds as set forth in Article 17-4, paragraph (1), item (i) (if the voting rights in the company are acquired by the bank or its subsidiary company on two or more occasions: on the latest occasion of the acquisition due to grounds other than the acquisition of shares or equity through the exercise of the security right and the grounds set forth in that item) is also considered to be a company as specified by Cabinet Office Order that is provided for in Article 16-2, paragraph (1), item (xii) of the Act in relation to that bank, unless the voting rights are newly acquired by the bank or its subsidiary company due to grounds other than the acquisition of shares or equity through the exercise of a security right or the cause set forth in Article 17-4, paragraph (1), item (i).

1 0 前項の規定は、第七項に規定する会社に該当していたものに準用する。この場合において、前項中「第十六条の二第一項第十二号」とあるのは、「第十六条の二第一項第十二号の二」と読み替えるものとする。

(10) The provisions of the preceding paragraph apply mutatis mutandis to a company that was a company prescribed in paragraph (7). In this case, the phrase "Article 16-2, paragraph (1), item (xii)" in the preceding paragraph is deemed to be replaced with "Article 16-2, paragraph (1), item (xii)-2."

1 1 第六項から前項まで（第八項を除く。）の規定にかかわらず、特定子会社（第十三項に規定する会社をいう。以下この項及び次項並びに第十七条の七の三第二項において同じ。）がその取得した第六項若しくは第九項に規定する会社（以下この項において「新規事業分野開拓会社」という。）又は第七項に規定する会社若しくは前項において読み替えて準用する第九項の内閣府令で定める会社に該当するもの（以下この章及び第三十五条第一項第十三号において「事業再生会社」という。）の議決権を処分基準日（新規事業分野開拓会社の議決権にあつてはその取得の日から十五年を経過する日をいい、事業再生会社のうち第七項第九号に該当する会社の議決権にあつてはその取得の日から五年を経過する日をいい、同号に該当する会社以外の事業再生会社の議決権にあつてはその取得の日から十年を経過する日（当該議決権が同項に規定する会社（同項第五号又は第六号に該当するものに限る。）の議決権である場合であつて、当該会社が当該支援を受けている期間が当該議決権の取得の日から十年を超えるときは、当該支援が終了する日）をいう。以下この項において同じ。）までに処分しないときは、当該新規事業分野開拓会社及び当該事業再生会社（以下この項、第十七条の六第一項第九号及び第十七条の七の三第三項において「新規事業分野開拓会社等」という。）は、処分基準日の翌日からは新規事業分野開拓会社にあつては当該銀行に係る法第十六条の二第一項第十二号に規定する内閣府令で定める会社に、事業再生会社にあつては当該銀行に係る同項第十二号の二に規定する内閣府令で定める会社にそれぞれ該当しないものとする。ただし、当該処分を行えば当該銀行又はその子会社が保有する当該新規事業分野開拓会社等の議決権の数が当該処分基準日における基

礎議決権数（国内の会社（法第十六条の四第一項に規定する国内の会社をいう。以下この章及び第五章において同じ。）及び事業再生会社（第八項に定める要件に該当するものに限る。次項、第十七条の六第一項第九号、第十七条の七の三第三項及び第三十五条第一項第十三号において同じ。）の議決権についてはその総株主等の議決権に百分の五を乗じて得た議決権の数、外国の会社の議決権についてはその総株主等の議決権に百分の五十を乗じて得た議決権の数をいう。以下この項及び次項において同じ。）を下回ることとなる場合において、当該特定子会社が当該取得の日から処分基準日までの間に当該銀行又はその子会社の保有する当該新規事業分野開拓会社等の議決権のうち当該処分基準日における基礎議決権数を超える部分の議決権を処分したときは、この限りでない。

(11) Notwithstanding the provisions of paragraph (6) through the preceding paragraph (excluding paragraph (8)), if a specified subsidiary company (meaning a company prescribed in paragraph (13); hereinafter the same applies in this paragraph, the following paragraph, and Article 17-7-3, paragraph (2)) does not dispose of the voting rights acquired thereby in a company prescribed in paragraph (6) or paragraph (9) (hereinafter referred to as a "company cultivating new business field" in this paragraph), or in a company prescribed in paragraph (7) or company that falls under a company specified by Cabinet Office Order referred to in paragraph (9), as applied mutatis mutandis pursuant to the preceding paragraph following the deemed replacement of terms (hereinafter referred to as a "company in the business revitalization process" in this Chapter and Article 35, paragraph (1), item (xiii)), by the base disposition date (meaning: the day on which fifteen years have elapsed from the date of the acquisition of the voting rights in a company cultivating a new business field; the day on which five years have elapsed from the date of the acquisition of the voting rights in a company in the business revitalization process which falls under paragraph (7), item (ix); or the day on which ten years have elapsed from the date of the acquisition of the voting rights in a company in the business revitalization process other than the company which falls under that item (if the voting rights are voting rights in a company prescribed in paragraph (7) (limited to one that falls under item (v) or item (vi) of that paragraph), and the period during which the company receives the assistance exceeds ten years from the date of the acquisition of the voting rights: the day on which the assistance ends); hereinafter the same applies in this paragraph), the company cultivating new business field or company in the business revitalization process (hereinafter referred to as a "company cultivating new business field, etc." in this paragraph, Article 17-6, paragraph (1), item (ix), and Article 17-7-3, paragraph (3)) is to be considered as a company that does not fall under a company as specified by Cabinet Office Order that is provided for in Article 16-2, paragraph (1), item (xii) of the Act in relation to that bank in the case of a company cultivating new business field, or

a company as specified by Cabinet Office Order that is provided for in item (xii)-2 of that paragraph in relation to that bank in the case of a company in the business revitalization process, respectively, from the day following the base disposition date; provided, however, that this does not apply to the case in which; the number of voting rights in the company cultivating new business field, etc. held by the bank or its subsidiary company falls below the base number of voting rights as of the base disposition date (meaning the number of voting rights obtained by multiplying the total shareholder or investor voting rights by five percent, with regard to voting rights in a domestic company (meaning the domestic company prescribed in Article 16-4, paragraph (1) of the Act; the same applies hereinafter in this Chapter and Chapter V) and voting rights in a company in the business revitalization process (limited to one that satisfies the requirements specified in paragraph (8); the same applies in the following paragraph, Article 17-6, paragraph (1), item (ix), Article 17-7-3, paragraph (3), and Article 35, paragraph (1), item (xiii)); and meaning the number of voting rights obtained by multiplying the total shareholder or investor voting rights by fifty percent, with regard to voting rights in a foreign company; hereinafter the same applies in this paragraph and the following paragraph) if the disposition is performed; and the specified subsidiary company disposes of a portion of voting rights exceeding the base number of voting rights as of the base disposition date among the voting rights in the company cultivating new business field, etc. held by the bank or its subsidiary company, during the period from the date of the acquisition to the base disposition date.

1 2 第七項及び第十項の規定にかかわらず、銀行又はその特定子会社以外の子会社がその取得した事業再生会社の議決権を処分基準日（その取得の日から次の各号に掲げる議決権の区分に応じ、当該各号に定める期間を経過する日をいう。以下この項において同じ。）までに処分しないときは、当該事業再生会社は、処分基準日の翌日から当該銀行に係る法第十六条の二第一項第十二号の二に規定する内閣府令で定める会社に該当しないものとする。ただし、当該処分を行えば当該銀行又はその特定子会社以外の子会社が保有する当該事業再生会社の議決権の数が当該処分基準日における基礎議決権数を下回ることとなる場合において、当該銀行又はその特定子会社以外の子会社が当該取得の日から処分基準日までの間に当該銀行又はその特定子会社以外の子会社の保有する当該事業再生会社の議決権のうち当該処分基準日における基礎議決権数を超える部分の議決権を処分したときは、この限りでない。

(12) Notwithstanding the provisions of paragraphs (7) and (10), if a bank or its subsidiary company other than a specified subsidiary company does not dispose of the voting rights acquired thereby in a company in the business revitalization process by the base disposition date (meaning the day on which the period specified in the following items has elapsed from the date of the acquisition of the voting rights in accordance with the categories of voting

rights set forth in those items; hereinafter the same applies in this paragraph), the company in the business revitalization process is not considered to be a company specified by Cabinet Office Order that is provided for in Article 16-2, paragraph (1), item (xii)-2 of the Act in relation to the bank from the day following the base disposition date; provided, however, that this does not apply to the case in which: the number of voting rights in the company in the business revitalization process held by the bank or its subsidiary company other than a specified subsidiary company falls below the base number of voting rights as of the base disposition date, if the disposition is performed; and the bank or its subsidiary company other than a specified subsidiary company disposes of a portion of voting rights exceeding the base number of voting rights as of the base disposition date among the voting rights in the company in the business revitalization process held by the bank or its subsidiary company other than a specified subsidiary company, during the period from the date of the acquisition to the base disposition date:

一 中小企業者の発行する株式等に係る議決権 十年

(i) voting rights from shares or equity issued by a small and medium-sized enterprise operator: ten years; or

二 中小企業者以外の会社の発行する株式等に係る議決権 三年

(ii) voting rights from shares or equity issued by a company other than a small and medium-sized enterprise operator: three years.

1 3 法第十六条の二第一項第十二号に規定する内閣府令で定めるものは、次条第二項第十二号に掲げる業務及びこれに附帯する業務を専ら営む会社とする。

(13) The company specified by Cabinet Office Order that is provided for in Article 16-2, paragraph (1), item (xii) of the Act means a company that only performs business as set forth in paragraph (2), item (xii) of the following Article and business incidental to this.

1 4 法第十六条の二第一項第十三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。ただし、当該持株会社が次条第一項各号に掲げる業務を営む場合にあっては、当該業務は金融庁長官が定める基準により主として銀行、その子会社又は第四項各号に掲げる者の営む業務のために営むものでなければならない。

(14) A holding company as specified by Cabinet Office Order that is provided for in Article 16-2, paragraph (1), item (xiii) of the Act means one as follows; provided, however, that if the relevant holding company performs business as set forth in each item of paragraph (1) of the following Article, it must perform that business, based on the standards specified by the Commissioner of the Financial Services Agency, for the benefit of the business performed mainly by a bank, its subsidiary company, or a person as set forth in each item of paragraph (4):

一 法第十六条の二第一項第三号に規定する証券専門会社（以下「証券専門会社」という。）、同項第四号に規定する証券仲介専門会社（以下「証券仲介専門会社」と

いう。)又は同項第八号に規定する有価証券関連業を営む外国の会社(銀行業を営む外国の会社に該当するものを除く。)及び同項第六号に規定する信託専門会社(以下「信託専門会社」という。)又は同項第十号に規定する信託業を営む外国の会社(銀行業を営む外国の会社に該当するものを除く。)を子会社とする持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号(第二十四号から第三十四号までを除く。)に掲げる業務を営むもの(子会社として法第十六条の二第一項第一号、第二号、第五号、第五号の二、第七号及び第九号に規定する会社を有しない場合に限る。次号及び第三号を除き、以下同じ。)

- (i) a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xxiv) through (xxxiv)) (limited to the cases in which the holding company does not hold, as a subsidiary company, a company as prescribed in Article 16-2, paragraph (1), item (i), item (ii), item (v), item (v)-2, item (vii), and item (ix); the same applies hereinafter except for the following item and item (iii)), if that holding company holds, as a subsidiary company, a company specialized in securities business as prescribed in Article 16-2, paragraph (1), item (iii) of the Act (hereinafter referred to as a "company specialized in securities business"), a company specialized in securities introducing brokerage services as prescribed in item (iv) of that paragraph (hereinafter referred to as a "company specialized in securities introducing brokerage services") or a foreign company (excluding a foreign company which performs banking) performing securities-related business as prescribed in item (viii) of that paragraph, and a company specialized in trust business as prescribed in item (vi) of that paragraph (hereinafter referred to as a "company specialized in trust business"), or a foreign company (excluding a foreign company which performs banking) that performs trust business as prescribed in item (x) of that paragraph;

二 証券専門会社、証券仲介専門会社又は法第十六条の二第一項第八号に規定する有価証券関連業を営む外国の会社(銀行業を営む外国の会社に該当するものを除く。)を子会社とする持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号(第二十四号から第三十七号までを除く。)に掲げる業務を営むもの(子会社として法第十六条の二第一項第一号、第二号、第五号から第七号まで、第九号及び第十号に規定する会社を有しない場合に限る。)

- (ii) a company as prescribed in Article 16-2, paragraph (1), item (i), item (ii), items (v) through (vii), item (ix) and item (x)), if that holding company holds, as its subsidiary company, a company specialized in securities, a company specialized in securities intermediation, or a foreign company (excluding a foreign company which carries out banking) engaging in securities services

as prescribed in Article 16-2, paragraph (1), item (viii) of the Act, a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xxiv) through (xxxvii)) (limited to the cases in which a holding company does not hold, as its subsidiary company;

三 信託専門会社又は法第十六条の二第一項第十号に規定する信託業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第三号から第五号の二まで及び第七号から第九号までに規定する会社を有しない場合に限る。）

(iii) a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xix) through (xxxiv)) (limited to the cases in which the holding company does not hold, as its subsidiary company, a company as prescribed in Article 16-2, paragraph (1), item (i), item (ii), items (iii) through (v)-2, and items (vii) through (ix)), if that holding company holds, as its subsidiary company, a company specialized in trust business or a foreign company (excluding a foreign company which carries out banking) engaging in trust business as prescribed in Article 16-2, paragraph (1), item (x) of the Act;

四 法第十六条の二第一項第二号の二又は第十一号から第十二号の三までに規定する会社を子会社とする持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第十九号から第三十七号までを除く。）に掲げる業務を営むもの

(iv) with regard to a holding company that holds a company as prescribed in Article 16-2, paragraph (1), item (ii)-2 or items (xi) through (xii)-3 of the Act as its subsidiary company, a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xix) through (xxxvii));

五 法第十六条の二第二項第六号ハに規定する当該銀行の子会社である証券専門会社又は証券仲介専門会社の子会社のうち次条第六項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第二十四号から第三十七号までを除く。）に掲げる業務を営むもの

(v) a holding company that only engages in the business of managing its

subsidiary company's business, business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xxiv) through (xxxvii)), with regard to that holding company as specified in paragraph (6) of the following Article among companies that are a subsidiary company of a company specialized in securities business or a company specialized in securities intermediation that is a subsidiary company of the bank as prescribed in Article 16-2, paragraph (2), item (vi), (c) of the Act;

六 法第十六条の二第二項第七号ハに規定する当該銀行の子会社である保険会社又は少額短期保険業者（保険業法第二条第十八項に規定する少額短期保険業者をいう。以下同じ。）の子会社のうち次条第七項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第十九号から第二十三号まで及び第三十五号から第三十七号までを除く。）に掲げる業務を営むもの

(vi) with regard to a holding company as specified in paragraph (7) of the following Article among companies that are a subsidiary company of an insurance company or a small amount and short-term insurance company (meaning a small amount and short-term insurance provider as prescribed in Article 2, paragraph (18) of the Insurance Business Act; the same applies hereinafter) that are a subsidiary company of the bank as prescribed in Article 16-2, paragraph (2), item (vii), (c) of the Act, a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xix) through (xxiii), and items (xxxv) through (xxxvii));

七 法第十六条の二第二項第八号ニに規定する当該銀行の子会社である信託兼営銀行又は信託専門会社の子会社のうち次条第八項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの

(vii) a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xix) through (xxxiv)), with regard to a holding company as specified in paragraph (8) of the following Article among companies that are a subsidiary company of a trust bank or a company specialized in trust business that is a subsidiary company of the bank as prescribed in Article 16-2, paragraph (2), item (viii), (d) of the Act.

15 法第二条第十一項の規定は、第八項、第九項（第十項において読み替えて準用する場合を含む。）、第十一項及び第十二項に規定する議決権について準用する。

(15) The provisions of Article 2, paragraph (11) of the Act apply mutatis

mutandis to voting rights as prescribed in paragraph (8), paragraph (9) (including as applied mutatis mutandis pursuant to paragraph (10) by replacing terms), paragraph (11) and paragraph (12).

(銀行の子会社の範囲等)

(Scope of a Subsidiary Company of a Bank)

第十七条の三 法第十六条の二第二項第一号に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 17-3 (1) The services specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (2), item (i) of the Act means:

一 他の事業者のための不動産（原則として、自らを子会社とする銀行又はその子会社から取得し、又は賃借した事業用不動産に限る。）の賃貸又は他の事業者の所有する不動産若しくはそれに付随する設備の保守、点検その他の管理を行う業務

(i) services for renting out real property (as a general rule, limited to real property for business acquired or leased from a bank that has the person in question as subsidiary company, or its subsidiary company) for another business operator, or for maintaining, inspecting, or otherwise managing real property or its accompanying equipment that is owned by another business operator;

二 他の事業者の役員又は職員のための福利厚生に関する事務を行う業務

(ii) services for performing the administrative processes concerning benefits for officers or employees of another business operator;

三 他の事業者の事務の用に供する物品の購入又は管理を行う業務

(iii) services for purchasing or managing goods for use in another business operator's administrative processes;

四 他の事業者の事務に係る文書、証票その他の書類の印刷又は製本を行う業務

(iv) services for printing or bookbinding of documents, vouchers, or other documentation related to the administrative processes of another business operator;

五 他の事業者の業務に関する広告又は宣伝を行う業務

(v) services for advertising or promoting the business of another business operator;

六 他の事業者のための自動車の運行又は保守、点検その他の管理を行う業務

(vi) services for operating, maintaining, inspecting, or otherwise managing automobiles for another business operator;

七 他の事業者の業務に関し必要となる調査又は情報の提供を行う業務（第十号に該当するものを除く。）

(vii) services for investigating or providing information as necessary for the services of another business operator (except for that corresponding to item (x));

八 他の事業者の現金自動支払機等の保守、点検その他の管理を行う業務

- (viii) services for maintaining, inspecting, or otherwise managing cash dispensers, etc. of another business operator;
- 九 他の事業者の業務に係る契約の締結についての勧誘又は当該契約の内容に係る説明を行う葉書又は封書の作成又は発送を行う業務
- (ix) services for preparing or sending off postcards or sealed documents to solicit persons to enter into contracts related to the business of another business operator or that explain the contents of those contracts;
- 十 他の事業者の行う資金の貸付けその他の信用供与に係る債権の担保の目的となる財産の評価、当該担保の目的となっている財産の管理その他当該財産に関し必要となる事務を行う業務
- (x) services for evaluating property that is the object of security for a claim related to the lending of funds or other granting of credit by another business operator, for maintaining the property that is the object of the security, or for undertaking other necessary administrative processes in relation to that property;
- 十の二 他の事業者が資金の貸付けその他の信用供与に係る債権の回収のために担保権を実行する必要がある場合に、当該他の事業者のために当該債権の担保の目的となっている財産（不動産を除く。）の売買の代理又は媒介を行う業務
- (x)-2 services of acting as an agent or intermediary in the sale and purchase of property (excluding real property) that is the object of security on behalf of another business operator, if it is necessary for the other business operator to exercise a security right in order to collect claims related to the lending of funds or other granting of credit;
- 十一 他の事業者の行う資金の貸付け（住宅の購入に必要な資金の貸付けその他の消費者に対する資金の貸付けに限る。）に関し相談に応ずる業務又は当該資金の貸付けに係る事務の取次ぎその他当該資金の貸付けに関し必要となる事務を行う業務
- (xi) services to provide consultations for the lending of funds by another business operator (limited to the lending of necessary funds to purchase a home or any other lending of funds to consumers), or services to intermediate administrative processes for the lending of funds by another business operator or to undertake any other administrative process that is necessary in relation to the lending of funds by another business operator;
- 十二 他の事業者の行う外国為替取引、信用状若しくは旅行小切手に関する業務又は輸出入その他の対外取引のため直接必要な資金に関する貸付け、手形の割引、債務の保証若しくは手形の引受けに関し必要となる事務を行う業務
- (xii) services involving foreign exchange transactions carried out by another business operator, letters of credit, or traveler's checks, or services for undertaking the necessary administrative processes involved in the lending of funds that are directly necessary for import or export or any other international transactions, discounting of bills and notes, a debt guarantee, or the acceptance of bills and notes;

十三 他の事業者の事務に係る計算を行う業務

(xiii) services for undertaking calculations related to the administrative processes of another business operator;

十四 他の事業者の事務に係る文書、証票その他の書類の作成、整理、保管、発送又は配送を行う業務

(xiv) services for preparing, arranging, storing, sending off, or delivering documents, vouchers, or any other documentation related to the administrative processes of another business operator;

十五 他の事業者と当該他の事業者の顧客との間の事務の取次ぎを行う業務

(xv) services for intermediating administrative processes between another business operator and customers of that other business operator;

十六 労働者派遣事業の適正な運営の確保及び派遣労働者の保護等に関する法律（昭和六十年法律第八十八号）第二条第三号に規定する労働者派遣事業又は職業安定法（昭和二十二年法律第百四十一号）第三十条第一項の規定に基づき許可を得て行う職業紹介事業

(xvi) staffing services as prescribed in Article 2, item (iii) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985) or employment placement services that is carried out after obtaining a permission based on the provisions of Article 30, paragraph (1) of the Employment Security Act (Act No. 141 of 1947);

十七 他の事業者のために電子計算機に関する事務を行う業務（電子計算機を使用することにより機能するシステムの設計若しくは保守又はプログラムの設計、作成、販売（プログラムの販売に伴い必要となる附属機器の販売を含む。）若しくは保守を行う業務を含む。）

(xvii) services for undertaking administrative processes involving computers for another business operator (including services for designing or maintaining a system that functions using a computer, or for designing, developing, or selling a software program (including selling peripheral equipment that are necessary along with the sale of a software program) or for its maintenance);

十八 他の事業者の役員又は職員に対する教育又は研修を行う業務

(xviii) services for providing education or training to the officers or employees of another business operator;

十九 他の事業者の現金、小切手、手形又は有価証券の輸送を行う業務（次号及び第二十一号に該当するものを除く。）

(xix) services for transporting the cash, checks, bills and notes, or securities of another business operator (except those corresponding to the following item and item (xxi));

二十 他の事業者の主要な取引先に対する現金、小切手、手形又は証書の集配を行う業務

(xx) services for collecting and delivering cash, checks, bills and notes, or certificates to major clients of another business operator;

二十一 他の事業者の主要な取引先との間で当該他の事業者の業務に係る有価証券の受渡しを行う業務

(xxi) services for accepting and delivering securities related to the services of another business operator to and from a major client of that business operator;

二十二 他の事業者のために現金、小切手、手形又は有価証券を整理し、その金額若しくは枚数を確認し、又は一時的にその保管を行う業務

(xxii) services for organizing cash, checks, bills and notes, or securities, confirming their amounts or number, or retaining custody temporarily on behalf of another business operator;

二十三 自らを子会社とする保険会社（法第十六条の二第一項第五号に規定する保険会社をいう。以下同じ。）のために投資を行う業務

(xxiii) services for investing on behalf of an insurance company (meaning an insurance company as prescribed in Article 16-2, paragraph (1), item (v) of the Act; the same applies hereinafter) that has the person in question as a subsidiary company;

二十四 自らを子会社とする銀行、その子会社である銀行、長期信用銀行又は保険会社（以下この号において「親銀行等」という。）が資金の貸付けその他の信用供与に係る債権の回収のために担保権を実行する必要がある場合に、当該親銀行等のために当該債権の担保の目的となつている財産を適正な価格で購入し、並びに購入した財産の所有及び管理その他当該財産に関し必要となる事務を行う業務

(xxiv) services for purchasing the property that is the object of security at an appropriate price, for a bank that is itself a subsidiary company, a subsidiary company of such a bank, long-term credit bank, or insurance company (hereinafter referred to as a "parent bank, etc." in this item), and services for holding ownership of the purchased property, managing, and undertaking any other necessary administrative processes for the property, when it is necessary for the parent bank, etc. to exercise a security right for collecting claims related to lending of funds and other granting of credit;

二十五 その他前各号に掲げる業務に準ずるものとして金融庁長官が定める業務

(xxv) other services specified by the Commissioner of the Financial Services Agency as equivalent to the services set forth in the preceding items; or

二十六 前各号に掲げる業務に附帯する業務（当該各号に掲げる業務を営む者が営むものに限る。）

(xxvi) services incidental to the services set forth in each of the preceding items (limited to business conducted by a person that engages in business as set forth in each item).

2 法第十六条の二第二項第二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。

- (2) The services specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (2), item (ii) of the Act are as follows:
- 一 銀行、長期信用銀行又は信用金庫、信用協同組合若しくは労働金庫（これらの法人をもつて組織する連合会を含む。）の業務（第一号の五に掲げる業務を除く。）の代理又は媒介
- (i) acting as an agent or intermediary for the services (excluding services as set forth in item (i)-5) of a bank, a long-term credit bank or a Shinkin Bank, credit cooperatives or labor bank (including federations organized by these corporations);
- 一の二 農業協同組合若しくは農業協同組合連合会が行う農業協同組合法第十一条第二項に規定する信用事業（第一号の五に掲げる業務を除く。）、漁業協同組合若しくは漁業協同組合連合会若しくは水産加工業協同組合若しくは水産加工業協同組合連合会が行う水産業協同組合法第五十四条の二第二項に規定する信用事業（同号に掲げる業務を除く。）又は農林中央金庫の業務（同号に掲げる業務を除く。）の代理又は媒介
- (i)-2 acting as an agent or intermediary for trust business (excluding business as set forth in item (i)-5) that is as prescribed in Article 11, paragraph (2) of the Agricultural Cooperatives Act and is conducted by an agricultural cooperative or a federation of agricultural cooperatives; trust business (excluding a business as set forth in that item) that is as prescribed in Article 54-2, paragraph (2) of the Fishery Cooperative Act and is conducted by a fisheries cooperative or a federation of fisheries cooperatives, or a fishery processing cooperative or a federation of fishery processing cooperative; or a business (excluding a business as set forth in that item) of the Norinchukin Bank;
- 一の三 銀行業を営む外国の会社の業務の代理又は媒介（国内において営む場合にあつては、有価証券の保護預り、顧客からの指図に基づく有価証券の取引に関する決済、当該保管している有価証券に係る利金等の授受、指図に基づく当該保管している有価証券の第三者への貸付け若しくは当該保管している有価証券の指図に基づく権利の行使又はこれらに附帯する業務の媒介に限る。）
- (i)-3 acting as an agent or intermediary for the services of a foreign company that conducts banking (limited to intermediation of custody of securities, settlement concerning transactions of securities based on the instruction of customers, transfer of profits, etc. pertaining to the securities in custody, lending of the securities in custody to a third party based on instruction, or exercise of rights of the securities in custody based on instruction, or intermediation of services incidental to those businesses, in the cases of conducting business in Japan);
- 一の四 資金移動業者が営む資金移動業の代理又は媒介
- (i)-4 acting as an agent or intermediary for a fund transfer service operated by a fund transfer service provider;

一の五 信託業法第二条第八項に規定する信託契約代理業（金融機関の信託業務の兼営等に関する法律施行令第三条第二号及び金融機関の信託業務の兼営等に関する法律施行規則第三条第一項第二号に掲げるものを除く。）

(i)-5 services as an agent for a trust contract as prescribed in Article 2, paragraph (8) of the Trust Business Act (excluding what is set forth in Article 3, item (ii) of the Order for Enforcement of the Act on Engagement in Trust Business Activities by Financial Institutions and Article 3, paragraph (1), item (ii) of the Regulation for Enforcement of the Act on Engagement in Trust Business Activities by Financial Institutions);

一の六 信託業務を営む金融機関が営む金融機関の信託業務の兼営等に関する法律第一条第一項第三号から第七号までに掲げる業務（金融機関の信託業務の兼営等に関する法律施行令第三条第三号及び金融機関の信託業務の兼営等に関する法律施行規則第三条第一項第三号から第五号までに掲げる業務を除く。）を受託する契約の締結の代理又は媒介

(i)-6 acting as an agent or intermediary for the conclusion of a contract for being entrusted with the business that a financial institution engaging in trust business performs and that is set forth in Article 1, paragraph (1), items (iii) through (vii) of the Act on Engagement in Trust Business Activities by Financial Institutions (excluding business as set forth in Article 3, item (iii) of the Order for Enforcement of the Act on Engagement in Trust Business Activities by Financial Institutions, and business as set forth in Article 3, paragraph (1), items (iii) to (v) of the Regulation for Enforcement of the Act on Engagement in Trust Business Activities by Financial Institutions);

二 金銭の貸付け又は金銭の貸借の媒介（手形の割引、売渡担保その他これらに類する方法によつてする金銭の交付又は当該方法によつてする金銭の授受の媒介を含む。）であつて業として行うもの（第一号から第一号の三までに掲げる業務を除く。）

(ii) intermediation of the lending or borrowing of money (including intermediation for the granting of money by discounting of bills and notes, by security by way of transfer, or by other methods similar to these, or intermediation for delivery or receipt of money by those methods) that is carried out in the course of trade (excluding business as set forth in items (i) through (i)-3);

二の二 金銭の貸付け以外の取引に係る業務であつて、金銭の貸付けと同視すべきもの（宗教上の規律の制約により利息を受領することが禁じられており、かつ、当該取引が金銭の貸付け以外の取引であることにつき宗教上の規律について専門的な知見を有する者により構成される合議体の判定に基づき行われるものに限る。）

(ii)-2 services involving a transaction other than the money lending, and equivalent to the monetary lending (limited to services in which the receiving of interest is forbidden by religious discipline and which is conducted based

on the judgment of a council comprised of persons with expert knowledge on religious discipline with regard to the transaction being a transaction other than the money lending);

二の三 電子決済等代行業に係る業務

(ii)-3 services related to electronic payment services;

三 法第十条第二項に規定する業務（同項第八号、第八号の二及び第十八号に掲げる業務、有価証券関連業その他金融庁長官の定める業務に該当するものを除く。）

(iii) services as prescribed in Article 10, paragraph (2) of the Act (excluding services as set forth in items (viii), (viii)-2 and (xviii) of that paragraph, securities-related business, and other services corresponding to services as specified by the Commissioner of the Financial Services Agency);

三の二 債権管理回収業に関する特別措置法（平成十年法律第百二十六号）第二条第二項に規定する債権管理回収業及び同法第十二条各号に掲げる業務（同条第二号に規定する業務を行う場合にあつては、金融庁長官の定める基準を全て満たす場合に限る。）

(iii)-2 services as prescribed in Article 2, paragraph (2) of the Act on Special Measures Concerning Claim Management and Collection Business (Act No. 126 of 1998), and services as set forth in each item of Article 12 of that Act (in the cases of conducting business as prescribed in item (ii) of that Article, limited to the cases in which all standards specified by the Commissioner of the Financial Services Agency are satisfied);

三の三 確定拠出年金法（平成十三年法律第八十八号）第二条第七項に規定する確定拠出年金運営管理業又は同法第六十一条第一項各号に掲げる事務を行う業務

(iii)-3 defined contribution pension plan operational management as prescribed in Article 2, paragraph (7) of the Defined Contribution Pension Act (Act No. 88 of 2001) or services for undertaking the administrative processes set forth in each item of Article 61, paragraph (1) of that Act;

三の四 保険業法第二条第二十六項に規定する保険募集（第二十七号及び第三十四条の四十八第一項において「保険募集」という。）

(iii)-4 solicitation for insurance prescribed in Article 2, paragraph (26) of the Insurance Business Act (referred to as "solicitation for insurance" in item (xxvii) and Article 34-48, paragraph (1)).

四 金融商品取引法第二条第八項第七号、第十三号及び第十五号に掲げる行為を行う業務

(iv) services for acts as set forth in Article 2, paragraph (8), item (vii), item (xiii), and item (xv) of the Financial Instruments and Exchange Act;

五 削除

(v) Deleted;

六 商品投資に係る事業の規制に関する法律第二条第三項に規定する商品投資顧問業

(vi) a commodity investment management as prescribed in Article 2, paragraph (3) of the Act on Regulation of Commodity Investment;

七 それを提示し若しくは通知して、又はそれと引換えに特定の販売業者又は役務提供事業者から商品若しくは権利を購入し又は役務の提供を受けることができるカードその他の物又は番号、記号その他の符号（以下この号及び次号において「カード等」という。）をこれにより商品若しくは権利を購入しようとする者又は役務の提供を受けようとする者（以下この号及び次号において「利用者」という。）に交付し又は付与し、当該利用者がそのカード等と引換えに、又はそれを提示し若しくは通知して特定の販売業者又は役務提供事業者から商品若しくは権利を購入し又は役務の提供を受けたときは、当該利用者から当該商品若しくは当該権利の代金又は当該役務の対価に相当する額を受領し、当該販売業者又は当該役務提供事業者に当該金額の交付（当該販売業者又は当該役務提供事業者以外の者を通じた当該販売業者又は当該役務提供事業者への交付を含む。）をする業務

(vii) the service of delivering or granting a card or other such object or a number or symbol or other such code that a person can use to purchase goods or rights from a specific seller or to receive services from a specific service provider by presenting it, notifying a specific seller or service provider of it, or exchanging it (hereinafter referred to as a "card or equivalent object or code" in this item and the following item), to a person that seeks to purchase goods or rights or to receive services using that card or equivalent object or code (hereinafter referred to as a "user" in this item and the following item); and of receiving money equivalent to the price of the goods or rights or the consideration for the services from the user and delivering that money to the seller or the service provider (this includes delivering that money to the seller or the service provider through a person other than that seller or service provider) when the user has purchased goods or rights or received services from the specific seller or service provider by presenting the card or equivalent object or code or notifying the specific seller or service provider of it, or in exchange for the card or equivalent object or code;

八 利用者がカード等を利用することなく特定の販売業者又は役務提供事業者からの商品若しくは権利の購入又は役務の提供を条件として、当該販売業者又は当該役務提供事業者に当該商品若しくは当該権利の代金又は当該役務の対価に相当する額の交付（当該販売業者又は当該役務提供事業者以外の者を通じた当該販売業者又は当該役務提供事業者への交付を含む。）をし、当該利用者から当該金額を受領する業務

(viii) services for delivering money equivalent to the price of goods or rights or the consideration for services to a specific seller or service provider (including delivering that money to the seller or the service provider through a person other than that seller or service provider) on the condition that a user purchase goods or rights or receive service from that seller or service provider without using a card or equivalent object or code; and for receiving that amount of money from the user;

九 資金決済に関する法律第三条第四項に規定する自家型前払式支払手段を発行する

業務若しくは同条第五項に規定する第三者型前払式支払手段を発行する業務又はこれらの手段を販売する業務

(ix) services for issuing prepaid payment instruments for one's own business as prescribed in Article 3, paragraph (4) of the Payment Services Act or services for issuing prepaid payment instruments for third-party business prescribed in paragraph (5) of that Article, or services for selling these means of payment.

十 削除

(x) Deleted

十一 機械類その他の物件を使用させる業務（金融庁長官が定める基準により主として法第十条第二項第十八号に掲げる業務が行われる場合に限る。）

(xi) services to rent machinery or other articles (limited to the cases in which the services set forth in Article 10, paragraph (2), item (xviii) of the Act are mainly carried out pursuant to the standards as specified by the Commissioner of the Financial Services Agency):

十二 次に掲げる行為により他の株式会社に対しその事業に必要な資金を供給する業務

(xii) services for providing another stock company with the funds that are necessary for its business by undertaking the following acts:

イ 当該会社に対し資金の貸付けを行うこと。

(a) lending funds to that company;

ロ 当該会社の発行する社債（法第十条第三項第一号に掲げる短期社債を除く。）を取得すること。

(b) acquiring bonds issued by that company (excluding short-term bonds set forth in Article 10, paragraph (3), item (i) of the Act);

ハ 当該会社の発行する新株予約権を取得すること。

(c) acquiring share options issued by that company;

ニ 株式に係る配当を受け取ること又は株式に係る売却益を得ることを目的として当該会社の発行する株式を取得すること。

(d) acquiring shares issued by that company for the purpose of receiving dividends pertaining to shares or gaining profit from a sale pertaining to those shares;

ホ イからニまでに掲げるいずれかの行為を行うことを目的とする民法第六百六十七條第一項に規定する組合契約又は投資事業有限責任組合契約に関する法律第三条第一項に規定する投資事業有限責任組合契約を締結すること。

(e) concluding a partnership agreement as prescribed in Article 667, paragraph (1) of the Civil Code, or an investment business limited partnership contract as prescribed in Article 3, paragraph (1) of the Limited Partnership Act for Investment, with the purpose of performing any of the acts as set forth in items (a) to (d);

十三 投資信託委託会社又は資産運用会社として行う業務（外国においてはこれらと

同種類のもの。投資信託委託会社がその運用の指図を行う投資信託財産又は資産運用会社が資産の運用を行う投資法人の資産に属する不動産の管理を行う業務を含む。)

(xiii) services undertaken as an investment trust management company or an asset management company (or, as entities similar to these, in a case of a foreign state; including services for managing real property that belongs to investment trust assets for which an investment trust management company instructs its management, or assets of an investment corporation whose assets are managed by an asset management company);

十四 投資助言業務（金融商品取引法第二十八条第六項に規定する投資助言業務をいう。）又は投資一任契約に係る業務

(xiv) investment advisory services (meaning an investment advisory service as prescribed in Article 28, paragraph (6) of the Financial Instruments and Exchange Act) or services involved in a discretionary investment contract;

十四の二 投資信託及び投資法人に関する法律施行令（平成十二年政令第四百八十八号）第三条第一号、第二号及び第六号から第八号までに掲げる資産に対する投資として、他人のため金銭その他の財産の運用（その指図を含む。）を行う業務（第四号及び前二号に該当するものを除く。）

(xiv)-2 services for managing money or other property for others (including its instruction), as an investment in assets set forth in Article 3, item (i) and item (ii), and items (vi) through (viii) of the Enforcement Order of the Act on Investment Trusts and Investment Corporations (Cabinet Order No. 480 of 2000) (excluding services corresponding to item (iv) and the preceding two items);

十四の三 他の事業者の事業の譲渡、合併、会社の分割、株式交換若しくは株式移転に関する相談に応じ、又はこれらに関し仲介を行う業務

(xiv)-3 services to provide consultations concerning transfer of business, merger, company split, share exchange, or share transfer by another business operator, or for intermediating these matters;

十五 他の事業者の経営に関する相談に応ずる業務

(xv) services to provide consultations concerning management of another business operator;

十六 金融その他経済に関する調査又は研究を行う業務

(xvi) services for conducting financial or other economic investigations or research;

十七 個人の財産形成に関する相談に応ずる業務

(xvii) services to provide consultations concerning asset building by individuals;

十八 主として銀行持株会社、長期信用銀行持株会社若しくは子会社対象会社（法第十六条の二第一項に規定する子会社対象会社又は法第五十二条の二十三第一項に規定する子会社対象会社をいう。次号及び第三十二号において同じ。）に該当する会

- 社その他金融庁長官の定める金融機関の業務に関するデータ又は事業者の財務に関するデータの処理を行う業務及びこれらのデータの伝送役務を提供する業務
- (xviii) services to mainly process data concerning business of a bank holding company, a long-term credit bank holding company, a company corresponding to a company eligible to be a subsidiary company (meaning a company eligible to be a subsidiary company as prescribed in Article 16-2, paragraph (1) of the Act, or a company eligible to be a subsidiary company as prescribed in Article 52-23, paragraph (1) of the Act; the same applies in the following item and item (xxxii)), or other financial institution as specified by the Commissioner of the Financial Services Agency, or data concerning finance of a business operator; and services for acting to transmit these data;
- 十八の二 主として銀行持株会社、長期信用銀行持株会社若しくは子会社対象会社に該当する会社その他金融庁長官の定める金融機関の業務又は事業者の財務に関する電子計算機のプログラムの作成若しくは販売（プログラムの販売に伴い必要となる附属機器の販売を含む。）を行う業務及び計算受託業務（第三十二号に該当するものを除く。）
- (xviii)-2 the services for mainly creating or selling a software program for a computer (including selling peripheral equipment that are necessary along with the sale of a software program) concerning the services of a bank holding company, a long-term credit bank holding company, or a company that is a company eligible to be a subsidiary company, or other financial institutions as specified by the Commissioner of the Financial Services Agency, or concerning finances of a business operator; or services of entrusted calculation (excluding those corresponding to item (xxxii));
- 十八の三 確定給付企業年金法（平成十三年法律第五十号）第二条第一項に規定する確定給付企業年金その他これに準ずる年金に係る掛金又は給付金等の計算に関する業務及び書類等の作成又は授受に関する業務
- (xviii)-3 services for calculating premiums or benefits in relation to a defined benefit corporate pension as prescribed in Article 2, paragraph (1) of the Defined-Benefit Corporate Pension Act (Act No. 50 of 2001) or other equivalent pension, and services involved in the preparation or transfer of documents, etc. in relation to those premiums or benefits;
- 十八の四 法第十一条第四号に掲げる業務
- (xviii)-4 services as set forth in Article 11, item (iv) of the Act;
- 十八の五 電子記録債権法（平成十九年法律第百二号）第五十一条第一項に規定する電子債権記録業
- (xviii)-5 electronic monetary claims recording business prescribed in Article 51, paragraph (1) of Electronically Recorded Monetary Claims Act (Act No. 102 of 2007);
- 十九 有価証券の所有者と発行者との間の当該有価証券に関する事務の取次ぎを行う業務

(xix) services for intermediating administrative processes concerning securities between an owner and issuer of those securities;

二十 有価証券に関する顧客の代理

(xx) acting as an agent of a customer of securities;

二十一 株式会社の株式の発行による事業資金の調達を容易にすることを目的として当該株式会社に係る広告、宣伝又は調査を行う業務その他当該株式会社に対する投資者の評価を高めることに資する業務

(xxi) services for conducting advertising, promotions, or investigations for a stock company with the purpose of facilitating business funding through the issuance of shares in that stock company, or other services that contribute to improving the evaluation of that stock company by investors;

二十二 有価証券に関連する情報の提供又は助言（第十九号及び前号に該当するものを除く。）

(xxii) providing information or advisory services concerning securities

(excluding business corresponding to item (xix) and the preceding item);

二十三 民法第六百六十七条第一項に規定する組合契約又は商法第五百三十五条に規定する匿名組合契約の締結の媒介、取次ぎ又は代理を行う業務（有価証券関連業に該当するものを除く。）

(xxiii) services of intermediating or acting as an agent in the conclusion of a partnership agreement as prescribed in Article 667, paragraph (1) of the Civil Code or an anonymous partnership agreement as prescribed in Article 535 of the Commercial Code (excluding services corresponding to securities-related business);

二十四 保険会社又は少額短期保険業者の保険業に係る業務の代理（第三号の四に掲げる業務に該当するものを除く。）又は事務の代行

(xxiv) acting as an agent for services for insurance business of an insurance company or a small amount and short-term insurance company (excluding business corresponding to that as set forth in item (iii)-4), or undertaking administrative processes on its behalf

二十五 削除

(xxv) Deleted;

二十六 保険事故その他の保険契約に係る事項の調査を行う業務

(xxvi) services for undertaking investigations into the particulars of an accident covered by insurance or other insurance contracts;

二十七 保険募集を行う者の教育を行う業務

(xxvii) services to educate persons undertaking solicitation for insurance;

二十八 老人福祉施設等（老人福祉法（昭和三十八年法律第百三十三号）第五条の三に規定する老人福祉施設及び同法第二十九条第一項に規定する有料老人ホームをいう。）に関する役務その他老人、身体障害者等の福祉に関する役務の提供を行う業務

(xxviii) services for welfare facilities for the elderly, etc. (meaning a welfare

- facility for the elderly as prescribed in Article 5-3 of the Act on Social Welfare for the Elderly (Act No. 133 of 1963) and a fee-charging home for the aged as prescribed in Article 29, paragraph (1) of that Act), and other services related to welfare of persons who are aged, physically disabled, etc.;
- 二十九 健康の維持若しくは増進のための運動を行う施設又は温泉を利用して健康の維持若しくは増進を図るための施設の運営を行う業務
- (xxix) services for managing facilities for exercising in order to maintain or improve health, or facilities for the maintaining or promoting health by use of a hot spring;
- 三十 事故その他の危険の発生の防止若しくは危険の発生に伴う損害の防止若しくは軽減を図るため、又は危険の発生に伴う損害の規模等を評価するための調査、分析又は助言を行う業務
- (xxx) services for undertaking investigations or analysis or providing advice in order to prevent occurrence of accidents or other risks, to prevent or reduce damage due to occurrence of risks, or to evaluate the size, etc. of damage due to the occurrence of risks;
- 三十一 健康、福祉又は医療に関する調査、分析又は助言を行う業務
- (xxxii) services for undertaking investigations or analysis or providing advice concerning health, welfare, or medical care;
- 三十二 主として保険持株会社、少額短期保険持株会社（保険業法第二百七十二条の三十七第二項に規定する少額短期保険持株会社をいう。）、子会社対象会社に該当する会社（保険会社、少額短期保険業者又は保険業を営む外国の会社に限る。）又は保険募集人の業務に関する電子計算機のプログラムの作成又は販売（プログラムの販売に伴い必要となる附属機器の販売を含む。）を行う業務及び計算受託業務
- (xxxiii) services to create or sell a computer software program (including selling peripheral equipment that are necessary along with the sale of a software program) concerning mainly business of an insurance holding company, a small amount and short-term insurance holding company (meaning a small amount and short-term insurance holding company as prescribed in Article 272-37, paragraph (2) of the Insurance Business Act), a company corresponding to a company eligible to be a subsidiary company (limited to an insurance company, small amount and short-term insurance company, or a foreign company that carries out insurance business), or an insurance agent; or the services of entrusted calculations;
- 三十三 自動車修理業者等のあつせん又は紹介に関する業務
- (xxxiv) services for acting as intermediary for or for introducing persons to an automobile repairer, etc.;
- 三十四 保険契約者からの保険事故に関する報告の取次ぎを行う業務又は保険契約に関し相談に応ずる業務
- (xxxv) services for intermediating the reporting of accidents covered by insurance from an insurance contractor or services to provide consultations

concerning an insurance contract;

三十五 財産の管理に関する業務（第三号に掲げる業務に該当するものを除き、当該業務を営む会社の議決権を保有する信託子会社等が受託する信託財産と同じ種類の財産につき、業務方法書に規定する信託財産の管理の方法と同じ方法により管理を行うものに限る。）及び当該業務に係る代理事務

(xxxv) services for managing assets (excluding services corresponding to those as set forth in item (iii); for assets of the same type as the trust assets entrusted to a trust subsidiary company, etc. that holds voting rights in the company undertaking the relevant services, limited to services for undertaking their management based on the same management method for trust assets as that prescribed in a statement of operational procedures) or administrative processes as an agent in relation to those services;

三十六 金融機関の信託業務の兼営等に関する法律第一条第一項第四号から第七号までに掲げる業務（第六号及び前号、金融機関の信託業務の兼営等に関する法律施行令第三条第三号並びに金融機関の信託業務の兼営等に関する法律施行規則第三条第一項第三号及び第四号に掲げる業務に該当するものを除き、当該業務を行う会社を子会社とする銀行又は当該業務を行う会社を子会社とする銀行持株会社の子会社である銀行の信託子会社等のうちに信託兼営銀行に相当するものがない場合における当該業務の範囲については、当該信託子会社等が信託業法第二十一条第二項の承認を受けた業務に係るものに限る。）

(xxxvi) services as set forth in Article 1, paragraph (1), items (iv) through (vii) of the Act on Engagement in Trust Business Activities by Financial Institutions (excluding services corresponding to item (vi) and the preceding item of this Act; Article 3, item (iii) of the Enforcement Order of the Act on Engagement in Trust Business Activities by Financial Institutions; Article 3, paragraph (1), item (iii) and item (iv) of the Regulation for Enforcement of the Act on Engagement in Trust Business Activities by Financial Institutions; and limited to services pertaining to those for which a trust subsidiary company, etc. has obtained an approval pursuant to the provisions of Article 21, paragraph (2) of the Trust Business Act with regard to the scope of the services in question, if there is no company equivalent to a trust bank among the trust subsidiary companies, etc. of; a bank that has a company carrying out the services as its subsidiary company; or a bank which is a subsidiary company of a bank holding company that has a company carrying out the services as its subsidiary company);

三十七 信託を引き受ける場合におけるその財産（不動産を除く。）の評価に関する業務

(xxxvii) services concerning evaluation of trusted assets (excluding real property) in the cases of accepting trust;

三十八 その他前各号に掲げる業務に準ずるものとして金融庁長官が定める業務

(xxxviii) other services specified by the Commissioner of the Financial Services

Agency as equivalent to the services set forth in the preceding items; or
三十九 前各号に掲げる業務に附帯する業務（当該各号に掲げる業務を営む者が営むものに限る。）

(xxxix) services incidental to the services set forth in each preceding item
(limited to a business conducted by a person that conducts a business as set forth in each the item).

3 法第十六条の二第二項第三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。

(3) The services specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (2), item (iii) of the Act are as follows:

一 前項第十九号から第二十三号までに掲げる業務

(i) services as set forth in items (xix) through (xxiii) of the preceding paragraph;

二 その他前号に掲げる業務に準ずるものとして金融庁長官が定める業務

(ii) other services as specified by the Commissioner of the Financial Services

Agency as equivalent to the services set forth in the preceding item; or

三 前項第三十九号に掲げる業務のうち、前二号に掲げる業務に附帯する業務に係るもの

(iii) services as set forth in item (xxxix) of the preceding paragraph that are related to services incidental to the services set forth in the preceding two items.

4 法第十六条の二第二項第四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。

(4) The services specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (2), item (iv) of the Act are as follows:

一 第二項第二十四号から第三十四号までに掲げる業務

(i) services as set forth in paragraph (2), items (xxiv) through (xxxiv);

二 その他前号に掲げる業務に準ずるものとして金融庁長官が定める業務

(ii) other services as specified by the Commissioner of the Financial Services

Agency as equivalent to services as set forth in the preceding item; or

三 第二項第三十九号に掲げる業務のうち、前二号に掲げる業務に附帯する業務に係るもの

(iii) services as set forth in paragraph (2), item (xxxix) that are related to services incidental to the services set forth in the preceding two items.

5 法第十六条の二第二項第五号に規定する内閣府令で定めるものは、次に掲げるものとする。

(5) The services as specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (2), item (v) of the Act are as follows:

一 第二項第三十五号から第三十七号までに掲げる業務

(i) services as set forth in paragraph (2), items (xxxv) through (xxxvii);

二 その他前号に掲げる業務に準ずるものとして金融庁長官が定める業務

- (ii) other services as specified by the Commissioner of the Financial Services Agency as equivalent to the services set forth in the preceding item; or
- 三 第二項第三十九号に掲げる業務のうち、前二号に掲げる業務に附帯する業務に係るもの
- (iii) services as set forth in paragraph (2), item (xxxix) that are related to services incidental to the services set forth in the preceding two items.
- 6 法第十六条の二第二項第六号ハに規定する内閣府令で定めるものは、当該銀行の子会社である証券専門会社又は証券仲介専門会社が、その総株主等の議決権の百分の五十を超える議決権を保有する同条第一項第十三号に規定する持株会社とする。
- (6) The companies as specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (2), item (vi), (c) of the Act means a holding company as prescribed in paragraph (1), item (xiii) of that Article in which a company specialized in securities or a company specialized in securities intermediation that is a subsidiary company of the relevant bank holds voting rights accounting for over fifty percent of the total shareholder or investor voting rights.
- 7 法第十六条の二第二項第七号ハに規定する内閣府令で定めるものは、当該銀行の子会社である保険会社又は少額短期保険業者が、その総株主等の議決権の百分の五十を超える議決権を保有する同条第一項第十三号に規定する持株会社とする。
- (7) The companies as specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (2), item (vii), (c) of the Act means a holding company as prescribed in paragraph (1), item (xiii) of that Article in which an insurance company or a small amount and short-term insurance company that is a subsidiary company of the relevant bank holds voting rights accounting for over fifty percent of the total shareholder or investor voting rights.
- 8 法第十六条の二第二項第八号ニに規定する内閣府令で定めるものは、当該銀行の子会社である信託兼営銀行又は信託専門会社が、その総株主等の議決権の百分の五十を超える議決権を保有する同条第一項第十三号に規定する持株会社とする。
- (8) The companies as specified by Cabinet Office Order that are provided for in Article 16-2, paragraph (2), item (viii), (d) of the Act means a holding company as prescribed in paragraph (1), item (xiii) of that Article in which a trust bank or a company specialized in trust business that is a subsidiary company of the relevant bank holds voting rights accounting for over fifty percent of total shareholder or investor voting rights.
- 9 第一条の六第三項の規定は、前三項の場合においてこれらの規定に規定する者が保有する議決権について準用する。この場合において、同条第三項中「第四百七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。）」とあるのは「第四百七条第一項又は第四百八条第一項」と、「株式又は出資」とあるのは「株式」と読み替えるものとする。
- (9) The provisions in Article 1-6, paragraph (3) apply mutatis mutandis to the

voting rights held by the persons prescribed in these provisions in a case referred to in one of the preceding three paragraphs. In this case, the phrase "Article 147, paragraph (1) or Article 148, paragraph (1) (including as applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1), and Article 276 (limited to the part pertaining to item (ii) of the Act))" in paragraph (3) of that Article, and the term "shares or contribution" in that paragraph are deemed to be replaced with "Article 147, paragraph (1) or Article 148, paragraph (1)" and "shares", respectively.

(法第十六条の二第一項の規定等が適用されないこととなる事由)

(Grounds on Non-Applicability of the Provisions of Article 16-2, paragraph (1) of the Act)

第十七条の四 法第十六条の二第三項本文に規定する内閣府令で定める事由は、次に掲げる事由とする。

Article 17-4 (1) The ground specified by Cabinet Office Order that is provided for in the main clause of Article 16-2, paragraph (3) of the Act means one of the following grounds:

一 銀行又はその子会社の代物弁済の受領による株式等の取得

(i) acquisition of shares or equity by a bank's or its subsidiary company's acceptance of what is delivered in accord and satisfaction;

二 銀行又はその子会社が所有する議決権を行使することができない株式又は持分に係る議決権の取得（当該銀行又はその子会社の意思によらない事象の発生により取得するものに限る。）

(ii) acquisition of voting rights from shares or equity in respect of which voting rights held by a bank or its subsidiary company cannot be exercised (limited to an acquisition due to occurrence of an event that is not based on the intention of the bank or its subsidiary company);

三 銀行又はその子会社が株式を所有する会社の株式の転換（当該株式がその発行会社に取得され、その引換えに他の種類の株式が交付されることをいう。以下同じ。）（当該銀行又はその子会社の請求による場合を除く。）

(iii) conversion of shares (meaning that the shares are acquired by an issuing company of those shares, and another type of share is granted in exchange for them; the same applies hereinafter) of a company in which shares are held by a bank or its subsidiary company (excluding the cases in which conversion is requested by that bank or its subsidiary company);

四 銀行又はその子会社が株式等を所有する会社の株式等の併合若しくは分割又は株式無償割当て（会社法第八十五条に規定する株式無償割当てをいう。以下同じ。）

(iv) consolidation or split of shares or equity of a company in which shares or equity are held by a bank or its subsidiary company, or an allotment of

shares without contribution (meaning an allotment of shares without a contribution as prescribed in Article 185 of the Companies Act; the same applies hereinafter);

五 銀行又はその子会社が株式等を所有する会社の定款の変更による株式等に係る権利の内容又は一単元の株式の数の変更

(v) change of the content of rights or number of share units pertaining to shares or equity due to a change of articles of incorporation of a company in which shares or equity are held by a bank or its subsidiary company;

六 銀行又はその子会社が株式等を所有する会社の自己の株式等の取得

(vi) a company's acquisition of its own shares or equity that are held by a bank or its subsidiary company; or

七 銀行の子会社である法第十六条の二第一項第十二号又は第十二号の二に掲げる会社による株式等の取得

(vii) acquisition of shares or equity by a company set forth in Article 16-2, paragraph (1), item (xii) or item (xii)-2 of the Act that is a subsidiary company of a bank.

2 法第十六条の二第三項ただし書に規定する内閣府令で定める事由は、前項第七号に掲げる事由とする。

(2) The ground specified by Cabinet Office Order that is provided for in the proviso to Article 16-2, paragraph (3) of the Act means the grounds set forth in item (vii) of the preceding paragraph.

3 法第十六条の二第八項に規定する内閣府令で定める事由は、銀行若しくはその子会社の担保権の実行による株式等の取得又は第一項第一号から第六号までに掲げる事由とする。

(3) The ground specified by Cabinet Office Order that is provided for in Article 16-2, paragraph (8) of the Act means the acquisition of shares or equity by a bank or its subsidiary company through the exercise of a security right or any of the grounds as set forth in paragraph (1), items (i) through (vi).

(子会社対象会社のうち子会社対象銀行等から除かれるもの)

(Companies Eligible to Be a Subsidiary Company That Is Excluded from Banks, etc. Eligible to Be Subsidiary Company)

第十七条の四の二 法第十六条の二第七項に規定する内閣府令で定めるものは、次に掲げる業務を専ら営む会社とする。

Article 17-4-2 The company as specified by Cabinet Office Order that is provided for in Article 16-2, paragraph (7) of the Act means a company exclusively engaged in the following services:

一 第十七条の三第二項第一号から第十八号の五までに掲げる業務

(i) services as set forth in Article 17-3, paragraph (2), items (i) through (xviii)-5;

二 前号に掲げる業務に準ずるものとして金融庁長官が定める業務

(ii) services specified by the Commissioner of the Financial Services Agency as being equivalent to those set forth in the preceding item; or

三 第十七条の三第二項第三十九号に掲げる業務のうち、前二号に掲げる業務に附帯する業務に係るもの

(iii) services as set forth in Article 17-3, paragraph (2), item (xxxix) that are related to services incidental to the services set forth in the preceding two items.

(子会社対象銀行等を子会社とすることについての認可の申請等)

(Application of Authorization for Making a Bank Eligible to Be a Subsidiary Company a Subsidiary Company)

第十七条の五 銀行は、子会社対象銀行等（法第十六条の二第七項に規定する子会社対象銀行等をいい、同条第一項第十二号の三に掲げる会社（以下この章及び第五章並びに第三十五条第一項において「銀行業高度化等会社」という。）を除く。以下この条において同じ。）を子会社とすることの認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 17-5 (1) If a bank intends to obtain an authorization to make its subsidiary company out of a bank, etc. eligible to be a subsidiary company (meaning a bank, etc. eligible to be a subsidiary company as prescribed in Article 16-2, paragraph (7) of the Act, and excluding a company set forth in paragraph (1), item (xii)-3 of that Article (hereinafter referred to as an "advanced banking service company" in this Chapter, Chapter V, and Article 35, paragraph (1)); hereinafter the same applies in this Article), it must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該銀行に関する次に掲げる書面

(ii) the following documents concerning the bank:

イ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(a) its latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of its business, assets, and profit and loss;

ロ 当該認可後における収支の見込みを記載した書面

(b) a document stating its expected income and expenditures after obtaining the authorization;

ハ 株式交換により子会社対象銀行等を子会社とする場合には、次に掲げる書面

(c) the documents as set forth in the following if the bank, etc. eligible to be a subsidiary company would become its subsidiary company due to a share exchange:

- (1) 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
 - 1. minutes of shareholders meetings or other documents proving that necessary procedures were followed;
 - (2) 株式交換契約の内容を記載した書面
 - 2. a document stating the content of the share exchange contract; and
 - (3) 株式交換費用を記載した書面
 - 3. a document stating the cost for the share exchange;
- 三 当該銀行及びその子会社等（法第十四条の二第二号に規定する子会社等をいう。以下この号及び次項並びに次条において同じ。）に関する次に掲げる書面
- (iii) the following documents concerning the bank and its subsidiary company, etc. (meaning a subsidiary company, etc., as prescribed in Article 14-2, item (ii) of the Act; hereinafter the same applies in this item, the following paragraph, and the following Article):
- イ 当該銀行及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書及び株主資本等変動計算書（これらに類する書面を含む。次条第一項第三号イにおいて同じ。）その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面
 - (a) its latest balance sheet, profit and loss statement, and statement of changes in net assets in which the bank makes entries for the bank itself and its subsidiary company, etc. on a consolidated basis (including documents similar thereto; the same applies in paragraph (1), item (iii), (a) of the following Article), and other documents that provide the latest conditions of business, assets, and profit and loss of these companies; and
 - ロ 当該認可後における当該銀行及びその子会社等（子会社となる会社を含む。）の収支及び連結自己資本比率（法第十四条の二第二号に規定する基準に係る算式により得られる比率（第十九条の三第三号チに規定する連結レバレッジ比率を除く。）をいう。次項第二号、次条第一項第三号ロ、第十九条の三第二号及び第三号、第二十二条第一項第十二号、第二十二条の二第一項第十二号、第二十三条第一項第七号並びに第三十五条第一項において同じ。）の見込みを記載した書面
 - (b) a document stating an estimation of income and expenditures and the consolidated capital adequacy ratio (meaning the ratio obtained by the formula pertaining to the criterion as prescribed in Article 14-2, item (ii) of the Act (excluding the consolidated leverage ratio provided in Article 19-3, item (iii), (h); the same applies in item (ii) of the following paragraph; paragraph (1), item (iii), (b) of the following Article; Article 19-3, item (ii) and item (iii); Article 22, paragraph (1), item (xii); Article 22-2, paragraph (1), item (xii); Article 23, paragraph (1), item (vii); and Article 35, paragraph (1)) of the bank and its subsidiary company, etc. (including the company to become a subsidiary company) after obtaining the authorization;
- 四 当該認可に係る子会社対象銀行等に関する次に掲げる書面

(iv) the following documents concerning a bank, etc. eligible to be a subsidiary company subject to that authorization:

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and the location of its principal business office or its principal office;

ロ 業務の内容を記載した書類

(b) a document stating the content of business;

ハ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益を知ることができる書面

(c) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of its business, assets, and profit and loss; and

ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(d) a document stating the title and name of its officers (including a person responsible for performing the officer's duties, if that officer is a corporation);

五 当該認可に係る子会社対象銀行等を子会社とすることにより、当該銀行又はその子会社が国内の会社の議決権を合算してその基準議決権数（法第十六条の四第一項に規定する基準議決権数をいう。第四項、次条、第十七条の六、第十七条の七及び第二十二条から第二十三条までにおいて同じ。）を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(v) a document stating the name and content of business of a domestic company, if, by making its subsidiary company out of the bank, etc. eligible to be a subsidiary company to which the authorization pertains, the bank or its subsidiary company would hold voting rights in that domestic company in excess of the maximum threshold for voting rights held if their voting rights are combined (meaning the maximum threshold for voting rights held as prescribed in Article 16-4, paragraph (1) of the Act; the same applies in paragraph (4), the following Article, Article 17-6, Article 17-7, and Articles 22 through 23); and

六 その他次項の規定による審査をするため参考となるべき事項を記載した書面

(vi) other documents giving information that should serve as a reference in conducting an examination under the following paragraph.

2 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application of authorization pursuant to the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to examine whether it conforms to the following standards:

一 当該申請をした銀行（以下この項において「申請銀行」という。）の資本金の額が当該申請に係る子会社対象銀行等の議決権を取得し、又は保有するに足りる十分

な額であること。

(i) the amount of stated capital of the bank which has filed the application (hereinafter referred to as the "applicant bank" in this paragraph) is a sufficient amount to acquire or hold voting rights in the bank, etc. eligible to be a subsidiary company to which the application pertains;

二 申請銀行及びその子会社等（当該認可に係る子会社対象銀行等を含む。）の連結自己資本比率が適正な水準となることが見込まれること。

(ii) the consolidated capital adequacy ratios of the applicant bank and its subsidiary companies, etc. (including the bank, etc. eligible to be a subsidiary company subject to that authorization) are expected to reach the proper levels;

三 申請銀行の最近における業務、財産及び損益の状況が良好であること。

(iii) the latest conditions of business, assets, and profit and loss of the applicant bank are positive;

四 当該申請の時に於いて申請銀行及びその子会社等の収支が良好であり、当該認可に係る子会社対象銀行等を子会社とした後も良好に推移することが見込まれること。

(iv) the income and expenditures of the applicant bank and its subsidiary companies, etc. are satisfactory at the time of the application and are expected to also show positive movements after the bank, etc. eligible to be a subsidiary company subject to that authorization is made its subsidiary company;

五 申請銀行が子会社対象銀行等の業務の健全かつ適切な遂行を確保するための措置を講ずることができること。

(v) the applicant bank is able to take measures in order to secure sound and appropriate performance of business of the bank, etc. eligible to be a subsidiary company; and

六 当該認可に係る子会社対象銀行等がその業務を的確かつ公正に遂行することができること。

(vi) the bank, etc. eligible to be a subsidiary company subject to the authorization is capable of performing its business properly and fairly.

3 銀行は、法第十六条の二第五項の規定による子会社対象会社（同条第一項に規定する子会社対象会社をいう。以下この項において同じ。）以外の外国の会社を引き続き子会社とすることについての承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

(3) If a bank seeks to obtain an approval under Article 16-2, paragraph (5) of the Act for continuing to have a foreign company that is not a company eligible to be a subsidiary company (meaning a company eligible to be a subsidiary company as prescribed in paragraph (1) of that Article; hereinafter the same applies in this paragraph) as its subsidiary company, it must attach the following documents to the written application for approval and submit them to the Commissioner of the Financial Services Agency:

- 一 理由書
 - (i) a written statement of reasons;
- 二 当該承認に係る子会社対象会社以外の外国の会社の議決権の保有に関する方針を記載した書面
 - (ii) a document stating the policies on holding the voting rights in the foreign company that is not a company eligible to be a subsidiary company for which approval is sought;
- 三 当該承認に係る子会社対象会社以外の外国の会社に関する次に掲げる書面
 - (iii) the following documents concerning the foreign company that is not a company eligible to be a subsidiary company for which approval is sought;
 - イ 名称及び主たる営業所又は事務所の位置を記載した書面
 - (a) a document stating the name and the location of its principal business office or office;
 - ロ 業務の内容を記載した書面
 - (b) a document stating the details of its business;
 - ハ 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（これらに類する書面を含む。）その他最近における業務、財産及び損益の状況を知ることができる書面
 - (c) its latest balance sheet, profit and loss statement, and statement of changes in net assets (including documents similar thereto), and other documents that provide the latest conditions of its business, assets, and profit and loss; and
 - ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面
 - (d) a document stating the titles and names of its officers (including a person responsible for performing the officer's duties thereof, if the officer is a corporation);
- 四 その他法第十六条の二第五項の規定による承認に係る審査をするために参考となるべき事項を記載した書面
 - (iv) other documents giving information that should serve as a reference in an examination regarding the approval under the provisions of Article 16-2, paragraph (5) of the Act.
- 4 第一項及び第二項の規定は、法第十六条の二第八項ただし書の規定による認可（銀行若しくはその子会社が合算してその基準議決権数を超えて取得し、若しくは保有することとなつた銀行業高度化等会社の議決権について引き続きその基準議決権数を超えて保有すること又は子会社となつた外国の銀行業高度化等会社を引き続き子会社とすることについての認可を除く。）について準用する。
 - (4) The provisions of paragraph (1) and paragraph (2) apply mutatis mutandis to the authorization under the proviso to Article 16-2, paragraph (8) of the Act (excluding the authorization for a bank or its subsidiary companies to continue to hold more than the maximum threshold for voting rights in respect to the

voting rights in an advanced banking service company which they have acquired or come to hold in excess of that threshold if their voting rights are combined, or to continue to have as a subsidiary company a foreign advanced banking service company that has become a subsidiary company).

5 第一項の規定は、法第十六条の二第九項の規定による認可について準用する。

(5) The provisions of paragraph (1) apply mutatis mutandis to an authorization pursuant to the provisions of Article 16-2, paragraph (9) of the Act.

6 法第二条第十一项の規定は、第一項第五号（前二項において準用する場合を含む。）、第三項第二号及び第四項に規定する議決権について準用する。

(6) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), item (v) (including as applied mutatis mutandis pursuant to the preceding two paragraphs), paragraph (3), item (ii), and paragraph (4).

（銀行業高度化等会社を子会社とすること等についての認可の申請等）

(Application for Authorization to Make an Advanced Banking Service Company a Subsidiary Company)

第十七条の五の二 銀行は、当該銀行若しくはその子会社が合算して銀行業高度化等会社の議決権をその基準議決権数を超えて取得し、若しくは保有すること又は外国の銀行業高度化等会社を子会社とすることについての認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 17-5-2 (1) If a bank seeks to obtain authorization for it or its subsidiary companies to acquire or hold voting rights in an advanced banking service company in excess of the maximum threshold for voting rights if their voting rights are combined, or to make a foreign advanced banking service company into a subsidiary company, it must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該銀行に関する次に掲げる書面

(ii) the following documents concerning the bank:

イ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(a) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of its business, assets, and, profit and loss; and

ロ 当該認可後における収支の見込みを記載した書面

(b) a document stating its expected income and expenditures after obtaining the authorization;

ハ 株式交換により当該銀行若しくはその子会社が合算して銀行業高度化等会社の

議決権をその基準議決権数を超えて取得し、若しくは保有しようとする場合又は外国の銀行業高度化等会社を子会社としようとする場合には、次に掲げる書面

(c) the following documents if the bank or its subsidiary companies intends to acquire or hold voting rights in an advanced banking service company through a share exchange, in excess of the maximum threshold for voting rights if their voting rights are combined, or to make a foreign advanced banking service company into a subsidiary company:

(1) 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

1. minutes of shareholders meetings or other documents proving that necessary procedures were followed;

(2) 株式交換契約の内容を記載した書面

2. a document stating the content of the share exchange agreement; and

(3) 株式交換費用を記載した書面

3. a document stating the cost for the share exchange;

三 当該銀行及びその子会社等に関する次に掲げる書面

(iii) the following documents concerning the bank and its subsidiary companies:

イ 当該銀行及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(a) its latest consolidated balance sheet, profit and loss statement, statement of changes in net assets in which the bank makes entries for the bank itself and its subsidiary company, etc. on a consolidated basis, and other documents that provide the latest conditions of business, assets, and profit and loss of these companies; and

ロ 当該認可後における当該銀行及びその子会社等（子会社等となる会社を含む。）の収支及び連結自己資本比率の見込みを記載した書面

(b) a document stating an estimation of income and expenditures and the consolidated capital adequacy ratio of the bank and its subsidiary companies (including the company that is to become a subsidiary company, etc.) after obtaining the authorization;

四 当該認可に係る銀行業高度化等会社に関する次に掲げる書面

(iv) the following documents concerning the advanced banking service company subject to that authorization:

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and the location of its principal business office or its principal office;

ロ 業務の内容及び当該業務を遂行する体制を記載した書面

(b) a document stating the content of the business and the system for executing the business;

ハ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業

務、財産及び損益を知ることができる書面

(c) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of its business, assets, and, profit and loss; and

ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(d) a document stating the titles and names of its officers (including a person responsible for performing the officer's duties, if the officer is a corporation);

五 当該認可に係る当該銀行若しくはその子会社が合算して銀行業高度化等会社の議決権をその基準議決権数を超えて取得し、若しくは保有すること又は外国の銀行業高度化等会社を子会社とすることにより、当該銀行又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(v) a document stating the name and content of business of a domestic company, if subsidiary companies subject to the authorization would come to hold voting rights in that domestic company in excess of the maximum threshold for voting rights if their voting rights are combined, by way of acquiring or holding voting rights in an advanced banking service company in excess of the maximum threshold for voting rights if their voting rights are combined, or making a foreign advanced banking service company into a subsidiary company; and

六 その他次項の規定による審査をするため参考となるべき事項を記載した書面

(vi) other documents giving information that should serve as a reference in conducting an examination under the following paragraph.

2 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application of authorization is filed pursuant to the provisions of the preceding paragraph, the Commissioner of the Financial Services Agency is to examine whether it conforms to the following standards:

一 当該申請をした銀行（以下この項において「申請銀行」という。）の資本金の額が当該申請に係る銀行業高度化等会社の議決権を取得し、又は保有するに足りる十分な額であること。

(i) the amount of stated capital of the bank which has filed the application (hereinafter referred to as the "applicant bank" in this paragraph) is a sufficient amount to acquire or hold voting rights in the advanced banking service company to which the application pertains;

二 当該申請に係る銀行業高度化等会社に対する出資が全額毀損した場合であつても、申請銀行及びその子会社等（当該認可により子会社等となる会社を除く。）の財産及び損益の状況が良好であることが見込まれること。

(ii) even if the whole amount of investment in the advanced banking service

company to which the application pertains is lost, the conditions of assets, and profits and losses of the applicant bank and its subsidiary companies, etc. (excluding the company that is to become a subsidiary company, etc. based on the authorization) are expected to be satisfactory;

三 申請銀行の最近における業務、財産及び損益の状況が良好であること。

(iii) the latest conditions of business, assets, and profit and loss of the applicant bank are satisfactory;

四 当該申請の時に於いて申請銀行及びその子会社等の収支が良好であり、かつ、申請銀行若しくはその子会社が合算して当該認可に係る銀行業高度化等会社についてその基準議決権数を超える議決権を取得若しくは保有し、又は外国の銀行業高度化等会社を子会社とした後も良好に推移することが見込まれること。

(iv) the income and expenditure of the applicant bank and its subsidiary companies, etc. are satisfactory at the time of the application and are expected to also remain favorable after the applicant bank or its subsidiary companies acquire or hold voting rights in the advanced banking service company subject to that authorization which exceed the maximum threshold for voting rights if their voting rights are combined, or make a foreign advanced banking service company into a subsidiary company;

五 当該認可に係る銀行業高度化等会社がその業務を的確かつ公正に遂行することができること。

(v) the advanced banking service company subject to the authorization is capable of conducting its business properly and fairly;

六 申請銀行若しくはその子会社が合算して当該認可に係る銀行業高度化等会社の議決権をその基準議決権数を超えて取得し、若しくは保有すること又は外国の銀行業高度化等会社を子会社とすることにより、申請銀行の営む銀行業の高度化又は申請銀行の利用者の利便の向上に資すると見込まれること。

(vi) if the applicant bank or its subsidiary companies acquire or hold voting rights in the advanced banking service company subject to that authorization in excess of the maximum threshold for voting rights if their voting rights are combined, or make a foreign advanced banking service company into a subsidiary company, it is expected to contribute to increased sophistication in banking conducted by the applicant bank or to the enhanced convenience of bank users of the applicant bank;

七 申請銀行の業務の状況に照らし、申請銀行若しくはその子会社が合算して当該認可に係る銀行業高度化等会社の基準議決権数を超える議決権を取得若しくは保有し、又は外国の銀行業高度化等会社を子会社とした後も、申請銀行の業務の健全かつ適切な運営に支障を来す著しいおそれがないと認められること。

(vii) in light of the status of business of the applicant bank, no serious risk that may affect the sound and appropriate management of the services of the applicant bank even after the applicant bank or its subsidiary companies acquire or hold voting rights in the advanced banking service company

subject to that authorization which exceed the maximum threshold for voting rights if their voting rights are combined, or make a foreign advanced banking service company into a subsidiary company is found;

八 申請銀行又は当該認可に係る銀行業高度化等会社の顧客に対し、申請銀行の銀行としての取引上の優越的地位又は当該銀行業高度化等会社の業務における取引上の優越的地位を不当に利用して、申請銀行の業務に係る取引の条件若しくは実施又は当該銀行業高度化等会社の業務に係る取引の条件若しくは実施について不利益を与える行為が行われる著しいおそれがないと認められること。

(viii) no serious risk of the applicant bank wrongfully using its advantageous position as a bank in a transaction to put its customer at a disadvantage as concerns a condition or implementation of a transaction connected with its services is found; or no serious risk of the advanced banking service company subject to the relevant authorization wrongfully using its advantageous position in a transaction that involves its services to put its customer at a disadvantage as concerns a condition or implementation of a transaction connected with its services is found; and

九 申請銀行又は当該認可に係る銀行業高度化等会社が行う取引に伴い、申請銀行又は当該銀行業高度化等会社が行う業務に係る顧客の利益が不当に害される著しいおそれがないと認められること。

(ix) no serious risk that the interests of customers of the services carried out by the applicant bank or by the advanced banking service company subject to the relevant authorization will be unduly harmed in connection with transactions conducted by the applicant bank or the advanced banking service company is found.

3 前二項の規定は、法第十六条の二第八項ただし書の規定による認可（銀行若しくはその子会社が合算してその基準議決権数を超えて取得し、若しくは保有することとなった銀行業高度化等会社の議決権について引き続きその基準議決権数を超えて保有すること又は子会社となった外国の銀行業高度化等会社を引き続き子会社とすることについての認可に限る。）について準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to the authorization under the provisions of the proviso to Article 16-2, paragraph (8) of the Act (limited to the authorization to continue to hold more than the maximum threshold for voting rights in respect to the voting rights in an advanced banking service company which they have acquired or come to hold in excess of that threshold if their voting rights are combined, or to continue to have as a subsidiary company a foreign advanced banking service company that has become a subsidiary company).

4 第一項の規定は、法第十六条の二十第十項の規定による認可について準用する。

(4) The provisions of paragraph (1) apply mutatis mutandis to the authorization under Article 16-2, paragraph (10) of the Act.

5 法第二条第十一項の規定は、第一項（前二項において準用する場合を含む。）

二項第四号、第六号及び第七号並びに第三項に規定する議決権について準用する。

(5) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights prescribed in paragraph (1) (including as applied mutatis mutandis pursuant to the preceding two paragraphs), paragraph (2), item (iv), item (vi) and item (vii), and paragraph (3).

(銀行による銀行グループの経営管理の内容等)

(Content of Business Management of a Bank Group by a Bank)

第十七条の五の三 法第十六条の三第二項第一号に規定する方針として内閣府令で定めるものは、次に掲げる方針とする。

Article 17-5-3 (1) The policies specified by Cabinet Office Order as the policy prescribed in Article 16-3, paragraph (2), item (i) of the Act are as follows:

一 銀行グループ（法第十六条の三第一項に規定する銀行グループをいう。以下同じ。）の収支、資本の分配及び自己資本の充実に係る方針その他のリスク管理に係る方針

(i) policies concerning risk management such as policies concerning income and expenditure, capital allocation and adequacy of equity capital regarding a bank group (meaning the bank group prescribed in Article 16-3, paragraph (1) of the Act; the same applies hereinafter); and

二 災害その他の事象が発生した場合における銀行グループの危機管理に係る体制の整備に係る方針

(ii) policies concerning the development of the bank group's crisis management systems in preparation for events such as disasters.

2 法第十六条の三第二項第三号に規定する内閣府令で定める体制は、当該銀行における当該銀行グループに属する会社の取締役、執行役、業務を執行する社員、会社法第五百九十八条第一項の職務を行うべき者その他これらの者に相当する者及び使用人の職務の執行が法令に適合することを確保するための体制とする。

(2) The systems specified by Cabinet Office Order that are provided for in Article 16-3, paragraph (2), item (iii) of the Act means systems to ensure that the directors, executive officers, members in charge of executing business, persons in charge of performing the duties referred to in Article 598, paragraph (1) of the Companies Act, and other persons equivalent to these persons, and employees, all of whom belong to the companies that belong to the bank group, perform their respective duties in the bank in compliance with laws and regulations.

3 法第十六条の三第二項第四号に規定する内閣府令で定めるものは、当該銀行グループ（再建計画（業務の運営又は財産の状況に関し改善が必要な場合における銀行グループの経営の再建のための計画をいう。以下この項において同じ。）の策定が必要なものとして金融庁長官が指定したものに限る。）の再建計画を策定し、その適正な実施を確保することとする。

(3) The acts specified by Cabinet Office Order that are provided for in Article 16-

3, paragraph (2), item (iv) of the Act mean formulating a reconstruction plan (meaning a plan for business reconstruction of a bank group that needs to improve the conditions of its business operation or assets; hereinafter the same applies in this paragraph) for the bank group (limited to a bank group designated by the Commissioner of the Financial Services Agency as one that needs to formulate a reconstruction plan), and ensuring the proper implementation thereof.

(法第十六条の四第一項の規定が適用されないこととなる事由)

(Grounds of Non-Applicability of the Provisions of Article 16-4, Paragraph (1) of the Act)

第十七条の六 法第十六条の四第二項に規定する内閣府令で定める事由は、次に掲げる事由とする。

Article 17-6 (1) The ground specified by Cabinet Office Order that is provided for in Article 16-4, paragraph (2) of the Act means:

一 銀行又はその子会社の担保権の実行による株式等の取得

(i) acquisition of shares or equity by the exercise of the security right of a bank or its subsidiary company;

二 銀行又はその子会社の代物弁済の受領による株式等の取得

(ii) acquisition of shares, etc. by a bank's or its subsidiary company's acceptance of what is delivered in accord and satisfaction;

三 銀行又はその子会社の、その取引先である会社との間の合理的な経営改善のための計画に基づく株式等の取得（当該銀行又はその子会社に対する当該会社の債務を消滅させるために行うものであつて、当該株式等の取得によつて相当の期間内に当該会社の経営の状況が改善されることが見込まれるものに限る。）

(iii) acquisition of shares or equity (limited to an acquisition of shares or equity that is for extinguishing the company's debt to the bank or to its subsidiary company and by which the status of the company's management is estimated to improve within a reasonable period of time) by a bank or its subsidiary company based on a streamlined business improvement plan of a company with which it has business dealings;

四 銀行又はその子会社が所有する議決権を行使することができない株式又は持分に係る議決権の取得（当該銀行又はその子会社の意思によらない事象の発生により取得するものに限る。）

(iv) acquisition of voting rights from shares or equity in respect of which voting rights held by a bank or its subsidiary company cannot be exercised (limited to an acquisition due to occurrence of an event that is not based on the intention of the bank or its subsidiary company);

五 銀行又はその子会社が株式を所有する会社の株式の転換（当該銀行又はその子会社の請求による場合を除く。）

(v) conversion of shares of a company in which shares are held by a bank or its

- subsidiary company (excluding cases in which conversion is requested by that bank or its subsidiary company);
- 六 銀行又はその子会社が株式等を所有する会社の株式等の併合若しくは分割又は株式無償割当て
- (vi) consolidation or split of shares or equity of a company in which shares or equity are held by a bank or its subsidiary company, or an allotment of share without contribution;
- 七 銀行又はその子会社が株式等を所有する会社の定款の変更による株式等に係る権利の内容又は一単元の株式の数の変更
- (vii) change of content of rights or number of share units pertaining to shares or equity due to a change of articles of incorporation of a company in which shares or equity are held by a bank or its subsidiary company;
- 八 銀行又はその子会社が株式等を所有する会社の自己の株式等の取得
- (viii) company's acquisition of its own shares or equity that are held by a bank or its subsidiary company;
- 九 新規事業分野開拓会社等の議決権について第十七条の二第十一項の規定による処分を行おうとするとき又は事業再生会社の議決権について同条第十二項の規定による処分を行おうとするときにおいて、やむを得ないと認められる理由により当該議決権を譲渡することが著しく困難であるため当該議決権を処分することができないこと。
- (ix) that, if the bank or its subsidiary seeks to dispose of voting rights in a company cultivating new business field, etc. pursuant to the provisions of Article 17-2, paragraph (11) or seeks to dispose of voting rights in a company in the business revitalization process pursuant to the provisions of paragraph (12) of that Article, the bank or its subsidiary company are unable to dispose of those voting rights since it is extremely difficult to transfer those voting rights due to reasons that are found to be compelling; and
- 十 銀行又はその子会社の取引先である会社との間の合理的な経営改善のための計画に基づき取得した当該会社の発行する株式を当該会社の経営の状況の改善に伴い相当の期間内に処分するために必要な当該株式の転換（第五号に掲げる事由に該当するものを除く。）その他の合理的な理由があることについてあらかじめ金融庁長官の承認を受けた場合
- (x) a case in which an approval of the Commissioner of the Financial Services Agency is obtained in advance for the conversion of shares (excluding grounds corresponding to those set forth in item (v)) which the bank or its subsidiary company have acquired based on a streamlined business improvement plan of a company with which the bank or its subsidiary company has business dealings, and whose conversion is necessary in order for them to be disposed of within a reasonable period of time due to improvement of the condition of that company's management; or, for something that has other reasonable grounds.

2 前項第十号の承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

(2) If the bank or its subsidiary companies seeks to obtain an approval as prescribed in item (x) of the preceding paragraph, the bank or its subsidiary companies must attach the following documents to a written application for approval and submit them to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該承認に係る国内の会社の商号及び業務の内容を記載した書面

(ii) a document stating the trade name of a domestic company to which the approval pertains and content of its business;

三 当該承認に係る国内の会社の議決権のうちその基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方法に関する方針を記載した書面

(iii) a document stating policies concerning methods of disposing a portion of voting rights in a domestic company to which the approval pertains that the bank or its subsidiary companies have acquired or held in excess of its maximum threshold for voting rights held; and

四 その他次項の規定による審査をするため参考となるべき事項を記載した書面

(iv) other documents stating information that should serve as a reference in conducting an examination under the following paragraph.

3 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした銀行が基準議決権数を超えて議決権を所有し、又は保有することについて合理的な理由があるかどうか、及び提出される基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方法に関する方針が妥当なものであるかどうかを審査するものとする。

(3) When an application for approval under the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to examine whether there are reasonable grounds for the bank filling the application to possess or hold voting rights in excess of the maximum threshold for voting rights held, and whether the policy the bank has submitted concerning the disposition method of a portion of voting rights that it has acquired or held in excess of the maximum threshold for voting rights held is reasonable or not.

(基準議決権数を超えて議決権を保有することについての承認の申請)

(Application of Approval for Holding Voting Rights in Excess of the Maximum Threshold for Voting Rights Held)

第十七条の七 銀行は、法第十六条の四第二項ただし書の規定による基準議決権数を超えて議決権を保有することについての承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 17-7 (1) If a bank seeks an approval for holding voting rights in excess of

the maximum threshold for voting rights held pursuant to the provisions of proviso to Article 16-4, paragraph (2) of the Act, it must attach the following documents to a written application for approval and submit them to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該承認に係る国内の会社の名称及び業務の内容を記載した書面

(ii) a document stating the name of a domestic company pertaining to the approval and content of its business;

三 当該承認に係る国内の会社の議決権のうちその基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分に関する方針を記載した書面

(iii) a document stating policies concerning the method of disposing the portion of voting rights that the bank has acquired or has come to hold in excess of the maximum threshold for voting rights held among voting rights in a domestic company to which the approval pertains; and

四 その他次項の規定による審査をするため参考となるべき事項を記載した書面

(iv) other documents stating information that should serve as a reference in conducting an examination under the following paragraph.

2 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした銀行又はその子会社が基準議決権数を超えて議決権を保有することについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(2) When an application for approval under the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to examine whether the bank filling the application or its subsidiary company has what is found to be a compelling reason for holding voting rights in excess of the maximum threshold for voting rights held.

3 法第二条第十一項の規定は、第一項第三号に規定する議決権について準用する。

(3) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights prescribed in paragraph (1), item (iii).

(基準議決権数を超えて議決権を保有することができる場合)

(When Voting Rights May Be Held in Excess of the Maximum Threshold for Voting Rights Held)

第十七条の七の二 法第十六条の四第四項第一号に規定する内閣府令で定める場合は、当該銀行が法第十六条の二第七項の認可を受けて他の銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合とする。

Article 17-7-2 (1) The case specified by Cabinet Office Order that is provided for in Article 16-4, paragraph (4), item (i) of the Act means if the relevant bank makes its subsidiary company out of another bank, a long-term credit bank, a company specialized in securities, a company specialized in securities intermediation, an insurance company, or a small amount and short-term

insurance company after obtaining an approval under Article 16-2, item (vii) of the Act.

2 法第十六条の四第四項第五号に規定する内閣府令で定める場合は、次に掲げる場合とする。

(2) The cases specified by Cabinet Office Order that are provided for in Article 16-4, paragraph (4), item (v) of the Act are as follows:

一 当該銀行が法第三十条第二項の認可を受けて吸収分割により他の銀行又は長期信用銀行の事業を承継した場合

(i) if the relevant bank has succeeded to the business of another bank or a long-term credit bank due to an absorption-type company split after obtaining an authorization under Article 30, paragraph (2) of the Act; or

二 当該銀行が法第三十条第二項の認可を受けて吸収分割により事業を承継したことにより他の銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合（前号に掲げる場合を除く。）

(ii) if the relevant bank makes its subsidiary company out of another bank, a long-term credit bank, a company specialized in securities, a company specialized in securities intermediation, an insurance company, or a small amount and short-term insurance company, by succeeding to business due to an absorption-type company split after obtaining an authorization under Article 30, paragraph (2) of the Act (excluding cases as set forth in the preceding item).

3 法第十六条の四第四項第六号に規定する内閣府令で定める場合は、次に掲げる場合とする。

(3) The cases specified by Cabinet Office Order that are provided for in Article 16-4, paragraph (4), item (vi) of the Act are as follows:

一 当該銀行が法第三十条第三項の認可を受けて他の銀行若しくは長期信用銀行又は信用金庫、信用協同組合若しくは労働金庫（これらの法人をもつて組織する連合会を含む。）の事業の譲受けをした場合

(i) if the relevant bank makes a business acquisition of another bank or a long-term credit bank, or, a credit union, a credit cooperative, or a labor bank (including a federation organized with these corporations) after obtaining an approval under Article 30, paragraph (3) of the Act; or

二 当該銀行が法第三十条第三項の認可を受けて事業の譲受けをしたことにより他の銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合（前号に掲げる場合を除く。）

(ii) if the relevant bank makes its subsidiary company out of another bank, a long-term credit bank, a company specialized in securities, a company specialized in securities intermediation, an insurance company, or a small amount and short-term insurance company, by making a business acquisition after obtaining authorization under Article 30, paragraph (3) of the Act (excluding cases as set forth in the preceding item).

(特例対象会社)

(Company Subject to Special Provisions)

第十七条の七の三 法第十六条の四第八項に規定する内閣府令で定める会社は、次の各号のいずれかに該当する会社又は事業の再生の計画の作成に株式会社地域経済活性化支援機構が関与している会社（銀行の子法人等に該当しないものに限る。次項において「特例事業再生会社」と総称する。）とする。

Article 17-7-3 (1) The company specified by Cabinet Office Order that is provided for in Article 16-4, paragraph (8) of the Act means a company which falls under either of the following items or a company which prepares a business revitalization plan with the involvement of regional economy vitalization corporation of Japan (limited to a company that does not fall under a subsidiary company, etc. of a bank; referred to as a "company in the business revitalization process under special provisions" in the following paragraph):

一 株式会社地域経済活性化支援機構法第二十二条第一項第八号に掲げる業務の実施により設立される株式会社が無限責任組合員となる投資事業有限責任組合であつて、次のいずれかに該当するものから出資を受けている会社

(i) a company that has received capital contribution from an investment limited partnership in which a stock company to be established through the implementation of the business set forth in Article 22, paragraph (1), item (viii) of the Act on Regional Economy Vitalization Corporation of Japan is an unlimited liability partner and which falls under either of the following:

イ 当該銀行又はその子会社が当該投資事業有限責任組合の組合員となつているもの

(a) the bank or its subsidiary company is a partner of the investment limited partnership; or

ロ 当該株式会社に当該銀行又はその子会社が出資しているもの

(b) the bank or its subsidiary company makes capital contribution to the stock company; or

二 事業の再生又は地域の特性を生かした新たな事業の創出その他の地域経済の活性化に資する事業活動を行うことを目的とした会社であつて、次のいずれかに該当するものが関与して策定した事業計画に基づき当該事業計画を実施している会社

(ii) a company that was established for the purpose of undertaking a business revitalization or of creating a new business that draws upon the distinctive features of the region or carrying out other such business activities that contribute to the revitalization of the regional economy, and which implements a business plan formulated with the involvement of one of the following persons:

イ 官公署

(a) a public agency;

ロ 商工会又は商工会議所

(b) a commercial and industrial association or chamber of commerce and industry;

ハ イ又はロに準ずるもの

(c) any entity equivalent to (a) or (b);

ニ 弁護士又は弁護士法人

(d) an attorney or legal professional corporation;

ホ 公認会計士又は監査法人

(e) a certified public accountant or audit corporation;

ヘ 税理士又は税理士法人

(f) a certified public tax accountant or tax accountancy corporation; or

ト 第十七条の三第二項第十五号に掲げる業務を営む会社（当該銀行の子会社等（法第十四条の二第二号に規定する子会社等をいう。）及び当該銀行を子会社とする銀行持株会社の子会社等（法第五十二条の二十五に規定する子会社等をいう。）以外の会社に限る。）

(g) a company that carries out the services set forth in Article 17-3, paragraph (2), item (xv) (limited to a company other than a subsidiary company, etc. (meaning a subsidiary company, etc. as prescribed in Article 14-2, item (ii) of the Act) of the bank and a subsidiary company, etc. (meaning a subsidiary company, etc. as prescribed in Article 52-25 of the Act) of a bank holding company that has the bank as its subsidiary company).

2 前項の規定にかかわらず、特定子会社がその取得した特例事業再生会社の議決権を処分基準日（その取得の日から十年を経過する日をいう。以下この項において同じ。）までに処分しないときは、当該特例事業再生会社は、処分基準日の翌日からは当該銀行に係る法第十六条の四第八項に規定する内閣府令で定める会社に該当しないものとする。ただし、当該処分を行えば当該銀行又はその子会社が保有する当該特例事業再生会社の議決権の数が当該処分基準日における基礎議決権数（その総株主等の議決権に百分の五を乗じて得た議決権の数をいう。以下この項において同じ。）を下回ることとなる場合において、当該特定子会社が当該取得の日から処分基準日までの間に当該銀行又はその子会社の保有する当該特例事業再生会社の議決権のうち当該処分基準日における基礎議決権数を超える部分の議決権を処分したときは、この限りでない。

(2) Notwithstanding the provisions of the preceding paragraph, if a specified subsidiary company does not dispose of the voting rights acquired thereby in a company in the business revitalization process under special provisions by the base disposition date (meaning the day on which ten years have elapsed from the day of the acquisition of the voting rights; hereinafter the same applies in this paragraph), the company in the business revitalization process under special provisions is to be considered as not corresponding to a company specified by Cabinet Office Order as prescribed in Article 16-4, paragraph (8) of the Act which pertains to the bank from the day after the base disposition date;

provided, however, that this does not apply to a case in which; the number of voting rights in the company in the business revitalization process under special provisions held by the bank or its subsidiary company falls below the base number of voting rights as of the base disposition date, if the disposition is performed (meaning the number of voting rights arrived at when total shareholder or investor voting rights are multiplied by five percent; hereinafter the same applies in this paragraph); and the specified subsidiary company disposes of a portion of voting rights which exceeds the base number of voting rights as of the base disposition among the voting rights in the company in the business revitalization process under special provisions held by the bank or its subsidiary company, during the period from the date of the acquisition to the base disposition date.

3 法第十六条の四第八項に規定する内閣府令で定める特殊の関係のある会社は、新規事業分野開拓会社等又は事業再生会社の子会社等（子法人等及び関連法人等をいう。第三十四条の二十三の二第三項において同じ。）であつて、当該会社の議決権を、当該銀行又はその子会社である新規事業分野開拓会社等若しくは事業再生会社以外の子会社が、合算して、当該会社の総株主等の議決権に百分の五を乗じて得た議決権の数を超えて保有していないものとする。

(3) The company that has a unique relationship with the relevant person as specified by Cabinet Office Order that is provided for in Article 16-4, paragraph (8) of the Act means a company which is a subsidiary company, etc. (meaning a subsidiary company, etc. and an affiliated corporation, etc.; the same applies in Article 34-23-2, paragraph (3)) of a company cultivating new business field or company in the business revitalization process, in which the bank or its subsidiary companies other than a company cultivating new business field or company in the business revitalization process do not have the voting rights in excess of the number of voting rights arrived at when total shareholder or investor voting rights is multiplied by five percent if their voting rights are combined.

4 法第二条第十一項の規定は、前二項に規定する議決権について準用する。

(4) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights prescribed in the preceding two paragraphs.

第四章 経理

Chapter IV Accounting

(法第十八条の規定による準備金の計上)

(Appropriation of Reserve under Article 18 of the Act)

第十七条の七の四 銀行が剰余金の配当をする場合には、剰余金の配当後の資本準備金の額は、当該剰余金の配当の直前の資本準備金の額に、次の各号に掲げる場合の区分に応じ、当該各号に定める額を加算して得た額とする。

Article 17-7-4 (1) If a bank pays dividends from surplus, the amount of capital reserve after the payment of dividends from surplus is the amount arrived at when the amount specified in each of the following items in accordance with the category of cases as set forth in those items is added to the amount of capital reserve immediately before the payment of dividends from surplus:

一 当該剰余金の配当をする日における資本準備金又は利益準備金（以下この条において「準備金」と総称する。）の額が当該日における資本金の額以上である場合
零

(i) if the amount of capital reserve or retained earnings reserve (hereinafter collectively referred to as "reserve" in this Article) on the date of payment of the dividends from surplus is equivalent to the amount of stated capital on that date or more: nil;

二 当該剰余金の配当をする日における準備金の額が当該日における資本金の額未満である場合 イ又はロに掲げる額のうちいずれか少ない額に資本剰余金配当割合（次条第一号イに掲げる額を会社法第四百四十六条第六号に掲げる額で除して得た割合をいう。）を乗じて得た額

(ii) if the amount of reserve on the date of payment of the dividends from surplus is less than the amount of stated capital on that date: the amount arrived at when whichever amount is smaller of the amount as set forth in sub-item (a) or sub-item (b) is multiplied by the dividend rate of capital reserve (meaning the percentage arrived at when the amount as set forth in item (i), (a) of the following Article is divided by the amount as set forth in Article 446, item (vi) of the Companies Act):

イ 当該剰余金の配当をする日における準備金計上限度額（資本金の額から準備金の額を減じて得た額をいう。以下この条において同じ。）

(a) the upper limit of reserve to be appropriated on the date of payment of dividends from surplus (meaning the amount arrived at when the amount of reserve is deducted from the amount of stated capital; hereinafter the same applies in this Article);

ロ 会社法第四百四十六条第六号に掲げる額に五分の一を乗じて得た額

(b) the amount arrived at when the amount as set forth in Article 446, item (vi) of the Companies Act is multiplied by twenty percent.

2 銀行が剰余金の配当をする場合には、剰余金の配当後の利益準備金の額は、当該剰余金の配当の直前の利益準備金の額に、次の各号に掲げる場合の区分に応じ、当該各号に定める額を加算して得た額とする。

(2) If the bank pays dividends from surplus, the amount of retained earnings reserve after the payment of dividends from surplus is the amount arrived at when the amount specified in each of the following items in accordance with the category of cases as set forth in those items is added to the amount of retained earnings reserve immediately before the payment of dividends from surplus:

一 当該剰余金の配当をする日における準備金の額が当該日における資本金の額以上である場合 零

(i) if the amount of reserve on the date of payment of the dividends from surplus is equal to the amount of stated capital on that date or more: nil;

二 当該剰余金の配当をする日における準備金の額が当該日における資本金の額未満である場合 イ又はロに掲げる額のうちいずれか少ない額に利益剰余金配当割合（次条第二号イに掲げる額を会社法第四百四十六条第六号に掲げる額で除して得た割合をいう。）を乗じて得た額

(ii) if the amount of reserve on the date of payment of the dividends from surplus is less than the amount of stated capital on that date: the amount arrived at when whichever amount is smaller of the amounts as set forth in sub-item (a) or sub-item (b) is multiplied by the dividend rate of retained earnings reserve (meaning the percentage arrived at when the amount as set forth in item (ii), (a) of the following Article is divided by the amount as set forth in Article 446, item (vi) of the Companies Act):

イ 当該剰余金の配当をする日における準備金計上限度額

(a) the upper limit of reserve to be recorded on the date of payment of dividends from the surplus;

ロ 会社法第四百四十六条第六号に掲げる額に五分の一を乗じて得た額

(b) the amount arrived at when the amount as set forth in Article 446, item (vi) of the Companies Act is multiplied by twenty percent.

(減少する剰余金の額)

(Amount of Surplus to Be Deducted)

第十七条の七の五 銀行が剰余金の配当をする場合には、剰余金の配当後の次の各号に掲げる額は、当該剰余金の配当の直前の当該額から、当該各号に定める額を減じて得た額とする。

Article 17-7-5 If a bank pays a dividend payment from surplus, the amount as set forth in each of the following items after the dividends are paid from surplus is the amount arrived at when the amount as specified in those items is deducted from the amount immediately before the payment of dividends from surplus:

一 その他資本剰余金の額 次に掲げる額の合計額

(i) amount of other stated capital surplus: the total of the amounts as set forth in the following sub-items:

イ 会社法第四百四十六条第六号に掲げる額のうち、銀行がその他資本剰余金から減ずるべき額と定めた額

(a) amounts specified by the bank that should be deducted from other stated capital surplus out of the amounts as set forth in Article 446, item (vi) of the Companies Act; and

ロ 前条第一項第二号に掲げるときは、同号に定める額

(b) the amount as specified in paragraph (1), item (ii) of the preceding Article in the case as set forth in that item;

二 その他利益剰余金の額 次に掲げる額の合計額

(ii) the amount of other retained earnings surplus: the total of the following amounts:

イ 会社法第四百四十六条第六号に掲げる額のうち、銀行がその他利益剰余金から減ずるべき額と定めた額

(a) amounts specified by the bank that should be deducted from other retained earnings surplus out of the amounts as set forth in Article 446, item (vi) of the Companies Act; and

ロ 前条第二項第二号に掲げるときは、同号に定める額

(b) the amount as specified in paragraph (2), item (ii) of the preceding Article in the case as set forth in that item.

(業務報告書等)

(Business Reports)

第十八条 法第十九条第一項の規定による中間業務報告書は、事業年度開始の日から当該事業年度の九月三十日までの間の業務及び財産の状況について、中間事業概況書、中間貸借対照表、中間損益計算書、中間株主資本等変動計算書及び中間キャッシュ・フロー計算書（外国銀行支店にあつては中間事業概況書、中間貸借対照表及び中間損益計算書）に分けて、別紙様式第一号（特定取引勘定設置銀行にあつては別紙様式第一号の二、外国銀行支店にあつては別紙様式第二号（特定取引勘定届出外国銀行支店にあつては別紙様式第二号の二））により作成し、当該期間経過後三月以内に金融庁長官等に提出しなければならない。

Article 18 (1) A bank must prepare an interim business report under Article 19, paragraph (1) of the Act, with regard to the condition of business and assets during the period from the beginning date of a business year to September 30 of that business year, by dividing the data into an interim summary statement of business, an interim balance sheet, an interim profit and loss statement, an interim statement of changes in net assets, and an interim cash flow statement (into an interim summary statement of business, an interim balance sheet, and an interim profit and loss statement in case of a foreign bank branch) pursuant to the Appended Form No. 1 (pursuant to the Appended Form No. 1-2 in case of a bank with specified transaction account; or, pursuant to the Appended Form No. 2 in case of a foreign bank branch (pursuant to the Appended Form No. 2-2 in case of a foreign bank branch that submitted notification of a specified transaction account)), and must submit that report to the Commissioner of the Financial Services Agency or other competent authorities within three months after that period ends.

2 法第十九条第一項の規定による業務報告書は、事業概況書、貸借対照表、損益計算書、株主資本等変動計算書及びキャッシュ・フロー計算書（外国銀行支店にあつては

事業概況書、貸借対照表及び損益計算書)に分けて、別紙様式第三号(特定取引勘定設置銀行にあつては別紙様式第三号の二、外国銀行支店にあつては別紙様式第四号(特定取引勘定届出外国銀行支店にあつては別紙様式第四号の二))により作成し、事業年度経過後三月以内に金融庁長官等に提出しなければならない。

(2) A bank must prepare a business report under Article 19, paragraph (1) of the Act by dividing the data into a summary statement of business, a balance sheet, a profit and loss statement, a statement of changes in net assets, and a cash flow statement (into a summary statement of business, a balance sheet, and a profit and loss statement in case of a foreign bank branch) pursuant to the Appended Form No. 3 (pursuant to the Appended Form No. 3-2 in case of a bank with specified transaction account; or, pursuant to the Appended Form No. 4 in case of a foreign bank branch, (pursuant to the Appended Form No. 4-2 in case of a foreign bank branch that submitted notification of a specified transaction account)), and must submit that report to the Commissioner of the Financial Services Agency or other competent authorities within three months after that period ends.

3 法第十九条第二項の規定による中間業務報告書は、事業年度開始の日から当該事業年度の九月三十日までの間の銀行及びその子会社等(法第十四条の二第二号に規定する子会社等をいう。以下この章、次章及び第三十五条第一項において同じ。)の業務及び財産の状況について、中間事業概況書及び中間連結財務諸表に分けて、別紙様式第五号により作成し、当該期間経過後三月以内に金融庁長官等に提出しなければならない。

(3) A bank must prepare an interim business report under Article 19, paragraph (2) of the Act pursuant to the Appended Form No. 5, with regard to the condition of business and assets of the bank and its subsidiary company, etc. (meaning a subsidiary company, etc., as prescribed in Article 14-2, item (ii) of the Act; hereinafter the same applies in this Chapter, the following Chapter, and Article 35, paragraph (1)) for the period from the beginning date of a business year to September 30 of that business year, by dividing the data into an interim summary statement of business and an interim consolidated financial statement, and must submit that report to the Commissioner of the Financial Services Agency or other competent authorities within three months after the that period ends.

4 法第十九条第二項の規定による業務報告書は、事業概況書及び連結財務諸表に分けて、別紙様式第五号の二により作成し、事業年度経過後三月以内に金融庁長官等に提出しなければならない。

(4) A bank must prepare a business report under Article 19, paragraph (2) of the Act pursuant to the Appended Form No. 5-2 by dividing the data into a summary of business report and consolidated financial statements, and must submit that report to the Commissioner of the Financial Services Agency or other competent authorities within three months after the the period ends.

5 銀行は、やむを得ない理由により前各項に規定する期間内に中間業務報告書又は業務報告書の提出をすることができない場合には、あらかじめ金融庁長官（令第十七条の二の規定により当該銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）が当該報告書を受理する場合にあつては、その財務局長又は福岡財務支局長）の承認を受けて、当該提出を延期することができる。

(5) If a bank is unable to submit an interim business report or a business report within the period specified in each of the preceding paragraphs due to compelling reasons, the bank may obtain an approval of the Commissioner of the Financial Services Agency (an approval of the Director General of the Local Finance Bureau that has jurisdiction over the locality of the head office of that bank or an approval of the Director General of the Fukuoka Local Finance Branch Bureau, if the Director General of the Local Finance Bureau (or, the Director General of the Fukuoka Local Finance Branch Bureau if that locality is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau) receives those reports pursuant to the provisions of Article 17-2 of the Order), in advance, and may postpone the submission.

6 銀行は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(6) If a bank seeks to obtain an approval under the preceding paragraph, the bank must attach a written statement of reasons to a written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authorities.

7 金融庁長官等は前項の規定による承認の申請があつたときは、当該申請をした銀行が第五項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(7) When an application for approval under the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank filling the application has what is found to be a compelling reason to postpone the submission as under paragraph (5).

（貸借対照表等の公告等）

(Public Notices of Balance Sheets)

第十九条 法第二十条第一項の規定により作成すべき中間貸借対照表等（同項に規定する中間貸借対照表等をいい、同条第三項の規定により作成された電磁的記録（同項に規定する電磁的記録をいう。以下同じ。）を含む。第六項において同じ。）は別紙様式第六号第一（特定取引勘定設置銀行にあつては別紙様式第六号の二第一、外国銀行支店にあつては別紙様式第七号第一（特定取引勘定届出外国銀行支店にあつては、別紙様式第七号の二第一））により、貸借対照表等（同条第一項に規定する貸借対照表等をいい、同条第三項の規定により作成された電磁的記録を含む。第六項において同じ。）は別紙様式第六号の三第一（特定取引勘定設置銀行にあつては別紙様式第六号

の四第一、外国銀行支店にあつては別紙様式第七号の三第一（特定取引勘定届出外国銀行支店にあつては、別紙様式第七号の四第一）により作成しなければならない。

Article 19 (1) A bank must prepare an interim balance sheet, etc. which is to be prepared pursuant to the provisions of Article 20, paragraph (1) of the Act (meaning an interim balance sheet, etc., as prescribed in that paragraph; and including an electronic or magnetic record that is prepared pursuant to the provisions of paragraph (3) of that Article (meaning an electronic or magnetic record as prescribed in that paragraph; the same applies hereinafter); the same applies in paragraph (6)), pursuant to the Appended Form No. 6-1 (pursuant to the Appended Form No. 6-2-1 in case of a bank with specified transaction account; or, pursuant to the Appended Form No. 7-1 in case of a foreign bank branch (the Appended Form No. 7-2-1 in case of a foreign bank branch that submitted notification of a specified transaction account)); and must prepare a balance sheet, etc. (meaning a balance sheet, etc., as prescribed in paragraph (1) of that Article; and including an electronic or magnetic record prepared pursuant to the provisions of paragraph (3) of that Article; the same applies in paragraph (6)) pursuant to the Appended Form No. 6-3-1 (pursuant to the Appended Form No. 6-4-1 in case of a bank with specified transaction account; or, pursuant to the Appended Form No. 7-3-1 in case of a foreign bank branch (pursuant to the Appended Form No. 7-4-1 in case of a foreign bank branch that submitted notification of a specified transaction account)).

2 法第二十条第二項の規定により作成すべき中間連結貸借対照表等（同項に規定する中間連結貸借対照表等をいい、同条第三項の規定により作成された電磁的記録を含む。第六項において同じ。）は別紙様式第八号第一により、連結貸借対照表等（同条第二項に規定する連結貸借対照表等をいい、同条第三項の規定により作成された電磁的記録を含む。第六項において同じ。）は別紙様式第八号の二第一により作成しなければならない。

(2) A bank must prepare an interim consolidated balance sheet, etc. which is to be prepared pursuant to the provisions of Article 20, paragraph (2) of the Act (meaning the interim consolidated balance sheet, etc., as prescribed in that paragraph and including an electronic or magnetic record that is prepared pursuant to the provisions of paragraph (3) of that Article; the same applies in paragraph (6)) pursuant to the Appended Form No. 8-1, and must prepare a consolidated balance sheet, etc. (meaning the consolidated balance sheet, etc., as prescribed in paragraph (2) of that Article, and including an electronic or magnetic record prepared pursuant to the provisions of paragraph (3) of that Article; the same applies in paragraph (6)) pursuant to the Appended Form No. 8-2-1.

3 法第二十条第三項に規定する内閣府令で定めるものは、磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもつて調製するファイルに情報を記録したものとする。

- (3) The record specified by Cabinet Office Order that is provided for in Article 20, paragraph (3) of the Act means a record of data that has been recorded into a file created using a magnetic disk or other objects with an equivalent means that can reliably store fixed set of data.
- 4 銀行は、法第二十条第四項ただし書の規定による公告の延期の承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。
- (4) If a bank seeks to obtain an approval for postponing public notice under the proviso to paragraph (4) of Article 20 of the Act, the bank must attach a written statement of reasons to a written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authorities.
- 5 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行が法第二十条第四項ただし書の規定による公告の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。
- (5) When an application for approval under the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank filing the application has what is found to be a compelling reason to postpone the public notice as under the provisions of the proviso to paragraph (4) of Article 20 of the Act.
- 6 法第二十条第五項の規定により銀行が公告すべき中間貸借対照表等の要旨は別紙様式第六号第二（特定取引勘定設置銀行にあつては別紙様式第六号の二第二、外国銀行支店にあつては別紙様式第七号第二（特定取引勘定届出外国銀行支店にあつては、別紙様式第七号の二第二））に、貸借対照表等の要旨は別紙様式第六号の三第二（特定取引勘定設置銀行にあつては別紙様式第六号の四第二、外国銀行支店にあつては別紙様式第七号の三第二（特定取引勘定届出外国銀行支店にあつては、別紙様式七号の四第二））に、中間連結貸借対照表等の要旨は別紙様式第八号第二に、連結貸借対照表等の要旨は別紙様式第八号の二第二に定めるものとする。
- (6) An overview of the interim balance sheet, etc. which a bank must publicly announce pursuant to the provisions of Article 20, paragraph (5) of the Act is to be as specified in the Appended Form No. 6-2 (in the Appended Form No. 6-2-2 in case of a bank with specified transaction account; or, in the Appended Form No. 7-2 in case of a foreign bank branch (in the Appended Form No. 7-2-2 in case of a foreign bank branch that submitted notification of a specified transaction account)), an overview of the balance sheet, etc. which a bank must publicly announce pursuant to that paragraph is to be as specified in the Appended Form No. 6-3-2 (in the Appended Form No. 6-4-2 in case of a bank with specified transaction account; or, in the Appended Form No. 7-3-2 in case of a foreign bank branch (in the Appended Form No. 7-4-2 in case of a foreign bank branch that submitted notification of a specified transaction account)), an overview of the interim consolidated balance sheet, etc. which a bank must publicly announce pursuant to that paragraph is to be as specified in the

Appended Form No. 8-2, and a overview of the consolidated balance sheet, etc. which a bank must publicly announce pursuant to that paragraph is to be as specified in the Appended Form No. 8-2-2.

7 法第二十条第六項に規定する電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて内閣府令で定めるものは、次に掲げる方法とする。

(7) The means of employing an electronic data processing system or of applying any other information and communications technology that is specified by Cabinet Office Order as provided in Article 20, paragraph (6) of the Act are as follows:

一 電子情報処理組織を使用する方法のうちイ又はロに掲げるもの

(i) a means of employing an electronic data processing system as set forth in sub-item (a) or sub-item (b):

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

(a) a means of transmitting information over a telecommunications line that connects the computer used by a sender and the computer used by a recipient, and to record the information in a file that has been prepared on the computer used by the recipient; or

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

(b) a means that uses a telecommunications line to make the content of the information recorded in a file that has been prepared on a computer used by the person transmitting it available for the person being provided with the information to inspect, and record that information in a file that has been prepared on a computer used by the person being provided with that information;

二 磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもつ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) a means of delivering a record of data that has been recorded into a file created using a magnetic disk or other objects with an equivalent means to reliably store fixed set of data.

8 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。

(8) The means set forth in each item of the preceding paragraph must enable the recipient to prepare a document by outputting what has been recorded in the file.

9 法第二十条第六項の規定による措置は、第七項第一号ロに掲げる方法のうち、インターネットに接続された自動公衆送信装置（公衆の用に供する電気通信回線に接続す

ることにより、その記録媒体のうち自動公衆送信の用に供する部分に記録され、又は当該装置に入力される情報を自動公衆送信する機能を有する装置をいう。以下同じ。)を使用する方法によつて行うものとする。

(9) The measures under Article 20, paragraph (6) of the Act are to be taken by a means as set forth in paragraph (7), item (i), (b) that involves using an automatic public transmission server connected to the internet (meaning an apparatus that has the function of recording information on the part of its recording medium that is used for automated public transmissions or of automatically transmitting to the public information that is input into that apparatus by connecting to a telecommunication line; the same applies hereinafter).

(業務及び財産の状況に関する説明書類の縦覧等)

(Public Inspections of Explanatory Documents Concerning the Condition of Business and Assets)

第十九条の二 法第二十一条第一項前段に規定する内閣府令で定めるものは、次に掲げる事項(中間事業年度に係る説明書類(以下「中間説明書類」という。))にあつては、第一号イからチまで、第二号、第三号ロ(11)、第四号(ハに係る部分を除く。)、第五号リ並びに第六号に掲げる事項を除く。)とする。

Article 19-2 (1) The particulars specified by Cabinet Office Order that are provided for in first sentence of Article 21, paragraph (1) of the Act are the particulars set forth in the following sub-items (excluding the particulars set forth in item (i), (a) through (h), item (ii), item (iii), (b), 11., item (iv) (excluding the part concerning sub-item (c)), item (v), (i), and item (vi) in case of explanatory documents for an interim period of a business year (hereinafter referred to as "interim explanatory documents")):

一 銀行の概況及び組織に関する次に掲げる事項

(i) the following particulars on the summary and organization of a bank:

イ 経営の組織(当該銀行が他の銀行又は銀行持株会社の子会社でない場合にあつては、当該銀行の子会社等(法第二十一条第一項前段に規定する説明書類の内容に重要な影響を与えない子会社等を除く。)の経営管理に係る体制を含む。)

(a) the management organization (including systems for business management of a subsidiary company, etc. of the bank (excluding a subsidiary company, etc. that does not have a significant effect on the content of the explanatory documents prescribed in the first sentence of Article 21, paragraph (2) of the Act), if the bank is not a subsidiary company of another bank or a bank holding company);

ロ 持株数の多い順に十以上の株主に関する次に掲げる事項

(b) the following particulars on more than ten top shareholders in number of shares held:

(1) 氏名(株主が法人その他の団体である場合には、その名称)

1. names of the shareholders (names of a corporation or other organization, if the shareholder is the corporation or other organization);
 - (2) 各株主の持株数
 2. the number of shares held by each shareholder; and
 - (3) 発行済株式の総数に占める各株主の持株数の割合
 3. the percentage of shares held by each shareholder to the total number of issued shares;
- ハ 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の氏名及び役職名
- (c) names and titles of its directors and company auditors (names and titles of its directors if the bank is a company with audit and supervisory committee; or names and titles of its directors and executive officers if the bank is a company with nominating committee, etc.);
- ニ 会計参与設置会社にあつては、会計参与の氏名又は名称
- (d) names of its accounting advisors if the bank is a company with accounting advisors;
- ホ 会計監査人の氏名又は名称
- (e) names of its financial auditors;
- ヘ 営業所の名称及び所在地
- (f) names and locations of its business offices;
- ト 当該銀行を所属銀行とする銀行代理業者に関する次に掲げる事項
- (g) the following particulars on a bank agent that has that bank as its principal bank:
- (1) 当該銀行代理業者の商号、名称又は氏名
 1. the bank agent's trade name or name; and
 - (2) 当該銀行代理業者が当該銀行のために銀行代理業を営む営業所又は事務所の名称
 2. names of business offices or offices where the bank agent carries out its bank agency services for the bank;
- チ 外国における法第二条第十四項各号に掲げる行為の受託者に関する次に掲げる事項
- (h) the following particulars on a trustee of acts as set forth in each item of Article 2, paragraph (14) of the Act in a foreign state:
- (1) 当該受託者の商号、名称又は氏名
 1. the trustee's trade name or name; and
 - (2) 当該受託者が当該銀行のために法第二条第十四項各号に掲げる行為を行う営業所又は事務所の名称及び所在地
 2. names and locations of business offices or business offices where the trustee performs acts as set forth in each item of Article 2, paragraph (14) of the Act for the bank;
- ニ 銀行の主要な業務の内容（信託業務を営む場合においては、信託業務の内容を含

む。)

(ii) the content of the main business of the bank (including the content of the trust business, in the case of conducting trust business);

三 銀行の主要な業務に関する事項として次に掲げるもの

(iii) the following particulars on the main business of the bank:

イ 直近の中間事業年度又は事業年度における事業の概況

(a) summary of its business in the latest interim period of its business year or in the latest business year;

ロ 直近の三中間事業年度及び二事業年度又は直近の五事業年度における主要な業務の状況を示す指標として次に掲げる事項（（13）から（16）までに掲げる事項については、信託業務を営む場合に限る。）

(b) the following particulars, as an indicator of the condition of the main business in the latest three interim periods of business year and for two business years, or, the latest five business years (stating the particulars set forth in sub-items 13 through 16 is limited to the case in which the bank conducts the trust business):

（1） 経常収益

1. its ordinary income;

（2） 経常利益又は経常損失

2. its ordinary profit or ordinary loss;

（3） 中間純利益若しくは中間純損失又は当期純利益若しくは当期純損失

3. its interim net income or interim net loss, or its net income for the period or net loss for the period;

（4） 資本金及び発行済株式の総数

4. its stated capital and total number of issued shares;

（5） 純資産額

5. the amount of its net assets;

（6） 総資産額

6. the amount of its total assets;

（7） 預金残高

7. the balance of its deposits;

（8） 貸出金残高

8. the balance of its loans;

（9） 有価証券残高

9. the balance of its securities;

（10） 単体自己資本比率（法第十四条の二第一号に規定する基準に係る算式により得られる比率（第五号ルに規定する単体レバレッジ比率を除く。）をいう。第五号、第二十二條第一項第九号、第二十二條の二第一項第九号及び第三十四條の十九の五第二項第二号において同じ。）

10. its non-consolidated capital adequacy ratio (meaning the ratio arrived at by the formula associated with the criterion as prescribed in Article

14-2, item (i) of the Act (excluding the non-consolidated leverage ratio provided in item (v), (j); the same applies in item (v); Article 22, paragraph (1), item (ix); and Article 22-2, paragraph (1), item (ix) and Article 34-19-5, paragraph (2), item (ii));

(1 1) 配当性向

11. its dividend payout rate;

(1 2) 従業員数

12. the number of its employees;

(1 3) 信託報酬

13. its trust remuneration;

(1 4) 信託勘定貸出金残高

14. the loan balance of its trust accounts;

(1 5) 信託勘定有価証券残高

15. the balance of securities of its trust accounts; and

(1 6) 信託財産額

16. the amount of its trust assets;

ハ 直近の二中間事業年度又は二事業年度における業務の状況を示す指標として別表第一に掲げる事項

(c) the particulars set forth in Appended Table 1 as an indicator of the condition of business in the latest two interim periods of business year or for the latest two business years;

四 銀行の業務の運営に関する次に掲げる事項

(iv) the following particulars on the management of the bank's services:

イ リスク管理の体制

(a) its risk management system; and

ロ 法令遵守の体制

(b) its compliance system;

ハ 中小企業の経営の改善及び地域の活性化のための取組の状況

(c) the status of its measures for improving management of small and medium-sized enterprises and for regional revitalization;

ニ 次に掲げる場合の区分に応じ、それぞれ次に定める事項

(d) the particulars prescribed below in accordance with the categories of cases set forth therein:

(1) 指定紛争解決機関が存在する場合 当該銀行が法第十二条の三第一項第一号に定める手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定紛争解決機関の商号又は名称

1. if there is a designated dispute resolution organization: the trade name or name of the designated dispute resolution organization which is the other party to the basic contract for the implementation of dispute resolution procedures with which the bank takes a measure to conclude that contract, as prescribed in Article 12-3, paragraph (1), item (i) of

the Act;

- (2) 指定紛争解決機関が存在しない場合 当該銀行の法第十二条の三第一項第二号に定める苦情処理措置及び紛争解決措置の内容

2. if there is no designated dispute resolution organization: the details of the complaint handling measures and the dispute resolution measure of the bank prescribed in Article 12-3, paragraph (1), item (ii) of the Act; and

五 銀行の直近の二中間事業年度又は二事業年度における財産の状況に関する次に掲げる事項

- (v) the following particulars on the financial status of the bank in the latest two interim periods of business year or for the latest two business years:

イ 中間貸借対照表又は貸借対照表、中間損益計算書又は損益計算書及び中間株主資本等変動計算書又は株主資本等変動計算書

- (a) interim balance sheets, interim profit and loss statements, and interim statements of changes in net assets, or, balance sheets, profit and loss statements, and statements of changes in net assets;

ロ 貸出金のうち次に掲げるものの額及びその合計額

- (b) the amount as set forth in the following out of the loans, and the total of these amounts:

- (1) 破綻先債権（元本又は利息の支払の遅延が相当期間継続していることその他の事由により元本又は利息の取立て又は弁済の見込みがないものとして未収利息を計上しなかつた貸出金（貸倒償却を行つた部分を除く。以下「未収利息不計上貸出金」という。）のうち、法人税法施行令（昭和四十年政令第九十七号）第九十六条第一項第三号イからホまでに掲げる事由又は同項第四号に規定する事由が生じているものをいう。以下同じ。）に該当する貸出金

1. loans corresponding to loans to bankrupt borrowers (meaning those arising from loans on which accrued interest has not been recorded since it is considered unlikely for the bank to collect the principal or interest or for the debtors to pay the principal or interest (excluding the portion of such a loan that has been written off as uncollectible; hereinafter referred to as a "loan with unrecorded accrued interest") because its payment has been delayed for a considerable period or because of other reasons, and those which there are grounds as set forth in Article 96, paragraph (1), item (iii), (a) through (e) of the Order for Enforcement of the Corporation Tax Act (Cabinet Order No. 97 of 1965) or ground as prescribed in item (iv) of that paragraph; the same applies hereinafter);

- (2) 延滞債権（未収利息不計上貸出金であつて、（1）に掲げるもの及び債務者の経営再建又は支援を図ることを目的として利息の支払を猶予したものの以外のもをいう。以下同じ。）に該当する貸出金

2. loans corresponding to overdue loans (meaning those with unrecorded accrued interest that are other than those as set forth in sub-item 1 and those for which the bank has deferred a debtor's paying interest in order to facilitate reorganization of a debtor's management or support of the debtor; the same applies hereinafter);
- (3) 三カ月以上延滞債権（元本又は利息の支払が約定支払日の翌日から三月以上遅延している貸出金（（1）及び（2）に掲げるものを除く。）をいう。以下同じ。）に該当する貸出金
3. loans corresponding to those overdue for three months or more (meaning loans (excluding those as set forth in sub-item 1 and sub-item 2) for which payment of principal or interest has been delayed for three months or more from the date following the agreed payment date; the same applies hereinafter); and
- (4) 貸出条件緩和債権（債務者の経営再建又は支援を図ることを目的として、金利の減免、利息の支払猶予、元本の返済猶予、債権放棄その他の債務者に有利となる取決めを行つた貸出金（（1）、（2）及び（3）に掲げるものを除く。）をいう。以下同じ。）に該当する貸出金
4. loans corresponding to restructured loans (meaning loans (excluding those as set forth in sub-item 1, sub-item 2 and sub-item 3) that entered into an agreement to exempt or reduce interest rate, defer payment of interest, defer payment of principal, waiver claim, or other agreements advantageous to a debtor, for the purpose of facilitating reorganization of a debtor's management or support of the debtor; the same applies hereinafter);
- ハ 元本補填契約のある信託（信託財産の運用のため再信託された信託を含む。）に係る貸出金のうち破綻先債権、延滞債権、三カ月以上延滞債権及び貸出条件緩和債権に該当するものの額並びにその合計額
- (c) the amount of loans pertaining to a trust (including a trust that is re-entrusted for the management of trust assets) with a contract indemnifying the principal amounts that correspond to loans to bankrupt borrowers, overdue loans, loans overdue for three months or more, and restructured loans, and the total amount of those loans;
- ニ 自己資本の充実の状況について金融庁長官が別に定める事項
- (d) the particulars specified separately by the Commissioner of the Financial Services Agency concerning the condition of adequacy of equity capital;
- ホ 経営の健全性の状況について金融庁長官が別に定める事項（ニに掲げる事項を除く。）
- (e) the particulars specified separately by the Commissioner of the Financial Services Agency concerning the condition of soundness in management (excluding the particulars set forth in (d));
- ヘ 次に掲げるものに関する取得価額又は契約価額、時価及び評価損益

- (f) an acquisition price, a contract price, a current price, and a revaluation gain or loss of the followings:
- (1) 有価証券
 - 1. securities;
 - (2) 金銭の信託
 - 2. money trusts; and
 - (3) 第十三条の三第一項第五号イからホまでに掲げる取引
 - 3. transactions as set forth in Article 13-3, paragraph (1), item (v), (a) through (e);
- ト 貸倒引当金の期末残高及び期中の増減額
- (g) the balance at the end of business year and changes during the business year of the allowance for doubtful accounts;
- チ 貸出金償却の額
- (h) the amount of loan amortization;
- リ 法第二十条第一項の規定により作成した書面（同条第三項の規定により作成された電磁的記録を含む。）について会社法第三百九十六条第一項による会計監査人の監査を受けている場合にはその旨
- (i) an indication that the documents (including an electronic or magnetic record prepared pursuant to the provisions of paragraph (3) of that Article) prepared pursuant to the provisions of Article 20, paragraph (1) of the Act have been audited by financial auditors pursuant to Article 396, paragraph (1) of the Companies Act if that is the case;
- ヌ 銀行が中間貸借対照表又は貸借対照表、中間損益計算書又は損益計算書及び中間株主資本等変動計算書又は株主資本等変動計算書について金融商品取引法第九十三条の二の規定に基づき公認会計士（公認会計士法（昭和二十三年法律第百三十三号）第十六条の二第五項に規定する外国公認会計士を含む。以下同じ。）又は監査法人の監査証明を受けている場合にはその旨
- (j) an indication that a bank has had an audit certification done by a certified public accountant (including a foreign certified public accountant prescribed in Article 16-2, paragraph (5) of the Certified Public Accountants Act (Act No. 103 of 1948); the same applies hereinafter) or auditing firm based on provisions of Article 193-2 of the Financial Instruments and Exchange Act for an interim balance sheet, an interim profit and loss statement, and an interim statement of changes in net assets, or, for a balance sheet, a profit and loss statement, and a statement of changes in net assets, if that is the case; or
- ル 単体自己資本比率及び単体レバレッジ比率（法第十四条の二第一号に規定する基準に係る算式により得られる比率（単体自己資本比率を除く。）をいう。）の算定に関する外部監査を受けている場合にはその旨
- (k) an indication that an external audit has been conducted concerning the calculation of the non-consolidated capital adequacy ratio and the non-

consolidated leverage ratio (meaning the ratio arrived at by the formula associated with the criterion as prescribed in Article 14-2, item (i) of the Act (excluding the non-consolidated capital adequacy ratio)), if that is the case.

六 報酬等（報酬、賞与その他の職務執行の対価として銀行から受ける財産上の利益又は労働基準法（昭和二十二年法律第四十九号）第十一条に規定する賃金をいう。）に関する事項であつて、銀行の業務の運営又は財産の状況に重要な影響を与えるものとして金融庁長官が別に定めるもの

(vi) the particulars of remuneration, etc. (meaning remuneration, bonuses or any other type of economic benefit payable from the bank as consideration for performance of duties or wages prescribed in Article 11 of the Labor Standards Act (Act No. 49 of 1947)) which are specified separately by the Commissioner of the Financial Services Agency as particulars that may have a significant impact on the conditions of business operation or assets of the bank; and

七 事業年度の末日（中間説明書類にあつては、中間事業年度の末日）において、当該銀行が将来にわたつて事業活動を継続するとの前提に重要な疑義を生じさせるような事象又は状況その他当該銀行の経営に重要な影響を及ぼす事象（以下この号及び次条第五号において「重要事象等」という。）が存在する場合には、その旨及びその内容、当該重要事象等についての分析及び検討内容並びに当該重要事象等を解消し、又は改善するための対応策の具体的内容

(vii) an indication that, at the end of the business period (at the end of interim business period, in the case of preparing interim explanatory documents), an event or circumstances that cast serious doubt on the premise that the bank will continue its business in the future or any other event that may have a significant effect on the management of the bank (hereinafter referred to as a "material event, etc." in this item and in item (v) of the following Article) exists, and the details of that event, the results of analysis and examination of the significant event, etc., and the specific content of the measures to be taken to eliminate or improve the significant event, etc.,

2 前項の規定にかかわらず、外国銀行支店に係る法第二十一条第一項前段に規定する内閣府令で定めるものは、次に掲げる事項（中間説明書類にあつては、第一号イに掲げる事項を除く。）とする。

(2) Notwithstanding the provisions of the preceding paragraph, the particulars specified by Cabinet Office Order that are provided for in the first sentence of Article 21, paragraph (1) of the Act regarding a foreign bank branch are the following particulars (excluding the particulars set forth in item (i), (a), in the case of preparing interim explanatory documents).

一 外国銀行支店の概況に関する次に掲げる事項

(i) the following particulars on the overview of the foreign bank branch:

イ 外国銀行支店の日本における代表者の氏名及び役職名

- (a) the name and title of the representative in Japan of the foreign bank branch;
- ロ 外国銀行支店に係る外国銀行の株式等につき、保有の多い順に十以上の株式等の保有者に関する次に掲げる事項
- (b) the following particulars on more than ten top owners in number of shares or equity held, with regard to shares or equity in a foreign bank to which a foreign bank branch pertains:
- (1) 氏名（株式等の保有者が法人その他の団体である場合には、その名称）
1. names of the owners (names of a corporation or other organization, if the owner is the corporation or other organization);
- (2) 株式等の各保有者が有する株式等の数又は額
2. the number or amount of shares or equity held by each owner of shares or equity;
- (3) 発行済株式等に占める株式等の各保有者が有する株式等の割合
3. percentage of shares or equity held by each owner of shares or equity to issued shares or contribution;
- ハ 営業所の名称及び所在地
- (c) the name and location of its business offices;
- ニ 当該外国銀行支店を所属銀行とする銀行代理業者に関する次に掲げる事項
- (d) the following particulars on the bank agent which has the foreign bank branch as its principal bank:
- (1) 当該銀行代理業者の商号、名称又は氏名
1. the bank agent's trade name or name; and
- (2) 当該銀行代理業者が当該外国銀行支店のために銀行代理業を営む営業所又は事務所の名称
2. names of business offices or offices where the bank agent carries out its bank agency services for the foreign bank branch;
- 二 外国銀行支店の直近の中間事業年度又は事業年度における事業の概況
- (ii) outlook of business of the foreign bank branch in the latest interim period of business year or for the latest business year; and
- 三 外国銀行支店の直近の二中間事業年度又は二事業年度の中間貸借対照表又は貸借対照表及び中間損益計算書又は損益計算書
- (iii) interim balance sheets and interim profit and loss statements of the foreign bank branch in the latest two interim periods of business year, or balance sheets and profit and loss statements of the foreign bank branch for the latest two business years.
- 3 外国銀行支店は、前項に規定する事項を記載した説明書類に加え、当該外国銀行支店に係る外国銀行又は当該外国銀行を子会社とする持株会社であつて外国の法令に準拠して設立された会社（次項において「外国銀行持株会社」という。）の業務及び財産の状況に関する事項を記載した書面（日本語以外で記載されたものを含む。）を当該外国銀行支店（無人の営業所を除く。次項において同じ。）に備え置き、公衆の縦

覧に供しななければならない。

(3) In addition to explanatory documents stating the particulars prescribed in the preceding paragraph, a foreign bank branch must keep documents (including those written in language other than Japanese) that state particulars on the condition of business and assets of the company that is a foreign bank to which the foreign bank branch pertains or a holding company that has the foreign bank as its subsidiary company and is established based on foreign laws and regulations (which is referred to as a "foreign bank holding company" in the following paragraph), at the foreign bank branch (excluding an unmanned business office; the same applies in the following paragraph), and must make the documents available for public inspection.

4 前項に規定する書面が日本語以外で記載されたものである場合には、外国銀行支店は、当該書面に加え、当該外国銀行支店に係る外国銀行又は外国銀行持株会社に係る事業の概況並びに中間貸借対照表又は貸借対照表及び中間損益計算書又は損益計算書について日本語で記載された書面を作成し、当該外国銀行支店に備え置き、公衆の縦覧に供しななければならない。

(4) If documents as prescribed in the preceding paragraph are written in a language other than Japanese, in addition to those documents, a foreign bank branch must prepare documents written in Japanese regarding the outlook of business pertaining to a foreign bank or a foreign bank holding company to which the foreign bank branch pertains, and regarding its interim balance sheet and its interim profit and loss statement or its balance sheet and its profit and loss statement, must keep them at the foreign bank branch and make them available for public inspection.

5 法第二十一条第一項前段に規定する内閣府令で定める営業所は、次に掲げる営業所とする。

(5) A business office as specified by Cabinet Office Order that is provided for in the first sentence of Article 21, paragraph (1) of the Act is the following business offices:

一 銀行の無人の営業所

(i) a bank's unmanned business office; and

二 銀行の外国に所在する営業所

(ii) a bank's business office located in a foreign state.

第十九条の三 法第二十一条第二項前段に規定する内閣府令で定めるものは、次に掲げる事項（中間説明書類にあつては、第一号、第三号へ及び第四号に掲げる事項を除く。）とする。

Article 19-3 The particulars specified by Cabinet Office Order that are provided for in the first sentence of Article 21, paragraph (2) of the Act are the following particulars (excluding the particulars set forth in item (i), item (iii), (f), and item (iv), in the case of preparing interim explanatory documents):

一 銀行及びその子会社等（法第二十一条第二項前段に規定する説明書類の内容に重要な影響を与えない子会社等を除く。以下この条において同じ。）の概況に関する次に掲げる事項

(i) the following particulars on the outlook of a bank and its subsidiary company, etc. (excluding a subsidiary company, etc. that does not have a significant effect on the content of explanatory documents as prescribed in the first sentence of Article 21, paragraph (2) of the Act; hereinafter the same applies in this Article):

イ 銀行及びその子会社等の主要な事業の内容及び組織の構成

(a) the content of the main business and organizational structure of the bank and its subsidiary company, etc.;

ロ 銀行の子会社等に関する次に掲げる事項

(b) the following particulars on the bank's subsidiary company, etc.:

(1) 名称

1. its name;

(2) 主たる営業所又は事務所の所在地

2. the location of its main business office or its main office;

(3) 資本金又は出資金

3. its stated capital or its contribution in capital;

(4) 事業の内容

4. the content of its business;

(5) 設立年月日

5. the date of its establishment;

(6) 銀行が保有する子会社等の議決権の総株主又は総出資者の議決権に占める割合

6. the percentage of the total shareholder or total investor voting rights that the voting rights the bank holds in the subsidiary company, etc. account for; and

(7) 銀行の一の子会社等以外の子会社等が保有する当該一の子会社等の議決権の総株主、総社員又は総出資者の議決権に占める割合

7. the percentage of voting rights in a single subsidiary company, etc. of the bank which are held by the bank's subsidiary company, etc. other than the single subsidiary company, etc., to all shareholders', all members' or all investors' voting rights.

二 銀行及びその子会社等の主要な業務に関する事項として次に掲げるもの

(ii) the following particulars on the main business of the bank and its subsidiary company, etc.:

イ 直近の中間事業年度又は事業年度における事業の概況

(a) the overview of business in the latest interim period of business year or for the latest business year; and

ロ 直近の三中間連結会計年度（中間連結財務諸表の作成に係る期間をいう。以下

同じ。)及び二連結会計年度(連結財務諸表の作成に係る期間をいう。以下同じ。)又は直近の五連結会計年度における主要な業務の状況を示す指標として次に掲げる事項

(b) the following particulars, as an indicator of the condition of the main business in the latest three interim periods of consolidated fiscal year (meaning a period pertaining to the preparation of interim consolidated financial statements; the same applies hereinafter) and the latest two consolidated fiscal years (meaning a period pertaining to preparation of consolidated financial statements; the same applies hereinafter) or for the latest five consolidated fiscal years:

(1) 経常収益又はこれに相当するもの

1. its ordinary income or any amount equivalent thereto;

(2) 経常利益若しくは経常損失又はこれに相当するもの

2. its ordinary profit or ordinary loss, or any amount equivalent thereto;

(3) 親会社株主に帰属する中間純利益若しくは親会社株主に帰属する中間純損失又は親会社株主に帰属する当期純利益若しくは親会社株主に帰属する当期純損失

3. its interim net income attributable to the shareholders of the parent company or interim net loss attributable to the shareholders of the parent company, or, its net income for the period attributable to the shareholders of the parent company or net loss for the period attributable to the shareholders of the parent company;

(4) 包括利益

4. its comprehensive income;

(5) 純資産額

5. the amount of its net assets;

(6) 総資産額

6. the amount of its total assets; and

(7) 連結自己資本比率

7. its consolidated capital adequacy ratio;

三 銀行及びその子会社等の直近の二中間連結会計年度又は二連結会計年度における財産の状況に関する次に掲げる事項

(iii) the following particulars on the financial status of the bank and its subsidiary company, etc., in the latest two interim periods of consolidated fiscal year or for the latest two consolidated fiscal years:

イ 中間連結貸借対照表又は連結貸借対照表、中間連結損益計算書又は連結損益計算書及び中間連結株主資本等変動計算書又は連結株主資本等変動計算書(これらに類する事項を含む。トにおいて同じ。)

(a) interim consolidated balance sheets, interim consolidated profit and loss statements, and interim consolidated statements of changes in net assets, or consolidated balance sheets, consolidated profit and loss statements,

- and consolidated statements of changes in net assets (including documents similar thereto; the same applies in sub-item (g));
- ロ 貸出金のうち次に掲げるものの額及びその合計額
- (b) the amounts as set forth in the following out of the loans, and the total of those amounts:
- (1) 破綻先債権に該当する貸出金
 1. loans corresponding to loans to bankrupt borrowers;
 - (2) 延滞債権に該当する貸出金
 2. loans corresponding to overdue loans;
 - (3) 三カ月以上延滞債権に該当する貸出金
 3. loans corresponding to loans overdue for three months or more; and
 - (4) 貸出条件緩和債権に該当する貸出金
 4. loans corresponding to restructured loans;
- ハ 自己資本の充実の状況について金融庁長官が別に定める事項
- (c) the particulars specified separately by the Commissioner of the Financial Services Agency on the condition of adequacy of equity capital;
- ニ 経営の健全性の状況について金融庁長官が別に定める事項（ハに掲げる事項を除く。）
- (d) the particulars specified separately by the Commissioner of the Financial Services Agency on the condition of soundness in management (excluding the particulars set forth in (c));
- ホ 連結財務諸表規則第十五条の二第一項に規定するセグメント情報又はこれに相当するもの
- (e) segment information prescribed in Article 15-2, paragraph (1) of the Regulation on Consolidated Financial Statement or information equivalent thereto;
- ヘ 法第二十条第二項の規定により作成した書面（同条第三項の規定により作成された電磁的記録を含む。）について会社法第三百九十六条第一項による会計監査人の監査を受けている場合にはその旨
- (f) an indication that the documents prepared pursuant to the provisions of Article 20, paragraph (2) of the Act (including an electronic or magnetic record that is prepared pursuant to the provisions of paragraph (3) of that Article) has been audited by financial auditors pursuant to Article 396, paragraph (1) of the Companies Act, if that is the case;
- ト 銀行が中間連結貸借対照表又は連結貸借対照表、中間連結損益計算書又は連結損益計算書及び中間連結株主資本等変動計算書又は連結株主資本等変動計算書について金融商品取引法第九十三条の二の規定に基づき公認会計士又は監査法人の監査証明を受けている場合にはその旨
- (g) an indication that the bank has had an audit certification done by a certified public accountant or an auditing firm based on the provisions of Article 193-2 of the Financial Instruments and Exchange Act for its

interim consolidated balance sheet, interim consolidated profit and loss statement, and interim consolidated statement of changes in net assets, or, for its consolidated balance sheet, consolidated profit and loss statement, and consolidated statement of changes in net assets, if that is the case; and
チ 連結自己資本比率及び連結レバレッジ比率（法第十四条の二第二号に規定する基準に係る算式により得られる比率（連結自己資本比率を除く。）をいう。）の算定に関する外部監査を受けている場合にはその旨

(h) an indication that an external audit has been conducted concerning the calculation of the consolidated capital adequacy ratio and the consolidated leverage ratio (meaning the ratio arrived at by the formula associated with the criterion as prescribed in Article 14-2, item (ii) of the Act (excluding the consolidated capital adequacy ratio)), if that is the case;

四 報酬等（報酬、賞与その他の職務執行の対価として銀行若しくはその子会社等から受ける財産上の利益又は労働基準法第十一条に規定する賃金をいう。）に関する事項であつて、銀行及びその子会社等の業務の運営又は財産の状況に重要な影響を与えるものとして金融庁長官が別に定めるもの

(iv) the particulars of remuneration, etc. (meaning remuneration, bonuses or any other type of economic benefit payable from a bank or its subsidiary company, etc. as consideration for performance of duties or wages prescribed in Article 11 of the Labor Standards Act) which are specified separately by the Commissioner of the Financial Services Agency as particulars that may have a significant impact on the conditions of business operation or assets of the bank or its subsidiary company, etc.;

五 事業年度の末日（中間説明書類にあつては、中間事業年度の末日）において、重要事象等が存在する場合には、その旨及びその内容、当該重要事象等についての分析及び検討内容並びに当該重要事象等を解消し、又は改善するための対応策の具体的内容

(v) an indication that, at the end of the business period (at the end of interim business period, in the case of preparing interim explanatory documents), a significant event, etc. exists, if that is the case, and, the details of that event, the results of analysis and examination of the significant event, etc., and the specific content of the measures to be taken to eliminate or improve the significant event, etc.; and

六 特例企業会計基準等適用法人等にあつては、その採用する企業会計の基準

(vi) in the case of a corporation, etc. subject to special business accounting standards, etc., the business accounting standards adopted thereby.

第十九条の四 銀行は、法第二十条第一項又は第二項及び法第二十一条第一項又は第二項の規定により作成した書面（外国銀行支店にあつては、第十九条の二第三項及び第四項に規定する書面を含み、法第二十条第三項及び法第二十一条第三項の規定により作成された電磁的記録を含む。以下この項及び次項において「縦覧書類」という。）

の縦覧を、当該銀行の中間事業年度及び事業年度経過後四月以内（外国銀行支店にあつては、中間事業年度及び事業年度経過後六月以内）に開始し、当該中間事業年度及び事業年度の翌中間事業年度及び翌事業年度に係るそれぞれの縦覧書類の縦覧を開始するまでの間、公衆の縦覧に供しなければならない。

Article 19-4 (1) A bank must commence making available documents (including documents prescribed in Article 19-2, paragraph (3) and paragraph (4) in the case of a foreign bank branch; and including an electronic or magnetic record prepared pursuant to Article 20, paragraph (3) of the Act, and Article 21, paragraph (3) of the Act; they are referred to as "documents subject to public inspection" in this paragraph and the following paragraph) prepared pursuant to the provisions of Article 20, paragraph (1) or paragraph (2) and Article 21, paragraph (1) or paragraph (2) of the Act, for public inspection, within four months after the end of an interim period of a business year and within four months after the end of a business year of the bank (within six months after the end of an interim period of a business year and within six months after the end of a business year in the case of a foreign bank branch), and must continue to do so until the bank commences to make each of the documents subject to public inspection that pertain to an interim period of the following business year after that interim period of the business year and that pertain to the following business year after that business year available for public inspection.

2 銀行は、やむを得ない理由により前項に規定する期間までに縦覧書類の縦覧を開始できない場合には、あらかじめ金融庁長官（金融庁長官の指定する銀行以外の銀行にあつては、当該銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にあつては、福岡財務支局長））の承認を受けて、当該縦覧の開始を延期することができる。

(2) If a bank is unable to commence making documents subject to public inspection available for public inspection by the period prescribed in the preceding paragraph due to compelling reasons, the bank may obtain an approval from the Commissioner of the Financial Services Agency in advance (that of the Director General of the Local Finance Bureau that has jurisdiction over the locality of the head office of a bank (or, the Director General of the Fukuoka Local Finance Branch Bureau, if that locality is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau) if the bank is a bank that is not designated by the Commissioner of the Financial Services Agency) and may postpone the commencement of the public inspection.

3 銀行は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(3) If a bank seeks to obtain an approval under the preceding paragraph, the bank must attach a written statement of reasons to a written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authorities.

4 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行が第一項の規定による縦覧の開始を延期することについてやむを得ない理由があるかどうかを審査するものとする。

(4) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank filling the application has a compelling reason to postpone commencement of public inspection as under the provisions of paragraph (1).

5 法第二十一条第四項（同条第五項において準用する場合を含む。）に規定する内閣府令で定める措置は、電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

(5) The measure specified by Cabinet Office Order that is provided for in Article 21, paragraph (4) of the Act (including as applied mutatis mutandis pursuant to paragraph (5) of that Article) is to be a measure that is taken to indicate the information that has been recorded in an electronic or magnetic record on a sheet of paper or to display it on a screen.

第十九条の五 銀行は、四半期ごとに、法第二十一条第七項に規定する預金者その他の顧客が当該銀行及びその子会社等の業務及び財産の状況を知るために参考となるべき事項のうち特に重要なもの（金融庁長官が別に定める事項を含む。）の開示に努めなければならない。

Article 19-5 A bank must disclose especially important particulars (including the particulars specified separately by the Commissioner of the Financial Services Agency) out of the information that serves as reference for a depositor as prescribed in Article 21, paragraph (7) of the Act and other customers to learn the condition of business and assets of the bank and its subsidiary company, etc.

（事業報告等の記載事項）

（Information to Be Stated in a Business Report）

第二十条 法第二十二条の規定による事業報告は、別紙様式第九号（特定取引勘定設置銀行にあつては別紙様式第九号の二）により作成しなければならない。

Article 20 (1) Business reports as prescribed in Article 22 of the Act must be prepared pursuant to the Appended Form No. 9 (with regard to a bank with specified transaction account, the Appended Form No. 9-2).

2 法第二十二条の規定による附属明細書は、別紙様式第十号により作成しなければならない。

(2) Annexed detailed statement pursuant to the provisions of Article 22 of the Act must be prepared pursuant to the Appended Form No. 10.

（銀行がその経営を支配している法人）

(Corporation Whose Management Is Controlled by a Bank)

第二十一条 法第二十四条第二項に規定する内閣府令で定めるものは、当該銀行の子法人等（当該銀行の子会社を除く。）とする。

Article 21 The corporation specified by Cabinet Office Order that is provided for in Article 24, paragraph (2) of the Act is a subsidiary corporation, etc. of the bank (excluding a subsidiary company of the bank).

第五章 合併、会社分割又は事業の譲渡若しくは譲受け

Chapter V Mergers, Company Splits, and Business Transfers and Acquisitions

(合併の認可の申請)

(Application for Approval of Merger)

第二十二条 銀行は、法第三十条第一項の規定による合併の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 22 (1) When seeking authorization for a merger under the provisions of Article 30, paragraph (1) of the Act, a bank must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 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 proving that necessary procedures were taken;

三 合併契約の内容を記載した書面

(iii) a document stating the content of the merger agreement;

四 合併費用を記載した書面

(iv) a document stating the merger costs;

五 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

(v) the latest balance sheet, profit and loss statement, and statement of changes in net assets, and recent daily trial balance sheet;

六 会社法第七百八十四条の二、第七百九十六条の二又は第八百五条の二の規定による請求をした株主があるときは、当該請求に係る手続の経過を記載した書面

(vi) if there is any shareholder that has made a demand under Article 784-2, Article 796-2, or Article 805-2 of the Companies Act, a document stating the progress of the procedures pertaining to the demand;

六の二 会社法第七百八十九条第二項（第三号を除き、同法第七百九十三条第二項において準用する場合を含む。以下同じ。）若しくは第七百九十九条第二項又は第八百十条第二項（第三号を除き、同法第八百十三条第二項において準用する場合を含む。以下同じ。）の規定による公告及び催告（同法第七百八十九条第三項（同法第七百九十三条第二項において準用する場合を含む。以下同じ。）若しくは第七百九

十九条第三項又は第八百十條第三項（同法第八百十三條第二項において準用する場合を含む。以下同じ。）の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告)をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該合併をしても当該債権者を害するおそれがないことを証する書面

(vi)-2 when there are creditors who received public notice or other notices

(when a public notice is given by means of a daily newspaper publishing the particulars on current events or an electronic public notice, in addition to a gazette, pursuant to the provisions of the Article 789, paragraph (3) of the Companies Act (including as applied mutatis mutandis pursuant to Article 793, paragraph (2) of that Act; the same applies hereinafter); Article 799, paragraph (3); or Article 810, paragraph (3) (including as applied mutatis mutandis pursuant to Article 813, paragraph (2) of that Act; the same applies hereinafter), the public notice by these means) pursuant to the provisions of the Article 789, paragraph (2) of that Act (excluding item (iii), and including as applied mutatis mutandis pursuant to Article 793, paragraph (2) of that Act; the same applies hereinafter); Article 799, paragraph (2); or Article 810, paragraph (2) (excluding item (iii), and including as applied mutatis mutandis pursuant to Article 813, paragraph (2) of that Act; the same applies hereinafter), and the creditor filed an objection, a document proving that the debt was paid to the creditor, considerable security was provided to the creditor, or reasonable assets were entrusted for the purpose of providing payment to the creditor, or there is no risk of loss to the creditor if the merger is implemented;

七 合併により消滅する会社又は株式の併合をする会社が株券発行会社であるときは、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面

(vii) if a company disappearing in the merger or a company that consolidates shares is a share certificate-issuing company, a document proving that public notice was made pursuant to the provisions of the main clause of Article 219, paragraph (1) of the Companies Act, or a document proving that share certificates have not been issued with regard to all the shares;

七の二 合併により消滅する会社が新株予約権を発行しているときは、会社法第二百九十三条第一項の規定による公告をしたことを証する書面又は同項に規定する新株予約権証券を発行していないことを証する書面

(vii)-2 if a company disappearing in the merger has issued share options, a document proving that public notice was made pursuant to the provisions of Article 293, paragraph (1) of the Companies Act and a document proving that share options as prescribed in the paragraph have not been issued;

八 私的独占の禁止及び公正取引の確保に関する法律（昭和二十二年法律第五十四号）第十五条第二項の規定による届出をしたことを証明する書面

(viii) a document proving that a notification was submitted pursuant to the provisions of Article 15-2, paragraph (2) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947);

九 合併後存続する銀行又は合併により設立される銀行の定款、取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書、営業所の位置及び当該銀行を所属銀行とする銀行代理業者の当該銀行のために銀行代理業を営む営業所又は事務所の設置の状況を記載した書面並びに合併後における収支及び単体自己資本比率の見込みを記載した書面

(ix) articles of incorporation, resumes of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers), and a document stating the location of business offices of the bank surviving the merger or the bank established in the merger, a document stating the status of establishment of business offices or offices where a bank agent that has that bank as its principal bank carries out bank agency services for the bank, and a document stating prospective income and expenditures and non-consolidated capital adequacy ratio after the merger;

九の二 合併後存続する銀行又は合併により設立される銀行が会計参与設置会社である場合には、当該銀行の会計参与の履歴書

(ix)-2 if the bank surviving the merger or the bank established in the merger is a company with accounting advisors, the resumes of the accounting advisors of that bank;

九の三 合併後存続する銀行又は合併により設立される銀行の会計監査人の履歴書

(ix)-3 the resume of the financial auditor of the bank surviving the merger or the bank established in the merger;

十 合併の当事者の一部が銀行でない場合には、当該銀行でない当事者の従前の定款及び第五号に掲げる書面

(x) if any of the parties to a merger is not a bank, the former articles of incorporation of any party that is not a bank and the documents as set forth in item (v);

十一 合併後存続する銀行又は合併により設立される銀行が当該合併により子会社対象会社（法第十六条の二第一項に規定する子会社対象会社をいい、銀行業高度化等会社を除く。以下この号、次条第一項第十一号及び第二十三条第一項第九号において同じ。）を子会社とする場合には、当該子会社対象会社に関する第十七条の五第一項第四号に掲げる書面

(xi) if the bank surviving the merger or the bank established in the merger would make a company eligible to be a subsidiary company (meaning a company eligible to be a subsidiary company as prescribed in Article 16-2, paragraph (1) of the Act, and excluding an advanced banking service

company; hereinafter the same applies in this item, paragraph (1), item (xi) of the following Article, and Article 23, paragraph (1), item (ix)) its subsidiary company, the documents concerning the company eligible to be a subsidiary company as set forth in Article 17-5, paragraph (1), item (iv);

十一の二 合併後存続する銀行又は合併により設立される銀行が当該合併により銀行業高度化等会社の議決権を合算してその基準議決権数を超過して保有すること又は外国の銀行業高度化等会社を子会社とすることとなる場合には、当該会社に関する第十七条の五の二第一項第四号に掲げる書面

(xi)-2 if the merger would cause the bank surviving the merger or the bank established in the merger to hold voting rights in an advanced banking service company that, when combined, would exceed the maximum threshold for voting rights, or to make a foreign advanced banking service company into a subsidiary company: a document set forth in Article 17-5-2, paragraph (1), item (iv) regarding the company;

十二 合併後存続する銀行又は合併により設立される銀行が子会社等（法第十四条の二第二号に規定する子会社等をいう。以下この号、次条第一項第十二号及び第二十三条第一項第七号において同じ。）を有する場合には、当該銀行及び当該子会社等の収支及び連結自己資本比率の見込みを記載した書面

(xii) if the bank surviving the merger or the bank established in the merger would have a subsidiary company, etc. (meaning a subsidiary company, etc. as prescribed in Article 14-2, item (ii) of the Act; hereinafter the same applies in this item, paragraph (1), item (xii) of the following Article, and Article 23, paragraph (1), item (vii)), a document stating income and expenditures and the consolidated capital adequacy ratio of the bank and the subsidiary company, etc. after the merger;

十三 合併後存続する銀行若しくは合併により設立される銀行又はその子会社が、当該合併により国内の会社の議決権を合算してその基準議決権数を超過して保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(xiii) if the merger would cause the bank surviving the merger, the bank established in the merger, or its subsidiary company to hold voting rights in a domestic company that, when combined, would exceed the maximum threshold for voting rights held, a document stating the name and content of business of the domestic company; and

十四 その他法第三十一条の規定による審査をするため参考となるべき事項を記載した書面

(xiv) other documents stating information that should serve as a reference in conducting an examination under Article 31 of the Act.

2 法第二条第十一項の規定は、前項第十一号の二及び第十三号に規定する議決権について準用する。

(2) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights prescribed in items (xi)-2 and (xiii) of the preceding

paragraph.

(会社分割の認可の申請)

(Application for Authorization of Company Split)

第二十二條の二 銀行は、法第三十條第二項の規定による会社分割の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 22-2 (1) When seeking authorization for a company split pursuant to the provisions of Article 30, paragraph (2) of the Act, a bank must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 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 proving that necessary procedures were taken;

三 新設分割計画又は吸収分割契約の内容を記載した書面

(iii) a document stating content of the incorporation-type company split plan or the absorption-type company split agreement;

四 会社分割費用を記載した書面

(iv) a document stating the costs of the company split;

五 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

(v) the latest balance sheet, profit and loss statement, and statement of changes in net assets, and recent daily trial balance sheet;

六 会社法第七百八十四條の二、第七百九十六條の二又は第八百五條の二の規定による請求をした株主があるときは、当該請求に係る手続の経過を記載した書面

(vi) if there is any shareholder that has made a demand under Article 784-2, Article 796-2, or Article 805-2 of the Companies Act, a document stating the progress of the procedures pertaining to the demand;

六の二 会社法第七百八十九條第二項若しくは第七百九十九條第二項又は第八百十條第二項の規定による公告及び催告（同法第七百八十九條第三項若しくは第七百九十九條第三項又は第八百十條第三項の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告（同法第七百八十九條第三項又は第八百十條第三項の規定により各別の催告をすることを要しない場合以外の場合にあつては、当該公告及び催告））をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該会社分割をしても当該債権者を害するおそれがないことを証する書面

(vi)-2 if there is a creditor that received public notice or other notices (when a public notice is made by means of a daily newspaper publishing the

- particulars on current events or an electronic public notice, in addition to means of a gazette, pursuant to the provisions of the Article 789, paragraph (3); Article 799, paragraph (3); or Article 810, paragraph (3) of the Companies Act, the public notice by these means (when a separate notice is not required pursuant to the provisions of Article 789, paragraph (3) or Article 810, paragraph (3) of that Act, the public notice and other notices)) pursuant to the provisions of the Article 789, paragraph (2); Article 799, paragraph (2); or Article 810, paragraph (2), of the Companies Act, and the creditor filed an objection, a document proving that the debt was paid to the creditor, considerable security was provided to the creditor, or reasonable assets were entrusted for the purpose of providing payment to the creditor, or there is no risk of loss to the creditor, if the company split is implemented;
- 七 株券発行会社が株式の併合をする場合には、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面
- (vii) if a share certificate-issuing company would consolidate shares, a document proving that public notice has been made pursuant to the provisions of Article 219, main clause of paragraph (1) of the Companies Act, or a document proving that share certificates have not been issued with regard to all the shares;
- 七の二 会社分割をする会社が新株予約権を発行している場合であつて、会社法第七百五十八条第五号又は第七百六十三条第一項第十号に規定する場合には、同法第二百九十三条第一項の規定による公告をしたことを証する書面又は同項に規定する新株予約権証券を発行していないことを証する書面
- (vii)-2 if the company to be split has issued share options and if it is as prescribed in Article 758, item (v) or Article 763, paragraph (1), item (x) of the Companies Act, a document proving that public notice was made pursuant to the provisions of Article 293, paragraph (1) of the Act and a document proving that certificates of share options as prescribed in the paragraph have not been issued;
- 八 私的独占の禁止及び公正取引の確保に関する法律第十五条の二第二項又は第三項の規定による届出を要する場合には、当該届出をしたことを証明する書面
- (viii) if a notification is required pursuant to the provisions of Article 15-2, paragraphs (2) or (3) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, a document proving that the notification was submitted;
- 九 当該会社分割を行つた後における銀行の定款、取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書、営業所の位置及び当該銀行を所属銀行とする銀行代理業者の当該銀行のために銀行代理業を営む営業所又は事務所の設置の状況を記載した書面並びに収支及び単体自己資本比率の見込みを記載した書面

(ix) articles of incorporation, resumes of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers), and a document stating the location of business offices of the bank after the company split, a document stating the condition of the establishment of business offices or offices where a bank agent that has that bank as its principal bank carries out bank agency services for the bank, and a document stating prospective income and expenditures and non-consolidated capital adequacy ratio after the company split;

九の二 当該会社分割を行つた後における銀行が会計参与設置会社である場合には、当該銀行の会計参与の履歴書

(ix)-2 if the bank after the company split would be a company with accounting advisors, resumes of the accounting advisors of the bank;

九の三 当該会社分割を行つた後における銀行の会計監査人の履歴書

(ix)-3 the resume of the financial auditor of the bank after the company split;

十 会社分割の当事者の一部が銀行でない場合には、当該銀行でない会社の従前の定款及び第五号に掲げる書面

(x) if any of the parties to the company split is not a bank, the former articles of incorporation of the party that is not a bank and the documents as set forth in item (v);

十一 当該会社分割により子会社対象会社を子会社とする場合には、当該子会社対象会社に関する第十七条の五第一項第四号に掲げる書面

(xi) if the company split would make a company eligible to be a subsidiary company the subsidiary company of the relevant person, the documents concerning the company eligible to be a subsidiary company as set forth in Article 17-5, paragraph (1), item (iv);

十一の二 当該会社分割により銀行業高度化等会社の議決権を合算してその基準議決権数を超過して保有すること又は外国の銀行業高度化等会社を子会社とすることとなる場合には、当該会社に関する第十七条の五の二第一項第四号に掲げる書面

(xi)-2 if the company split would cause the relevant person to hold voting rights in an advanced banking service company that, when combined, would exceed the maximum threshold for voting rights, or to make a foreign advanced banking service company into a subsidiary company, a document set forth in Article 17-5-2, paragraph (1), item (iv) regarding the company;

十二 当該会社分割を行つた後における銀行が子会社等を有する場合には、当該銀行及び当該子会社等の収支及び連結自己資本比率の見込みを記載した書面

(xii) if the bank after the company split would have a subsidiary company, etc., a document stating the prospective income and expenditures and consolidated capital adequacy ratio of the bank and the subsidiary company, etc.;

十三 当該会社分割により当該銀行の子会社が子会社でなくなる場合には、当該子会

社の名称を記載した書面

(xiii) if the company split would cause a subsidiary company of the bank to cease to be its subsidiary company, a document stating the name of the subsidiary company;

十四 当該会社分割により銀行又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(xiv) if the company split would cause the bank or its subsidiary company to hold voting rights in a domestic company that, when combined, would exceed the maximum threshold for voting rights, a document stating the name and content of business of the domestic company; and

十五 その他法第三十一条の規定による審査をするため参考となるべき事項を記載した書面

(xv) other documents stating information that should serve as a reference in conducting an examination under Article 31 of the Act.

2 法第二条第十一项の規定は、前項第十一号の二及び第十四号に規定する議決権について準用する。

(2) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights prescribed in item (xi)-2 and (xiv) of the preceding paragraph.

(事業譲渡等の認可の申請)

(Application for Authorization of Transfer of Business)

第二十三条 銀行は、法第三十条第三項の規定による事業の譲渡又は譲受け（以下この条において「事業譲渡等」という。）の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 23 (1) When seeking authorization for a business transfer or acquisition (hereinafter referred to as a "transfer, etc. of business" in this Article) pursuant to the provisions of Article 30, paragraph (3) of the Act, a bank must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 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 proving that necessary procedures were taken;

三 事業譲渡等の契約の内容を記載した書面

(iii) a document stating the content of the contract for transfer, etc. of business;

四 最近の日計表

(iv) recent daily trial balance sheet;

五 法第三十四条第一項又は第三十五条第一項の規定による公告及び催告（法第三十

四条第三項（法第三十五条第三項において準用する場合を含む。）の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該事業譲渡等をしてても当該債権者を害するおそれがないことを証する書面

(v) if there is a creditor that received public notice or other notice (when a public notice is made by means of a daily newspaper publishing the particulars on current events or an electronic public notice, in addition to means of a gazette, pursuant to the provisions of Article 34, paragraph (3) of the Act (including cases as applied mutatis mutandis pursuant to Article 35, paragraph (3) of that Act), the public notice by these means) pursuant to the provisions of Article 34, paragraph (1) of the Act or Article 35, paragraph (1), and the creditor filed an objection, a document proving that the debt was paid to the creditor, considerable security was provided to the creditor, or reasonable assets were entrusted for the purpose of providing payment to the creditor, or there is no risk of loss to the creditor if the transfer, etc. of business is implemented;

六 私的独占の禁止及び公正取引の確保に関する法律第十六条第二項の規定による届出を要する場合には、当該届出をしたことを証明する書面

(vi) if a notification is required pursuant to the provisions of Article 16, paragraph (2) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, a document proving that the notification was submitted;

七 当該事業譲渡等を行つた後における銀行が子会社等を有する場合には、当該銀行及び当該子会社等の収支及び連結自己資本比率の見込みを記載した書面

(vii) if the bank after the transfer, etc. of business would have a subsidiary company, etc., a document stating the prospective income and expenditures and consolidated capital adequacy ratio of the bank and the subsidiary company, etc.;

八 当該事業の譲渡により当該銀行の子会社が子会社でなくなる場合には、当該子会社の名称を記載した書面

(viii) if the transfer of business would cause a subsidiary company of the bank to no longer be its subsidiary company, a document stating the name of the subsidiary company;

九 当該事業の譲受けにより子会社対象会社を子会社とする場合には、当該子会社対象会社に関する第十七条の五第一項第四号に掲げる書面

(ix) if the transfer of business would cause a company eligible to be a subsidiary company the subsidiary company of the relevant person, the documents concerning the company eligible to be a subsidiary company as set forth in Article 17-5, paragraph (1), item (iv);

九の二 当該事業の譲受けにより銀行業高度化等会社の議決権を合算してその基準議決権数を超えて保有すること又は外国の銀行業高度化等会社を子会社とすることとなる場合には、当該会社に関する第十七条の五の二第一項第四号に掲げる書面

(ix)-2 if the business acquisition would cause the relevant person to hold voting rights in an advanced banking service company which, in total, exceed the maximum threshold for voting rights, or to make a foreign advanced banking service company into a subsidiary company, a document set forth in Article 17-5-2, paragraph (1), item (iv) regarding the company;

十 当該事業の譲受けにより銀行又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(x) if the business acquisition would cause the bank or its subsidiary company to hold voting rights in a domestic company in a total number that exceeds the maximum threshold for voting rights held, a document stating the name and content of business of the domestic company; and

十一 その他法第三十一条の規定による審査をするため参考となるべき事項を記載した書面

(xi) other documents stating information that should serve as a reference in conducting an examination under Article 31 of the Act.

2 法第二条第十一项の規定は、前項第九号の二及び第十号に規定する議決権について準用する。

(2) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights prescribed in item (ix)-2 and (x) of the preceding paragraph.

(合併等の場合に催告を要しない債権者)

(Creditor Not Requiring Demand in Case of Merger)

第二十四条 令第七条に規定する債権者で内閣府令で定めるものは、次に掲げる債権者とする。ただし、第二号から第六号までに掲げる債権者については、法第三十三条の二第一項に規定する会社分割（会社分割により事業を承継させる場合に限る。）の決議をした場合に限る。

Article 24 A creditor as prescribed in Article 7 of the Order as provided by Cabinet Office Order is the following creditors; provided, however that with regard to a creditor as set forth in items (ii) to (vi), limited to the cases of a company split (limited to the case of a succession of business by the company split) as prescribed in Article 33-2, paragraph (1) of the Act, is resolved:

一 保護預り契約に係る債権者

(i) a creditor pertaining to a custody contract;

二 先物為替取引（一定の基準及び方法により行われるものに限る。）に係る債権者

(ii) a creditor pertaining to a forward exchange transaction (limited to transactions conducted with fixed standards and methods);

三 金利又は外国為替に係る店頭デリバティブ取引（金融商品取引法第二条第二十二

項第六号に掲げる取引を除き、公正な商慣習に基づく一定の基準及び方法により行われるものに限る。)に係る債権者

(iii) a creditor pertaining to an over-the-counter derivative transaction (excluding transactions as set forth in Article 2, paragraph (22), item (vi) of the Financial Instruments and Exchange Act, and limited to transactions conducted by fixed standards and methods based on fair commercial customs) pertaining to money rate or foreign exchange;

四 信用状取引（国際取引における公正な商慣習に基づく輸出入取引に係るものに限る。）に係る債権者

(iv) a creditor pertaining to a letter of credit transaction (limited to transactions pertaining to export and import transactions in international transactions based on fair commercial customs);

五 銀行が自己を振出人として振り出した小切手に係る債権者

(v) a creditor pertaining to checks that a bank issued with itself as the drawer; and

六 当せん金付証票法（昭和二十三年法律第百四十四号）第六条第一項に規定する当せん金付証票の発売等に係る債権者

(vi) a creditor pertaining to the sale of lottery tickets as prescribed in Article 6, paragraph (1) of the Public Lottery Ticket Act (Act No. 144 of 1948).

第六章 廃業及び解散

Chapter VI Discontinuance and Dissolution of Banking

（廃業及び解散等の認可の申請）

(Application for Approval of Discontinuance and Dissolution of Banking)

第二十五条 銀行は、法第三十七条第一項の規定による銀行業の廃止、合併又は解散の認可を受けようとするときは、認可申請書に、次の各号に掲げる認可事項に応じ、当該各号に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 25 When seeking authorization for a discontinuation, merger, or dissolution of banking under the provisions of Article 37, paragraph (1) of the Act, a bank must submit a written application for authorization accompanied by the documents set forth in the relevant of the following items for the authorization set forth in that item to the Commissioner of the Financial Services Agency:

一 銀行業の廃止又は解散

(i) discontinuation or dissolution of banking:

イ 理由書

(a) a written statement of reasons;

ロ 株主総会の議事録（外国銀行支店にあつては、当該事項を決議すべき機関の議事録）

(b) minutes of shareholders meetings (with regard to a foreign bank branch,

minutes of the organization that is to reach a resolution on the matter);

ハ 最近の日計表

(c) recent daily trial balance sheet;

ニ 資産及び負債の内容を明らかにした書面

(d) a document identifying the content of assets and liabilities;

ホ 債権債務の処理の方法を記載した書面

(e) a document stating the disposition method of obligations; and

ヘ その他法第三十七条第二項の規定による審査をするため参考となるべき事項を記載した書面

(f) other documents stating information that should serve as a reference in conducting an examination under Article 37, paragraph (2) of the Act;

二 合併

(ii) merger:

イ 第二十二条第一項各号（第九号、第九号の二及び第十一号を除く。）に掲げる書面

(a) documents as set forth in each item of Article 22, paragraph (1) (excluding item (ix), item (ix)-2, and item (xi));

ロ 合併後存続する会社又は合併により設立される会社の定款並びに取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書

(b) articles of incorporation of the company surviving the merger or the company established in the merger, and the resumes of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers);

ハ 合併後存続する会社又は合併により設立される会社が会計参与設置会社である場合には、当該会社の会計参与の履歴書

(c) if the company surviving the merger or the company established in the merger would be a company with accounting advisors, the resumes of the accounting advisors of the company; and

ニ 前号ホ及びヘに掲げる書面

(d) documents as set forth in sub-items (e) and (g) of the preceding item.

(廃業等の公告等)

(Public Notice of Discontinuance)

第二十六条 銀行は、法第三十八条の規定による公告及び掲示をするときは、預金等その他金融庁長官が定める業務に係る取引の処理の方針を示すものとする。

Article 26 When issuing a public notice or making a posting under the provisions of Article 38 of the Act, a bank is to indicate the policies for handling deposits, etc. and other transactions associated with the business that is specified by the Commissioner of the Financial Services Agency.

(免許の効力に係る承認の申請等)

(Application of Approval for Effect of License)

第二十七条 法第四条第一項の内閣総理大臣の免許を受けた者は、法第四十一条第四号の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官に提出しなければならない。

Article 27 (1) If person that has been licensed by the Prime Minister as referred to in Article 4, paragraph (1) of the Act seeks approval under the provisions of Article 41, item (iv) of the Act, that person must submit a written application for approval accompanied by a written statement of reasons to the Commissioner of the Financial Services Agency.

2 金融庁長官は、前項の規定による承認の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to examine whether it conforms to the following standards:

一 法第四条第一項の免許を受けた日から六月以内に業務を開始することができないことについてやむを得ないと認められる理由があること。

(i) what is found to be a compelling reason that the services cannot be commenced within six months from the date on which the license prescribed in Article 4, paragraph (1) of the Act is obtained exists;

二 合理的な期間内に業務を開始できると見込まれること。

(ii) it is expected that the business may be commenced within a reasonable period; and

三 当該免許の際に審査の基礎となつた事項について業務の開始が見込まれる時期までに重大な変更がないと見込まれること。

(iii) at the time of licensing, it is expected that there would be no significant changes in the particulars on which the examination has been based before the time projected for the commencement of business.

第七章 外国銀行支店

Chapter VII Foreign Bank Branches

(外国銀行の営業の免許の申請)

(Application for Foreign Banks' Business Licenses)

第二十八条 外国銀行は、法第四十七条第一項の規定に基づきその主たる外国銀行支店（同項に規定する主たる外国銀行支店をいう。第三十七条第三項において同じ。）を定めて法第四条第一項の規定による営業の免許を受けようとするときは、当該外国銀行の代表権を有する役員が署名した免許申請書に次に掲げる書面を添付して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 28 (1) When a foreign bank specifies its main foreign bank branch

(meaning a main foreign bank branch as prescribed in Article 47, paragraph (1) of the Act; the same applies in Article 37, paragraph (3)) based on the provisions of Article 47, paragraph (1) of the Act and seeks to obtain a business license pursuant to the provisions of Article 4, paragraph (1) of the Act, the foreign bank must submit a written application for license signed by directors who have the authority of representation of the foreign bank accompanied by the following documents to the Prime Minister through the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 定款又は当該外国銀行の性質を識別するに足りる書面

(ii) articles of incorporation or a document sufficient for identifying the characteristics of the foreign bank;

三 当該外国銀行の主たる営業所の存在を証明する書面

(iii) a document proving the existence of the main business office of the foreign bank;

四 当該外国銀行の代表権を有する役員資格を証明する書面

(iv) a document proving the qualification of directors who have the authority of representation of the foreign bank;

五 当該申請に係る外国銀行支店の位置を記載した書面

(v) a document stating the location of the foreign bank branch to which the application pertains;

六 当該申請に係る外国銀行支店の事業開始後三事業年度における収支の見込みを記載した書面

(vi) a document stating the prospective of income and expenditures for three business years after commencement of business of the foreign bank branch to which the application pertains;

七 当該外国銀行支店の日本における代表者の履歴書

(vii) resume of representative in Japan of the foreign bank branch;

七の二 当該外国銀行支店が法第四十七条の二に規定する資本金に対応する資産を国内において保有していることを証する書面

(vii)-2 a document proving that the foreign bank branch holds assets corresponding to the stated capital prescribed in Article 47-2 of the Act in Japan;

八 当該外国銀行の主要な株主又は持分を保有する者（以下この号において「主要株主等」という。）の氏名、住所又は居所、国籍及び職業（主要株主等が法人その他の団体である場合には、その名称、主たる営業所又は事務所の所在地及び営んでいる事業の内容）並びにその保有する株式の数又は出資の金額を記載した書面

(viii) a document stating the name, domicile or residence, nationality, and occupation of any major shareholder or person holding major equity in that foreign bank (hereinafter referred to as a "major shareholder, etc." in this

item) (if a major shareholder, etc. is a corporation or other organizations, its name, location of its main business office or office and the content of business carried out) and the number of shares held by the person or the amount of contribution;

九 当該外国銀行の最終の貸借対照表、損益計算書及び株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(ix) the latest balance sheet of the foreign bank, its profit and loss statement, statement of changes in net assets, and other documents providing the recent condition of business, assets, and profit and loss;

十 当該申請に係る外国銀行支店の設置が外国の行政機関の許可、認可その他の行為（以下この号及び第三十二条第二項において「許可等」という。）を要するものである場合には、当該許可等があつたことを証明する書面

(x) when establishment of a foreign bank branch to which the application pertains requires permission, authorization and other acts (hereinafter referred to as "permission, etc." in this item and Article 32, paragraph (2)) of a foreign administrative organ, a document proving that the permission, etc. was granted; and

十一 その他法第四条第二項及び第三項の規定による審査をするため参考となるべき事項を記載した書面

(xi) other documents stating information that should serve as a reference in conducting an examination under Article 4, paragraphs (2) and (3) of the Act.

2 内閣総理大臣は、前項の免許の申請に係る法第四条第二項の規定による審査をするときは、次に掲げる事項に配慮するものとする。

(2) When the Prime Minister implements an examination under Article 4, paragraph (2) of the Act pertaining to an application for license referred to in the preceding paragraph, the Prime Minister is to take into account the following particulars:

一 当該申請に係る外国銀行支店の法第四十七条の二に規定する資本金に対応する資産の額が令第十三条第二項に規定する額以上であり、かつ、その営もうとする外国銀行支店の業務を健全かつ効率的に遂行するに足りる額であること。

(i) the amount of assets of the foreign bank branch to which the application pertains, which correspond to the stated capital prescribed in Article 47-2 of the Act, is equal to or greater than the amount as prescribed in Article 3, paragraph (2) of the Order and is an amount sufficient for carrying out the business of the foreign bank branch that is to be operated;

二 事業開始後三事業年度を経過する日までの間に当該申請に係る外国銀行支店の一の事業年度における当期利益が見込まれること。

(ii) net profit for one business year of the foreign branch bank to which the application pertains is expected by the day on which three business years have elapsed after commencement of the business;

三 当該申請に係る外国銀行支店の業務に関する十分な知識及び経験を有する日本に

における代表者又は従業員の確保の状況、外国銀行支店の経営管理に係る体制等に照らし、当該申請をした外国銀行が外国銀行支店の業務を的確、公正かつ効率的に遂行することができ、かつ、十分な社会的な信用を有する者であること。

(iii) in light of things such as the extent to which it has secured a representative in Japan or employees who possess sufficient knowledge and experience concerning the business of the foreign bank branch to which the application pertains, and the business management systems of the foreign bank branch, the foreign bank that filed the application is able to carry out the business of the foreign bank branch precisely, fairly, and effectively, and has sufficient social credibility; and

四 当該申請に係る外国銀行支店の業務の内容及び方法が預金者等の保護その他信用秩序の維持の観点から適当であること。

(iv) the content and methods of the business of the foreign bank branch to which the application pertains are appropriate from the standpoint of protection of depositors, etc. and maintenance of an orderly financial system.

(外国銀行の営業の免許の予備審査)

(Preliminary Examination of Foreign Banks' Business Licenses)

第二十九条 法第四十七条第一項の規定に基づき法第四条第一項の規定による営業の免許を受けようとする外国銀行は、前条第一項に定めるところに準じた書面を金融庁長官を経由して内閣総理大臣に提出して予備審査を求めることができる。

Article 29 A foreign bank that seeks to obtain a business license pursuant to the provisions of Article 4, paragraph (1) of the Act based on the provisions of Article 47, paragraph (1) of the Act, may submit documents equivalent to those pursuant to the provisions of paragraph (1) of the preceding Article to the Prime Minister through the Commissioner of the Financial Services Agency and request a preliminary examination.

(外国銀行の業務の代理又は媒介とみなされるもの)

(Actions Deemed to Constitute Actions as an Agent or Intermediary for a Foreign Bank's Services)

第二十九条の二 法第四十七条第三項に規定する内閣府令で定めるものは、外国銀行支店と当該外国銀行支店に係る外国銀行の外国銀行外国営業所を別の法人とみなした場合に、当該外国銀行の外国銀行外国営業所の代理又は媒介に該当すると認められる行為とする。

Article 29-2 The intermediation specified by Cabinet Office Order that is provided for in Article 47, paragraph (3) of the Act means an act that is found to fall under the category of acts as an agent or intermediary for a business office in the home state of the relevant foreign bank, if a foreign bank branch and a business office in the home state of the foreign bank to which that foreign bank branch belongs are deemed to be different corporations.

(外国銀行の免許に係る特殊関係者)

(Persons with a Unique Relationship with the License of a Foreign Bank)

第三十条 令第十一条第四号に規定する内閣府令で定める者は、第三条第二号に規定する国に主たる営業所を設けている二以上の者（そのいずれの者も外国銀行の発行済株式等の百分の五を超える数又は額の株式又は持分を保有しているものに限る。）により合計して外国銀行の発行済株式等の百分の五十を超える数又は額の株式又は持分が保有されている場合における当該二以上の者のいずれかに該当する者とする。

Article 30 The person prescribed by Cabinet Office Order that is provided for in Article 11, item (iv) of the Order means two or more persons that have established a main business office in a country as prescribed in Article 3, item (ii) (but only if both of those persons hold a number or amount of shares or equity that account for over five percent of the issued shares or contribution of a foreign bank) and whose total number or amount of shares or equity accounts for over fifty percent of the issued shares or contribution of a foreign bank.

(預金者等に対する情報の提供)

(Provision of Information to Depositors, etc.)

第三十条の二 外国銀行支店は、預金等の受入れ（法第十三条の四に規定する特定預金等の受入れを除く。）に関し、預金者等の保護に資するため、預金者等に対し、次に掲げる事項を明示しなければならない。

Article 30-2 In order to contribute to the protection of depositors, etc., a foreign bank branch must clearly indicate the following particulars to depositors, etc. with regard to the acceptance of deposits, etc. (excluding the acceptance of specified deposits, etc. as prescribed in Article 13-4 of the Act):

一 取り扱う預金等は、預金保険法第五十三条に規定する保険金の支払の対象ではないこと。

(i) that the deposits, etc. handled are not covered by the payment of insurance money prescribed in Article 53 of the Deposit Insurance Act;

二 外国銀行支店に係る外国銀行が破綻した場合において、預金等の払出しがある場合であつても、当該払出しが迅速に行われないことがあること。

(ii) in the event of the failure of the foreign bank to which the foreign bank branch belongs, paying out of deposits, etc. may not be promptly made even when it is to take place; and

三 その他預金等の預入れに関し参考となると認められる事項

(iii) other information found to be of reference concerning deposit of deposits, etc.

(顧客の利益の保護のための体制整備に係る業務の範囲)

(Scope of Business Pertaining to the Development of a System to Protect Customers' Interests)

第三十条の三 令第九条の規定により読み替えられた法第十三条の三の二第一項に規定する内閣府令で定める業務は、銀行関連業務とする。

Article 30-3 The services specified by Cabinet Office Order that are provided for in Article 13-3-2, paragraph (1) of the Act, by replacing terms pursuant to the provisions of Article 9 of the Order, means bank services.

(顧客の利益が不当に害されることのないよう必要な措置)

(Measures Necessary to Prevent Customers' Interests from Being Unduly Harmed)

第三十条の四 外国銀行支店は、当該外国銀行支店、当該外国銀行支店に係る外国銀行、当該外国銀行支店を所属銀行とする銀行代理業者又は当該外国銀行支店に係る外国銀行の親金融機関等（令第九条の規定により読み替えられた法第十三条の三の二第二項に規定する親金融機関等をいう。以下この条において同じ。）若しくは子金融機関等（令第九条の規定により読み替えられた法第十三条の三の二第三項に規定する子金融機関等をいう。以下この条において同じ。）が行う取引に伴い、当該外国銀行支店、当該外国銀行支店に係る外国銀行、当該外国銀行支店を所属銀行とする銀行代理業者又は当該外国銀行支店に係る外国銀行の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されることのないよう、次に掲げる措置を講じなければならない。

Article 30-4 (1) A foreign bank branch must take the following measures to ensure that a transaction it carries out does not unduly harm the interests of a customer of the bank services it conducts; to ensure that a transaction carried out by the foreign bank to which that foreign bank branch belongs does not unduly harm the interests of a customer of the bank services that foreign bank conducts; to ensure that a transaction carried out by a bank agent that has the relevant foreign bank branch as its principal bank does not unduly harm the interests of a customer of the bank services that bank agent conducts; and to ensure that a transaction carried out by the parent financial institution, etc. (meaning a parent financial institution, etc., prescribed in Article 13-3-2, paragraph (2) of the Act, as replaced pursuant to the provisions of Article 9 of the Order; the same applies hereinafter in this Article) or a subsidiary financial institution, etc. (meaning a subsidiary financial institution, etc. as prescribed in Article 13-3-2, paragraph (3) of the Act, as replaced pursuant to Article 9 of the Order; hereinafter the same applies in this Article) of the foreign bank to which the relevant foreign bank branch belongs does not unduly harm the interests of a customer of the bank services conducted by a subsidiary financial institution, etc. of the foreign bank to which that foreign bank branch belongs:

一 対象取引を適切な方法により特定するための体制の整備

(i) development of a system to identify the subject transactions in an appropriate manner;

二 次に掲げる方法その他の方法により当該顧客の保護を適正に確保するための体制

の整備

(ii) development of a system to properly ensure the protection of the customer by the following or any other methods:

イ 対象取引を行う部門と当該顧客との取引を行う部門を分離する方法

(a) method for separating the department conducting subject transactions and the department conducting transactions with the customer;

ロ 対象取引又は当該顧客との取引の条件又は方法を変更する方法

(b) method for changing the conditions or method of the subject transactions or transactions with the customer;

ハ 対象取引又は当該顧客との取引を中止する方法

(c) method for interrupting the subject transactions or transactions with the customer;

ニ 対象取引に伴い、当該顧客の利益が不当に害されるおそれがあることについて、当該顧客に適切に開示する方法

(d) method for appropriately disclosing to the customer that there is a risk that the customer's interests will be unduly harmed in connection with a subject transaction.

三 前二号に掲げる措置の実施の方針の策定及びその概要の適切な方法による公表

(iii) Formulation of the policy of implementation of the measures set forth in the preceding two items and disclosure of their outline by an appropriate method;

四 次に掲げる記録の保存

(iv) preserving the following records:

イ 第一号の体制の下で実施した対象取引の特定に係る記録

(a) records pertaining to the identification of the subject transactions conducted under the system prescribed in item (i);

ロ 第二号の体制の下で実施した顧客の保護を適正に確保するための措置に係る記録

(b) records pertaining to measures to appropriately ensure the protection of customers conducted under the system prescribed in item (ii);

2 前項第四号に規定する記録は、その作成の日から五年間保存しなければならない。

(2) The record prescribed in item (iv) of the preceding paragraph must be maintained for five years from the date of creation.

3 第一項の「対象取引」とは、外国銀行支店、当該外国銀行支店に係る外国銀行、当該外国銀行支店を所属銀行とする銀行代理業者又は当該外国銀行支店に係る外国銀行の親金融機関等若しくは子金融機関等が行う取引に伴い、当該外国銀行支店、当該外国銀行支店に係る外国銀行、当該外国銀行支店を所属銀行とする銀行代理業者又は当該外国銀行支店に係る外国銀行の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されるおそれがある場合における当該取引をいう。

(3) The term "subject transaction" in paragraph (1) means a transaction carried out by a foreign bank branch that brings about the risk of unduly harming the

interests of a customer of the bank services it conducts; a transaction that is carried out by the foreign bank with which the relevant foreign bank branch is associated and that brings about the risk of unduly harming the interests of a customer of the bank services that the foreign bank conducts; a transaction that is carried out by a bank agent which has the relevant foreign bank branch as its principal bank and that brings about the risk of unduly harming the interests of a customer of the bank services that the bank agent conducts; or a transaction that is carried out by the parent financial institution, etc. or subsidiary financial institution, etc. of the foreign bank with which the relevant foreign bank branch belongs and that brings about the risk of unduly harming the interests of a customer of the bank services that are conducted by a subsidiary financial institution, etc. of the foreign bank with which the relevant foreign bank branch is associated.

(国内に住所又は居所を有する者に対する貸付金)

(Money Lent to a Person That Has a Domicile or Residence in Japan)

第三十一条 令第十三条第一項第九号に規定する内閣府令で定めるものは、次に掲げるもの（外国銀行支店に係る令第十二条の二に規定する特殊の関係のある者（同条第一号から第五号までに掲げる者に限る。）に対するものを除く。）とする。

Article 31 The loans specified by Cabinet Office Order that are provided for in Article 13, paragraph (1), item (ix) of the Order are the following loans (excluding those for a person that has a unique relationship with a foreign bank branch as prescribed in Article 12-2 of the Order (limited to the persons set forth in items (i) to (v) of that Article)):

一 貸借対照表のコールローン勘定に計上されるもの

(i) loans recorded in the call loan account of the balance sheet; and

二 国内において確実な担保を徴しているもの（前号に掲げるものを除く。）

(ii) loans for which a secure collateral has been collected in Japan (excluding those set forth in the preceding item).

(従たる外国銀行支店の設置等)

(Establishment of a Secondary Foreign Bank Branch)

第三十二条 法第四十七条の三に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 32 (1) The case specified by Cabinet Office Order that is provided for in Article 47-3 of the Act means:

一 出張所（臨時若しくは巡回型の施設又は無人の設備に限る。）の設置

(i) the establishment of a sub-office (limited to a temporary or circuit-type facility or unmanned equipment); or

二 出張所の廃止

(ii) the closure of a sub-office.

2 外国銀行支店は、法第四十七条の三の規定による従たる外国銀行支店（法第四十七条第二項に規定する従たる外国銀行支店をいう。以下この条及び次条において同じ。）の設置、種類の変更又は廃止の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

(2) When seeking authorization for the establishment, change of type, or closure of a secondary foreign bank branch (meaning a secondary foreign bank branch as prescribed in Article 47, paragraph (2) of the Act; hereinafter the same applies in this Article and the following Article) under the provisions of Article 47-3 of the Act, a foreign bank branch must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency or other competent authorities:

一 理由書

(i) a written statement of reasons;

二 当該従たる外国銀行支店の設置が外国の行政機関の許可等を要するものである場合には、当該許可等があつたことを証明する書面

(ii) when establishment of the secondary foreign bank branch requires the permission, etc. of a foreign administrative organ, a document proving that the permission, etc. has been obtained; and

三 その他金融庁長官が必要と認める事項を記載した書面

(iii) other documents stating particulars that the Commissioner of the Financial Services Agency finds to be necessary.

3 金融庁長官等は、前項の規定による従たる外国銀行支店の設置又は種類の変更の認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(3) When an application for authorization to establish or change the type of a secondary foreign bank branch under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether it conforms to the following standards:

一 当該申請をした外国銀行支店の経営の健全性確保に資すると認められるものである場合を除き、当該申請をした外国銀行支店に係る外国銀行の自己資本の充実の状況が銀行法第二十六条第二項に規定する区分等を定める命令第一条第一項第一号に掲げる表の非対象区分及び同項第三号に掲げる表のレバレッジ非対象区分に相当する区分に該当し、かつ、当該申請をした外国銀行及びその子会社等の自己資本の充実の状況が同条第二項第一号に掲げる表の非対象区分及び同項第三号に掲げる表のレバレッジ非対象区分に相当する区分に該当するものであること。

(i) excluding cases that it is found to contribute to securing sound business of a foreign bank branch which filed the application, the condition of adequacy of equity capital of the foreign bank pertaining to the foreign bank branch that filed the application falls under the category equivalent to an exception from the categories of the table in Article 1, paragraph (1), item (i) of the Order Prescribing Classification etc. provided in Article 26, paragraph (2) of the Banking Act and an exception from the leverage categories set forth in the

table under item (iii) of that paragraph, and the condition of adequacy of equity capital of the foreign bank that filed the application and its subsidiary company, etc. falls under the category equivalent to an exception from the categories of the table in paragraph (2), item (i) of that Article and an exception from the leverage categories set forth in the table under item (iii) of that paragraph;

二 当該申請をした外国銀行支店の経営管理に係る体制等に照らし、銀行の業務を的確、公正かつ効率的に遂行することができること。

(ii) in light of things such as the business management systems of the foreign bank branch that filed the application, it is able to carry out the services of a bank reliably, fairly, and efficiently; and

三 当該従たる外国銀行支店において必要な犯罪防止措置が講じられ、かつ、顧客の情報の管理が適切に行われること。

(iii) the necessary crime prevention measures are taken at the secondary foreign bank branch and customer information is maintained appropriately.

4 金融庁長官等は、第二項の規定による従たる外国銀行支店の廃止の認可の申請があつたときは、当該営業所の顧客に係る取引が当該申請をした外国銀行支店の他の営業所又は他の金融機関へ支障なく引き継がれるなど当該従たる外国銀行支店の顧客に著しい影響を及ぼさないものであるかどうかを審査するものとする。

(4) When an application for authorization to close a secondary foreign bank branch under the provisions of paragraph (2) is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether it will not have a considerable impact upon the customers of the secondary foreign bank branch, such as the succession of transactions pertaining to the customers of the business office by another business office of the foreign bank branch which filed the application or another financial institution, without any problems.

(休日の承認の審査等)

(Examination as to Approval of Non-Business Days)

第三十二条の二 従たる外国銀行支店において、指定休日以外の日を休日とする旨の記載がある申請書による前条第二項の規定による認可の申請があつたときは、金融庁長官等は、同条第三項の規定による審査のほか、第十五条第二項各号に掲げる基準に適合するかどうかの審査をするものとする。

Article 32-2 (1) If a foreign bank branch files an application for authorization under paragraph (2) of the preceding Article using a written application that includes a statement indicating that it will set a day other than a designated non-business day as a non-business day at a secondary foreign bank branch, in addition to conducting the examination under Article 15, paragraph (3), the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the day conforms to the standards set forth in the

items of Article 15, paragraph (2).

2 外国銀行支店が前項に規定する申請書に基づく法第四十七条の三に規定する認可を受けたときは、当該認可に係る従たる外国銀行支店が指定休日以外の日を休日とすることについて、令第五条第二項第二号の承認を受けたものとみなす。

(2) If a foreign bank branch obtains authorization as prescribed in Article 47-3 of the Act based on a written application as specified in the preceding paragraph, the foreign bank branch is deemed to have been approved as referred to in Article 5, paragraph (2), item (ii) of the Order to set a day other than a designated non-business day as a non-business day at the secondary foreign bank branch subject to that authorization.

(外国銀行支店の届出)

(Notification of a Foreign Bank Branch)

第三十三条 法第四十九条第一項第七号に規定する内閣府令で定める場合は、発行済株式等の百分の五十を超える数又は額の株式又は持分を保有する者に変更があつた場合とする。

Article 33 (1) The cases specified by Cabinet Office Order that are provided for in Article 49, paragraph (1), item (vii) of the Act means that there has been a change in the person that holds a number of shares or an amount of equity constituting over fifty percent of its issued shares or contribution

2 法第四十九条第二項第一号に規定する内閣府令で定める場合は、次に掲げる場合とする。

(2) The cases specified by Cabinet Office Order that are provided for in Article 49, paragraph (2), item (i) of the Act are as follows:

一 出張所（臨時若しくは巡回型の施設又は無人の設備に限る。）の位置の変更をする場合

(i) if the relevant person changes the location of a sub-office (limited to temporary or circuit-type facility or unmanned equipment);

二 増改築その他のやむを得ない理由により位置の変更をする場合（変更前の位置に復することが明らかな場合に限る。）

(ii) if the relevant person changes locations due to extension and reconstruction or other compelling reasons (but only if it is definite that the person will return to the original location before the change); and

三 前号に規定する位置の変更に係る外国銀行支店を変更前の位置に復する場合

(iii) if the relevant person returns to the foreign bank branch of the original location after the change as prescribed in the preceding item.

3 法第四十九条第二項第四号に規定する内閣府令で定める場合は、次に掲げる場合とする。

(3) The cases specified by Cabinet Office Order that is provided for in Article 49, paragraph (2), item (iv) of the Act are as follows:

一 出張所（前項第一号の出張所を除く。）を廃止する場合

(i) if a sub-office (excluding a sub-office as prescribed in item (i) of the preceding paragraph) has been closed;

二 銀行代理業を委託する旨の契約を締結し、当該契約を変更し、又は当該契約を終了した場合（委託した銀行代理業を再委託することについて許諾を行った場合を含む。）

(ii) if a contract to entrust a person with bank agency services has been concluded, changed, or terminated (including when further entrustment of entrusted bank agency services has been authorized); and

三 法第十条第二項に規定する業務に係る契約の締結の代理若しくは媒介を委託する契約を締結し、当該契約を変更し、又は当該契約を終了した場合

(iii) if a contract to entrust a person with agency or intermediation services in the conclusion of a contract involving the business as prescribed in Article 10, paragraph (2) of the Act has been concluded, changed, or terminated.

4 外国銀行支店は、法第四十九条の規定による届出をしようとするときは、届出書に理由書その他参考となるべき事項を記載した書面を添付して遅滞なく金融庁長官に提出しなければならない。

(4) When seeking to file a notification under the provisions of Article 49, a foreign bank branch must submit the written notice accompanied by a written statement of reasons and other documents giving information of reference to the Commissioner of the Financial Services Agency without delay.

(外国銀行の駐在員事務所の設置の届出事項)

(Matters to Be Notified for an Establishment of a Liaison Office of a Foreign Bank)

第三十四条 法第五十二条第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34 (1) The particulars specified by Cabinet Office Order that are provided for in Article 52, paragraph (1) of the Act are the following particulars:

一 外国銀行に関する次に掲げる事項

(i) the following particulars concerning a foreign bank:

イ 名称

(a) name;

ロ 主たる営業所の所在地

(b) location of the principal business office; and

ハ 業務の内容

(c) content of business;

二 国内に設置しようとする駐在員事務所その他の施設に関する次に掲げる事項

(ii) the following particulars concerning a liaison office or other facilities to be established in Japan:

イ 名称

(a) name;

- ロ 代表者の住所及び氏名
 - (b) address and name of the representative;
 - ハ 設置の理由
 - (c) reasons for establishment; and
 - ニ 設置の年月日
 - (d) date of establishment.
- 2 外国銀行は、法第五十二条第一項の規定による駐在員事務所その他の施設に係る届出をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官に提出しなければならない。
- (2) When seeking to file a notification regarding a liaison office or other facilities under the provisions of Article 52, paragraph (1) of the Act, a foreign bank must submit a written notification accompanied by the following documents to the Commissioner of the Financial Services Agency:
- 一 支店その他の営業所及び駐在員事務所の数を記載した書面
 - (i) a document stating the number of branch offices, other business offices, and liaison offices;
 - 二 資本金の額又は出資の総額を記載した書面
 - (ii) a document stating the amount of stated capital or total amount of contribution; and
 - 三 代表権を有する役員の役職名及び氏名を記載した書面
 - (iii) a document stating the title and name of officers who have the authority of representation.

第七章の二 外国銀行代理業務に関する特則

Chapter VII-2 Special Provisions on Foreign Bank Agency Services

(外国銀行代理業務に係る認可の申請等)

(Application for Authorization of Foreign Bank Agency Services)

第三十四条の二 銀行（外国銀行支店に係る外国銀行の外国銀行外国営業所を所属外国銀行（法第五十二条の二第一項に規定する所属外国銀行をいう。以下同じ。）として外国銀行代理業務（同項に規定する外国銀行代理業務をいう。以下同じ。）を営もうとする銀行を除く。）は、同項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面（申請者が銀行の子会社である外国銀行及び第十三条の二第一項第一号イからニまでに掲げる外国銀行以外の外国銀行を所属外国銀行として外国銀行代理業務を営もうとするものである場合は、第四号及び第六号に掲げる書面を除く。）を添付して金融庁長官に提出しなければならない。

Article 34-2 (1) If a bank (excluding a bank that intends to perform foreign bank agency services (foreign bank agency services prescribed in Article 52-2, paragraph (1) of the Act; the same applies hereinafter) that has a business office in the home state of a foreign bank to which a foreign bank branch belongs as principal foreign bank (principal foreign bank prescribed in that

paragraph; the same applies hereinafter)) seeks authorization under Article 52-2, paragraph (1) of the Act, it must submit a written application for authorization with the Commissioner of the Financial Services Agency with the following documents (excluding the documents set forth in items (iv) and (vi) if the applicant intends to perform foreign bank agency services by having a foreign bank, other than a foreign bank which is a subsidiary company of a bank and the foreign banks set forth in Article 13-2, paragraph (1), item (i), sub-items (a) to (d), as the principal foreign bank) attached thereto:

一 理由書

(i) a written statement of reasons;

二 所属外国銀行の主たる営業所の存在を証明する書面

(ii) a document proving the existence of the main business office of the principal foreign bank;

三 所属外国銀行の代表権を有する役員資格を証明する書面

(iii) a document proving the qualification of the directors who have the authority of representation of the principal foreign bank;

四 所属外国銀行の主要な株主又は持分を保有する者（以下この号及び第五項第五号において「主要株主等」という。）の氏名、住所又は居所、国籍及び職業（主要株主等が法人その他の団体である場合には、その名称、主たる営業所又は事務所の所在地及び営んでいる事業の内容）並びにその保有する株式の数又は出資の金額を記載した書面

(iv) a document stating the name, domicile or residence, nationality, and occupation of any major shareholder or person that holds major equity in that principal foreign bank (hereinafter referred to as a "major shareholder, etc." in this item and paragraph (5), item (v)) (if a major shareholder, etc. is a corporation or other organization, its name, location of the main business office or office and the details of business carried out) and the number of shares held or the amount of contribution by the shareholder or person;

五 所属外国銀行の最終の貸借対照表、損益計算書及び株主資本等変動計算書（これらに類する書面を含む。）その他最近における業務、財産及び損益の状況を知ることができる書面

(v) the latest balance sheet, profit and loss statement, and statement of changes in net assets (including documents similar thereto), and other documents that provide the latest conditions of the business, assets, and profit and loss of the principal foreign bank;

六 当該銀行と所属外国銀行との間の資本関係を記載した書面

(vi) a document stating the capital ties between the bank and the principal foreign bank;

七 当該銀行と所属外国銀行との間の当該申請に係る外国銀行代理業務の委託契約の内容を記載した書面

(vii) a document stating the content of the outsourcing contract for the foreign

bank agency services to which the application pertains between the bank and the principal foreign bank;

八 当該申請に係る外国銀行代理業務の内容及び方法を記載した書面

(viii) a document stating the details and method of the foreign bank agency services to which the application pertains; and

九 その他第三項の規定による審査をするため参考となるべき事項を記載した書面

(ix) other documents stating information that should serve as a reference in conducting an examination under paragraph (3).

2 外国銀行支店に係る外国銀行の外国銀行外国営業所を所属外国銀行として外国銀行代理業務を営もうとする銀行は、法第五十二条の二第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面（申請者が外国銀行支店であつて当該外国銀行支店に係る外国銀行の外国銀行外国営業所を所属外国銀行として外国銀行代理業務を営もうとするものである場合には、第二号及び第三号に掲げる書面を除き、申請者が外国銀行支店に係る外国銀行の外国銀行外国営業所及び第十三条の二第二項第一号イからハマまでに掲げる外国銀行以外の外国銀行を所属外国銀行として外国銀行代理業務を営もうとするものである場合は、第二号に掲げる書面を除く。）を添付して金融庁長官に提出しなければならない。

(2) If a bank seeking to perform foreign bank agency services while using, as its principal foreign bank, a business office in the home state of the foreign bank with which a foreign bank branch is associated seeks authorization under the provisions of Article 52-2, paragraph (i) of the Act, it must submit a written application for authorization to the Commissioner of the Financial Services Agency together with the following documents (excluding the documents set forth in items (ii) and (iii) if the applicant is a foreign bank branch and it intends to perform foreign bank agency services having a business office in the home state of a foreign bank to which the foreign bank branch belongs as the principal foreign bank; and excluding the document set forth in item (ii) if the applicant intends to perform foreign bank agency services by having a foreign bank, other than a business office in the home state of a foreign bank to which a foreign bank branch belongs and the foreign banks set forth in Article 13-2, paragraph (2), item (i), sub-items (a) to (c), as the principal foreign bank):

一 理由書

(i) a written statement of reasons;

二 当該銀行と所属外国銀行との間の資本関係を記載した書面

(ii) a document stating the capital ties between the bank and the principal foreign bank;

三 当該銀行と所属外国銀行との間の当該申請に係る外国銀行代理業務の委託契約の内容を記載した書面

(iii) a document stating the content of the outsourcing contract for the foreign bank agency services to which the application pertains between the bank and the principal foreign bank;

四 当該申請に係る外国銀行代理業務の内容及び方法を記載した書面

(iv) a document stating the details and method of the foreign bank agency services to which the application pertains;

五 その他次項の規定による審査をするため参考となるべき事項を記載した書面

(v) other documents stating information that should serve as a reference in conducting an examination under the next paragraph.

3 金融庁長官は、前二項の規定による認可の申請があつたときは、次に掲げる基準

(認可の申請が銀行の子会社である外国銀行及び第十三条の二第一項第一号イからニまでに掲げる外国銀行以外の外国銀行並びに外国銀行支店に係る外国銀行の外国銀行外国営業所及び第十三条の二第二項第一号イからハまでに掲げる外国銀行以外の外国銀行を所属外国銀行として外国銀行代理業務を営もうとするものである場合は、第三号に掲げる基準を除く。)に適合するかどうかを審査するものとする。

(3) Upon receiving an application for authorization prescribed in the preceding two paragraphs, the Commissioner of the Financial Services Agency is to examine whether the application satisfies the following standards (excluding the standards set forth in item (iii) if an application for authorization is filed in order to perform foreign bank agency services by having a foreign bank, other than a foreign bank which is a subsidiary company of a bank and the foreign banks set forth in Article 13-2, paragraph (1), item (i), sub-items (a) to (d), or a foreign bank, other than a business office in the home state of a foreign bank to which a foreign bank branch belongs and the foreign banks set forth in Article 13-2, paragraph (2), item (i), sub-items (a) to (c), as the principal foreign bank):
一 所属外国銀行が、銀行の業務を健全かつ効率的に遂行するに足りる財産的基礎を有していること。

(i) the principal foreign bank has a sufficient financial basis to conduct the services of a bank soundly and efficiently;

二 所属外国銀行が、その人的構成等に照らして、銀行の業務を的確、公正かつ効率的に遂行することができる知識及び経験を有し、かつ、十分な社会的信用を有する者であること。

(ii) in light of things such as its personnel structure, the principal foreign bank has knowledge and experience to conduct the services of a bank precisely, fairly and efficiently, and has sufficient social credibility.;

三 所属外国銀行及び当該所属外国銀行と次に掲げる特殊の関係のある者（ハに掲げる者については所属外国銀行の株式の全部又は一部を保有している者に限る。）の主たる営業所が所在する国において、銀行に対し、法による取扱いと実質的に同等な取扱いが行われていると認められること。ただし、当該審査が、我が国が締結した条約その他の国際約束の誠実な履行を妨げることとなる場合は、この限りでない。

(iii) in a state where the principal business office of the principal foreign bank and the following persons that has a unique relationship with that principal foreign bank (for persons set forth in sub-item (c), limited to those who hold all or part of the shares of the principal foreign bank) is located, the bank is

recognized as being given substantially equivalent treatment as under the Act; provided, however, that this does not apply when such examination is to preclude sincere implementation of the treaties or other international agreements concluded by Japan;

イ 所属外国銀行の発行済株式等の百分の五十を超える数又は額の株式又は持分を保有している者

(a) a person holding a number of shares or an amount of equity in a principal foreign bank accounting for over fifty percent of its issued shares or contribution;

ロ イに掲げる者の発行済株式等の百分の五十を超える数又は額の株式又は持分を保有している者

(b) a person holding a number of shares or an amount of equity in a person set forth in sub-item (a) accounting for over fifty percent of its issued shares or contribution;

ハ 主たる営業所の所在地を同一の国とする二以上の者により合計して所属外国銀行の発行済株式等の百分の五十を超える数又は額の株式又は持分が保有されている場合における当該二以上の者のいずれかに該当する者

(c) any one of the two or more persons whose main business offices are located in the same state and whose total number of shares or amount of equity held account for over fifty percent of the issued shares or contribution of a principal foreign bank;

ニ 第三条第二号に規定する国に主たる営業所を設けている二以上の者（そのいずれの者も所属外国銀行の発行済株式等の百分の五を超える数又は額の株式又は持分を保有しているものに限る。）により合計して所属外国銀行の発行済株式等の百分の五十を超える数又は額の株式又は持分が保有されている場合における当該二以上の者のいずれかに該当する者

(d) any one of the two or more persons whose main business offices are located in a state prescribed in Article 3, item (ii) (limited to the cases in which each of the persons holds a number of shares or an amount of equity exceeding five percent of the issued shares or contribution of a principal foreign bank) and whose total number of shares or amount of equity constitute over fifty percent of the issued shares or contribution of a principal foreign bank.

4 法第五十二条の二第二項に規定する内閣府令で定める者は、次の各号に掲げる者の区分に応じ当該各号に定める者とする。

(4) The persons specified by Cabinet Office Order that are provided for in Article 52-2, paragraph (2) of the Act are the persons specified in the following items in accordance with the categories of persons set forth in each item:

一 銀行（外国銀行支店を除く。以下この号において同じ。） 次に掲げる外国銀行

(i) a bank (excluding a foreign bank branch; hereinafter the same applies in this item): the following foreign banks:

- イ 銀行の子法人等である外国銀行
 - (a) a foreign bank which is a subsidiary corporation, etc. of a bank;
 - ロ 銀行を子法人等とする外国銀行
 - (b) a foreign bank which has a bank as its subsidiary corporation, etc.;
 - ハ 銀行を子会社とする銀行持株会社の子法人等である外国銀行（イ及びロに掲げる外国銀行を除く。）
 - (c) a foreign bank which is a subsidiary corporation, etc. of a bank holding company which has a bank as its subsidiary company (excluding the foreign banks set forth in sub-items (a) and (b)); and
 - ニ 銀行を子会社とする親法人等の子法人等である外国銀行（イからハまでに掲げる外国銀行を除く。）
 - (d) a foreign bank which is a subsidiary corporation, etc. of a parent corporation, etc. which has a bank as its subsidiary company (excluding the foreign banks set forth in sub-items (a) to (c)); and
 - 二 外国銀行支店 次に掲げる外国銀行
 - (ii) a foreign bank branch: the following foreign banks:
 - イ 外国銀行支店に係る外国銀行の外国銀行外国営業所
 - (a) a business office in the home state of a foreign bank to which a foreign bank branch belongs;
 - ロ 外国銀行支店に係る外国銀行の子法人等である外国銀行
 - (b) a foreign bank which is a subsidiary corporation, etc. of a foreign bank to which a foreign bank branch belongs;
 - ハ 外国銀行支店に係る外国銀行を子法人等とする外国銀行
 - (c) a foreign bank which has, as its subsidiary corporation, etc., a foreign bank to which a foreign bank branch belongs; and
 - ニ 外国銀行支店に係る外国銀行を子会社とする親法人等の子法人等である外国銀行（イからハまでに掲げる外国銀行を除く。）
 - (d) a foreign bank which is a subsidiary corporation, etc. of a parent corporation, etc. which has, as its subsidiary company, a foreign bank to which a foreign bank branch belongs.
- 5 銀行は、法第五十二条の二第二項の規定により認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。
- (5) When a bank seeks to obtain an authorization pursuant to the provisions of Article 52-2, paragraph (2) of the Act, it must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency:
- 一 理由書
 - (i) a written statement of reasons;
 - 二 所属外国銀行の商号を記載した書面
 - (ii) a document stating the trade name of the principal foreign bank;
 - 三 所属外国銀行の主たる営業所の所在地を記載した書面

- (iii) a document stating the location of the main business office of the principal foreign bank;
- 四 所属外国銀行の代表権を有する役員の氏名又は名称を記載した書面
- (iv) a document stating the names of the officers who have the authority of representation of the principal foreign bank;
- 五 所属外国銀行（銀行の子会社である外国銀行及び外国銀行支店に係る外国銀行を除く。）の主要株主等の氏名、住所又は居所、国籍及び職業（主要株主等が法人その他の団体である場合には、その名称、主たる営業所又は事務所の所在地及び営んでいる事業の内容）並びにその保有する株式の数又は出資の金額を記載した書面
- (v) a document stating the name, domicile or residence, nationality, and occupation of the major shareholder, etc. of the principal foreign bank (excluding a foreign bank which is a subsidiary company of a bank and a foreign bank to which a foreign bank branch belongs) (when the major shareholder, etc. is a corporation or other organization, its name, location of its main business office or office and the content of business carried out thereby), and the number of shares or the amount of contribution held by the major shareholder, etc.;
- 六 所属外国銀行の属する外国銀行グループ（法第五十二条の二第二項に規定する外国銀行グループをいう。以下同じ。）の連結して記載した最終の貸借対照表、損益計算書及び株主資本等変動計算書（これらに類する書面を含む。）その他最近における外国銀行グループの業務、財産及び損益の状況を知ることができる書面
- (vi) with regard to the foreign bank group (meaning the foreign bank group prescribed in Article 52-2, paragraph (2) of the Act; the same applies hereinafter) to which the principal foreign bank belongs, the latest consolidated balance sheet, profit and loss statement, and statement of changes in net assets (including documents similar thereto), and other documents that provide the latest conditions of business, assets, and profit and loss of the foreign bank group;
- 七 当該銀行と所属外国銀行及び当該所属外国銀行の属する外国銀行グループとの間の資本関係を記載した書面
- (vii) a document stating the capital ties between the bank, the principal foreign bank, and the foreign bank group to which the principal foreign bank belongs;
- 八 所属外国銀行の属する外国銀行グループに係る経営の基本方針を示す書面
- (viii) a document indicating the basic policy for management of the foreign bank group to which the principal foreign bank belongs;
- 九 所属外国銀行の属する外国銀行グループに係るリスク管理及び法令遵守に関する方針を示す書面
- (ix) a document indicating the policies for risk management and legal compliance pertaining to the foreign bank group to which the principal foreign bank belongs;

十 当該銀行と所属外国銀行（外国銀行支店に係る外国銀行（申請者が外国銀行支店であつて当該外国銀行支店に係る外国銀行を所属外国銀行とするものに限る。）を除く。）との間の当該申請に係る外国銀行代理業務の委託契約の内容を記載した書面

(x) a document stating the content of the outsourcing contract for the foreign bank agency services to which the application pertains between the bank and the principal foreign bank (excluding a foreign bank to which a foreign bank branch belongs (but only if the applicant is a foreign bank branch and has a foreign bank, to which the foreign bank branch belongs, as its principal foreign bank));

十一 当該申請に係る外国銀行代理業務の内容及び方法を記載した書面

(xi) a document stating the content and method of the foreign bank agency services to which the application pertains; and

十二 その他次項の規定による審査をするため参考となるべき事項を記載した書面

(xii) other documents stating information that should serve as a reference in conducting an examination under the following paragraph.

6 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(6) When an application of authorization is filed pursuant to the provisions of the preceding paragraph, the Commissioner of the Financial Services Agency is to examine whether it conforms to the following standards:

一 所属外国銀行の属する外国銀行グループが、銀行の業務を健全かつ効率的に遂行するに足りる財産的基礎を有していること。

(i) the foreign bank group to which the principal foreign bank belongs has a sufficient financial basis to conduct the services of a bank soundly and efficiently;

二 所属外国銀行の属する外国銀行グループが、その人的構成等に照らして、銀行の業務を的確、公正かつ効率的に遂行することができる知識及び経験を有し、かつ、十分な社会的信用を有する者の集団であること。

(ii) in light of things such as its personnel structure, the foreign bank group to which the principal foreign bank belongs has knowledge and experience to conduct the services of a bank precisely, fairly and efficiently, and has sufficient social credibility;

三 所属外国銀行の属する外国銀行グループに関するリスク管理及び法令遵守に関する方針が策定され、これらに基づく業務の運営の検証がされる等、的確なリスク管理及び法令を遵守した運営が確保されると認められること。

(iii) it is found that the appropriate risk management and management in compliance with laws and regulations will be assured, on such grounds as policies for risk management and compliance are formulated with regard to the foreign bank group to which the principal foreign bank belongs and the business operation is reviewed based on these policies; and

四 第三項第三号に掲げる基準

(iv) the standards set forth in paragraph (3), item (iii).

(外国銀行代理業務に係る届出)

(Written Notice Pertaining to Foreign Bank Agency Services)

第三十四条の二の二 法第五十二条の二第三項に規定する内閣府令で定める外国銀行は、次に掲げる外国銀行とする。

Article 34-2-2 (1) The foreign bank specified by Cabinet Office Order that is provided for in Article 52-3, paragraph (2) of the Act means any of the following foreign banks:

一 銀行が次に掲げる認可を受けてその子会社としている外国銀行

(i) a foreign bank that a bank has changed into its subsidiary company under any of the following authorizations:

イ 法第十六条の二第七項（同条第九項において準用する場合を含む。）の規定による子会社対象銀行等（同条第七項に規定する子会社対象銀行等をいう。）を子会社とすることの認可

(a) authorization to change a bank, etc. eligible to be a subsidiary company prescribed in Article 16-2, paragraph (7) of the Act (including as applied mutatis mutandis pursuant to the provisions of paragraph (ix) of that Article) (meaning a bank, etc. eligible to be a subsidiary company prescribed in paragraph (vii) of that Article) into a subsidiary company;

ロ 法第十六条の二第八項ただし書に規定する認可

(b) authorization prescribed in proviso to Article 16-2, paragraph (8) of the Act;

ハ 法第三十条第一項から第三項までに規定する認可

(c) authorization prescribed in Article 30, paragraphs (1) to (3) of the Act;

ニ 金融機関の合併及び転換に関する法律第五条第一項に規定する認可

(d) authorization prescribed in Article 5, paragraph (1) the Act on Financial Institutions' Merger and Conversion;

二 銀行持株会社が次に掲げる認可を受けてその子会社としている外国銀行（前号に掲げる外国銀行を除く。）

(ii) a foreign bank that a bank holding company has changed into its subsidiary company under any of the following authorizations (excluding a foreign bank prescribed in the preceding item):

イ 法第五十二条の二十三第六項（同条第八項において準用する場合を含む。）の規定による子会社対象銀行等（同条第六項に規定する子会社対象銀行等をいう。）を子会社とすることの認可

(a) authorization to change a bank, etc. eligible to be a subsidiary company prescribed in Article 52-23, paragraph (6) of the Act (including as applied mutatis mutandis pursuant to the provisions of paragraph (8) of that Article) (meaning a bank, etc. eligible to be a subsidiary company

prescribed in paragraph (6) of that Article) into a subsidiary company;

ロ 法第五十二条の二十三第七項ただし書に規定する認可

(b) authorization prescribed in proviso to Article 52-23, paragraph (7) of the Act;

ハ 法第五十二条の三十五第一項から第三項までに規定する認可

(c) authorizations prescribed in Article 52-35, paragraphs (1) to (3) of the Act;

2 銀行は、法第五十二条の二第三項の規定による届出をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

(2) When seeking to file a notification pursuant to the provisions of Article 52-2, paragraph (3) of the Act, a bank must submit the written notification with the Commissioner of the Financial Services Agency or other competent authorities with the following documents attached thereto:

一 理由書

(i) a written statement of reasons;

二 所属外国銀行の主たる営業所の所在地を記載した書面

(ii) a document stating the location of the main business office of the principal foreign bank;

三 所属外国銀行の代表権を有する役員の氏名又は名称を記載した書面

(iii) a document stating the names of the officers who have the authority of representation of the principal foreign bank;

四 所属外国銀行の最終の貸借対照表、損益計算書及び株主資本等変動計算書（これらに類する書面を含む。）その他最近における業務、財産及び損益の状況を知ることができる書面

(iv) the latest balance sheet, profit and loss statement, and statement of changes in net assets (including documents similar thereto), and other documents that provide the most recent condition of the business, assets, and profit and loss of the principal foreign bank;

五 当該銀行と所属外国銀行との間の資本関係を記載した書面

(v) a document stating the capital ties between the bank and the principal foreign bank;

六 当該銀行と所属外国銀行との間の当該届出に係る外国銀行代理業務の委託契約の内容を記載した書面

(vi) a document stating the content of the outsourcing contract for the foreign bank agency services pertaining to the notification between the bank and the principal foreign bank; and

七 当該申請に係る外国銀行代理業務の内容及び方法を記載した書面

(vii) a document stating the details and method of the foreign bank agency services to which the application pertains.

(委託契約の内容を記載した書面の記載事項)

(Information to Be Stated in the Document Stating the Content of an

Outsourcing Contract)

第三十四条の二の三 第三十四条の二第一項第七号、第二項第三号及び第五項第十号並びに前条第二項第六号に掲げる委託契約の内容を記載した書面に記載すべき事項は、次に掲げる事項とする。

Article 34-2-3 The particulars to be stated in the document stating the content of an outsourcing contract prescribed in Article 34-2, paragraph (1), item (vii), paragraph (2), item (iii), and paragraph (5), item (x), and in paragraph (2), item (vi) of the preceding Article are the following particulars:

一 外国銀行代理業務を営む営業所の設置、廃止又は位置の変更に関する事項

(i) the particulars of the establishment, closure, or change of location of the business office where foreign bank agency services are carried out;

二 外国銀行代理業務の内容（代理又は媒介の別を含む。以下同じ。）に関する事項

(ii) the particulars of the details of the foreign bank agency services (including identification of whether it corresponds to acting as an agent or intermediary; the same applies hereinafter);

三 外国銀行代理業務の営業日及び営業時間に関する事項

(iii) the particulars of the business days and business hours of the foreign bank agency services;

四 所属外国銀行が、不当に外国銀行代理銀行（法第五十二条の二の五に規定する外国銀行代理銀行をいう。以下同じ。）の業務上の秘密又は取引先の信用に関する事項を当該外国銀行代理銀行及び当該取引先以外の者に漏らし、又は自己若しくは当該外国銀行代理銀行及び当該取引先以外の者のために利用することを禁ずる規定

(iv) provisions forbidding the principal foreign bank (meaning a foreign bank's agent bank prescribed in Article 52-2-5 of the Act; the same applies hereinafter) to wrongfully disclose information relating to trade secret or creditworthiness of a person with which it has business dealings to any person other than the foreign bank's agent bank or the person in question or use such information for the interest of any person other than oneself, the foreign bank's agent bank or the person in question;

五 現金、有価証券等の取扱基準及びこれに関連する所属外国銀行の顧客に対する責任に関する事項

(v) the particulars on the standard of handling cash, securities, etc., and the responsibility of the principal foreign bank on customers pertaining thereto;

六 契約の期間、更新及び解除に関する事項

(vi) the particulars of the term, renewal, and cancellation of agreements;

七 外国銀行代理業務の内容並びに外国銀行代理業務の営業日及び営業時間の店頭掲示に関する事項

(vii) the particulars on the details of the foreign bank agency services and the business days and business hours of the foreign bank agency services displayed at the storefront;

八 その他必要と認められる事項

(viii) other particulars found to be necessary.

(外国銀行代理業務の内容及び方法)

(Details and Method of Foreign Bank Agency Services)

第三十四条の二の四 第三十四条の二第一項第八号及び第二項第四号並びに第三十四条の二の二第二項第七号に掲げる外国銀行代理業務の内容及び方法を記載した書面に記載する事項は、次に掲げるものとする。

Article 34-2-4 (1) The particulars to be stated in the document stating the details and method of foreign bank agency services prescribed in Article 34-2, paragraph (1), item (viii), paragraph (2), item (iv) and Article 34-2-2, paragraph (2), item (vii) are the following:

一 取り扱う所属外国銀行の業務の種類

(i) types of the principal foreign bank's services to be handled;

二 取り扱う所属外国銀行の業務の種類ごとに当該業務の代理又は媒介のいずれを行うかの別（代理及び媒介のいずれも行う場合はその旨）

(ii) whether the relevant person acts as an agent or as an intermediary for each type of the principal foreign bank's services to be handled (if it acts as both agent and intermediary, a statement to that effect);

三 外国銀行代理業務の実施体制

(iii) implementation system of the foreign bank agency services.

2 第三十四条の二第五項第十一号に規定する外国銀行代理業務の内容及び方法を記載した書面に記載する事項は、次に掲げるものとする。

(2) The particulars to be stated in a document stating the content and method of the foreign bank agency services prescribed in Article 34-2, paragraph (5), item (xi) are the following:

一 取り扱う外国銀行グループに係る業務の種類

(i) the type of services pertaining to the foreign bank group the bank is to handle;

二 取り扱う外国銀行グループに係る業務の種類ごとに当該業務の代理又は媒介のいずれを行うかの別（代理及び媒介のいずれも行う場合はその旨）

(ii) whether the relevant person acts as an agent or as an intermediary for each type of the services pertaining to the foreign bank group to be handled (if it acts as both agent and intermediary, a statement to that effect); and

三 外国銀行代理業務の実施体制

(iii) implementation system of the foreign bank agency services.

3 第一項第三号及び前項第三号に掲げる外国銀行代理業務の実施体制には、法第五十二条の二の十において準用する法第五十二条の四十五各号（第四号を除く。）に掲げる行為その他外国銀行代理業務を適切かつ確実に営むことにつき支障を及ぼす行為を防止するための体制のほか、次の各号に掲げる場合の区分に応じ、当該各号に定める体制を含むものとする。

(3) The implementation system of the foreign bank agency services prescribed in

paragraph (1), item (iii), and item (iii) of the preceding paragraph is to include a system to prevent the acts prescribed in the items (excluding item (iv)) of Article 52-45 of the Act, which is applied mutatis mutandis in Article 52-2-10 of the Act, and other acts that may prevent appropriate and reliable acts of foreign bank agency services and, systems prescribed in the following items according to the classification of categories in each item:

一 外国銀行代理行為（外国銀行代理業務に係る行為をいう。以下同じ。）に関して顧客から金銭その他の財産の交付を受ける権限が付与されている場合 当該交付を受ける財産と自己の固有財産とを分別して管理するための体制

(i) when a bank agent is authorized to receive delivery of cash or other assets from a customer concerning activities as a foreign bank agent (meaning acts pertaining to foreign bank agency services; the same applies hereinafter); a system to separate and manage the delivered assets from its own assets;

二 電気通信回線に接続している電子計算機を利用して外国銀行代理業務を営む場合顧客が当該外国銀行代理銀行と他の者を誤認することを防止するための体制

(ii) when a bank agent operates foreign bank agency services by using a computer connected with electronic telecommunications lines, a system to prevent a customer from misidentifying the foreign bank's agent bank for another party.

(契約の種類)

(Types of Contract)

第三十四条の二の五 法第五十二条の二の五において準用する金融商品取引法第三十四条に規定する内閣府令で定めるものは、特定預金等契約とする。

Article 34-2-5 The particular specified by Cabinet Office Order that is provided for in Article 34 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is a contract for specified deposit, etc..

第三十四条の二の六 削除

Article 34-2-6 Deleted

(申出をした特定投資家に交付する書面の記載事項)

(Information to Be Stated in Documents to Be Delivered to a Professional Investor That Has Made a Request)

第三十四条の二の七 法第五十二条の二の五において準用する金融商品取引法第三十四条の二第三項第四号に規定する内閣府令で定める事項は、申出者（同項に規定する申出者をいう。）は、同条第二項の規定による承諾を行つた外国銀行代理銀行のみから対象契約（同項に規定する対象契約をいう。第三十四条の二の九の二において同じ。）に関して特定投資家以外の顧客として取り扱われることになる旨とする。

Article 34-2-7 The particular specified by Cabinet Office Order that is provided

for in Article 34-2, paragraph (3), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is a statement to the effect that, with regard to a subject contract (meaning a subject contract prescribed in that paragraph; the same applies in Article 34-2-9-2), the applicant (meaning the applicant prescribed in that paragraph) is treated as a customer other than a professional investor only by a foreign bank's agent bank who gave approval pursuant to the provisions of paragraph (2) of Article 34-2.

(情報通信の技術を利用した提供)

(Provision by Use of Information and Communications Technology)

第三十四条の二の八 法第五十二条の二の五において準用する金融商品取引法第三十四条の二第四項（法第五十二条の二の五において準用する金融商品取引法第三十四条の三第十二項（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）、第三十四条の四第三項、第三十七条の三第二項及び第三十七条の四第二項において準用する場合を含む。以下この条において同じ。）に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 34-2-8 (1) The means specified by Cabinet Office Order that are provided for in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (including as applied mutatis mutandis in Article 34-3, paragraph (12) (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act), Article 34-4, paragraph (3), Article 37-3, paragraph (2) and Article 37-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act; hereinafter the same applies in this Article) are the following:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

(i) any of the following means of employing an electronic data processing system:

イ 外国銀行代理銀行（法第五十二条の二の五において準用する金融商品取引法第三十四条の二第四項に規定する事項の提供を行う外国銀行代理銀行との契約によりファイルを自己の管理する電子計算機に備え置き、これを当該事項を提供する相手方（以下この条において「顧客」という。）又は当該外国銀行代理銀行の用に供する者を含む。以下この条において同じ。）の使用に係る電子計算機と顧客等（顧客及び顧客との契約により顧客ファイル（専ら顧客の用に供せられるファイルをいう。以下この条において同じ。）を自己の管理する電子計算機に備え置く者をいう。以下この条において同じ。）の使用に係る電子計算機とを接続する電気通信回線を通じて書面に記載すべき事項（以下この条において「記載事項」という。）を送信し、顧客等の使用に係る電子計算機に備えられた顧客ファイルに記録する方法（同項に規定する方法による提供を受ける旨の承諾又は受けない

旨の申出をする場合にあつては、同項に規定する事項の提供を行う外国銀行代理銀行の使用に係る電子計算機に備えられたファイルにその旨を記録する方法)

(a) a means of transmitting information that is required to be stated in a document (hereinafter referred to as an "required information" in this Article) to over a telecommunications line that connects a computer used by a foreign bank's agent bank (including a person that prepares a file on a computer under its administration based on a contract with a foreign bank's agent bank which provides persons with the particulars prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, and makes that file available for use by the persons to which the bank provides those particulars (hereinafter each such person is referred to as a "customer" in this Article) or by that foreign bank's agent bank; hereinafter the same applies in this Article) and the computer used by a customer, etc. (meaning a customer or a person that prepares a customer file (meaning a file made available exclusively for use by a customer; hereinafter the same in this Article) on a computer under its administration based on a contract with the customer; hereinafter the same applies in this Article) and to be recorded in a customer file that has been prepared on the computer used by the customer, etc. (for consent indicating that a person is willing, or a notice indicating that a person is not willing, to be provided with information by the means prescribed in the preceding paragraph, a means of recording on the file that has been prepared on a computer used by a foreign bank's agent bank which provides persons with the particulars prescribed in that paragraph to that effect);

ロ 外国銀行代理銀行の使用に係る電子計算機に備えられたファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供し、顧客等の使用に係る電子計算機に備えられた当該顧客の顧客ファイルに当該記載事項を記録する方法（法第五十二条の二の五において準用する金融商品取引法第三十四条の二第四項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあつては、外国銀行代理銀行の使用に係る電子計算機に備えられたファイルにその旨を記録する方法)

(b) a means that uses a telecommunications line to make the required information that has been recorded into a file which has been prepared on a computer used by a foreign bank's agent bank available for a customer to inspect and recording that required information in the customer file for that customer that has been prepared on a computer used by the customer, etc. (for consent indicating that a person is willing, or a notice indicating that a person is not willing, to be provided with information by the means prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, a

means of recording in a file that has been prepared on a computer used by the foreign bank's agent bank to that effect);

ハ 外国銀行代理銀行の使用に係る電子計算機に備えられた顧客ファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(c) a means that uses a telecommunications line to make the required information that has been recorded into a customer file which has been prepared on a computer used by a foreign bank's agent bank available for a customer to inspect; or

ニ 閲覧ファイル（外国銀行代理銀行の使用に係る電子計算機に備えられたファイルであつて、同時に複数の顧客の閲覧に供するため記載事項を記録させるファイルをいう。以下この条において同じ。）に記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(d) a means that uses a telecommunications line to make the required information that has been recorded in an inspection file (meaning a file that has been prepared on a computer used by a foreign bank's agent bank into which required information is recorded so that it can be made available for multiple customers to inspect simultaneously; hereinafter the same applies in this Article) available for a customer to inspect.

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つて調製するファイルに記載事項を記録したものを交付する方法

(ii) a means of delivering to the relevant person a record of the required information that has been recorded into a file created using a magnetic disk, CD-ROM, or other objects with an equivalent means to reliably store fixed set of data.

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

(2) The means set forth in each item of the preceding paragraph must conform to the following standards:

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

(i) it enables the customer to create a document by outputting what has been recorded in the customer file or inspection file;

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

(ii) if using a means as set forth in item (i), sub-item (a), (c), or (d) of the preceding paragraph (excluding a means of recording the required information to in a customer file that has been prepared on a computer used by the customer), the relevant person notifies the customer that the required

information will be or has been recorded in the customer file or inspection file; provided, however, that this does not apply if it has been confirmed that the customer has inspected the required information;

三 前項第一号ハ又はニに掲げる方法にあつては、記載事項に掲げられた取引を最後に行つた日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があつたときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）次に掲げる事項を消去し又は改変することができないものであること。ただし、閲覧に供している記載事項を書面により交付する場合、顧客の承諾（令第十四条の三に規定する方法による承諾をいう。）を得て前項第一号イ若しくはロ若しくは第二号に掲げる方法により提供する場合又は顧客による当該記載事項に係る消去の指図がある場合は、当該記載事項を消去することができる。

(iii) for the means set forth in item (i), sub-item (c) and (d) of the preceding paragraph, it should be that the relevant person cannot delete or modify the following information for five years after the final date on which a transaction set forth in the required information is carried out (if a complaint involving that required information is filed by the day on which that period ends, the relevant information cannot be deleted or modified until the date on which that period ends or the date on which that complaint is resolved, whichever occurs later); provided, however, that if the relevant person delivers in writing, the required information that it has made available for inspection; if the relevant person obtains the customer's consent (meaning consent by a means prescribed in Article 14-3 of the Order) and provides the relevant information by a means set forth in item (i), sub-item (a) or (b) of the preceding paragraph or item (ii); or if the customer instructs the relevant person to delete the required information; the person may delete that required information:

イ 前項第一号ハに掲げる方法については、顧客ファイルに記録された記載事項
(a) the required information recorded in the customer file, for the means as set forth in item (i), sub-item (c) of the preceding paragraph; or

ロ 前項第一号ニに掲げる方法については、閲覧ファイルに記録された記載事項
(b) the required information recorded in the inspection file, for the means as set forth in item (i), sub-item (d) of the preceding paragraph;

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

(iv) if the relevant person uses the means as set forth in item (i), sub-item (d) of the preceding paragraph, that the means conforms to the following standards:

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

(a) it is to record in the customer file the information that a customer needs to have in order to inspect the inspection file; and

ロ 前号に規定する期間を経過するまでの間において、イの規定により顧客が閲覧ファイルを検査するために必要な情報を記録した顧客ファイルと当該閲覧ファイルとを電気通信回線を通じて接続可能な状態を維持させること。ただし、閲覧の提供を受けた顧客が接続可能な状態を維持させることについて不要である旨通知した場合は、この限りでない。

(b) to maintain a state that is possible to connect the customer file into which, pursuant to sub-item (a), the relevant person has recorded the information that a customer needs to have in order to inspect the inspection file and the inspection file itself using a telecommunications line until the end of the period prescribed in the preceding item; provided, however, that this does not apply if a customer that has been given access to those files has notified the relevant person that it is not necessary to maintain them in a state that allows the customer to connect to them.

3 第一項第一号の「電子情報処理組織」とは、外国銀行代理銀行の使用に係る電子計算機と、顧客ファイルを備えた顧客等又は外国銀行代理銀行の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The term "electronic data processing system" as used in paragraph (1), item (i) means an electronic data processing system uses a telecommunications line to connect the computer used by the foreign bank's agent bank and the computer on which the customer file has been prepared that is used by the customer, etc. or the foreign bank's agent bank.

(電磁的方法の種類及び内容)

(Type and Content of Electronic or Magnetic Means)

第三十四条の二の九 令第十四条の三第一項及び第十四条の四第一項の規定により示すべき方法の種類及び内容は、次に掲げる事項とする。

Article 34-2-9 The type and content of the means that the relevant person is required to indicate pursuant to the provisions of Article 14-3, paragraph (1) and Article 14-4, paragraph (1) of the Order means the following particulars:

一 前条第一項各号又は第三十四条の二の九の三第一項各号に掲げる方法のうち外国銀行代理銀行が使用するもの

(i) out of the means set forth in each item of paragraph (1) of the preceding paragraph or each item in Article 34-2-12, paragraph (1), those that the foreign bank's agent bank will use; and

二 ファイルへの記録の方式

(ii) the method used to record data to the file

(特定投資家への復帰申出をした者が同意を行う書面の記載事項)

(Information to Be Stated in Documents with Which a Person That Has Requested Reinstatement as a Professional Investor Gives Consent)

第三十四条の二の九の二 法第五十二条の二の五において準用する金融商品取引法第三

十四条の二第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-9-2 The particulars specified by Cabinet Office Order that are provided for in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following particulars:

一 法第五十二条の二の五において準用する金融商品取引法第三十四条の二第十一項の規定による承諾をする日（第四号及び第五号において「承諾日」という。）

(i) the date when acceptance is made (which is referred to as the "approval date" in items (iv) and (v)) pursuant to the provisions of Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act;

二 対象契約が特定預金等契約である旨

(ii) a statement to the effect that the subject contract is a contract for specified deposit, etc.;

三 復帰申出者（法第五十二条の二の五において準用する金融商品取引法第三十四条の二第十一項に規定する復帰申出者をいう。以下この条において同じ。）が次に掲げる事項を理解している旨

(iii) a statement to the effect that the person requesting reinstatement (meaning the person requesting reinstatement prescribed in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; hereinafter the same applies in this Article) understands the following particulars:

イ 法第五十二条の二の五において準用する金融商品取引法第四十五条各号（第三号及び第四号を除く。）に掲げる規定は、対象契約に関して復帰申出者が当該各号に定める者である場合（同条ただし書に規定する場合を除く。）には適用されない旨

(a) the fact that the provisions set forth in the items of Article 45 (excluding items (iii) and (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are not applicable when the person requesting reinstatement, with regard to Subject Contract, is a person prescribed in any of the items (excluding the cases prescribed in the proviso of that Article);

ロ 対象契約に関して特定投資家として取り扱われることがその知識、経験及び財産の状況に照らして適当ではない者が特定投資家として取り扱われる場合には、当該者の保護に欠けることとなるおそれがある旨

(b) the fact that, if a person that it is inappropriate to be treated as a professional investor in a subject contract in light of the person's knowledge, experience, and financial status, is treated as a professional investor, it is likely to result in insufficient protection of that person.

四 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、復帰申出者を再び特定投資家として取り扱う旨

(iv) a statement to the effect that the person requesting reinstatement is to be treated again as a professional investor when the person requesting reinstatement is solicited to conclude or concludes a subject contract on or after the approval date;

五 復帰申出者は、承諾日以後いつでも、法第五十二条の二の五において準用する金融商品取引法第三十四条の二第一項の規定による申出ができる旨

(v) a statement to the effect that, at any time on or after the approval date, the person requesting reinstatement may make an application pursuant to Article 34-2, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act;

(情報通信の技術を利用した同意の取得)

(Obtainment of Consent by the Use of Information and Communications Technology)

第三十四条の二の九の三 法第五十二条の二の五において準用する金融商品取引法第三十四条の二第十二項（法第五十二条の二の五において準用する金融商品取引法第三十四条の三第三項（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）において準用する場合を含む。以下この条において同じ。）に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 34-2-9-3 (1) The particulars specified by Cabinet Office Order that are provided for in Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 34-3, paragraph (3) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act), as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; hereinafter the same applies in this Article), as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are as follows:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

(i) any of the following means of employing an electronic data processing system:

イ 外国銀行代理銀行の使用に係る電子計算機と法第五十二条の二の五において準用する金融商品取引法第三十四条の二第十二項の規定により同意を得ようとする相手方（以下この条において「顧客」という。）の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) a means of transmitting over a telecommunications line that connects the computer used by a foreign bank's agent bank and the computer used by a person from whom the foreign bank's agent bank is seeking to obtain consent pursuant to the provisions of Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in

Article 52-2-5 of the Act (hereinafter referred to as the "customer") to record particulars in a file that has been prepared on the computer used by the recipient.

ロ 外国銀行代理銀行の使用に係る電子計算機に備えられたファイルに記録された顧客の同意に関する事項を電気通信回線を通じて当該顧客の閲覧に供し、当該外国銀行代理銀行の使用に係る電子計算機に備えられたファイルに当該顧客の同意に関する事項を記録する方法

(b) a means that uses a telecommunications line to make information on customer's consent that has been recorded in a file that has been prepared on a computer used by a foreign bank's agent bank available for the customer to inspect and record that information in a file that has been prepared on a computer used by the foreign bank's agent bank;

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つて調製するファイルに同意に関する事項を記録したものを得る方法

(ii) a means of obtaining the particulars on the customers' consent that has been recorded into a file created using a magnetic disk, CD-ROM, or other objects with an equivalent means reliably store fixed set of data.

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

(2) The means set forth in each item of the preceding paragraph must enable a foreign bank's agent bank to prepare a document by outputting what has been recorded in the file.

3 第一項第一号の「電子情報処理組織」とは、外国銀行代理銀行の使用に係る電子計算機と、顧客の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The term "electronic data processing system" as used in paragraph (1), item (i) means an electronic data processing system that uses a telecommunications line to connect the computer used by the foreign bank's agent bank and the computer used by the customer.

(特定投資家以外の顧客である法人が特定投資家とみなされる場合の期限日)

(Due Date If a Corporation Who Is a Customer Other than a Professional Investor Is Deemed to Be a Professional Investor)

第三十四条の二十 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項に規定する内閣府令で定める場合は、外国銀行代理銀行が一定の日を定め、次に掲げる事項を当該外国銀行代理銀行の営業所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 34-2-10 (1) The case specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, means

if a foreign bank's agent bank specifies a certain date and publicly discloses the following particulars by posting them at a place easy to see for the public in a business office of the foreign bank's agent bank or by any other appropriate method:

一 当該日

(i) the date; and

二 次項に規定する日を期限日（法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第三十四条の二の十二において同じ。）とする旨

(ii) a statement to the effect that the due date (meaning a due date as prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; the same applies in paragraph (2), item (i) of the following Article and Article 34-2-12) is the date prescribed in the following paragraph.

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項に規定する内閣府令で定める日は、外国銀行代理銀行が前項の規定により定めた日であつて承諾日（同条第二項第一号に規定する承諾日をいう。次条第二項第三号及び第三十四条の二の十二において同じ。）から起算して一年以内の日のうち最も遅い日とする。

(2) The date specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, means the date that is specified by a foreign bank's agent bank pursuant to the provisions of the preceding paragraph and is the last day within one year from the approval date (meaning the approval date prescribed in paragraph (2), item (i) of that Article; the same applies in paragraph (2), item (iii) of the following Article and Article 34-2-12).

(申出をした特定投資家以外の顧客である法人が同意を行う書面の記載事項)

(Information to Be Stated in the Document to Which a Corporation, Which Is a Customer Other than a Professional Investor That Has Made a Request, Gives Its Consent)

第三十四条の二の十一 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、法第五十二条の二の五において準用する金融商品取引法第四十五条各号（第三号及び第四号を除く。）に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第三十四条の二の十二の二において同じ。）に関して申出者（法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項に規定する申出者をいう。次項において同じ。）が当該各号に定める者である場合（法第五十二条の二の五において準用する金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 34-2-11 (1) The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (2), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are a statement to the effect that, with regard to the subject contract (meaning the subject contract prescribed in item (ii) of that paragraph; the same applies in the following paragraph and Article 34-2-12-2), the provisions in each item of Article 45 (excluding items (iii) and (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are not applicable when the applicant (meaning the applicant prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act; the same applies in the following paragraph) is a person prescribed in any of the items of Article 45 of that Act (except in the case prescribed in the proviso to Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act).

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are the following particulars:

一 期限日以前に締結した対象契約に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであつても、申出者を特定投資家として取り扱う旨

(i) with regard to an act performed based on the provisions of laws and regulations or the stipulations of a contract pertaining to a subject contract concluded before the due date, even if such act is performed after the due date, the fact that an applicant is treated as a professional investor;

二 申出者は、法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項の規定による承諾を行った外国銀行代理銀行のみから対象契約に関して特定投資家として取り扱われることになる旨

(ii) a statement to the effect that, with regard to the subject contract, an applicant is treated as a professional investor only by the foreign bank agent bank that accepted the request pursuant to the provisions of Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act;

三 申出者は、承諾日以後いつでも、法第五十二条の二の五において準用する金融商品取引法第三十四条の三第九項の規定による申出ができる旨

(iii) a statement to the effect that, at any time on or after the approval date, an applicant may make an application pursuant to Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis

pursuant to Article 52-2-5 of the Act.

(申出をした特定投資家以外の顧客である法人が更新申出をするために必要な期間)
(Period Necessary for a Corporation, Which Is a Customer Other than a Professional Investor That Has Made a Request, to Make a Request for Renewal)

第三十四条の二の十二 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあつては、当該各号に定める期間）とする。

Article 34-2-12 (1) The period specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act is 11 months (in the cases set forth in the following items, the period prescribed in each item):

一 承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除く。） 当該期間から一月を控除した期間

(i) if the period between the approval date and the due date is less than one year (excluding the cases set forth in the following item), a period obtained by deducting one month from that period;

二 承諾日から期限日までの期間が一月を超えない場合 一日

(ii) if the period between the approval date and the due date does not exceed one month, one day;

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) In applying the provisions of the preceding paragraph to the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, the term "approval date" in that paragraph is deemed to read "the day immediately following the previous due date".

(特定投資家以外の顧客への復帰申出をした法人に交付する書面の記載事項)

(Information to Be Stated in Documents to Be Delivered to a Corporation That Has Made a Request for Reinstatement as a Customer Other than a Professional Investor)

第三十四条の二の十二の二 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-12-2 The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following particulars:

一 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第十項の規定により承諾をする日（第三号において「承諾日」という。）

(i) the date when acceptance is made pursuant to the provisions of Article 34-3, paragraph (10) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (which is referred to as the "approval date" in item (iii));

二 対象契約が特定預金等契約である旨

(ii) a statement to the effect that the subject contract is a contract for specified deposit, etc.;

三 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、法第五十二条の二の五において準用する金融商品取引法第三十四条の三第九項の規定による申出をした法人を再び特定投資家以外の顧客として取り扱う旨

(iii) an indication that the relevant person will once again treat a corporation that has made a request under Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, as a customer other than a professional investor when soliciting that corporation to conclude a subject contract on or after the approval date or when concluding a subject contract with that corporation on or after the approval date;

(特定投資家として取り扱うよう申し出ることができる営業者等)

(Proprietors and Others That May Request to Be Treated as Professional Investors)

第三十四条の二の十三 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定めるものは、次に掲げる要件のいずれかに該当するものとする。

Article 34-2-13 (1) The person specified by Cabinet Office Order that is provided for in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, means the person that satisfies any of the following requirements:

一 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて全ての匿名組合員の同意を得ていないこと。

(i) the person has not obtained consent of all silent partners in making the request prescribed in Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act.

二 その締結した商法第五百三十五条に規定する匿名組合契約に基づく出資の合計額が三億円未満であること。

(ii) the total amount of contribution under the anonymous partnership agreement the person has concluded as prescribed in Article 535 of the Commercial Code is less than 300 million yen.

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定める個人は、次に掲げる者とする。

(2) The individuals specified by Cabinet Office Order that are provided for in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following persons:

一 民法第六百六十七条第一項に規定する組合契約を締結して組合の業務の執行を委任された組合員である個人（次に掲げる要件の全てに該当する者に限る。）

(i) an individual who is a partner who concluded a partnership agreement prescribed in Article 667, paragraph (1) of the Civil Code and has been entrusted with the execution of business of the partnership (limited to a person satisfying all of the following requirements):

イ 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他の全ての組合員の同意を得ていること。

(a) The individual has obtained the consent of all the other partners in making the request prescribed in Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; and

ロ 当該組合契約に基づく出資の合計額が三億円以上であること。

(b) the total amount of contribution under the partnership agreement is 300 million yen or more;

二 有限責任事業組合契約に関する法律第三条第一項に規定する有限責任事業組合契約を締結して組合の重要な業務の執行の決定に関与し、かつ、当該業務を自ら執行する組合員である個人（次に掲げる要件の全てに該当する者に限る。）

(ii) an individual who is a partner who has concluded a limited liability partnership agreement prescribed in Article 3, paragraph (1) of the Limited Liability Partnership Act, participates in decision-making of important partnership business, and personally executes the business (limited to a person satisfying all of the following requirements):

イ 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他の全ての組合員の同意を得ていること。

(a) The individual has obtained the consent of all the other partners in making the request prescribed in Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; and

ロ 当該有限責任事業組合契約に基づく出資の合計額が三億円以上であること。

(b) the total amount of contribution under the limited liability business partnership agreement is 300 million yen or more.

(特定投資家として取り扱うよう申し出ることができる個人)

(Individuals Who May Request To Be Treated as a Professional Investor)

第三十四条の二の十四 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項第二号に規定する内閣府令で定める要件は、次に掲げる要件の全てに該当することとする。

Article 34-2-14 The requirement specified by Cabinet Office Order that is provided for in Article 34-4, paragraph (1), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is that all of the following requirements be met:

一 取引の状況その他の事情から合理的に判断して、承諾日（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第一号に規定する承諾日をいう。次号、次条第二項、第三十四条の二の十六第二項第三号及び第三十四条の二の十六の二において同じ。）における申出者（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第二項に規定する申出者をいう。以下この条及び第三十四条の二の十六において同じ。）の資産の合計額から負債の合計額を控除した額が三億円以上になると見込まれること。

(i) judging reasonably from the transaction status and other circumstances, the amount obtained by deducting the total amount of liabilities from the total amount of assets of the applicant (meaning an applicant prescribed in Article 34-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; hereinafter the same applies in this Article and Article 34-2-16) on the approval date (meaning the approval date as prescribed in Article 34-3, paragraph (2), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; the same applies in the following item, paragraph (2) of the following Article, Article 34-2-16, paragraph (2), item (iii), and Article 34-2-16-2) is expected to be 300 million yen or more;

二 取引の状況その他の事情から合理的に判断して、承諾日における申出者の資産（次に掲げるものに限る。）の合計額が三億円以上になると見込まれること。

(ii) judging reasonably from the transaction status and other circumstances, the total amount of assets (limited to those set forth in the following items) of the applicant on the approval date is expected to be 300 million yen or more:

イ 有価証券（ホに掲げるもの及びへに掲げるもの（不動産特定共同事業法第二条第九項に規定する特例事業者と締結したものに限る。）を除く。）

(a) securities (excluding those set forth in sub-item (e) and those set forth in sub-item (f) (limited to those based on a contract concluded with a special business operator prescribed in Article 2, paragraph (9) of the Act on Specified Joint Real Estate Ventures));

ロ デリバティブ取引に係る権利

(b) rights pertaining to derivative transactions;

ハ 法第十三条の四に規定する特定預金等、農業協同組合法第十一条の五に規定する特定貯金等、水産業協同組合法第十一条の九に規定する特定貯金等、協同組合による金融事業に関する法律第六条の五の十一に規定する特定預金等、信用金庫法第八十九条の二に規定する特定預金等、長期信用銀行法第十七条の二に規定する特定預金等、労働金庫法第九十四条の二に規定する特定預金等、農林中央金庫法第五十九条の三に規定する特定預金等及び株式会社商工組合中央金庫法第二十九条に規定する特定預金等

(c) specified deposit, etc. as prescribed in Article 13-4 of the Act; specified savings, etc. as prescribed in Article 11-5 of the Agricultural Cooperatives Act; specified savings, etc., as prescribed in Article 11-9 of the Fishery Cooperatives Act; specified deposit, etc., as prescribed in Article 6-5-11 of the Act on Financial Business by Cooperatives; specified deposit, etc., as prescribed in Article 89-2 of the Shinkin Bank Act; specified deposit, etc., as prescribed in Article 17-2 of the Long-Term Credit Bank Act; specified deposit, etc., as prescribed in Article 94-2 of the Labor Bank Act; and specified deposit, etc., as prescribed in Article 59-3 of the Norinchukin Bank Act; and specified deposit, etc. as prescribed in Article 29 of the Shoko Chukin Bank Limited Act;

ニ 農業協同組合法第十一条の二十七に規定する特定共済契約、消費生活協同組合法第十二条の三第一項に規定する特定共済契約、水産業協同組合法第十五条の七に規定する特定共済契約、中小企業等協同組合法第九条の七の五第二項に規定する特定共済契約及び保険業法第三百条の二に規定する特定保険契約に基づく保険金、共済金、返戻金その他の給付金に係る権利

(d) rights pertaining to insurance money, mutual aid money, refund, or other payments based on a specified mutual aid contract as prescribed in Article 11-27 of the Agricultural Cooperatives Act, a specified mutual aid contract as prescribed in Article 12-3, paragraph (1) of the Consumers Cooperatives Act, a specified mutual aid contract as prescribed in Article 15-7 of the Fishery Cooperatives Act, a specified mutual aid contract as prescribed in Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act, and a specified mutual aid contract as prescribed in Article 300-2 of the Insurance Business Act;

ホ 信託業法第二十四条の二に規定する特定信託契約に係る信託受益権

(e) a beneficiary right of trust pertaining to a specified trust contract as prescribed in Article 24-2 of the Trust Business Act;

ヘ 不動産特定共同事業法第二条第三項に規定する不動産特定共同事業契約に基づく権利

(f) a right based on a real property specified joint enterprise contract as prescribed in Article 2, paragraph (3) of the Act on Specified Joint Real Estate Ventures; and

ト 商品市場における取引、外国商品市場取引及び店頭商品デリバティブ取引に係る権利

(g) a right pertaining to a transaction on a commodity market, foreign commodity market transaction, and over-the-counter commodity derivative transaction;

三 申出者が最初に外国銀行代理業務に係る特定預金等契約を締結した日から起算して一年を経過していること。

(iii) one year has elapsed from the date the applicant first concluded contract for specified deposit, etc. pertaining to foreign bank agency services.

(特定投資家以外の顧客である個人が特定投資家とみなされる場合の期限日)

(Due Date If an Individual Who Is a Customer Other than a Professional Investor Is Deemed a Professional Investor)

第三十四条の二の十五 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項に規定する内閣府令で定める場合は、外国銀行代理銀行が一定の日を定め、次に掲げる事項を当該外国銀行代理銀行の営業所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 34-2-15 (1) The case specified by Cabinet Office Order that is provided for in Article 34-3, paragraph 2 of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis in Article 52-2-5 of the Act, is when a foreign bank's agent bank specifies a certain date and publicly discloses the following particulars by posting them at a place that is easy to see for the public in a business office of the foreign bank's agent bank or by other appropriate methods:

一 当該日

(i) the date;

二 次項に規定する日を期限日（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第三十四条の二の十六の二において同じ。）とする旨

(ii) a statement to the effect that the due date (meaning the due date prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; the same applies in paragraph (2), item (i) of the following Article and Article 34-2-16-2) is the date prescribed in the following paragraph.

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項に規定する内閣府令で定める日は、外国銀行

代理銀行が前項の規定により定めた日であつて承諾日から起算して一年以内の日のうち最も遅い日とする。

(2) The date specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is the date that is specified by a foreign bank's agent bank pursuant to the provisions of the preceding paragraph and that is the last day within one year from the approval date.

(申出をした特定投資家以外の顧客である個人が同意を行う書面の記載事項)

(Information To Be Stated in the Document to Which an Individual, Who Is a Customer Other than the Professional Investor That Has Made a Request, Gives Its Consent)

第三十四条の二の十六 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、法第五十二条の二の五において準用する金融商品取引法第四十五条各号（第三号及び第四号を除く。）に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第三十四条の二の十六の三において同じ。）に関して申出者が当該各号に定める者である場合（法第五十二条の二の五において準用する金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 34-2-16 (1) The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (2), item (iv), sub-item (a) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are a statement to the effect that, with regard to the subject contract (meaning the subject contract prescribed in item (ii) of that paragraph; the same applies in the following paragraph and Article 34-2-16-3), the provisions of each item of Article 45 (excluding items (iii) and (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are not applicable when the applicant is a person prescribed in any of those items (except in the case prescribed in the proviso to Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act).

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 34-4, paragraph (6) of

that Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are as follows:

一 期限日以前に締結した対象契約に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであつても、申出者を特定投資家として取り扱う旨

(i) with regard to an act performed based on the provisions of laws and regulations or the stipulations of a contract pertaining to a subject contract concluded before the due date, even if such act is performed after the due date, the fact that an applicant is to be treated as a professional investor;

二 申出者は、法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項の規定による承諾を行った外国銀行代理銀行のみから対象契約に関して特定投資家として取り扱われることになる旨

(ii) a statement to the effect that, with regard to the subject contract, an applicant is to be treated as professional investor only by the foreign bank's agent bank that accepted the request pursuant to the provisions of Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis in Article 52-2-5 of the Act;

三 申出者は、承諾日以後いつでも、法第五十二条の二の五において準用する金融商品取引法第三十四条の四第四項の規定による申出ができる旨

(iii) a statement to the effect that, at any time on or after the approval date, an applicant may make an application pursuant to Article 34-4, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act.

(申出をした特定投資家以外の顧客である個人が更新申出をするために必要な期間)
(Period Necessary for an Individual, Who Is a Customer Other than a Professional Investor That Has Made a Request, to Make a Request for Renewal)

第三十四条の二の十六の二 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあつては、当該各号に定める期間）とする。

Article 34-2-16-2 (1) The period specified by Cabinet Office Order that is provided for in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is 11 months (in the cases set forth in the following items, the period prescribed in each item):

一 承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除

く。) 当該期間から一月を控除した期間

(i) if the period between the approval date and the due date is less than one year (excluding the cases set forth in the following item), a period obtained by deducting one month from that period;

二 承諾日から期限日までの期間が一月を超えない場合 一日

(ii) if the period between the approval date and the due date does not exceed one month: one day;

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) In applying the provisions of the preceding paragraph to the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, the term "approval date" in that paragraph is deemed to read "the day immediately following the previous due date".

(特定投資家以外の顧客への復帰申出をした個人に交付する書面の記載事項)

(Information to Be Stated in Documents to Be Delivered to an Individual Who Has Made a Request for Reinstatement as a Customer Other than a Professional Investor)

第三十四条の二の十六の三 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-16-3 The particulars specified by Cabinet Office Order that are provided for in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are as follows:

一 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第五項の規定により承諾をする日（第三号において「承諾日」という。）

(i) the date when acceptance is made pursuant to the provisions of Article 34-4, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (referred to as the "approval date" in item (iii));

二 対象契約が特定預金等契約である旨

(ii) a statement to the effect that the subject contract is a contract for specified deposit, etc.;

三 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、法第五十二条の二の五において準用する金融商品取引法第三十四条の四第四項の規定による申出をした個人を再び特定投資家以外の顧客として取り扱う旨

(iii) an indication that the relevant person will once again treat an individual who has made a request under Article 34-4, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, as a customer other than a professional investor when soliciting that individual to conclude a subject contract on or after the approval date or when concluding a subject contract with that individual on or after the approval date.

(広告類似行為)

(Acts Similar to Advertisement)

第三十四条の二の十七 法第五十二条の二の五において準用する金融商品取引法第三十七条各項に規定する内閣府令で定める行為は、郵便、信書便、ファクシミリ装置を用いて送信する方法、電子メールを送信する方法、ビラ又はパンフレットを配布する方法その他の方法（次に掲げるものを除く。）により多数の者に対して同様の内容で行う情報の提供とする。

Article 34-2-17 The acts specified by Cabinet Office Order that are provided for in each item of Article 37 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are means of providing information with the same content to many persons by postal mail, correspondence delivery, or using a facsimile device; by electronic mail; by distributing fliers or pamphlets; or by other means (excluding the following means):

一 法令又は法令に基づく行政官庁の処分に基づき作成された書類を配布する方法

(i) distributing documents prepared based on a law or regulation or based on a disposition given by a government agency under a law or regulation;

二 個別の企業の分析及び評価に関する資料であつて、特定預金等契約の締結の勧誘に使用しないものを配布する方法

(ii) distributing materials on analysis and evaluation of individual companies that are not used for the solicitation of the conclusion of a contract for specified deposit, etc.;

三 次に掲げる全ての事項のみが表示されている景品その他の物品（口からニまでに掲げる事項について明瞭かつ正確に表示されているものに限る。）を提供する方法（当該事項のうち景品その他の物品に表示されていない事項がある場合にあつては、当該景品その他の物品と当該事項が表示されている他の物品とを一体のものとして提供する方法を含む。）

(iii) providing persons with gifts or other goods that only indicate all the following information (limited to goods for which the information set forth in sub-items (b) to (d) are indicated clearly and properly) (if any of this information is not indicated on a gift or other good, this includes providing such a gift or other goods together as a single unit with any other goods that indicates that information):

イ 商品の名称（通称を含む。）

(a) name of the financial instrument (including a name it is commonly known by);

ロ この号に規定する方法により多数の者に対して同様の内容で行う情報の提供をする外国銀行代理銀行の商号又はその通称

(b) trade name or a commonly used name of the foreign bank's agent bank who provides the same contents of information to a large number of persons by a means prescribed in this item.

ハ 令第十四条の五第二項第一号に掲げる事項（当該事項の文字又は数字が当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示されているものに限る。）

(c) information as set forth in Article 14-5, paragraph (2), item (i) of the Order (limited to information indicated using characters and numerals of a size that is not considerably different from the largest size of the characters and numerals indicating information other than the information in question);

ニ 次に掲げるいずれかの書面の内容を十分に読むべき旨

(d) statement to the effect that the content of any of the following documents should be thoroughly read:

(1) 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項に規定する書面（以下この条から第三十四条の二の三十の二までにおいて「契約締結前交付書面」という。）

1. the document prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (hereinafter referred to as a "document to be delivered prior to the conclusion of a contract" from this Article to Article 34-2-30-2);

(2) 第三十四条の二の二十五第一項第一号に規定する外貨預金等書面

2. the document concerning foreign currency deposit, etc. prescribed in Article 34-2-25, paragraph (1), item (i);

(3) 第三十四条の二の二十五第一項第三号ロに規定する契約変更書面

3. the contract change document prescribed in Article 34-2-25, paragraph (1), item (iii) (b);

(特定預金等契約の締結の代理又は媒介の業務の内容についての広告等の表示方法)
(Method of Indication in Advertisements on a Person's Agency or Intermediary Service for Concluding a Contract for Specified Deposits)

第三十四条の二の十八 外国銀行代理銀行がその行う特定預金等契約の締結の代理又は媒介の業務の内容について広告又は前条に規定する行為（次項において「広告等」という。）をするとき、法第五十二条の二の五において準用する金融商品取引法第三十七条第一項各号（第二号を除く。）に掲げる事項について明瞭かつ正確に表示しな

ければならない。

Article 34-2-18 (1) When a foreign bank's agent bank runs an advertisement or performs an act prescribed in the preceding paragraph (referred to as an "advertisement, etc." in the following paragraph) with regard to the details of its actions as an agent or intermediary for the conclusion of a contract for specified deposit, etc., the particulars set forth in the items of Article 37, paragraph (1) (excluding item (ii)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, must be indicated clearly and accurately;

2 外国銀行代理銀行がその行う特定預金等契約の締結の代理又は媒介の業務の内容について広告等をするときは、令第十四条の五第一項第二号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(2) When a foreign bank's agent bank runs an advertisement, etc. about the details of its actions as an agent or intermediary in the conclusion of contracts for specified deposit, etc., any characters or numerals that convey the information set forth in Article 14-5, paragraph (1), item (ii) of the Order are to be indicated in a size that is not considerably different from the largest size used to indicate characters and numerals that convey information other than the information in question;

3 外国銀行代理銀行がその行う特定預金等契約の締結の代理又は媒介の業務の内容について基幹放送事業者の放送設備により放送をさせる方法又は第三十四条の二の二十一第一項各号に掲げる方法（音声により放送をさせる方法を除く。）により広告をするときは、前項の規定にかかわらず、令第十四条の五第二項第一号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(3) When a foreign bank's agent bank runs an advertisement, etc. about the details of its actions as an agent or intermediary in the conclusion of contracts for specified deposit, etc., by broadcasting them using the broadcasting equipment of a basic broadcaster or by any of the methods set forth in the items of Article 34-2-21, paragraph (1) (excluding audio broadcasting), notwithstanding the provisions of the preceding paragraph, any characters or numerals that convey the information set forth in Article 14-5, paragraph (2), item (i) of the Order are to be indicated in a size that is not considerably different from the largest size used to indicate characters and numerals that convey information other than the information in question;

(顧客が支払うべき対価に関する事項)

(Particulars of Compensation to Be Paid by a Customer)

第三十四条の二の十九 令第十四条の五第一項第一号に規定する内閣府令で定めるものは、手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定

預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。)の概要及び当該金額の合計額若しくはその上限額又はこれらの計算方法の概要とする。ただし、これらの表示をすることができない場合にあつては、その旨及びその理由とする。

Article 34-2-19 The particulars specified by Cabinet Office Order that are provided for in Article 14-5, paragraph (1), item (i) of the Order are an outline of the amounts by category of the fees, etc. or their maximum limits, or of the way these are calculated (including the percentage of the amount of principal pertaining to the contract for specified deposit, etc.; hereinafter the same applies in this Article) and an outline of the total of those amounts or maximum limits, or of the way these are calculated; provided, however, that if these cannot be indicated, to state that fact and the reasons therefor.

(顧客の判断に影響を及ぼす重要事項)

(Important Particulars That Impact Customers' Judgment)

第三十四条の二の二十 令第十四条の五第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-20 The particulars specified by Cabinet Office Order that are provided for in Article 14-5, paragraph (1), item (iii) of the Order are the following:

一 当該外国銀行代理銀行の所属外国銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回ることにより顧客に不利となるおそれがある旨

(i) an indication that, if the right that the referenced principal foreign bank of a foreign bank's agent bank holds to extend the deposit period of a specified deposit, etc. is exercised, the customer risks being put at a disadvantage by the money rate of the specified deposit, etc. falling below the money market rate; or

二 その他当該特定預金等契約に関する重要な事項について顧客の不利益となる事実
(ii) any other fact regarding the important particulars of the contract for specified deposit, etc. that may become disadvantageous to the customer.

(基幹放送事業者の放送設備により放送をさせる方法に準ずる方法等)

(Means Equivalent to the Means of Broadcasting Using the Broadcasting Equipment of a Basic Broadcaster)

第三十四条の二の二十一 令第十四条の五第二項に規定する内閣府令で定める方法は、次に掲げるものとする。

Article 34-2-21 (1) The means specified by Cabinet Office Order that are provided for in Article 14-5, paragraph (2) of the Order are the following:

一 一般放送事業者の放送設備により放送をさせる方法

(i) means of broadcasting the matter using the broadcasting equipment of a basic broadcaster:

二 外国銀行代理銀行又は当該外国銀行代理銀行が行う広告等に係る業務の委託を受けた者の使用に係る電子計算機に備えられたファイルに記録された情報の内容（基幹放送事業者の放送設備により放送をさせる方法又は前号に掲げる方法により提供される事項と同一のものに限る。）を電気通信回線を利用して顧客に閲覧させる方法

(ii) making the content of information recorded in a file that has been prepared on a computer used by a foreign bank's agent bank or by a person entrusted with services involving advertisement, etc. conducted by the foreign bank's agent bank (limited to information that is the same as that provided by the means of broadcasting using the broadcasting equipment of a basic broadcaster or by a means set forth in the preceding item) available for inspection to customers through a telecommunications line; or

三 常時又は一定の期間継続して屋内又は屋外で公衆に表示させる方法であつて、看板、立看板、はり紙及びはり札並びに広告塔、広告板、建物その他の工作物等に掲出させ、又は表示させるもの並びにこれらに類するもの

(iii) means of having the public indicate regularly or continuously for a fixed period inside or outside a building by installing or indicating on a signboard, standing signboard, placard and label, advertising tower, advertising board, building, or other structure, etc. or by any equivalent means.

2 令第十四条の五第二項第二号に規定する内閣府令で定める事項は、第三十四条の二の十七第三号ニに掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 14-5, paragraph (2), item (ii) of the Order are the particulars set forth in Article 34-2-17, item (iii), sub-item (d).

(誇大広告をしてはならない事項)

(Particulars for which Exaggerated Advertisement is Prohibited)

第三十四条の二の二十二 法第五十二条の二の五において準用する金融商品取引法第三十七条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-22 The particulars specified by Cabinet Office Order that are provided for in Article 37, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5, are the following particulars:

一 特定預金等契約の解除に関する事項

(i) the particulars on the cancellation of a contract for specified deposit, etc.;

二 特定預金等契約に係る損失の全部若しくは一部の負担又は利益の保証に関する事項

(ii) the particulars on the bearing of all or part a loss or guarantee of profit pertaining to a contract for specified deposit, etc.;

三 特定預金等契約に係る損害賠償額の予定（違約金を含む。）に関する事項

(iii) the particulars on liquidated damages (including a penalty) pertaining to a

- contract for specified deposit, etc.; and
- 四 特定預金等契約に関して顧客が支払うべき手数料等の額又はその計算方法、支払の方法及び時期並びに支払先に関する事項
- (iv) the particulars on the amount of a fee, etc. to be paid by a customer concerning a contract for specified deposit, etc. or its calculation method, payment method, and timing and the payee.

(契約締結前交付書面の記載方法)

(Method of Entering Into a Document to be Delivered Prior to the Conclusion of a Contract)

第三十四条の二の二十三 契約締結前交付書面には、法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項を日本産業規格Z八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

Article 34-2-23 (1) In the document to be delivered prior to the conclusion of a contract, the particulars set forth in the items of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, must be stated clearly and accurately, using letters and numbers of font size 8 points or larger as provided for in the Japanese Industrial Standards Z 8305.

2 前項の規定にかかわらず、契約締結前交付書面には、次に掲げる事項を枠の中に日本産業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載し、かつ、次項に規定する事項の次に記載するものとする。

(2) Notwithstanding the provisions of the preceding paragraph, in the document to be delivered prior to the conclusion of a contract, the following particulars are to be stated inside the box, clearly and accurately using letters and numbers of font size 12 points or larger as provided for in the Japanese Industrial Standards Z 8305, and after the particulars prescribed in the following paragraph:

一 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第四号に掲げる事項の概要並びに同項第五号及び第三十四条の二の二十七第一号に掲げる事項

(i) an outline of the particulars set forth in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act and the particulars set forth in item (v) of that paragraph, and Article 34-2-27, item (xi); and

二 第三十四条の二の二十七第十二号に掲げる事項

(ii) the particulars set forth in Article 34-2-27, item (xii).

3 外国銀行代理銀行は、契約締結前交付書面には、第三十四条の二の二十七第一号に掲げる事項及び法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項のうち顧客の判断に影響を及ぼすこととなる特に重要なも

のを、日本産業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて当該契約締結前交付書面の最初に平易に記載するものとする。

(3) In the document to be delivered prior to the conclusion of a contract, a foreign bank's agent bank is to state out of the particulars set forth in Article 34-2-27, item (i) and the items of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, particulars that are of particular importance in their impact on customers' judgment, in plain language, using characters and numerals of size 12 points or larger as provided for in the Japanese Industrial Standards Z 8305 at the beginning of the document to be delivered prior to the conclusion of a contract.

(情報の提供の方法)

(Methods of Providing Information)

第三十四条の二の二十四 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項の規定による情報の提供は、契約締結前交付書面を交付することにより行うものとする。

Article 34-2-24 The provision of information prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is to be done by delivering a document to be delivered prior to the conclusion of a contract.

(契約締結前交付書面の交付を要しない場合)

(When Delivery of Document to be Delivered Prior to the Conclusion of a Contract Is Not Required)

第三十四条の二の二十五 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 34-2-25 (1) The cases specified by Cabinet Office Order that are provided for in proviso to Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act are as follows :

一 外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約について法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第一号及び第三号から第五号まで並びに第三十四条の二の二十七第一号、第十一号及び第十七号に掲げる事項を、第三十四条の二の二十三に規定する方法に準ずる方法により記載した書面（以下この条から第三十四条の二の三十の二までにおいて「外貨預金等書面」という。）を交付している場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があつた場合に限る。）

(i) the cases in which a document (hereinafter referred to as a "document concerning foreign currency deposit, etc." from this Article to Article 34-2-30-

2), in which the particulars set forth in Article 37-3, paragraph (1), item (i) and items (iii) to (v) and Article 34-2-27, items (i), (xi), and (xvii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, with regard to a contract for specified deposit, etc. pertain to foreign currency deposit, etc., are stated by a method equivalent to that prescribed in Article 34-2-23, is delivered to the customer within one year before the conclusion of the contract for specified deposit, etc. (limited to the cases in which the customer expressed the intention of not requiring the delivery of the document to be delivered prior to the conclusion of a contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結前交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結前交付書面を交付していない場合を含む。）

(ii) the cases in which, within one year before the conclusion of a contract for specified deposit, etc., a document to be delivered prior to the conclusion of a contract for a specified deposit, etc. for which the terms are the same as those of the contract for specified deposit, etc., is delivered to the customer (including the cases in which the document to be delivered prior to the conclusion of a contract has not been delivered for the contract for specified deposit, etc. with the same terms pursuant to the provisions of the preceding item); and

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約の締結の代理又は媒介を行う場合においては、次に掲げるとき。

(iii) the following are the cases in which the relevant person acts as an agent or intermediary for conclusion of a contract for specified deposit, etc. to change part of the terms of the contract for specified deposit, etc. already concluded:
イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがないとき。

(a) when there is nothing to be changed, along with the change, in the entry of the document to be delivered prior to the conclusion of a contract for the contract for specified deposit, etc. already concluded; and

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがある場合にあつては、当該顧客に対し当該変更すべき記載事項を記載した書面（以下第三十四条の二の三十の二までにおいて「契約変更書面」という。）を交付しているとき。

(b) when along with the change, there are changes to be made to what are stated in the document to be delivered prior to the conclusion of a contract for a contract for specified deposit, etc. already concluded, if a document in which the change is stated (hereinafter referred to as a "contract change document" from this Article to Article 34-2-30-2) is delivered to the

customer.

2 第十四条の十一の二十五第二項の規定は、前項第三号ロの規定による契約変更書面の交付について準用する。

(2) The provisions of Article 14-11-25, paragraph (2) apply mutatis mutandis to delivery of a contract change document pursuant to the provisions of item (iii), sub-item (b) of the preceding paragraph.

3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行つた場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があつた場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみなして、第一項第一号の規定を適用する。

(3) If a contract for specified deposit, etc. pertaining to a foreign currency deposit, etc. is concluded within one year from the date when a document of foreign currency deposit, etc. is delivered (including the date when a document of foreign currency deposit, etc. is deemed to be delivered pursuant to the provisions of this paragraph) (limited to the cases in which the customer expressed the intention of not requiring delivery of a document to be delivered prior to the conclusion of a contract), it is deemed that a document of foreign currency deposit, etc. was delivered on the date of the conclusion and the provisions of paragraph (1), item (i) are applied.

4 契約締結前交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結前交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結前交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結前交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結を行つた場合には、当該締結の日において契約締結前交付書面を交付したものとみなして、第一項第二号の規定を適用する。

(4) If, within one year from the date of delivery of document to be delivered prior to the conclusion of a contract (including the date of conclusion of the contract for specified deposit, etc. and the date when the document to be delivered prior to the conclusion of a contract is deemed to be delivered pursuant to the provisions of this paragraph, if the document to be delivered prior to the conclusion of a contract is not delivered with regard to a contract for specified deposit, etc. pursuant to the provisions of paragraph (1), item (i)), a contract for specified deposit, etc. with the same terms as those of the contract for specified deposit, etc. pertaining to the document to be delivered prior to the conclusion of a contract is concluded, it is deemed that a document to be delivered prior to the conclusion of a contract was delivered on the date of the conclusion and the provisions of paragraph (1), item (ii) are applied.

（顧客が支払うべき対価に関する事項）

(Particulars on Compensation to Be Paid by a Customer)

第三十四条の二の二十六 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第四号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）及び当該金額の合計額若しくはその上限額又はこれらの計算方法とする。ただし、これらの記載をすることができない場合にあっては、その旨及びその理由とする。

Article 34-2-26 The particulars specified by Cabinet Office Order that are provided for in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5, are regardless of whether it is referred to as a fee, consideration, charge, or any other name, the amounts to be paid by the customer for a contract for specified deposit, etc., their maximum limits, or the way these are calculated (including the percentage of the amount of principal pertaining to the contract for specified deposit, etc.; hereinafter the same applies in this Article) and the total of those amounts or maximum limits, or the way these are calculated; provided, however, that when these cannot be stated, stating this fact and the reasons therefor.

(契約締結前交付書面の記載事項)

(Information to Be Entered Into Document to be Delivered Prior to the Conclusion of a Contract)

第三十四条の二の二十七 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-27 The particulars specified by Cabinet Office Order that are provided for in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following particulars:

一 当該契約締結前交付書面の内容を十分に読むべき旨

(i) a statement to the effect that the content of the document to be delivered prior to the conclusion of a contract should be thoroughly read;

二 商品の名称（通称を含む。）

(ii) name of the financial instrument (including a name it is commonly known by)

三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

(iii) whether it is eligible for the payment of insurance money prescribed in Article 53 of the Deposit Insurance Act

四 受入れの対象となる者の範囲

(iv) scope of the persons eligible for acceptance;

五 預入期間（自動継続扱いの有無を含む。）

(v) period of deposit (including whether the deposit will be automatically

- renewed or not);
- 六 最低預入金額、預入単位その他の預入れに関する事項
(vi) minimum amount of deposit, unit of deposit, and any other particulars pertaining to deposit;
- 七 払戻しの方法
(vii) method of repayment;
- 八 利息の設定方法、支払方法、計算方法その他の利息に関する事項
(viii) method of setting interest rate, payment method, calculation method, and any other particulars pertaining to interest;
- 九 付加することのできる特約に関する事項
(ix) the particulars on any special provisions that may be added;
- 十 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）
(x) terms of termination of contract before maturity (including calculation methods of interest and fees);
- 十一 顧客が行う特定預金等契約の締結について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあつては、次に掲げる事項
(xi) the following particulars, if there is a risk for a loss to arise that has as its direct cause fluctuations in the money rate, the value of currencies, quotations on a financial instruments market, or any other indicator, as regards the contract for specified deposit, etc. into which the customer will enter:
- イ 当該指標
(a) the indicator in question; and
- ロ 当該指標に係る変動により損失が生ずるおそれがある理由
(b) the reasons that fluctuations in that indicator could give rise to a loss;
- 十二 当該外国銀行代理銀行の所属外国銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回ることにより顧客に不利となるおそれがある旨
(xii) an indication that, if the right that the referenced principal foreign bank of a foreign bank's agent bank holds to extend the deposit period of a specified deposit, etc. is exercised, the customer risks being put at a disadvantage by the money rate of the specified deposit, etc. falling below the money market rate;
- 十三 次に掲げるものと特定預金等との組合せによる預入れ時の払込金が満期時に全額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全額返還される保証のないことその他当該商品に関する詳細
(xiii) when financial instruments combined with specified deposit, etc. with those set forth in the following sub-items, which do not guarantee repayment at maturity are handled, a statement to the effect that the full repayment at maturity of amount paid at initial deposit is not guaranteed and any other

details on the instrument:

イ 市場デリバティブ取引又は外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。）

(a) a market derivative transaction or a foreign market derivative transaction (excluding a transaction that falls under securities-related derivative transactions);

ロ 法第十条第二項第十四号に規定する金融等デリバティブ取引

(b) a financial derivative transaction prescribed in Article 10, paragraph (2), item (xiv) of the Act;

ハ 先物外国為替取引

(c) a forward foreign exchange transaction;

ニ 有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲げる取引及び外国金融商品市場における同号に掲げる取引と類似の取引を除く。）

(d) a securities-related derivative transaction (excluding transactions set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act and transactions in a foreign financial instruments market similar to transactions set forth in that item); and;

ホ 金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場における同号に掲げる取引と類似の取引（国債証券等及び同条第一項第十七号に掲げる有価証券のうち同項第一号の性質を有するものに係るものに限る。）

(e) a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act or transactions in a foreign financial instruments market similar to transactions set forth in that item (limited to a national government bond certificate, etc. and those of securities set forth in paragraph (1), item (xvii) of that Article which have the characteristics prescribed in item (i) of that paragraph);

十四 変動金利預金の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあつては、当該基準及び方法並びに金利に関する事項

(xiv) when the way of establishing an indicator and money rate to be the standard for establishing a money rate of a floating rate deposit are specified, the particulars on the standards, method, and money rate;

十五 当該特定預金等契約に関する租税の概要

(xv) outline of taxation pertaining to the contract for specified deposit, etc.;

十六 顧客が当該外国銀行代理銀行の所属外国銀行に連絡する方法

(xvi) a method for the customer to contact the principal foreign bank of the foreign bank's agent bank;

十七 その他特定預金等の預入れに関し参考となると認められる事項

(xvii) other information found to be of reference for the deposit of a specified deposit, etc.

(契約締結時交付書面の記載事項)

(Information to Be Entered Into Document to be Delivered upon the Conclusion of a Contract)

第三十四条の二の二十八 特定預金等契約が成立したときに作成する法第五十二条の二の五において準用する金融商品取引法第三十七条の四第一項に規定する書面（次条において「契約締結時交付書面」という。）には、次に掲げる事項を記載しなければならない。

Article 34-2-28 The following particulars must be stated in the document to be prepared when a specified deposit, etc. contract is concluded as prescribed in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 (referred to as a "document to be delivered upon the conclusion of a contract" in the following Article):

一 当該外国銀行代理銀行の所属外国銀行の名称又は商号

(i) name or trade name of the principal foreign bank of the foreign bank's agent bank;

二 預入金額（元本の額が外国通貨で表示される場合にあつては、当該外国通貨で表示される元本の額）

(ii) amount of deposit (when the amount of principal is indicated in a foreign currency, the amount of principal expressed in the foreign currency);

三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

(iii) whether the financial instrument is eligible for payment of insurance money prescribed in Article 53 of the Deposit Insurance Act;

四 預入日及び満期日（自動継続扱いの有無を含む。）

(iv) date of deposit and date of maturity (including whether the deposit will be automatically renewed or not);

五 払戻しの方法

(v) method of repayment;

六 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(vi) method of setting interest rates, payment method, calculation method, and other particulars pertaining to interest;

七 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(vii) terms of termination of contract before maturity (including the calculation methods of interest and fees);

八 当該特定預金等契約の成立の年月日

(viii) date of conclusion of the contract for specified deposit, etc.;

九 当該特定預金等契約に係る手数料等に関する事項

(ix) terms of fee, etc. for the contract for specified deposit, etc.;

十 顧客の氏名又は名称

(x) name of the customer; and

十一 顧客が当該外国銀行代理銀行の所属外国銀行に連絡する方法

(xi) a method for the customer to contact the principal foreign bank of the foreign bank's agent bank.

(契約締結時交付書面の交付を要しない場合)

(When Delivery of Document to be Delivered upon the Conclusion of a Contract Is Not Required)

第三十四条の二の二十九 契約締結時交付書面に係る法第五十二条の二の五において準用する金融商品取引法第三十七条の四第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 34-2-29 (1) The cases specified by Cabinet Office Order that are provided for in Article 37-4, proviso of paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act as regards a document to be delivered upon the conclusion of a contract are as follows:

一 外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し外貨預金等書面を交付している場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があつた場合に限る。）

(i) if a document of foreign currency deposit, etc. is delivered to the customer within one year before the conclusion of the contract for specified deposit, etc. pertaining to a foreign currency deposit, etc. (limited to the cases in which the customer expressed the intention of not requiring the delivery of the document to be delivered upon the conclusion of a contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結時交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結時交付書面を交付していない場合を含む。）

(ii) if, within one year before the conclusion of a contract for specified deposit, etc., a document to be delivered upon the conclusion of a contract for a contract for specified deposit, etc. with the same terms as the contract for specified deposit, etc., is delivered to the customer (including the cases in which the document to be delivered upon the conclusion of a contract has not been delivered for the contract for specified deposit, etc. with the same terms, pursuant to the provisions of the preceding item); and

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約が成立した場合においては、次に掲げるとき。

(iii) a case as follows, if a contract for specified deposit, etc. whose substance changes a part of a specified deposit, etc. contract that is already in effect, takes effect:

イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがないとき。

(a) if the change in question does not require a change to be made to a

particular entered in a document delivered at the conclusion of the specified deposit, etc. contract that is already in effect; and

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがある場合にあっては、当該顧客に対し当該変更すべき記載事項を記載した書面を交付しているとき。

(b) if the change in question requires a change to be made to a particular entered in a document delivered at the conclusion of the specified deposit, etc. contract that is already in effect, and a document in which the particular requiring the change is stated has been delivered to the customer.

2 第十四条の十一の二十五第二項の規定は、前項第三号ロの規定による書面の交付について準用する。

(2) The provisions of Article 14-11-25, paragraph (2) apply mutatis mutandis to delivery of a document pursuant to the provisions of item (iii), sub-item (b) of the preceding paragraph.

3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行つた場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があつた場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみなして、第一項第一号の規定を適用する。

(3) If a contract for specified deposit, etc. pertaining to a foreign currency deposit, etc. is concluded within one year from the date when a document of foreign currency deposit, etc. is delivered (including the date when a document of foreign currency deposit, etc. is deemed to be delivered pursuant to the provisions of this paragraph) (limited to the cases in which the customer expressed the intention of not requiring delivery of a document to be delivered upon the conclusion of a contract), it is deemed that a document of foreign currency deposit, etc. was delivered on the date of the conclusion and the provisions of paragraph (1), item (i) are applied.

4 契約締結時交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結時交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結時交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結時交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結を行つた場合には、当該締結の日において契約締結時交付書面を交付したものとみなして、第一項第二号の規定を適用する。

(4) If, within one year from the date of delivery of document to be delivered upon the conclusion of a contract (including the date of conclusion of the contract for specified deposit, etc. and the date when the document to be delivered upon the conclusion of a contract is deemed to be delivered pursuant to the provisions of this paragraph in the case the document to be delivered upon the conclusion of a contract pertaining to a contract for specified deposit, etc. is not delivered

pursuant to the provisions of paragraph (1), item (i)), a contract for specified deposit, etc. with the same terms as those of the contract for specified deposit, etc. pertaining to the document to be delivered upon the conclusion of a contract is concluded, it is deemed that a document to be delivered upon the conclusion of a contract was delivered on the date of the conclusion and the provisions of paragraph (1), item (ii) are applied.

(信用格付業者の登録の意義その他の事項)

(Significance of Registration of a Credit Rating Agency and Other Particulars)

第三十四条の二の三十 法第五十二条の二の五において準用する金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げるものとする。

Article 34-2-30 (1) The particulars specified by Cabinet Office Order that are provided for in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are as follows:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 信用格付を付与した者に関する次に掲げる事項

(ii) with regard to a person that gave the credit rating, the particulars set forth in the following:

イ 商号、名称又は氏名

(a) trade name or name.

ロ 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。）であるときは、役員（法人でない団体で代表者又は管理人の定めのあるものにあつては、その代表者又は管理人）の氏名又は名称

(b) if the person is a corporation (including an organization without legal personality and has provisions on a representative or an administrator), the name of its officers (for an organization without legal personality and has provisions on a representative or an administrator, such representative or administrator).

ハ 本店その他の主たる営業所又は事務所の名称及び所在地

(c) names and locations of the head office and other main business offices or offices.

三 信用格付を付与した者が当該信用格付を付与するために用いる方針及び方法の概要

(iii) the outline of the policy and method that the person that gave the credit rating uses to give the credit rating.

四 信用格付の前提、意義及び限界

(iv) the premise, significance, and limitations of credit rating.

2 前項の規定にかかわらず、特定関係法人の付与した信用格付については、法第五十

二条の二の五において準用する金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げるものとする。

(2) Notwithstanding the provisions of the preceding paragraph, with regard to credit ratings granted by a specified associated corporation, the particulars specified by Cabinet Office Order that are provided for in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act are as follows:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 金融庁長官が金融商品取引業等に関する内閣府令第百十六条の三第二項の規定に基づき、その関係法人を当該特定関係法人として指定した信用格付業者の商号又は名称及び登録番号

(ii) trade name or name, and registration number of the credit rating agency whose associated corporation was designated as the specified associated corporation by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 116-3, paragraph (2) of the Cabinet Office Order on Financial Instruments Business;

三 当該特定関係法人が信用格付業を示すものとして使用する呼称

(iii) the name used by the specified associated corporation as an indication of the credit rating business;

四 信用格付を付与した特定関係法人が当該信用格付を付与するために用いる方針及び方法の概要又は当該概要に関する情報を第二号に規定する信用格付業者から入手する方法

(iv) the outline of the policy and method that the specified associated corporation that gave the credit rating uses to give the credit rating or means of obtaining information on the outline from credit rating agency provided in item (ii);

五 信用格付の前提、意義及び限界

(v) the premise, significance, and limitations of credit rating.

(禁止行為)

(Prohibited Acts)

第三十四条の二の三十の二 法第五十二条の二の五において準用する金融商品取引法第三十八条第九号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 34-2-30-2 The acts specified by Cabinet Office Order that are provided for in Article 38, item (ix) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following acts:

一 第三十四条の二の四十四各号に掲げる行為

(i) acts set forth in the items of Article 34-2-44;

二 次に掲げる書面の交付に関し、あらかじめ、顧客（特定投資家（法第五十二条の二の五において準用する金融商品取引法第三十四条の二第五項の規定により特定投資家以外の顧客とみなされる者を除き、法第五十二条の二の五において準用する金融商品取引法第三十四条の三第四項（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）の規定により特定投資家とみなされる者を含む。）を除く。以下この号において同じ。）に対して、法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（ハに掲げる書面を交付する場合にあつては、当該書面に記載されている事項であつて同項第三号から第五号まで及び第七号に掲げる事項に係るもの）について顧客の知識、経験、財産の状況及び特定預金等契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をすることなく、特定預金等契約の締結の代理又は媒介をする行為

(ii) with regard to delivery of the following documents, an act as an agent or an intermediary for the conclusion of a contract for specified deposit, etc. without explaining in advance to the customer (excluding a professional investor (excluding a person that is deemed to be a customer other than a professional investor pursuant to the provisions of Article 34-2, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, and including a person that is deemed to be a professional investor pursuant to the provisions of Article 34-3, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (including cases as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act)); hereinafter the same applies in this item) about particulars (when a document set forth in item (c) is delivered, particulars that are stated in the document and that are pertaining to the particulars set forth in Article 37-3, paragraph (1), items (iii) to (v) and (vii) of the Financial Instruments and Exchange Act) set forth in items (iii) to (v) and (vii) of that paragraph, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, by a method and to a degree deemed necessary for the the customer to understand those particulars in light of the customer's knowledge, experience, financial status, and purpose of concluding the specified deposit, etc. contract:

イ 契約締結前交付書面

(a) document to be delivered prior to the conclusion of a contract;

ロ 外貨預金等書面

(b) document of foreign currency deposit, etc.; and

ハ 契約変更書面

(c) contract change document;

三 特定預金等契約の締結の勧誘に関して、虚偽の表示をし、又は重要な事項につき

誤解を生ぜしめるべき表示をする行為

(iii) with regard to solicitation of conclusion of a contract for specified deposit, etc., an act of misrepresentation or an act of representation that may cause misunderstanding of important particulars;

四 特定預金等契約につき、顧客若しくはその指定した者に対し、特別の利益の提供を約し、又は顧客若しくは第三者に対し特別の利益を提供する行為（第三者をして特別の利益の提供を約させ、又はこれを提供させる行為を含む。）

(iv) with regard to a contract for specified deposit, etc., an act of promising special benefits to the customer or a person designated by the customer, or an act of offering special benefits to the customer or a third party (including an act of having a third party promise or offer special benefits); and

五 特定預金等契約の締結又は解約に関し、顧客（個人に限る。）に迷惑を覚えさせるような時間に電話又は訪問により勧誘する行為

(v) with regard to conclusion or termination of a contract for specified deposit, etc., an act of soliciting, by telephone or by visitation, at the time the customer (limited to an individual) finds annoying.

(行為規制の適用除外の例外)

(Exemption of Exclusion from Application of Restriction on Acts)

第三十四条の二の三十一 法第五十二条の二の五において準用する金融商品取引法第四十五条ただし書に規定する内閣府令で定める場合は、法第五十二条の二の五において準用する金融商品取引法第三十七条の四の規定の適用について、顧客の締結した特定預金等契約に関する照会に対して速やかに回答できる体制が整備されていない場合とする。

Article 34-2-31 To apply the provisions of Article 37-4 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, the case specified by Cabinet Office Order that is provided for in the proviso to Article 45 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 52-2-5 of the Act is when a system for promptly responding to an inquiry concerning a contract for specified deposit, etc. that a customer concluded has not been developed.

(所属外国銀行の説明書類等の縦覧)

(Public Inspection of Explanatory Statements of a Principal Foreign Bank)

第三十四条の二の三十二 外国銀行代理銀行は、その所属外国銀行及び当該所属外国銀行を子会社とする外国銀行持株会社（法第五十二条の二の六第一項に規定する外国銀行持株会社をいう。以下この条において同じ。）がその事業年度ごとに作成した書面であつて、当該所属外国銀行又は当該外国銀行持株会社の業務及び財産の状況に関する事項を記載したもの（法第二十一条第一項及び第二項並びに第五十二条の二十九第一項に規定する事業年度に係る説明書類又はこれに類するものであつて、日本語又は

英語により記載したものに限る。以下この条において「縦覧書類」という。)の縦覧を、当該所属外国銀行又は当該所属外国銀行を子会社とする外国銀行持株会社の事業年度経過後六月以内に開始し、当該事業年度の翌事業年度に係るそれぞれの縦覧書類の縦覧を開始するまでの間、公衆の縦覧に供しなければならない。

Article 34-2-32 (1) A foreign bank's agent bank must start making available for public inspection documents that its principal foreign bank and the foreign bank holding company (meaning the foreign bank holding company prescribed in Article 52-2-6, paragraph (1) of the Act; hereinafter the same applies in this Article) of which the principal foreign bank is a subsidiary company prepares each business year on the state of business and assets of the principal foreign bank or the foreign bank holding company (meaning explanatory documents for the business year prescribed in Article 21, paragraphs (1) and (2) and Article 52-29, paragraph (1) of the Act, or any documents equivalent thereto, and limited to those written in Japanese or English; hereinafter referred to as "documents for public inspection") within six months after the business year of the principal foreign bank or the foreign bank holding company having the principal foreign bank as a subsidiary company has passed and make them available until they start public inspection of documents for public inspection for the following business year.

2 縦覧書類が英語で記載されたものである場合には、外国銀行代理銀行は、当該縦覧書類に加え、その所属外国銀行及び当該所属外国銀行を子会社とする外国銀行持株会社に係る事業の概況並びに貸借対照表及び損益計算書について、顧客の求めに応じ、日本語で記載された書面を示さなければならない。

(2) When the documents for public inspection are written in English, the foreign bank's agent bank must, in addition to the documents, present the documents in Japanese concerning the overview of business, balance sheet, and profit and loss statement of its principal foreign bank and the foreign bank holding company having the principal foreign bank as a subsidiary company, in response to the request of a customer.

3 外国銀行代理銀行は、やむを得ない理由により第一項に規定する期間までに縦覧書類の縦覧を開始できない場合には、あらかじめ金融庁長官（金融庁長官の指定する銀行以外の外国銀行代理銀行にあつては、当該外国銀行代理銀行の本店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つては、福岡財務支局長））の承認を受けて、当該縦覧の開始を延期することができる。

(3) If a foreign bank's agent bank is unable to start making documents for public inspection available for public inspection by the time prescribed in paragraph (1) due to compelling reasons, the foreign bank's agent bank may postpone the start of the public inspection with the prior approval of the Commissioner of the Financial Services Agency (with regard to a foreign bank's agent bank other than a Bank designated by the Commissioner of the Financial Services Agency, the Director of the Local Finance Bureau that has jurisdiction over the

locality of the head office of the foreign bank's agent bank (with regard to the locality that is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the head of the Fukuoka Local Finance Branch Bureau))

4 外国銀行代理銀行は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(4) When seeking approval under the preceding paragraph, a foreign bank's agent bank must submit a written statement of reasons attached to a written application for approval to the Commissioner of the Financial Services Agency or other competent authorities.

5 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした外国銀行代理銀行が第一項の規定による縦覧の開始を延期することについてやむを得ない理由があるかどうかを審査するものとする。

(5) When an application for approval under the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the foreign bank's agent bank that filed the application has a compelling reason to postpone the start of the public inspection as under paragraph (1).

6 法第五十二条の二の六第二項に規定する内閣府令で定めるものは、電磁的記録に記録された事項又は当該電磁的記録に記録された事項を掲載したウェブサイトのアドレス（二次元コードその他のこれに代わるものを含む。）を紙面又は映像面に表示する方法とする。

(6) The measure specified by Cabinet Office Order that is provided for in Article 52-2-6, paragraph (2) of the Act is any means of indicating the information that has been recorded in an electronic or magnetic record or the address (including the two-dimensional barcode or any alternative) of the website on which the information recorded in an electronic or magnetic record has been posted, on paper or on a screen.

(外国銀行代理業務の健全化措置)

(Measures to Ensure Sound Operation of Foreign Bank Agency Services)

第三十四条の二の三十三 外国銀行代理銀行は、法第五十二条の二の七の規定により、外国銀行代理業務の健全かつ適切な運営を確保するため、次に掲げる措置を講じなければならない。

Article 34-2-33 A foreign bank's agent bank must, pursuant to the provisions of Article 52-2-7 of the Act, take the following measures to ensure sound and proper operation of foreign bank agency services.

一 外国銀行代理業務に係る所属外国銀行の業務又は財産の状況に関する照会に対して速やかに回答できる体制の整備等の措置

(i) measures to develop a system that enables prompt response to inquiries on the state of the services and assets of the principal foreign bank pertaining to the foreign bank agency services;

二 外国銀行代理業務の健全かつ適切な運営を確保するため必要があると認めるときには、所属外国銀行との間の委託契約の内容を変更し、又は解除するための措置

(ii) when it is found necessary for the sound and proper management of foreign bank agency services, a measure to change the terms of or cancel the outsourcing contract with the principal foreign bank;

三 代理又は媒介を行おうとする所属外国銀行の業務について、法第十条第一項及び第二項に規定する業務（代理又は媒介に係る業務及び銀行が同項（第八号及び第八号の二を除く。）の規定により代理又は媒介を行うことができる業務を除く。）に該当するかどうかを必要に応じて自ら審査を行うための措置

(iii) with regard to the principal foreign bank's services in which the bank seeks to act as an agent or intermediary, a measure to examine by itself, as necessary, whether the services correspond to the services prescribed in Article 10, paragraphs (1) and (2) of the Act (excluding services for which it acts as an agent or intermediary and the services in which a bank may act as an agent or intermediary pursuant to the provisions of that paragraph (excluding items (viii) and (viii)-2));

四 所属外国銀行に外国銀行代理銀行から顧客に関する情報を不正に取得させない等、顧客情報の適切な管理を確保するための措置

(iv) measures to ensure the proper management of customer information, such as preventing the principal foreign bank from illegally obtaining customer information from the foreign bank's agent bank;

五 外国銀行代理業務を営む営業所の廃止にあたっては、当該営業所の顧客に係る取引が、所属外国銀行を同一とする他の外国銀行代理銀行又は他の営業所へ支障なく引き継がれる等、当該営業所の顧客に著しい影響を及ぼさないようにするための措置

(v) in closing a business office providing foreign bank agency services, measures to ensure that the customers of the business office are not significantly affected, such as measures to smoothly hand over the transactions of customers of the business office to other foreign bank's agent banks or other business offices of the same principal foreign bank.

六 外国銀行代理業務に係る所属外国銀行の業務に係る顧客からの苦情を適切かつ迅速に処理するために必要な措置

(vi) measures necessary to properly and promptly address customer complaints regarding the principal foreign bank's services associated with the foreign bank agency services.

(所属外国銀行に関する届出)

(Notification on Principal Foreign Bank)

第三十四条の二の三十四 法第五十二条の二の九第一項第七号に規定する内閣府令で定める場合は、発行済株式等の百分の五十を超える数又は額の株式又は持分を保有する者に変更があつた場合とする。

Article 34-2-34 (1) The case specified by Cabinet Office Order that is provided for in Article 52-2-9, paragraph (1), item (vii) of the Act is when there has been a change in the person that holds a number of shares or an amount of equity accounting for over fifty percent of the issued shares or contribution

2 外国銀行代理銀行は、法第五十二条の二の九第一項の規定による届出をしようするときは、届出書に理由書その他参考となるべき事項を記載した書面を添付して、遅滞なく、金融庁長官等に提出しなければならない。ただし、同項第一号に係る届出は、半期ごとに一括して行うことができる。

(2) When seeking to file a notification under the provisions of Article 52-2-9, paragraph (1) of the Act, a foreign bank's agent bank must submit to the Commissioner of the Financial Services Agency or other competent authorities a written notification without delay, with a statement of reasons and a document stating information that should serve as a reference attached thereto; provided, however, that the notifications regarding the matter set forth in item (i) of that paragraph may be made collectively as a single notification on a semiannual basis.

3 外国銀行代理銀行は、法第五十二条の二の九第二項による公告及び掲示をするとき（同条第一項第三号から第六号までに掲げる届出を行つた場合に限る。）は、所属外国銀行における預金等その他その営む外国銀行代理業務に係る取引の処理の方針を示すものとする。

(3) When issuing public notice and making a posting under Article 52-2-9, paragraph (2) of the Act (limited to the cases in which a notification set forth in paragraph (1), items (iii) to (vi) of that Article), a foreign bank's agent bank is to indicate its policy for processing transactions involved in deposits, etc. with the principal foreign bank and other foreign bank agency services it provides.

(標識の様式)

(Form of Sign)

第三十四条の二の三十五 法第五十二条の二の十において準用する法第五十二条の四十一項に規定する内閣府令で定める様式は、別紙様式第十号の二に定めるものとする。

Article 34-2-35 The form specified by Cabinet Office Order that is provided for in Article 52-40, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, is as prescribed in the Appended Form No. 10-2.

(分別管理)

(Separated Management)

第三十四条の二の三十六 外国銀行代理銀行は、法第五十二条の二の十において準用する法第五十二条の四十三の規定に基づき、管理場所を区別することその他の方法により外国銀行代理行為に関して顧客から交付を受けた金銭その他の財産が自己の固有財産であるか、又はいずれの所属外国銀行に係るものであるかが直ちに判別できる状態

で管理しなければならない。

Article 34-2-36 A foreign bank's agent bank, based on the provisions of Article 52-43 of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, must manage money or other assets delivered by customers, with regard to its activities as a foreign bank agent, in a condition that is immediately distinguishable as to whether the asset is its own asset or belongs to any principal foreign bank, by separating the places of management or by other methods.

(明示事項)

(Particulars to Be Clearly Indicated)

第三十四条の二の三十七 法第五十二条の二の十において準用する法第五十二条の第四第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-37 The particulars specified by Cabinet Office Order that are provided for in Article 52-44, paragraph (1), item (iii) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, are the following particulars:

一 外国銀行代理行為に関して顧客から金銭その他の財産の交付を受けるときは、当該交付を受けることについての所属外国銀行からの権限の付与がある旨

(i) when receiving delivery of money or other assets from a customer with regard to activities as a foreign bank agent, a statement to the effect that the foreign bank's agent bank has been authorized by the principal foreign bank to receive the delivery;

二 所属外国銀行が二以上ある場合において、顧客が締結しようとする外国銀行代理行為に係る契約につき顧客が支払うべき手数料と、当該契約と同種の契約につき他の所属外国銀行に支払うべき手数料が異なるときは、その旨

(ii) when there are two or more principal foreign banks, and when the fees pertaining to activities as a foreign bank agent that the customer is to pay for a contract that the customer seeks to conclude differs from the fee to be paid to another principal foreign bank for the same type of contract as the contract, a statement to that effect;

三 所属外国銀行が二以上ある場合において、顧客が締結しようとする外国銀行代理行為に係る契約と同種の契約の締結の代理又は媒介を他の所属外国銀行のために行っているときは、その旨

(iii) when there are two or more principal foreign banks, and when the foreign bank agent bank acts as an agent or intermediary for the conclusion of the same type of contract as the one the customer intends to conclude through its activity as a foreign bank agent for another principal foreign bank, a statement to that effect;

四 所属外国銀行が二以上ある場合は、顧客の取引の相手方となる所属外国銀行の商号又は名称

(iv) when there are two or more principal foreign banks, the trade name or name of the principal foreign bank that is the other party of the transaction of the customer.

(外国銀行代理銀行の預金者等に対する情報の提供)

(Provision of Information to Depositor by a Foreign Bank's Agent Bank)

第三十四条の二の三十八 第十三条の三の規定は、法第五十二条の二の十において準用する法第五十二条の四十四第二項の規定による外国銀行代理銀行が行う預金者等に対する情報の提供について準用する。

Article 34-2-38 The provisions of Article 13-3 apply mutatis mutandis to the provision of information to depositor, etc. by a foreign bank's agent bank pursuant to the provisions of Article 52-44, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act.

(外国銀行代理銀行が締結する契約との誤認防止)

(Prevention of Misidentification with Contract Concluded by a Foreign Bank's Agent Bank)

第三十四条の二の三十九 外国銀行代理銀行は、外国銀行代理行為を行うときは、顧客に対し、次に掲げる事項を説明するものとする。

Article 34-2-39 When carrying out an activity as a foreign bank agent, a foreign bank's agent bank is to explain to the customer the following particulars:

一 契約の主体が、当該外国銀行代理銀行ではなく、当該外国銀行代理業務に係る所属外国銀行であること。

(i) that the other party to the contract is not the foreign bank's agent bank itself but the principal foreign bank associated with the relevant foreign bank agent services; and

二 その他外国銀行代理銀行が締結する契約との誤認防止に関し参考となると認められる事項

(ii) other information found to be of reference for preventing the customer from confusing the contract with a contract concluded by the foreign bank's agent bank.

(他の所属外国銀行の同種の契約に係る情報提供)

(Provision of Information Pertaining to the Same Type of Contract for Other Principal Foreign Banks)

第三十四条の二の四十 外国銀行代理銀行は、第三十四条の二の三十七第三号に掲げる事項を明らかにしたときは、顧客の求めに応じ、他の所属外国銀行の同種の契約の内容その他顧客に参考となるべき情報の提供を行わなければならない。

Article 34-2-40 A foreign bank's agent bank, if it has clarified the particulars prescribed in Article 34-2-37, item (iii), must respond to the request of a customer and provide the content of the same type of contract for another

principal foreign bank and other information to serve as a reference for the customer.

(外国銀行代理業務の従事者に対する研修の実施等の措置)

(Training and Other Measures for Employees Engaged in Foreign Bank Agency Services)

第三十四条の二の四十一 外国銀行代理銀行は、外国銀行代理業務の従事者に対し、外国銀行代理業務の指導、外国銀行代理業務に関する法令等（外国の法令等を含む。）を遵守させるための研修の実施等の措置を講じなければならない。

Article 34-2-41 For the employees engaged in foreign bank agency services, a foreign bank's agent bank must take such measures as providing guidance in foreign bank agency services and training on compliance with laws (including foreign laws and regulations) concerning foreign bank agency services.

(外国銀行代理銀行の密接関係者)

(Closely Related Parties of a Foreign Bank's Agent Bank)

第三十四条の二の四十二 法第五十二条の二の十において準用する法第五十二条の四十五第三号に規定する内閣府令で定める外国銀行代理銀行と密接な関係を有する者は、当該外国銀行代理銀行が銀行である場合にあつては、当該銀行の特定関係者（法第十三条の二に規定する特定関係者をいい、当該外国銀行代理銀行である銀行の子会社を除く。）とし、当該外国銀行代理銀行が外国銀行支店である場合にあつては、当該外国銀行支店の特殊関係者（令第九条の規定により読み替えられた法第十三条の二に規定する特殊関係者をいい、当該外国銀行支店に係る外国銀行の子会社を除く。）とする。

Article 34-2-42 If a foreign bank's agent bank is a bank, the person closely related to the foreign bank's agent bank as specified by Cabinet Office Order that is provided for in Article 52-45, item (iii) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act means a specified related party of the bank (meaning a specified related party prescribed in Article 13-2 of the Act, but excluding a subsidiary company of a bank that is the foreign bank's agent bank) and, if the foreign bank's agent bank is a foreign bank branch, this means a person that has a special relationship with that foreign bank branch (meaning a person with special relationship as prescribed in Article 13-2 of the Act, as replaced pursuant to the provisions of Article 9 of the Order, but excluding a subsidiary company of a foreign bank to which the foreign bank branch belongs).

(顧客の保護に欠けるおそれのないもの)

(Acts Unlikely to Result in Insufficient Customer Protection)

第三十四条の二の四十三 法第五十二条の二の十において準用する法第五十二条の四十五第三号に規定する顧客の保護に欠けるおそれのないものとして内閣府令で定めるも

のは、外国銀行代理銀行が不当に取引を行うことを条件として、資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介をする行為ではないものとする。

Article 34-2-43 The act specified by Cabinet Office Order as being unlikely to result in insufficient customer protection that is provided for in Article 52-45, item (iii) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10, means an act that does not constitute a foreign bank's agent bank acting as an agent or intermediary in the conclusion of a contract for the lending of funds or discounting of bills and notes on the condition that the foreign bank's agent will improperly conduct a transaction.

(外国銀行代理業務に係る禁止行為)

(Prohibited Acts in Foreign Bank Agency Services)

第三十四条の二の四十四 法第五十二条の二の十において準用する法第五十二条の四十五第五号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 34-2-44 The acts specified by Cabinet Office Order that are provided for in Article 52-45, item (v) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, are the following acts:

一 顧客に対し、不当に、自己又は自己の指定する事業者と取引を行うことを条件として、所属外国銀行の業務に係る契約の締結の代理又は媒介をする行為（法第五十条の二の十において準用する法第五十二条の四十五第三号に掲げるものを除く。）

(i) wrongfully acting as an agent or intermediary for the customer in the conclusion of a contract involving the services of a principal foreign bank on the condition that the customer effect a transaction with itself or a business operator it designates (excluding the act set forth in Article 52-45, item (iii) of the Act as applied mutatis mutandis in Article 50-2-10 of the Act);

二 顧客に対し、外国銀行代理銀行としての取引上の優越的地位を不当に利用して、取引の条件又は実施について不利益を与える行為

(ii) wrongfully using its advantageous position in a transaction as a foreign bank's agent bank to put a customer at a disadvantage as concerns a condition or implementation of a transaction;

三 顧客に対し、不当に、所属外国銀行の業務に係る契約の締結の代理又は媒介を行うことを条件として、自己又は自己の指定する事業者と取引をする行為

(iii) wrongfully having the customer effect a transaction with itself or a business operator it designates on the condition that it act as an agent or intermediary in the conclusion of a contract involving the services of a principal foreign bank;

四 法令等（外国の法令等を含む。）に違反し、又は違反するおそれのある所属外国銀行の行為に係る契約の締結の代理又は媒介を行う行為

(iv) acting as an agent or intermediary in the conclusion of a contract related to an act of the principal foreign bank that violates or may violate a law or regulation, etc. (including foreign laws and regulations, etc.)

(外国銀行代理業務に関する帳簿書類)

(Books and Documents Concerning Foreign Bank Agency Services)

第三十四条の二の四十五 外国銀行代理銀行は、法第五十二条の二の十において準用する法第五十二条の四十九の規定により、外国銀行代理業務の処理及び計算を明らかにするため、次の各号に掲げる帳簿書類（所属外国銀行の業務の代理を行わない場合は、第三号に掲げるものに限る。）を所属外国銀行ごとに作成し、当該各号に定める期間保存しなければならない。

Article 34-2-45 Pursuant to the provisions of Article 52-49 of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, a foreign bank's agent bank must prepare the books and documents prescribed in the following items (when it does not act as an agent in the principal foreign bank's services, limited to those set forth in item (iii)) for each principal foreign bank and maintaining them for the periods prescribed respectively in those items to clarify the processing and calculations made in the foreign bank agency services:

一 総勘定元帳 作成の日から五年間

(i) general ledger: five years from the date of preparation;

二 外国銀行代理勘定元帳 作成の日から十年間

(ii) foreign bank agency account ledger: ten years from the date of preparation;

三 外国銀行代理業務に係る顧客に対して行つた所属外国銀行の業務の媒介の内容を記録した書面 当該媒介を行つた日から五年間

(iii) a document describing the intermediation of the services of the principal foreign bank that it provided to customers of foreign bank agency services: five years from the date on which it undertook the intermediation.

(外国銀行代理業務に関する報告書の様式等)

(Form of Written Report on Foreign Bank Agency Services)

第三十四条の二の四十六 法第五十二条の二の十において準用する法第五十二条の五十一項の規定による外国銀行代理業務に関する報告書は、別紙様式第十号の二の二により作成し、事業年度経過後三月以内に金融庁長官等に提出しなければならない。

Article 34-2-46 (1) The written report on foreign bank agency services pursuant to the provisions of Article 52-50, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, must be prepared pursuant to Appended Form No. 10-2-2 and submitted to the Commissioner of the Financial Services Agency or other competent authorities, within three months after the end of a business year.

2 外国銀行代理銀行は、やむを得ない理由により前項に規定する期間内に外国銀行代理業務に関する報告書の提出をすることができない場合には、あらかじめ金融庁長官（令第十七条の二の規定により当該外国銀行代理銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局

長) が当該外国銀行代理業務に関する報告書を受理する場合にあつては、その財務局長又は福岡財務支局長) の承認を受けて、当該提出を延期することができる。

- (2) If a foreign bank's agent bank unable to submit a written report on foreign bank agency services within the period prescribed in the preceding paragraph due to compelling reasons, it may postpone the submission under the prior approval of the Commissioner of the Financial Services Agency (when the Director the Local Finance Bureau who has jurisdiction over the locality of the head office of the foreign bank's agent bank (the head of the Fukuoka Local Finance Branch Bureau, when the locality is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau) pursuant to the provisions of Article 17-2 of the Order receives the report on foreign bank agency services, the director of the Local Finance Bureau or the head of Fukuoka Local Finance Branch Bureau).
- 3 外国銀行代理銀行は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。
- (3) When seeking approval under the preceding paragraph, a foreign bank's agent bank must submit a written statement of reasons attached to the written application for approval to the Commissioner of the Financial Services Agency or other competent authorities.
- 4 金融庁長官等は前項の規定による承認の申請があつたときは、当該申請をした外国銀行代理銀行が第二項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。
- (4) When an application for approval under the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the foreign bank's agent bank that filed the application has what is found to be a compelling reason to postpone the submission as under paragraph (2).

第八章 株主

Chapter VIII Shareholders

第一節 通則

Section 1 General Rules

(銀行議決権保有届出書の提出等)

(Submission of a Written Statement of Holdings in Bank Voting Rights)

第三十四条の二の四十七 法第五十二条の二の十一第一項の規定により同項に規定する銀行議決権保有届出書(以下この項及び第三十四条の五において「銀行議決権保有届出書」という。)を提出すべき者は、別紙様式第十号の二の三により当該銀行議決権保有届出書を作成し、金融庁長官等に提出しなければならない。

Article 34-2-47 (1) A person that is to submit a statement of holdings in bank voting rights (hereinafter referred to as a "statement of holdings in bank voting

rights" in this paragraph and Article 34-5) as prescribed in Article 52-2-11, paragraph (1) of the Act pursuant to that paragraph, must prepare the statement of holdings in bank voting rights pursuant to the Appended Form No. 10-2-3, and submit it to the Commissioner of the Financial Services Agency or other competent authorities.

2 法第五十二条の二の十一第一項に規定する内閣府令で定める場合及び内閣府令で定める日は、次の各号に掲げる場合及びその区分に応じ当該各号に定める日とする。

(2) The cases specified by Cabinet Office Order and the day specified by Cabinet Office Order that are provided for in Article 52-2-11, paragraph (1) of the Act are the cases set forth in each of the following items and the days specified in each of those items in accordance with the relevant category:

一 保有する議決権の数に増加がない場合（第三号に掲げる場合を除く。） 銀行議決権大量保有者（法第五十二条の二の十一第一項に規定する銀行議決権大量保有者をいう。以下この条並びに第三十四条の四第二項第二号及び第三号において同じ。）となつたことを知つた日から五日（日曜日及び令第十五条の二に規定する休日の日数は、算入しない。以下この号及び第三十四条の四第二項第一号において同じ。）を経過した日又は銀行議決権大量保有者となつた日を含む月の翌月十五日から五日を経過した日（当該日が銀行議決権大量保有者となつた日から一月を経過した日前である場合にあつては、銀行議決権大量保有者となつた日から一月を経過した日）のいずれか早い日

(i) when there is no increase in the number of voting rights held (excluding the case as set forth in item (iii)): the earlier day among the day when five days (Sunday and the number of non-business days as prescribed in Article 15-2 of the Order are not counted; hereinafter the same applies in this item and Article 34-4, paragraph (2), item (i)) have elapsed from the day that a person learns that they are a major holder of voting rights in a bank (meaning a major holder of voting rights in a bank as prescribed in Article 52-2-11, paragraph (1) of the Act; hereinafter the same applies in this Article and Article 34-4, paragraph (2), items (ii) and (iii)), or, the day when five days have elapsed from the 15th day of the month following the month that includes the day when a person became a major holder of voting rights in a bank (if the day is less than one month from the day when a person became a major holder of voting rights in a bank, the day that one month has elapsed from the day when a person becomes a major holder of voting rights in a bank);

二 銀行議決権大量保有者となつた者が外国人又は外国の法人（法第三条の二第一項第一号に掲げる者を含む。次号並びに第三十四条の四第二項第二号及び第三号において同じ。）である場合（次号に掲げる場合を除く。） 銀行議決権大量保有者となつた日から一月を経過した日

(ii) when a person that becomes a major holder of voting rights in a bank is a foreign national or foreign corporation (including a person as set forth in

Article 3-2, paragraph (1), item (i) of the Act; the same applies in the following item and Article 34-4, paragraph (2), items (ii) and (iii)) (excluding a case as set forth in the following item): the day when one month has elapsed from the day when a person becomes a major holder of voting rights in a bank; or

三 銀行議決権大量保有者となつた者が外国人又は外国の法人であつてその保有する議決権の数に増加がない場合 銀行議決権大量保有者となつたことを知つた日から一月を経過した日又は銀行議決権大量保有者となつた日を含む月の翌月十五日から一月を経過した日（当該日が銀行議決権大量保有者となつた日から二月を経過した日前である場合にあつては、銀行議決権大量保有者となつた日から二月を経過した日）のいずれか早い日

(iii) when a person that becomes a major holder of voting rights in a bank is a foreign national or a foreign corporation and there is no increase in the person's number of voting rights held: the earlier day among the day when one month elapses from the day when the person learns that they are a major holder of voting rights in a bank, or the day when one month elapses from the 15th day of the month following the month that includes the day when the person has become a major holder of voting rights in a bank (if the day is before the day when two months have elapsed from the day when a person became a major holder of voting rights in a bank, the day when two months elapse from the day when a person becomes a major holder of voting rights in a bank).

(国等が保有する議決権とみなされる議決権)

(Voting Rights Deemed to Be Held by the National Government)

第三十四条の三 次の各号に掲げる者は、それぞれ当該各号に定める議決権の保有について、令第十五条の法人とみなす。

Article 34-3 A person as set forth in each of the following items is deemed to be a corporation as prescribed in Article 15 of the Order with regard to the holding of voting rights as specified in each item:

一 預金保険法附則第七条第一項第一号に規定する協定銀行 同法附則第二十二条第一項に規定する協定に基づく譲受け等に係る株式に係る議決権、金融機能の早期健全化のための緊急措置に関する法律（平成十年法律第百四十三号。以下「金融機能早期健全化緊急措置法」という。）第四条第二項に規定する株式等の発行等に係る株式に係る議決権、金融機能の再生のための緊急措置に関する法律（平成十年法律第百三十二号）附則第五条の規定によりなおその効力を有することとされる旧金融機能の安定化のための緊急措置に関する法律（平成十年法律第五号）第四条第一項第一号に規定する優先株式等の発行等に係る株式に係る議決権及び金融機能の強化のための特別措置に関する法律（平成十六年法律第百二十八号）第三十五条第二項第六号に規定する取得株式等である株式に係る議決権

(i) a partner bank as prescribed in Article 7, paragraph (1), item (i) of the

Supplementary Provisions of the Deposit Insurance Act: voting rights pertaining to shares pertaining to acquisition, etc. based on an agreement as prescribed in Article 22, paragraph (1) of the Supplementary Provisions of that Act; voting rights from shares associated with an issuance, etc. of Shares, etc. as prescribed in Article 4, paragraph (2) of the Act Concerning Emergency Measures for Early Strengthening of Financial Functions (Act No. 143 of 1998; hereinafter referred to as the "Financial Strengthening Act"); voting rights from shares associated with an issuance, etc. of preferred shares or equity as prescribed in Article 4, paragraph (1), item (i) of the Act (prior to amendment) on the former Emergency Measures for Stabilization of Financial Functions (Act No. 5 of 1998), which remains in effect by the provisions of Article 5 of the Supplementary Provisions of the Act Concerning Emergency Measures for the Revitalization of the Financial Functions (Act No. 132 of 1998); and voting rights from shares which are acquisition shares or equity as prescribed in Article 35, paragraph (2), item (vi) of the Act on Special Measures for Strengthening Financial Functions (Act No. 128 of 2004);

二 農水産業協同組合貯金保険法（昭和四十八年法律第五十三号）第七十四条第一号に規定する協定債権回収会社 同法第七十七条第一項の規定による資産の買取りの委託に係る株式に係る議決権

(ii) an agreement claim servicing company as prescribed in Article 74, item (i) of the Agricultural and Fishery Cooperation Savings Insurance Act (Act No. 53 of 1973): voting rights from shares pertaining to the entrustment of purchase of assets pursuant to the provisions of Article 77, paragraph (i) of that Act;

三 保険業法附則第一条の二の三第一号に規定する協定銀行 同法附則第一条の二の十二第一項に規定する協定に基づく資産の買取りに係る株式に係る議決権

(iii) a partner bank as prescribed in Article 1-2-3, item (i) of the Supplementary Provisions of the Insurance Business Act: voting rights from shares pertaining to purchase of assets based on an agreement as prescribed in Article 1-2-12, paragraph (1) of the Supplementary Provisions of that Act.

（変更報告書の提出等）

(Submission of Statement of Changes)

第三十四条の四 法第五十二条の三第一項の規定により同項に規定する変更報告書（以下この項及び第三項並びに次条において「変更報告書」という。）を提出すべき者は、別紙様式第十号の二の三により当該変更報告書を作成し、金融庁長官等に提出しなければならない。

Article 34-4 (1) A person that should submit a statement of changes (hereinafter referred to as "statement of changes" in this paragraph and paragraph (3), and the following Article) as prescribed in Article 52-3, paragraph (1) of the Act

pursuant to the provisions of that paragraph, must prepare a statement of changes in accordance with the Appended Form No. 10-2-3 and submit it to the Commissioner of the Financial Services Agency or other competent authorities.

2 法第五十二条の三第一項本文に規定する内閣府令で定める場合及び内閣府令で定める日は、次の各号に掲げる場合及びその区分に応じ当該各号に定める日とする。

(2) The cases specified by Cabinet Office Order and the day specified by Cabinet Office Order that are provided for in Article 52-3, paragraph (1) of the Act are the cases set forth in each of the following items and the days specified in each of those items for the relevant category:

一 保有する議決権の数に増加又は減少がない場合（議決権保有割合（法第五十二条の二の十一第一項第一号に規定する議決権保有割合をいう。以下この条及び次条において同じ。）が百分の一以上増加し又は減少した場合に限り、第三号に掲げる場合を除く。） 議決権保有割合が百分の一以上増加し若しくは減少したことを知った日から五日を経過した日又は議決権保有割合が百分の一以上増加し若しくは減少した日を含む月の翌月十五日から五日を経過した日のいずれか早い日

(i) when there is no increase or decrease of the holding number of voting rights (limited to the cases in which the percentage of voting rights held (meaning the percentage of voting rights held as prescribed in Article 52-2-11, paragraph (1), item (i) of the Act; hereinafter the same applies in this Article and the following Article) increases or decreases by one percent or more, and excluding cases as set forth in item (iii)): the earlier day among the day when five days has elapsed from the day when a person learns of an increase or decrease by one percent or more of the percentage of the person's voting rights held, or the day when five days have elapsed from the 15th day of the month following the month that includes the day when the percentage of voting rights held increased or decreased by one percent or more;

二 銀行議決権大量保有者が外国人又は外国の法人である場合（次号に掲げる場合を除く。） 法第五十二条の二の十一第一項各号に掲げる事項の変更があつた日から一月を経過した日

(ii) when a major holder of voting rights in a bank is a foreign national or a foreign corporation (excluding cases as set forth in the following item): the day when one month has elapsed from the day when a particular as set forth in Article 52-2-11, paragraph (1) of the Act changes; and

三 銀行議決権大量保有者が外国人又は外国の法人であつてその保有する議決権の数に増加又は減少がない場合（議決権保有割合が百分の一以上増加し又は減少した場合に限る。） 議決権保有割合が百分の一以上増加し若しくは減少したことを知った日から一月を経過した日又は議決権保有割合が百分の一以上増加し若しくは減少した日を含む月の翌月十五日から一月を経過した日のいずれか早い日

(iii) when a major holder of voting rights in a bank is a foreign national or a foreign corporation and there is no increase or decrease in the number of person's voting rights held (limited to cases in which the percentage of voting

rights held increased or decreased by one percent or more): the earlier day among the day when one month elapses from the day when a person learns that the percentage of the person's voting rights held increased or decreased by one percent or more, or the day when one month has elapsed from the 15th day of the month following the month that includes the day when the percentage of voting rights held increased or decreased by one percent or more.

3 法第五十二条の三第一項ただし書に規定する内閣府令で定める場合は、議決権保有割合が百分の一以上減少したことによる変更報告書で当該変更報告書に記載された議決権保有割合が百分の五以下であるものを既に提出している場合とする。

(3) The case specified by Cabinet Office Order as prescribed in Article 52-3, proviso to paragraph (1) of the Act means the statement of changes prepared due to a decrease by one percent or more in the percentage of voting rights held stating that the percentage of voting rights held as five percent or less, has already been submitted.

(特例対象議決権に係る銀行議決権保有届出書の提出等)

(Submission of a Statement of Holdings in Bank Voting Rights Pertaining to Voting Rights Subject to Exceptions)

第三十四条の五 法第五十二条の四第一項の規定により銀行議決権保有届出書を提出すべき者又は同条第二項の規定により変更報告書を提出すべき者は、別紙様式第十号の三により当該銀行議決権保有届出書又は当該変更報告書を作成し、金融庁長官等に提出しなければならない。

Article 34-5 (1) The person that should submit a statement of holdings in bank voting rights pursuant to the provisions of Article 52-4, paragraph (1) of the Act, or should submit a statement of changes pursuant to the provisions of paragraph (2) of the Article, must prepare a statement of holdings in bank voting rights or a statement of changes in accordance with the Appended Form10-3 and must submit the notice or the statement to the Commissioner of the Financial Services Agency or other competent authorities.

2 法第五十二条の四第一項に規定する内閣府令で定める者は、次に掲げる者とする。

(2) The persons as specified by Cabinet Office Order that are provided for in Article 52-4, paragraph (1) of the Act are the following persons:

一 銀行、長期信用銀行、金融商品取引業者（有価証券関連業（金融商品取引法第二十九条の四の二第十項に規定する第一種少額電子募集取扱業務及び同法第二十九条の四の三第四項に規定する第二種少額電子募集取扱業務を除く。次号において同じ。）又は投資運用業（同法第二十八条第四項に規定する投資運用業をいう。次号において同じ。）を営む者に限る。）、信託会社（信託業法第三条又は第五十三条第一項の免許を受けたものに限る。）、保険会社（外国保険会社等を含む。）、農林中央金庫、株式会社商工組合中央金庫及び独立行政法人郵便貯金簡易生命保険管理・郵便局ネットワーク支援機構

(i) a bank, a long-term credit bank, or a financial instruments business operator (limited to a person that carries out securities-related business (excluding type i small amount electronic public offering business prescribed in Article 29-4-2, paragraph (10) of the Financial Instruments and Exchange Act and type ii small amount electronic public offering business prescribed in Article 29-4-3, paragraph (4) of that Act; the same applies in the following item) or an investment management business (meaning an investment management business as prescribed in Article 28, paragraph (4) of that Act; the same applies in the following item)), a trust company (limited to a person that has obtained a license as prescribed in Article 3 or Article 53, paragraph (1) of the Trust Business Act), an insurance company (including a foreign insurance company, etc.), the Norinchukin Bank, the Shoko Chukin Bank Limited, and the Organization for Postal Savings, Postal Life Insurance and Post Office Network;

二 外国の法令に準拠して外国において銀行業、有価証券関連業、投資運用業、信託業又は保険業を営む者であつて前号に掲げる者以外の者

(ii) a person that carries out banking, securities-related business, investment management business, trust business, or insurance business in a foreign state pursuant to laws and regulations of a foreign state, who is other than those as set forth in the preceding item;

三 前二号に掲げる者（以下この号及び第四項において「銀行等」という。）を共同保有者とする者であつて銀行等以外の者

(iii) a person that is a joint owner with those persons as set forth in the preceding two items (hereinafter referred to as "bank, etc." in this item and paragraph (4)) that are other than bank, etc.

3 法第五十二条の四第一項に規定する内閣府令で定める数は、百分の十とする。

(3) The number specified by Cabinet Office Order as prescribed in Article 52-4, paragraph (1) of the Act is ten percent.

4 法第五十二条の四第一項に規定する内閣府令で定める場合は、銀行等に銀行等でない共同保有者がいる場合において、当該共同保有者に銀行等である共同保有者がいないものとみなして計算した当該共同保有者の議決権保有割合が百分の一を超える場合とする。

(4) The case specified by Cabinet Office Order that is provided for in Article 52-4, paragraph (1) of the Act is when there is a joint holder that is a non-bank in the bank, etc., the percentage of voting rights held by the joint holder that is calculated by deeming that there is no joint holder in the bank, etc. that is a bank, etc. exceeds one percent.

5 法第五十二条の四第二項第二号に規定する内閣府令で定める基準は、議決権保有割合が同条第一項の規定により提出され、又は提出されるべき銀行議決権保有届出書に記載された議決権保有割合より百分の二・五以上増加し又は減少したこととする。

(5) The standard as specified by Cabinet Office Order that are provided for in

Article 52-4 paragraph (2), item (ii) of the Act, is that the percentage of voting rights held is deemed to have increased or decreased by two-point-five percent or more from that in the statement of holdings in bank voting rights submitted or to be submitted pursuant to the provisions of paragraph (1) of the Article.

6 法第五十二条の四第二項第四号に規定する内閣府令で定める場合及び内閣府令で定める日は、次の各号に掲げる場合及びその区分に応じ当該各号に定める日とする。

(6) The case specified by Cabinet Office Order and the day specified by Cabinet Office Order that are provided for in Article 52-4, paragraph (2), item (iv) of the Act means the cases set forth in each of the following items and the days specified in each of those items in accordance with their category:

一 変更報告書に係る基準日（法第五十二条の四第三項に規定する基準日をいう。以下この条において同じ。）の属する月の後の月の末日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の二・五以上増加し又は減少した場合 当該末日の属する月の翌月十五日

(i) if the percentage of voting rights held on the last day of the month following the month that includes the reference date pertaining to a statement of changes (meaning the reference date as prescribed in Article 52-4, paragraph (3) of the Act; hereinafter the same applies in this Article) has increased or decreased from the percentage of voting rights held that is stated in the statement of changes by two-point-five percent or more: the 15th day of the month following the month that includes the last day;

二 変更報告書に記載された議決権保有割合が基準日以外の月の末日におけるものである場合において、その月の後の基準日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の一以上増加し又は減少した場合その他の銀行議決権保有届出書に記載すべき重要な事項の変更があつた場合 当該後の基準日の属する月の翌月十五日

(ii) when the percentage of voting rights held stated in the statement of changes is that on the last day of the month other than the month that includes the reference date, if the percentage of voting rights held on the later reference date has increased or decreased from the percentage of voting rights held that is stated in the statement of changes by one percent or more, or if there was any other change in important particulars that should be stated in the statement of holdings in bank voting rights: the 15th day of the month following the month that includes the later reference date;

三 変更報告書に記載された議決権保有割合が基準日以外の月の末日におけるものである場合において、その月の後の基準日以外の月の末日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の二・五以上増加し又は減少した場合 当該後の基準日以外の月の末日の属する月の翌月十五日

(iii) when the percentage of voting rights held stated in the statement of changes is that on the last day of the month other than the month that includes the reference date, if the percentage of voting rights held on the last

day of the month other than the month that includes the later reference date has increased or decreased from the percentage of voting rights held that is stated in the statement of changes by two-point-five percent or more: the 15th day of the month following the month that includes the last day of the month of the later reference date

四 法第五十二条の三第一項の規定により提出され、又は提出されるべき変更報告書に記載された議決権保有割合の計算の基礎となつた日の後の基準日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の一以上増加し又は減少した場合その他の銀行議決権保有届出書に記載すべき重要な事項の変更があつた場合 当該基準日の属する月の翌月十五日

(iv) if the percentage of voting rights held on the reference date after the base date of the calculation of the percentage of voting rights held that is stated in the statement of changes submitted or should be submitted pursuant to the provisions of Article 52-3, paragraph (1) of the Act, has increased or decreased by one percent or more from the percentage of voting rights held that is stated in the statement of changes, or there was any other change in the important particulars that should be stated in the statement of holdings in bank voting rights: the 15th day of the month following the month that includes the reference date;

五 法第五十二条の三第一項の規定により提出され、又は提出されるべき変更報告書に記載された議決権保有割合の計算の基礎となつた日の後の基準日以外の月の末日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の二・五以上増加し又は減少した場合 当該末日の属する月の翌月十五日

(v) if the percentage of voting rights held on the last day of the month other than the month of the reference date after the base date of the calculation of the percentage of voting rights held that is stated in the statement of changes submitted or should be submitted pursuant to the provisions of Article 52-3, paragraph (1) of the Act, has increased or decreased by two-point-five percent or more from the percentage of voting rights held that is stated in the statement of changes: the 15th day of the month following the month that includes the last day;

六 法第五十二条の二の十一第一項の規定により提出され、又は提出されるべき銀行議決権保有届出書に記載された議決権保有割合の計算の基礎となつた日の後の基準日における議決権保有割合が当該銀行議決権保有届出書に記載された議決権保有割合より百分の一以上増加し又は減少した場合その他の銀行議決権保有届出書に記載すべき重要な事項の変更があつた場合 当該基準日の属する月の翌月十五日

(vi) if the percentage of voting rights held on the reference date after the base date of the calculation of the percentage of voting rights held that is stated in the statement of holdings in bank voting rights submitted or should be submitted pursuant to the provisions of Article 52-2-11, paragraph (1) of the Act, has increased or decreased by one percent or more from the percentage

of voting rights held that is stated in the statement of holdings in bank voting rights, or there was any other change in the important particulars that should be stated in the statement of holdings in bank voting rights: the 15th day of the month following the month that includes the reference date;

七 法第五十二条の二の十一第一項の規定により提出され、又は提出されるべき銀行議決権保有届出書に記載された議決権保有割合の計算の基礎となつた日の後の基準日以外の月の末日における議決権保有割合が当該銀行議決権保有届出書に記載された議決権保有割合より百分の二・五以上増加し又は減少した場合 当該末日の属する月の翌月十五日

(vii) if the percentage of voting rights held on the last day of the month other than the month of the reference date after the base date of the calculation of the percentage of voting rights held that is stated in the statement of holdings in bank voting rights submitted or should be submitted pursuant to the provisions of Article 52-2-11, paragraph (1) of the Act, has increased or decreased by two-point-five percent or more from the percentage of voting rights held that is stated in the statement of holdings in bank voting rights: the 15th day of the month following the month that includes the last day.

7 基準日の届出又は当該基準日の変更をしようとする者は、別紙様式第十号の四により届出書を作成し、金融庁長官等に提出しなければならない。

(7) A person seeking to file a notification of the reference date or to change the reference date must prepare a written notification using Appended Form No. 10-4 and submit this to the Commissioner of the Financial Services Agency or other competent authorities.

第二節 銀行主要株主に係る特例

Section 2 Special Provisions on a Bank's Major Shareholder

第一款 通則

Subsection 1 General Rules

(銀行の主要株主基準値以上の数の議決権を保有する者になろうとする場合の認可の申請等)

(Application of Authorization When a Person Seeks to Become the Holder of a Number of Voting Rights in a Bank Which Is Equal to or Greater Than the Major Shareholder Threshold)

第三十四条の六 法第五十二条の九第一項各号に掲げる取引又は行為により一の銀行の主要株主基準値以上の数の議決権を保有する者になろうとする会社その他の法人は、同項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-6 (1) When seeking authorization under the provisions of Article 52-9, paragraph (1) of the Act, the company or other corporation that seeks to become the holder of a number of voting rights in a single bank which is equal

to or greater than the major shareholder threshold through transactions or acts as set forth in each item of that paragraph must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該法人に関する次に掲げる書面（当該法人が外国の法人であること等の理由により次に掲げる書面の一部がない場合は、当該書面に相当する書面）

(ii) the following documents concerning the corporation (when a part of the following documents cannot be provided due to the reason that the corporation is a foreign corporation, etc., a document equivalent to the document):

イ 定款

(a) articles of incorporation;

ロ 法人の登記事項証明書

(b) a certificate of registered information of the corporation;

ハ 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書

(c) resumes of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers);

ニ 会計参与設置会社にあつては、会計参与の履歴書

(d) with regard to a company with accounting advisors, resumes of the accounting advisors;

ホ その総株主又は総出資者の議決権の百分の五を超える議決権を保有する者の氏名、住所又は居所、国籍及び職業（当該者が法人その他の団体である場合には、その名称、主たる事務所の所在地及び営んでいる事業の内容）並びにその保有する議決権の数を記載した書面

(e) a document stating the name of any person that holds voting rights exceeding five percent of the total shareholder or total investor voting rights, the person's domicile or residence, nationality, and occupation (when the person is a corporation or other organization, its name, location of the main business office, and the content of business carried out) and the number of shares held by the person;

ヘ 当該認可に係る法第五十二条の九第一項各号に掲げる取引又は行為が株主総会又は取締役会（これらに準ずる機関を含む。）の決議を要するものである場合には、これに関する株主総会の議事録又は取締役会の議事録（これらに準ずる機関において必要な手続があつたことを証する書面を含む。）

(f) when transactions or acts as set forth in each item of Article 52-9, paragraph (1) of the Act pertaining to the approval require the resolution at the shareholders meeting or of the board of directors (including

organizations equivalent to these), minutes of the shareholders meetings or minutes of board of directors concerning this matter (including a document proving that necessary procedures were taken by organizations equivalent to these);

ト 主たる事務所の位置を記載した書面

(g) a document stating the location of the main office;

チ 業務の内容を記載した書面

(h) a document stating the content of business;

リ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他当該法人の最近における業務、財産及び損益の状況を知ることができる書面

(i) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of business, assets, and profit and loss of the corporation;

ヌ 当該銀行の議決権の保有に係る体制を記載した書面

(j) a document stating the system associated with its holding of voting rights in the bank;

ル その保有する当該銀行の議決権の数及び当該認可後に取得又は保有しようとする当該銀行の議決権の数を記載した書面

(k) a document stating the number of voting rights in the bank that it holds and the number of voting rights in the bank it seeks to acquire or hold after the authorization; and

ヲ その子会社等の名称、主たる営業所又は事務所の位置及び業務の内容を記載した書面

(l) a document stating the name of its subsidiary company, etc., location of the main business office or office, and content of business.

三 当該認可後五事業年度におけるその保有する当該銀行の議決権に係るキャッシュ・フローの見込み及び当該見込みのネットプレゼントバリュウ（当該議決権の保有を直接又は間接の原因とする収入又は支出の増加及び減少のそれぞれを当該議決権の取得資金に係るそれぞれに対応する期間の金利を用いて現在価値として割り引いて得た値を合計した値をいう。第三項において同じ。）を記載した書面

(iii) a document stating the prospective cash flow associated with its holding of voting rights in the bank for five business years after the authorization and net present value of the forecast (meaning the total value of the amount obtained by discounting each increase and decrease of revenue or expenditures caused directly or indirectly by the holding of the voting rights to current value by applying a money rate for the corresponding period pertaining to funds of acquisition of the voting rights, respectively; the same applies in paragraph (3));

四 前号のネットプレゼントバリュウに係るストレステスト（ネットプレゼントバリュウの計算の前提となる事項について当該事項の過去の一定期間の変化その他の合理的な範囲での変化があつたものとして、当該ネットプレゼントバリュウとは異なる

る値を別途計算することをいう。第三項において同じ。)の結果を記載した書面
(iv) a document stating the result of a stress test (meaning to calculate separately a different value from the net present value on the assumption that, with regard to particulars based on the calculation of net present value, that there were changes of those particulars for a certain period in the past and other changes within a reasonable scope; the same applies in paragraph (3)) pertaining to the net present value calculation of the preceding paragraph;

五 当該認可後に当該銀行との間に有することを予定する人事、資金、技術、取引等における関係及び当該関係に係る方針（当該関係が当該銀行の業務の運営に影響を与える可能性がある場合にあつては、当該銀行の業務の健全かつ適切な運営を確保するための体制を含む。第三項において同じ。）

(v) the relationships of personnel affairs, funds, technical skills, transactions, etc., which are expected to exist and policies pertaining to the relationships after the authorization with the bank (if the relationships have a possibility of affecting the management of the services of the bank, including a system to secure the sound and appropriate management of the services of the bank; the same applies in paragraph (3)); and

六 その他法第五十二条の十第一号に掲げる基準に適合するかどうかの審査をするため参考となるべき事項を記載した書面

(vi) other documents stating information that should serve as a reference in conducting an examination as to whether the criteria set forth in Article 52-10, item (i) of the Act are met.

2 法第五十二条の九第一項各号に掲げる取引又は行為により一の銀行の主要株主基準値以上の数の議決権を保有する者になろうとする者（前項に規定する者を除く。）は、同項の規定による認可を受けようとするときは、認可申請書に前項第一号及び第三号から第五号までに掲げる書面並びに次に掲げる書面を添付して金融庁長官に提出しなければならない。

(2) If a person that seeks to become a holder of a number of voting rights in a single bank which is equal to or greater than the major shareholder threshold through transactions or acts as set forth in each item of Article 52-9, paragraph (1) of the Act (excluding a person as prescribed in the preceding paragraph), seeks authorization under the provisions of that paragraph, that person must submit a written application for authorization accompanied by documents as set forth in item (i), items (iii) to (v) of the preceding paragraph and the following documents to the Commissioner of the Financial Services Agency:

一 当該者の名称又は氏名、主たる事務所の所在地又は住所若しくは居所及び営んでいる事業又は職業を記載した書面

(i) a document stating the name, location of the main business office, or domicile or residence, and the business being carried out or occupation of the

- person;
- 二 その保有する当該銀行の議決権の数及び当該認可後に取得又は保有しようとする当該銀行の議決権の数を記載した書面
- (ii) a document stating the number of voting rights in the bank that it holds and the number of voting rights in the bank that it seeks to acquire or hold after the authorization;
- 三 当該者が総株主又は総出資者の議決権の百分の二十以上の数の議決権を保有する法人の名称、主たる営業所又は事務所の位置及び業務の内容を記載した書面
- (iii) a document stating the name, location of the main business office or offices, and content of the business of a corporation of which the person holds twenty percent or more of the total shareholder or total investor voting rights; and
- 四 その他法第五十二条の十第二号に掲げる基準に適合するかどうかの審査をするため参考となるべき事項を記載した書面
- (iv) other documents stating information that should serve as a reference in conducting an examination as to whether the criteria set forth in Article 52-10, item (ii) of the Act are met.
- 3 一の銀行の主要株主基準値以上の数の議決権を保有する会社その他の法人の設立をしようとする者は、法第五十二条の九第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。
- (3) If a person seeking to incorporate a company or other corporation that will hold a number of voting rights in a single bank that is equal to or greater than the major shareholder threshold, seeks authorization pursuant to the provisions of Article 52-9, paragraph (1) of the Act, it must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency:
- 一 理由書
- (i) a written statement of reasons;
- 二 当該認可を受けて設立される会社その他の法人（以下この項において「設立法人」という。）に関する次に掲げる書面（当該設立法人が外国の法人であること等の理由により次に掲げる書面の一部がない場合は、当該書面に相当する書面）
- (ii) the following documents concerning a company or other corporations to be established based on the authorization (hereinafter referred to as the "corporation to be established" in this paragraph) (if some the following documents cannot be provided due to the reason that the corporation to be established is a foreign corporation, etc., a document equivalent to the document):
- イ 定款
- (a) articles of incorporation;
- ロ 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書
- (b) resumes of the directors and auditors (for a company with audit and

- supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers);
- ハ 会計参与設置会社にあつては、会計参与の履歴書
- (c) with regard to a company with accounting advisors, resumes of the accounting advisors;
- ニ その総株主又は総出資者の議決権の百分の五を超える議決権を保有することとなる者の氏名、住所又は居所、国籍及び職業（当該者が法人その他の団体である場合には、その名称、主たる事務所の所在地及び営んでいる事業の内容）並びにその保有する議決権の数を記載した書面
- (d) a document stating the name of any person that will hold voting rights exceeding five percent of the total shareholder or total investor voting rights, that person's domicile or residence, nationality, and occupation (if that person is a corporation or other organization, its name, location of the main business office, and the content of business carried out) and number of shares held by that person;
- ホ 当該設立が創立総会の決議を要するものである場合には、これに関する創立総会の議事録（当該設立法人が株式移転、合併又は会社分割により設立される場合にあつては、これ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）
- (e) if the relevant incorporation requires resolution at the organizational meeting, minutes of the organizational meetings concerning the resolution (if the corporation will be established through a share transfer, merger, or company split, the minutes of the shareholders meetings concerning that or other documents proving that necessary procedures were taken);
- ヘ 主たる事務所の位置を記載した書面
- (f) a document stating the location of the main office;
- ト 業務の内容を記載した書面
- (g) a document stating the content of business;
- チ 資本金の額その他の当該設立後における財産の状況を知ることができる書面
- (h) a document providing the amount of stated capital and other conditions of assets after the incorporation;
- リ 当該銀行の議決権の保有に係る体制を記載した書面
- (i) a document stating the system associated with its holding of voting rights in the bank;
- ヌ その保有する当該銀行の議決権の数及び当該認可後に取得又は保有しようとする当該銀行の議決権の数を記載した書面
- (j) a document stating the number of voting rights in the bank that it holds and the number of voting rights in the bank that it seeks to acquire or hold after the authorization; and
- ル その子会社等の名称、主たる営業所又は事務所の位置及び業務の内容を記載した書面

- (k) a document stating the name of its subsidiary company, etc., location of the main business office or offices, and content of business;
- 三 当該設立後五事業年度におけるその保有する当該銀行の議決権に係るキャッシュ・フローの見込み及び当該見込みのネットプレゼントバリューを記載した書面
- (iii) a document stating the prospective cash flow and the prospective net present value associated with its holding of voting rights in the bank for five business years after the incorporation;
- 四 前号のネットプレゼントバリューに係るストレステストの結果を記載した書面
- (iv) a document stating the result of a stress test pertaining to the net present value as prescribed in the preceding item;
- 五 当該設立後に当該銀行との間に有することを予定する人事、資金、技術、取引等における関係及び当該関係に係る方針
- (v) the relationships of personnel affairs, funds, technologies, transactions, etc., which are expected to exist and policies pertaining to the relationships after the incorporation with the bank; and
- 六 その他法第五十二条の十第一号に掲げる基準に適合するかどうかの審査をするため参考となるべき事項を記載した書面
- (vi) other documents stating information that should serve as a reference in conducting an examination as to whether the criteria set forth in Article 52-10, item (i) of the Act are met.
- 4 金融庁長官は、前三項の規定による認可の申請に係る法第五十二条の十の規定による審査をするときは、次に掲げる事項に配慮するものとする。
- (4) When conducting an examination under Article 52-10 of the Act in connection with an application for authorization under the provisions of the preceding three paragraphs, the Commissioner of the Financial Services Agency is to consider the following particulars:
- 一 当該認可の申請をした者又は当該認可を受けて設立される法人（以下この項において「申請者等」という。）が当該銀行の議決権を取得又は保有する目的が銀行の業務の公共性を損なわないことが明らかであり、かつ、当該申請者等の財産及び収支の状況、当該保有に基づき当該申請者等が当該銀行と有する関係その他の当該保有に係る事由により当該銀行の業務の健全かつ適切な運営が損なわれるおそれが極めて少ないと認められる体制が整備されていること。
- (i) it is obvious that the purpose for which the person that filed the application for the authorization or a corporation to be established after the authorization (hereinafter referred to as the "applicant, etc." in this paragraph) would acquire or hold voting rights in the bank would not harm the public nature of banks' services, and a system has been developed regarding which it is found that, due to the financial status and income and expenditures of the applicant, etc., the relationship that the applicant, etc. would have with the bank based on the holding of those voting rights, and other such reasons associated with the holding of those voting rights, there is

an extremely small possibility of damaging sound and appropriate operation of the services of the bank;

二 当該銀行の議決権の保有に係る体制等に照らし、申請者等が当該銀行の的確かつ公正な経営管理の遂行を妨げないことが明らかであり、かつ、十分な社会的信用を有する者であること。

(ii) in light of the system, etc. associated with its holding of voting rights in the bank, it is obvious that applicant, etc. will not preclude the bank from carrying out accurate and fair business management, and is a person that has sufficient social credibility.

5 法第五十二条の九第一項第一号に規定する内閣府令で定める事由は、次に掲げる事由とする。

(5) The grounds specified by Cabinet Office Order that are provided for in Article 52-9, paragraph (1), item (i) of the Act are the following grounds:

一 担保権の実行による株式の取得

(i) acquisition of shares by exercise of the security right;

二 代物弁済の受領による株式の取得

(ii) acquisition of shares by acceptance of accord and satisfaction;

三 当該銀行の議決権を行使することができない株式に係る議決権の取得によるその総株主の議決権に占める保有する議決権の割合の増加（当該銀行の議決権の保有者になろうとする者の意思によらない事象の発生により取得するものに限る。）

(iii) increase in the percentage of voting rights held to the total shareholder voting rights in the bank by acquisition of voting rights in the bank from shares in respect of which voting rights cannot be exercised (limited to an acquisition due to occurrence of an event that is not based on the intention of a person that seeks to become a holder of voting rights in the bank);

四 当該銀行が株式の転換を行つたことによるその総株主の議決権に占める保有する議決権の割合の増加（当該銀行の議決権の保有者になろうとする者の請求による場合を除く。）

(iv) increase in the percentage of voting rights held to the total shareholder voting rights in the bank by a share transfer conducted by the bank (excluding the case of a request by a person that seeks to become a holder of voting rights in the bank);

五 当該銀行が株式の併合若しくは分割又は株式無償割当てを行つたことによるその総株主の議決権に占める保有する議決権の割合の増加

(v) increase in the percentage of holding voting rights to the total shareholder voting rights in the bank by consolidation or split of shares, or allotment of shares without a contribution by the bank;

六 当該銀行が定款の変更による株式に係る権利の内容又は一単元の株式の数を変更したことによるその総株主の議決権に占める保有する議決権の割合の増加

(vi) increase in the percentage of holding voting rights to the total shareholder voting rights in the bank by changes of content of a right or number of unit

shares pertaining to shares due to the articles of incorporation of the bank being changed; and

七 当該銀行が自己の株式の取得を行つたことによるその総株主の議決権に占める保有する議決権の割合の増加

(vii) increase in the percentage of voting rights held to the total shareholder voting rights in the bank by acquisition of own shares of the bank.

6 前項の規定は、令第十五条の四第一号に規定する内閣府令で定める事由について準用する。

(6) The provisions of the preceding paragraph apply mutatis mutandis to the circumstances specified by Cabinet Office Order that are provided for in Article 15-4, item (i) of the Order.

(銀行の主要株主基準値以上の数の議決権の保有者になろうとする場合の予備審査)
(Preliminary Examination When Seeking to Become a Holder of a Number of Voting Rights in a Bank Which Is Equal to or Greater than the Major Shareholder Threshold)

第三十四条の七 銀行の主要株主基準値以上の数の議決権の保有者になろうとする者又は銀行の主要株主基準値以上の数の議決権の保有者である会社その他の法人を設立しようとする者は、法第五十二条の九第一項の規定による認可を受けようとするときは、前条第一項、第二項又は第三項に定めるところに準じた書面を金融庁長官に提出して予備審査を求めることができる。

Article 34-7 If a person that seeks to become a holder of a number of voting rights in a bank which is equal to or greater than the major shareholder threshold, or a person that seeks to incorporate a company or other corporation that holds a number of voting rights in a bank which is equal to or greater than the major shareholder threshold seeks authorization under the provisions of Article 52-9, paragraph (1) of the Act, that person may request a preliminary examination by submitting the documents equivalent to those applicable as provided by paragraphs (1), (2), and (3) of the preceding Article to the Commissioner of the Financial Services Agency.

(特定主要株主に係る認可の申請)

(Application of Authorization Pertaining to Specified Major Shareholders)

第三十四条の八 特定主要株主（法第五十二条の九第二項に規定する特定主要株主をいう。）は、同項ただし書の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-8 (1) When seeking authorization under the provisions of the proviso to that paragraph, a specified major shareholder (meaning a specified major shareholder as prescribed in Article 52-9, paragraph (2) of the Act) must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency:

- 一 理由書
 - (i) a written statement of reasons;
 - 二 第三十四条の六第一項第二号ハからホまで、トからヌまで及びヲ並びに同項第三号から第六号までに掲げる書面
 - (ii) the documents as set forth in Article 34-6, paragraph (1), item (i), sub-items (c) to (e), (g) to (j), (l), and items (iii) to (vi) of that paragraph; and
 - 三 その保有する当該銀行の議決権の数を記載した書面
 - (iii) a document stating the number of the holding voting rights in the bank.
- 2 第三十四条の六第四項の規定は、前項の規定による認可の申請に係る法第五十二条の十の規定による審査について準用する。
- (2) The provisions of Article 34-6, paragraph (4) apply mutatis mutandis to an examination conducted under Article 52-10 of the Act pertaining to an application for authorization pursuant to the provisions of the preceding paragraph.

第二款 監督 Subsection 2 Supervision

- (銀行主要株主と特殊の関係のある会社)
(Companies in a Unique Relationship With a Bank's Major Shareholder)
- 第三十四条の九 法第五十二条の十四第一項に規定する内閣府令で定める特殊の関係のある会社は、次に掲げる者とする。
- Article 34-9 (1) A company that has a unique relationship with a bank's major shareholder as specified by Cabinet Office Order that is provided for in Article 52-14, paragraph (1) of the Act means:
- 一 当該銀行主要株主（連結基準対象会社（法第三条の二第一項第二号に規定する連結基準対象会社をいう。第三号において同じ。）である者に限る。次号において同じ。）の子会社（第一条の五第二項第一号に規定する子会社をいう。）
 - (i) a subsidiary company (meaning a subsidiary company as prescribed in Article 1-5, paragraph (2), item (i) of the bank's major shareholder (limited to a person that is a company subject to standards for consolidation (meaning a company subject to standards for consolidation as prescribed in Article 3-2, paragraph (1), item (ii) of the Act; the same applies in item (iii)); the same applies in the following item);
 - 二 当該銀行主要株主の関連会社（第一条の五第二項第三号に規定する関連会社をいう。）
 - (ii) an affiliated company (meaning an affiliated company as prescribed in Article 1-5, paragraph (2), item (iii) of the bank's major shareholder; and
 - 三 当該銀行主要株主（連結基準対象会社以外の者に限る。）がその総株主等の議決権の百分の五十を超える議決権を保有する会社その他の法人
 - (iii) a company or other corporations in the bank's major shareholder (limited

to a person other than a company subject to standards for consolidation) that holds voting rights exceeding fifty percent of total shareholder or investor voting rights.

2 第一条の六第三項の規定は、前項第三号の場合において同号の銀行主要株主が保有する議決権について準用する。

(2) The provisions of Article 1-6, paragraph (3) are applied mutatis mutandis to the voting rights held, in the case of item (iii) of the preceding paragraph, by the bank's major shareholder in that item.

第三節 銀行持株会社に係る特例

Section 3 Special Provisions Concerning a Bank Holding Company

第一款 通則

Subsection 1 General Rules

(銀行を子会社とする持株会社になろうとする場合の認可の申請等)

(Application of Authorization When Seeking to Become a Holding Company that Has a Bank as a Subsidiary Company)

第三十四条の十 銀行を子会社とする持株会社になろうとする会社は、法第五十二条の十七第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して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 34-10 (1) When seeking authorization under the provisions of Article 52-17, paragraph (1) of the Act, a company seeking to become a holding company that has a bank as a subsidiary company must submit a written application for authorization accompanied by the following documents to the Prime Minister via the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該会社に関する次に掲げる書面

(ii) the following documents concerning the company:

イ 定款

(a) articles of incorporation;

ロ 会社の登記事項証明書

(b) a certificate of registered information of the company;

ハ 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書

(c) resumes of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers);

ニ 会計参与設置会社にあつては、会計参与の履歴書

(d) with regard to a company with accounting advisors, resumes of the accounting advisors;

- ホ 会計監査人の履歴書
- (e) the resume of the financial auditor;
- ヘ 株主の氏名、住所又は居所、国籍及び職業（株主が法人その他の団体である場合には、その名称、主たる事務所の所在地及び営んでいる事業の内容）並びにその保有する議決権の数を記載した書面
- (f) a document stating each shareholder's name, domicile or residence, nationality and occupation (when a shareholder is a corporation or other organization, its name, location of the main business office, and the content of business being carried out) and number of shares held by the shareholder;
- ト 当該認可に係る法第五十二条の十七第一項各号に掲げる取引又は行為が株主総会又は取締役会の決議を要するものである場合には、これに関する株主総会の議事録又は取締役会の議事録
- (g) when transactions or acts as set forth in each item of Article 52-17, paragraph (1) of the Act to which that authorization pertains require a resolution at the shareholders meeting or of the board of directors, minutes of the shareholders meeting or minutes of the board of directors concerning the resolution;
- チ 事務所の位置を記載した書面
- (h) a document stating the location of offices;
- リ 業務の内容を記載した書面
- (i) a document stating the content of business;
- ヌ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他当該会社の最近における業務、財産及び損益の状況を知ることができる書面
- (j) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of business, assets, and profit and loss of the company;
- ル 当該会社が行う子会社（子会社となる会社を含む。以下この項において同じ。）の経営管理に係る体制を記載した書面
- (k) a document showing the system for the business management of a subsidiary company (including a company that will become a subsidiary company; hereinafter the same applies in this paragraph) conducted by the company; and
- ヲ 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面
- (l) a document showing the extent to which it has secured employees with knowledge and experience concerning banks' services;
- 三 当該会社の子会社等（法第五十二条の二十二第一項本文に規定する子会社等又は法第五十二条の二十五に規定する子会社等のいずれかに該当するものをいう。以下この条において同じ。）に関する次に掲げる書面
- (iii) the following documents concerning a subsidiary company, etc. (meaning a subsidiary company corresponding to any subsidiary company, etc., as

prescribed in Article 52-22, main clause of paragraph (1) of the Act, or a subsidiary company, etc., as prescribed in Article 52-25 of the Act;

hereinafter the same applies in this Article) of the company:

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and the location of the main business office or office;

ロ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(b) a document stating the titles and names of the officers (if an officer is a corporation, including the person responsible for performing the duties thereof); and

ハ 前号リ及びヌに掲げる書面

(c) documents set forth in sub-items (i) and (j) of the preceding item;

四 当該認可後三事業年度における当該会社及びその子会社等の収支及び連結自己資本比率（法第五十二条の二十五に規定する銀行持株会社が銀行持株会社及びその子会社等の保有する資産等に照らし当該銀行持株会社及びその子会社等の自己資本の充実の状況が適当であるかどうかを判断するための基準に係る算式により得られる比率（第三十四条の二十六第一項第四号チに規定する連結レバレッジ比率を除く。）をいう。第三十四条の十九の五第二項第二号を除き、以下この節及び第三十五条第三項において同じ。）の見込みを記載した書面

(iv) a document stating the prospective income and expenditures, and the consolidated capital adequacy ratio (meaning the ratio arrived at by the formula associated with the criteria for a bank holding company as prescribed in Article 52-25 of the Act to use in order to determine whether the adequacy of equity capital of the bank holding company or of its subsidiary company, etc. is appropriate in light of circumstances such as the assets owned by the bank holding company and its subsidiary companies, etc. (excluding the consolidated leverage ratio provided in Article 34-26, paragraph (1), item (iv), (h)); hereinafter the same applies in this Section excluding Article 34-19-5, paragraph (2), item (ii) and Article 35, paragraph (3)) of the company and its subsidiary company, etc. for three business years after the authorization;

五 当該会社が銀行を子会社とする持株会社になることにより、当該会社又はその子会社が国内の会社（法第五十二条の二十四第一項に規定する国内の会社をいう。以下この節において同じ。）の議決権を合算してその基準議決権数（同項に規定する基準議決権数をいう。以下この節において同じ。）を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(v) if, by the company becoming a holding company that has a bank as its subsidiary company, it or its subsidiary company would hold voting rights in a domestic company (meaning a domestic company as prescribed in Article 52-24, paragraph (1); hereinafter the same applies in this Section) in a total

number that exceeds the maximum threshold for voting rights held (meaning the maximum threshold for voting rights held as prescribed in that paragraph; hereinafter the same applies in this Section), a document stating the name and content of the business of the domestic company; and

六 その他法第五十二条の十八第一項の規定による審査をするため参考となるべき事項を記載した書面

(vi) other documents stating information that should serve as a reference in conducting an examination under Article 52-18, paragraph (1) of the Act.

2 銀行を子会社とする持株会社の設立をしようとする者は、法第五十二条の十七第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して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。

(2) When seeking authorization under the provisions of Article 52-17, paragraph (1) of the Act, a person seeking to incorporate a holding company that has a bank as a subsidiary company must submit a written application for authorization accompanied by the following documents to the Prime Minister through the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該認可を受けて設立される会社（以下この項において「設立会社」という。）に関する次に掲げる書面

(ii) the following documents concerning a company to be established after obtaining the authorization (hereinafter referred to as the "company to be established" in this paragraph):

イ 定款

(a) articles of incorporation;

ロ 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書

(b) resumes of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers);

ハ 会計参与設置会社にあつては、会計参与の履歴書

(c) with regard to a company with accounting advisors, resumes of the accounting advisors;

ニ 会計監査人の履歴書

(d) the resume of the financial auditor;

ホ 株主となる者の氏名、住所又は居所、国籍及び職業（株主が法人その他の団体である場合には、その名称、主たる事務所の所在地及び営んでいる事業の内容）並びにその保有する議決権の数を記載した書面

(e) a document stating the name of each person that will become a shareholder, its domicile or residence, nationality and occupation (when a shareholder is a corporation or other organization, its name, location of the

main business office, and the content of business carried out) and number of shares held by the shareholder;

へ 当該設立が創立総会の決議を要するものである場合には、これに関する創立総会の議事録（当該設立会社が株式移転、合併又は会社分割により設立される場合にあつては、これ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）

(f) when the incorporation requires a resolution at an organizational meeting, minutes of the organizational meeting concerning the resolution (when the company to be established is established by share transfer, merger, or company split, minutes of shareholders meeting concerning that and other documents proving that necessary procedures were taken);

ト 事務所の位置を記載した書面

(g) a document stating the location of offices;

チ 業務の内容を記載した書面

(h) a document stating the content of business;

リ 資本金の額その他の当該設立後における財産の状況を知ることができる書面

(i) a document from which it is possible to learn the company's amount of stated capital and other such aspects of its post-establishment financial status;

ヌ 当該設立会社が行う子会社（子会社となる会社を含む。以下この項及び次項において同じ。）の経営管理に係る体制を記載した書面

(j) a document showing its systems for the business management of a subsidiary company (including a company that will become a subsidiary company; hereinafter the same applies in this paragraph and the following paragraph) conducted by the company to be established; and

ル 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(k) a document showing the extent to which it has secured employees with knowledge and experience concerning banks' services;

三 当該設立会社の子会社等に関する次に掲げる書面

(iii) the following documents concerning a subsidiary company, etc. of the company to be established;

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and location of the main business office or office;

ロ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(b) a document stating the titles and names of the officers (if an officer is a corporation, including the person responsible for performing the duties thereof);

ハ 業務の内容を記載した書面

(c) a document stating the content of business; and

- ニ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他当該会社の最近における業務、財産及び損益の状況を知ることができる書面
- (d) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of business, assets, and profit and loss of the company;
- 四 当該設立後三事業年度における設立会社及びその子会社等の収支及び連結自己資本比率の見込みを記載した書面
- (iv) a document stating the prospective revenue and expenditures, and the consolidated capital adequacy ratio of the company to be established and its subsidiary company, etc. for three business years after the incorporation;
- 五 当該設立により、設立会社又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面
- (v) if, due to its incorporation, the company to be established or its subsidiary company would hold voting rights in a domestic company in a total number that exceeds the maximum threshold for voting rights held, a document stating the name and content of the business of the domestic company; and
- 六 その他法第五十二条の十八第一項の規定による審査をするため参考となるべき事項を記載した書面
- (vi) other documents stating information that should serve as a reference in conducting an examination under Article 52-18, paragraph (1) of the Act.
- 3 内閣総理大臣は、前二項の規定による認可の申請に係る法第五十二条の十八第一項の規定による審査をするときは、次に掲げる事項に配慮するものとする。
- (3) When conducting an examination under Article 52-18, paragraph (1) of the Act in connection with an application for authorization under the provisions of the preceding two paragraphs, the Prime Minister is to take into account the following particulars:
- 一 当該認可の申請をした会社又は当該認可を受けて設立される会社（以下この項において「申請者等」という。）及びその子会社等の収支が当該認可後又は設立後三事業年度において良好に推移することが見込まれること。
- (i) the income and expenditures of the company which filed the application or the company to be established based on the authorization (hereinafter referred to as the "applicant, etc." in this paragraph), and its subsidiary companies, etc. are expected to remain satisfactory for three business years after the authorization or incorporation;
- 二 申請者等及びその子会社等の連結自己資本比率が当該認可後又は設立後三事業年度において適正な水準となることが見込まれること。
- (ii) the consolidated capital adequacy ratio of the applicant, etc. and its subsidiary companies, etc. is expected to reach an appropriate level in three business years after the authorization or incorporation; and
- 三 銀行の業務に関する十分な知識及び経験を有する役員又は従業員の確保の状況、

子会社の経営管理に係る体制等に照らし、申請者等が、その子会社であり、又はその子会社となる銀行の経営管理を的確かつ公正に遂行することができ、かつ、十分な社会的信用を有する者であること。

(iii) in light of things such as the extent to which it has secured directors or employees with sufficient knowledge and experience concerning banks' services and the systems associated with the business management of subsidiary companies, the applicant, etc. can reliably and properly manage the business of the bank that is or will be its subsidiary company, and is a person with sufficient social credibility.

4 法第五十二条の十七第一項第一号に規定する内閣府令で定める事由は、次に掲げる事由とする。

(4) The grounds specified by Cabinet Office Order that are provided for in Article 52-17, paragraph (1), item (i) of the Act are the following grounds:

一 担保権の実行による株式の取得

(i) acquisition of shares by exercise of the security right;

二 代物弁済の受領による株式の取得

(ii) acquisition of shares by acceptance of accord and satisfaction;

三 有価証券関連業を営む金融商品取引業者が業務として株式を取得する場合におけるその業務の実施

(iii) when a financial instruments business operator that carries out securities-related business acquires shares as its business, the implementation of its business;

四 当該銀行の議決権を行使することができない株式に係る議決権の取得によるその総株主の議決権に占める保有する議決権の割合の増加（当該銀行の議決権の保有者になろうとする者の意思によらない事象の発生により取得するものに限る。）

(iv) increase in the percentage of voting rights held to the total shareholder voting rights in the bank due to acquisition of voting rights in the bank from shares in respect of which voting rights cannot be exercised (limited to an acquisition due to occurrence of an event that is not based on the intention of a person that seeks to become a holder of voting rights in the bank);

五 当該銀行が株式の転換を行つたことによるその総株主の議決権に占める保有する議決権の割合の増加（当該銀行の議決権の保有者になろうとする者の請求による場合を除く。）

(v) increase in the percentage of voting rights held to the total shareholder voting rights in the bank due to a share transfer conducted by the bank (excluding the cases of the request of a person that seeks to become a holder of voting rights in the bank);

六 当該銀行が株式の併合若しくは分割又は株式無償割当てを行つたことによるその総株主の議決権に占める保有する議決権の割合の増加

(vi) increase in the percentage of voting rights held to the total shareholder voting rights in the bank by consolidation or split of shares, or allotment of

shares without a contribution by the bank;

七 当該銀行が定款の変更による株式に係る権利の内容又は一単元の株式の数を変更したことによるその総株主の議決権に占める保有する議決権の割合の増加

(vii) increase in the percentage of voting rights held to the total shareholder voting rights in the bank by changes of content of right or number of unit shares pertaining to shares due to a change of the articles of incorporation of the bank; and

八 当該銀行が自己の株式の取得を行つたことによるその総株主の議決権に占める保有する議決権の割合の増加

(viii) increase in the percentage of voting rights held to the total shareholder voting rights in the bank by acquisition of the own shares of the bank.

5 前項の規定は、令第十六条の二第一号に規定する内閣府令で定める事由について準用する。

(5) The provisions of the preceding paragraph apply mutatis mutandis to circumstances specified by Cabinet Office Order that are provided for in Article 16-2, item (i) of the Order.

6 法第二条第十一項の規定は、第一項第五号及び第二項第五号に規定する議決権について準用する。

(6) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights as prescribed in paragraph (1), item (v) and paragraph (2), item (v).

(銀行を子会社とする持株会社になろうとする場合の認可の予備審査)

(Preliminary Examination for Authorization When Intending to Become a Holding Company that Has a Bank as a Subsidiary Company)

第三十四条の十一 銀行を子会社とする持株会社になろうとする会社又は銀行を子会社とする持株会社の設立をしようとする者は、法第五十二条の十七第一項の規定による認可を受けようとするときは、前条第一項又は第二項に定めるところに準じた書面を金融庁長官を経由して内閣総理大臣に提出して予備審査を求めることができる。

Article 34-11 When seeking authorization under the provisions of Article 52-17, paragraph (1) of the Act, a company seeking to become a holding company that has a bank as a subsidiary company or a person seeking to incorporate a holding company that has a bank as a subsidiary company may request a preliminary examination by submitting documents equivalent to those pursuant to paragraph (1) or paragraph (2) of the preceding Article to the Prime Minister through the Commissioner of the Financial Services Agency.

(特定持株会社に係る届出事項等)

(Notification Items Pertaining to a Specified Holding Company)

第三十四条の十二 法第五十二条の十七第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-12 (1) The particulars specified by Cabinet Office Order that are provided for in Article 52-17, paragraph (2) of the Act are the following particulars:

一 当該会社が銀行を子会社とする持株会社になつた旨

(i) the fact that the company became a holding company that has a bank as a subsidiary company;

二 当該会社が銀行を子会社とする持株会社になつた事由及びその時期

(ii) the grounds for, and timing when, the company became a holding company that has a bank as a subsidiary company;

三 当該会社及びその子会社の名称及び業務の内容

(iii) the name and content of the business of the company and its subsidiary company; and

四 その他金融庁長官が必要と認める事項

(iv) other particulars that the Commissioner of the Financial Services Agency finds to be necessary.

2 特定持株会社（法第五十二条の十七第二項に規定する特定持株会社をいう。以下この条及び次条において同じ。）は、法第五十二条の十七第二項の規定による届出（特定持株会社が銀行を子会社とする外国の持株会社（令第十六条の四に規定する銀行を子会社とする外国の持株会社をいう。以下同じ。）である場合にあっては、令第十六条の五の規定による届出）をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

(2) If a specified holding company (meaning a specified holding company as prescribed in Article 52-17, paragraph (2) of the Act; hereinafter the same applies in this Article and the following Article) seeks to file a notification (when the specified holding company is a foreign holding company that has a bank as a subsidiary company (meaning a foreign holding company that has a bank as a subsidiary company as prescribed in Article 16-4 of the Order; the same applies hereinafter), notification pursuant to the provisions of Article 16-5 of the Order) pursuant to provisions of Article 52-17, paragraph (2) of the Act, must submit the notification accompanied by the following documents to the Commissioner of the Financial Services Agency or other competent authorities:

一 定款

(i) articles of incorporation;

二 会社の登記事項証明書

(ii) a certificate of registered information of the company; and

三 当該特定持株会社及びその子会社の最終の貸借対照表

(iii) the latest balance sheet of the specified holding company and its subsidiary company.

3 特定持株会社が銀行を子会社とする外国の持株会社である場合には、当該銀行を子会社とする外国の持株会社は、令第十六条の五ただし書の規定による届出の期限の延長の承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提

出しなければならない。

(3) If a specified holding company is a foreign holding company that has a bank as a subsidiary company and that foreign holding company seeks approval for postponement of the limit for notification under the provisions of the proviso of Article 16-5 of the Order, it must submit a written application for approval accompanied by a written statement of reasons to the Commissioner of the Financial Services Agency or other competent authorities.

4 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした外国の持株会社が令第十六条の五ただし書の規定による届出の期限の延長をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(4) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the foreign holding company that filed the application has what is found to be a compelling reason to postpone the deadline for notification as under the provisions of the proviso of Article 16-5 of the Order.

5 特定持株会社は、法第五十二条の十七第四項の規定による届出をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

(5) When seeking to submit a notification pursuant to the provisions of Article 52-17, paragraph (4) of the Act, a specified holding company must submit a written notice accompanied by the following documents to the Commissioner of the Financial Services Agency or other competent authorities:

一 理由書

(i) a written statement of reasons;

二 当該特定持株会社が銀行を子会社とする持株会社でなくなつた時期を記載した書面

(ii) a document stating the time when the specified holding company became a holding company that does not have a bank as a subsidiary company; and

三 当該特定持株会社が銀行を子会社とする持株会社でなくなるために講じた措置又は銀行を子会社とする持株会社でなくなつた事由を記載した書面

(iii) a document stating the measures that the specified holding company undertook in order not to become a holding company that has a bank as a subsidiary company or the grounds that the specified holding company has become a holding company that does not have a bank as a subsidiary company.

(特定持株会社に係る認可の申請)

(Application of Authorization Pertaining to a Specified Holding Company)

第三十四条の十三 特定持株会社は、法第五十二条の十七第三項ただし書の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して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 34-13 (1) When seeking authorization pursuant to the provisions of Article 52-17, proviso to paragraph (3) of the Act, a specified holding company must submit a written application for authorization accompanied by the following documents to the Prime Minister through the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons; and

二 第三十四条の十第一項第二号ハからヘまで及びチからヲまで並びに同項第三号から第六号までに掲げる書面

(ii) the documents as set forth in Article 34-10, paragraph (1), item (ii), sub-items (c) to (f) and (h) to (l) of the Act, and items (iii) to (vi) of that paragraph.

2 第三十四条の十第三項の規定は、前項の規定による認可の申請に係る法第五十二条の十八第一項の規定による審査について準用する。

(2) The provisions of Article 34-10, paragraph (3) apply mutatis mutandis to an examination under Article 52-18, paragraph (1) of the Act pertaining to the application of authorization pursuant to the provisions of the preceding paragraph.

(銀行持株会社の取締役の兼職の認可の申請)

(Application of Authorization for Concurrent Holding of Positions as a Director of Bank Holding Company)

第三十四条の十四 銀行持株会社の常務に従事する取締役（指名委員会等設置会社にあつては執行役、外国所在銀行持株会社（銀行を子会社とする外国の持株会社であつて、法第五十二条の十七第一項の認可を受けて設立され、又は同項若しくは同条第三項ただし書の認可を受けているものをいう。以下同じ。）にあつては当該外国所在銀行持株会社の常務に従事する取締役若しくは執行役又はこれらに類する職にある者。次項において同じ。）は、法第五十二条の十九第一項の規定により、他の会社の常務に従事することについて認可を受けようとするときは、認可申請書に次に掲げる書面を添付し、当該銀行持株会社を経由して金融庁長官等に提出しなければならない。

Article 34-14 (1) When seeking authorization to engage in the ordinary business of another company pursuant to the provisions of Article 52-19, paragraph (1) of the Act, a director engaged in the ordinary business of a bank holding company (with regard to a company with nominating committee, etc., executive officers; with regard to a bank holding company located in a foreign state (meaning a foreign holding company, of which subsidiary company is a bank, and which was established after obtaining an authorization as prescribed in Article 52-17, paragraph (1) of the Act or which has obtained the authorization as prescribed in the proviso of paragraph (3) of that Article; the same applies hereinafter), a director or executive officer engaged in the ordinary business of a bank holding company located in a foreign state, or a person that is assigned to equivalent duties to the above; the same applies in the following paragraph)

must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency or other competent authorities via the bank holding company:

一 理由書

(i) a written statement of reasons;

二 履歴書

(ii) a resume;

三 銀行持株会社及び当該他の会社における常務の処理方法を記載した書面

(iii) a document stating the methods of conducting ordinary business at the bank holding company and the other company;

四 銀行持株会社又はその子会社と当該他の会社との取引その他の関係を記載した書面

(iv) a document stating transactions between the bank holding company and its subsidiary company and the other company, and other relationships; and

五 当該他の会社の定款（これに準ずるものを含む。）、最終の事業報告、貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(v) the other company's articles of incorporation (including documents equivalent to this), the latest business report, balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of business, assets, and profit and loss.

2 金融庁長官等は、前項の規定による認可の申請があつたときは、当該申請をした銀行持株会社の常務に従事する取締役が他の会社の常務に従事することにより当該銀行持株会社の子会社である銀行の業務の健全かつ適切な運営を妨げるおそれがないかどうかを審査するものとする。

(2) When an application of authorization under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authority is to examine whether it is likely to prevent sound and appropriate management of the services of the bank that is a subsidiary company of the bank holding company when the director who engages in ordinary business of a bank holding company who filed the application engages in the ordinary business of the other company.

第二款 業務及び子会社等

Subsection 2 Business and Subsidiary Companies

(銀行持株会社による銀行持株会社グループの経営管理の内容等)

(Content of Business Management of a Bank Holding Company Group by a Bank Holding Company)

第三十四条の十四の二 法第五十二条の二十一第四項第一号に規定する方針として内閣府令で定めるものは、次に掲げる方針とする。

Article 34-14-2 (1) The policy specified by Cabinet Office Order as constituting the policy prescribed in Article 52-21, paragraph (4), item (i) of the Act are the following policies:

一 銀行持株会社グループの収支、資本の分配及び自己資本の充実に係る方針その他のリスク管理に係る方針

(i) policies concerning income and expenditure, capital allocation and adequacy of equity capital regarding the bank holding company group and other policies concerning risk management; and

二 災害その他の事象が発生した場合における銀行持株会社グループの危機管理に係る体制の整備に係る方針

(ii) policies concerning the development of the bank holding company group's crisis management systems in preparation for events such as disasters.

2 法第五十二条の二十一第四項第三号に規定する内閣府令で定める体制は、当該銀行持株会社における当該銀行持株会社グループに属する会社の取締役、執行役、業務を執行する社員、会社法第五百九十八条第一項の職務を行うべき者その他これらの者に相当する者及び使用人の職務の執行が法令に適合することを確保するための体制とする。

(2) The system specified by Cabinet Office Order that is provided for in Article 52-21, paragraph (4), item (iii) of the Act means a system to ensure that the directors, executive officers, members in charge of executing business, persons in charge of performing the duties referred to in Article 598, paragraph (1) of the Companies Act, and other persons equivalent to these persons, and employees, all of whom belong to the companies that belong to the bank holding company group, perform their respective duties in the bank holding company in compliance with laws and regulations.

3 法第五十二条の二十一第四項第四号に規定する内閣府令で定めるものは、当該銀行持株会社グループ（再建計画（業務の運営又は財産の状況に関し改善が必要な場合における銀行持株会社グループの経営の再建のための計画をいう。以下この項において同じ。）の策定が必要なものとして金融庁長官が指定したものに限る。）の再建計画を策定し、その適正な実施を確保することとする。

(3) The activities specified by Cabinet Office Order that are provided for in Article 52-21, paragraph (4), item (iv) of the Act are formulating a reconstruction plan (meaning a plan for business reconstruction of a bank holding company group that needs to improve the conditions of its business management or assets; hereinafter the same applies in this paragraph) for the bank holding company group (limited to a bank holding company group designated by the Commissioner of the Financial Services Agency as one that needs to formulate a reconstruction plan), and ensuring the proper implementation thereof.

（銀行持株会社が行うことができるグループに属する会社の業務）

(Services of Companies Belonging to a Group That a Bank Holding Company May Perform)

第三十四条の十四の三 法第五十二条の二十一の二第一項に規定する内閣府令で定めるものは、次に掲げる業務とする。

Article 34-14-3 The services specified by Cabinet Office Order that are provided for in Article 52-21-2, paragraph (1) of the Act are the following services:

一 当該銀行持株会社グループに属する銀行、長期信用銀行及び銀行業を営む外国の会社の資産の運用に係る業務

(i) services involved in the management of assets of a bank, long-term credit bank and foreign company engaged in banking, which belong to the bank holding company group;

二 当該銀行持株会社グループに属する会社のために事業の譲渡若しくは譲受け、合併、会社の分割、株式交換、株式移転又は株式等の譲渡若しくは取得に関する交渉を行う業務

(ii) services for conducting negotiations regarding a business transfer or acquisition, merger, company split, share exchange, share transfer or transfer or acquisition of shares, etc., for the companies that belong to the bank holding company group;

三 当該銀行持株会社グループに属する銀行、長期信用銀行及び銀行業を営む外国の会社が信用供与を行おうとする場合における当該信用供与の判断の前提となる審査を行う業務

(iii) services for conducting an examination as a precondition for the decision on the granting of credit as required when a bank, long-term credit bank or foreign company engaged in banking seeks to grant credit;

四 当該銀行持株会社グループに属する会社のために電子計算機を使用することにより機能するシステムの設計、運用若しくは保守又はプログラムの設計、作成、販売（プログラムの販売に伴い必要となる附属機器の販売を含む。）若しくは保守を行う業務

(iv) services for performing the design, operation or maintenance of a system that functions by using a computer, or the design, development or sale of a computer program (including selling peripheral equipment that is necessary in association with the sale of a software program) or maintenance of such program, for the companies that belong to the bank holding company group;

五 当該銀行持株会社グループに属する会社に対する不動産（原則として、事業用不動産に限る。）の賃貸又は当該会社が所有する不動産若しくはそれに付随する設備の保守、点検その他の管理を行う業務

(v) services for renting out real property (as a general rule, limited to real property for business use) to the companies that belong to the bank holding company group, or for maintaining, inspecting, or otherwise managing real property or accompanying equipment thereof owned by such companies;

六 当該銀行持株会社グループに属する会社の役員又は職員のための福利厚生に関する

- る事務を行う業務
- (vi) services for performing the administrative processes involved in benefits for officers or employees of the companies that belong to the bank holding company group;
- 七 当該銀行持株会社グループに属する会社の事務の用に供する物品の購入又は管理を行う業務
- (vii) services for purchasing or managing articles for use in the administrative processes of the companies that belong to the bank holding company group;
- 八 当該銀行持株会社グループに属する会社の事務に係る文書、証票その他の書類の印刷又は製本を行う業務
- (viii) services for printing or bookbinding of documents, vouchers, or other documents concerning the administrative processes of the companies that belong to the bank holding company group;
- 九 当該銀行持株会社グループに属する会社に機械類その他の物件を使用させる業務
- (ix) services for allowing the companies that belong to the bank holding company group to use machinery and other articles;
- 十 当該銀行持株会社グループに属する会社の業務に関する広告又は宣伝を行う業務
- (x) services for advertising or promoting the business of the companies that belong to the bank holding company group;
- 十一 当該銀行持株会社グループに属する会社の業務に関し必要となる調査又は情報の提供を行う業務（当該銀行持株会社グループに属する会社の行う資金の貸付けその他の信用供与に係る債権の担保の目的となる財産の評価、当該担保の目的となっている財産の管理その他当該財産に関し必要となる事務を行う業務を除く。）
- (xi) services for investigating or providing information as necessary for the services of the companies that belong to the bank holding company group (excluding services for evaluating property that is the object of security for a claim connected to the lending of funds or other granting of credit by the companies that belong to the bank holding company group, for maintaining the property that is the object of the security, or for undertaking other necessary administrative processes related to that property);
- 十二 法第十条の規定により営む業務に係る商品の開発を行う業務
- (xii) business of developing products pertaining to the business conducted pursuant to the provisions of Article 10 of the Act;
- 十三 当該銀行持株会社グループに属する会社の事務に係る計算を行う業務
- (xiii) services for undertaking calculations for the administrative processes of the companies that belong to the bank holding company group;
- 十四 当該銀行持株会社グループに属する会社の事務に係る文書、証票その他の書類の作成、整理、保管、発送又は配送を行う業務
- (xiv) services for preparing, arranging, storing, sending, or delivering documents, vouchers, or any other documentation regarding administrative processes of the companies that belong to the bank holding company group;

十五 当該銀行持株会社グループに属する会社と当該会社の顧客との間の事務の取次ぎを行う業務

(xv) services of acting as an agent for administrative processes between the companies that belong to the bank holding company group and their customers;

十六 当該銀行持株会社グループに属する会社の役員若しくは職員に対する教育又は研修を行う業務

(xvi) services for providing education or training to the officers or employees of the companies that belong to the bank holding company group; and

十七 前各号に掲げる業務に附帯する業務

(xvii) services incidental to services set forth in the preceding items.

(グループに属する会社に共通する業務を行うことについての認可の申請等)

(Application for Authorization for Conducting Services Common to Companies Belonging to a Group)

第三十四条の十四の四 銀行持株会社は、法第五十二条の二十一の二第二項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-14-4 (1) When a bank holding company seeks to obtain an authorization under the provisions of Article 52-21-2, paragraph (2) of the Act, it must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(ii) the latest consolidated balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of business, assets, and profit and loss of the bank holding company and its subsidiary companies, etc.;

三 当該認可後における当該認可に係る業務の収支の見込みを記載した書面

(iii) a document stating an estimation of income and expenditures of the business to which that authorization pertains after obtaining the authorization;

四 当該認可後における当該銀行持株会社及びその子会社等の収支の見込みを記載した書面

(iv) a document stating an estimation of income and expenditures and the consolidated capital adequacy ratio of the bank holding company and its subsidiary companies, etc. after obtaining the authorization;

五 当該認可に係る業務の内容及び当該業務を遂行する体制について記載した書面
(v) a document showing the content of the business to which that authorization pertains and the system for executing the business;

六 当該認可に係る業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(vi) a document showing the extent to which it has secured employees with knowledge and experience concerning the business to which that authorization pertains; and

七 その他審査をするため参考となるべき事項を記載した書面

(vii) other documents stating information that should serve as a reference in conducting an examination.

2 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application of authorization is filed pursuant to the provisions of the preceding paragraph, the Commissioner of the Financial Services Agency is to examine whether it conforms to the following standards:

一 申請をした銀行持株会社が当該認可に係る業務を行うことにより、当該銀行持株会社グループの業務の一体的かつ効率的な運営が促進されると見込まれること。

(i) if the bank holding company which filed the application conducts the business to which that authorization pertains, it is expected that the uniform and efficient management of the bank holding company group's services would be promoted;

二 申請をした銀行持株会社が、子会社の経営管理に係る体制等に照らし、当該認可に係る業務を開始した後も、当該銀行持株会社の属する銀行持株会社グループの経営管理を的確かつ公正に遂行することができること。

(ii) in light of things such as the systems associated with the business management of its subsidiary companies, the bank holding company which filed the application continues to be capable of carrying out the precise, fair, and efficient business management of the bank holding company group to which the bank holding company belongs, even after it commences the business to which that authorization pertains; and

三 申請をした銀行持株会社が、その人的構成に照らし、当該認可に係る業務を的確かつ公正に遂行することができること。

(iii) in light of its personnel structure, the bank holding company which filed the application is capable of conducting the business to which that authorization pertains properly and fairly.

(顧客の利益の保護のための体制整備に係る業務の範囲)

(Scope of Business Pertaining to the Development of a System to Protect Customers' Interests)

第三十四条の十四の五 法第五十二条の二十一の三第一項に規定する内閣府令で定める

業務は、銀行関連業務とする。

Article 34-14-5 The services specified by Cabinet Office Order that are provided for in Article 52-21-3, paragraph (1) of the Act means bank-related services.

(顧客の利益が不当に害されることのないよう必要な措置)

(Measures Necessary to Prevent a Customer's Interests from Being Unduly Harmed)

第三十四条の十四の六 銀行持株会社は、当該銀行持株会社の子会社である銀行、当該銀行持株会社の子会社である銀行を所属銀行とする銀行代理業者又は当該銀行持株会社の親金融機関等（法第五十二条の二十一の三第二項に規定する親金融機関等をいう。以下この条において同じ。）若しくは子金融機関等（同条第三項に規定する子金融機関等をいう。以下この条において同じ。）が行う取引に伴い、当該銀行持株会社の子会社である銀行、当該銀行持株会社の子会社である銀行を所属銀行とする銀行代理業者又は当該銀行持株会社の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されることのないよう、次に掲げる措置を講じなければならない。

Article 34-14-6 (1) A bank holding company must take the following measures to ensure that a transaction carried out by a bank that is its subsidiary company does not unduly harm the interests of a customer of the bank services conducted by a bank that is its subsidiary company; to ensure that a transaction carried out by a bank agent whose principal bank is a bank that is the relevant bank holding company's subsidiary company does not unduly harm the interests of a customer of the bank services conducted by a bank agent whose principal bank is a bank that is the relevant bank holding company's subsidiary company; and to ensure that a transaction carried out by the parent financial institution, etc. (meaning a parent financial institution, etc., prescribed in Article 52-21-3, paragraph (2) of the Act; hereinafter the same applies in this Article) or a subsidiary financial institution, etc. of the relevant bank holding company does not unduly harm the interests of a customer of the bank services conducted by a subsidiary financial institution, etc. of the bank holding company:

一 対象取引を適切な方法により特定するための体制の整備

(i) development of a system to identify the subject transactions in an appropriate manner;

二 次に掲げる方法その他の方法により当該顧客の保護を適正に確保するための体制の整備

(ii) development of a system to properly ensure the protection of the customer by the following methods or other methods:

イ 対象取引を行う部門と当該顧客との取引を行う部門を分離する方法

(a) method for separating the department conducting subject transactions and the department conducting transactions with the customer

ロ 対象取引又は当該顧客との取引の条件又は方法を変更する方法

(b) method for changing the conditions or method of subject transactions or transactions with the customer

ハ 対象取引又は当該顧客との取引を中止する方法

(c) method for interrupting subject transactions or transactions with the customer

ニ 対象取引に伴い、当該顧客の利益が不当に害されるおそれがあることについて、当該顧客に適切に開示する方法

(d) method for appropriately disclosing to the customer that there is a risk that the customer's interests will be unduly harmed in connection with a subject transaction;

三 前二号に掲げる措置の実施の方針の策定及びその概要の適切な方法による公表

(iii) formulation of the policy of implementation of the measures set forth in the preceding two items and disclosure of their outline by an appropriate method;

四 次に掲げる記録の保存

(iv) preserving the following records:

イ 第一号の体制の下で実施した対象取引の特定に係る記録

(a) records pertaining to the identification of subject transactions conducted under the system prescribed in item (i)

ロ 第二号の体制の下で実施した顧客の保護を適正に確保するための措置に係る記録

(b) records pertaining to measures to appropriately ensure the protection of customers conducted under the system prescribed in item (ii).

2 前項第四号に規定する記録は、その作成の日から五年間保存しなければならない。

(2) The record prescribed in item (iv) of the preceding paragraph must be preserved for five years from the date of the creation.

3 第一項の「対象取引」とは、銀行持株会社の子会社である銀行、当該銀行持株会社の子会社である銀行を所属銀行とする銀行代理業者又は当該銀行持株会社の親金融機関等若しくは子金融機関等が行う取引に伴い、当該銀行持株会社の子会社である銀行、当該銀行持株会社の子会社である銀行を所属銀行とする銀行代理業者又は当該銀行持株会社の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されるおそれがある場合における当該取引をいう。

(3) The term "subject transaction" in paragraph (1) means a transaction that is carried out by a bank which is a subsidiary company of a bank holding company and that brings about the risk of unduly harming the interests of a customer of the bank services it conducts; a transaction that is carried out by bank agent which has a bank that is a subsidiary company of the relevant bank holding company as its principal bank and that brings about the risk of unduly harming the interests of a customer of the bank services it conducts; or a transaction that is carried out by the parent financial institution, etc. or subsidiary financial institution, etc. of the relevant bank holding company and

that brings about the risk of unduly harming the interests of a customer of the bank services conducted by a subsidiary financial institution, etc. of the relevant bank holding company.

(銀行持株会社に係る同一人に対する信用の供与等)

(Credit Granted to a Single Person Pertaining to a Bank Holding Company)

第三十四条の十五 第十四条の四の規定は、法第五十二条の二十二第一項本文に規定する当該銀行持株会社と内閣府令で定める特殊の関係のある者について準用する。

Article 34-15 (1) The provisions of Article 14-4 apply mutatis mutandis to a person that has a unique relationship with a bank holding company as specified by Cabinet Office Order which is provided for in the main clause of Article 52-22, paragraph (1) of the Act.

2 第十四条の二の規定は、銀行持株会社又はその子会社等（法第五十二条の二十二第一項本文に規定する子会社等をいう。以下この条において同じ。）の同一人に対する信用の供与等（同項本文に規定する信用の供与等をいう。以下この条において同じ。）の額の計算方法その他同項の規定の適用に関し必要な事項について準用する。この場合において、「当該銀行」とあるのは、「当該銀行持株会社」と読み替えるものとする。

(2) The provisions of Article 14-2 apply mutatis mutandis to the calculation method of the amount in which credit is granted and contribution are made (meaning the granting of credit or the making of contribution as prescribed in the main clause of Article 52-22, paragraph (1) of the Act; hereinafter the same applies in this Article) to a single person by a bank holding company or its subsidiary company, etc. (meaning a subsidiary company, etc. prescribed in the main clause of that paragraph; hereinafter the same applies in this Article) and other necessary particulars for applying the provisions of that paragraph. In this case, the term "the bank" is deemed to be replaced with the "the bank holding company."

3 銀行持株会社又はその子会社等の同一人に対する信用の供与等の額は、当該銀行持株会社又はその子会社等それぞれについて、前項において準用する第十四条の二第一項の規定の例により計算した信用の供与等の総額の合計額（当該銀行持株会社が当該同一人に対してする第十四条第三項に規定する出資の額を除く。）から当該同一人に係る調整対象額を控除して計算するものとする。

(3) The amount of credit to be granted or contribution to be made to a single person of a bank holding company or its subsidiary company, etc., with regard to each of the bank holding company or its subsidiary company, etc., is to be calculated by deducting the amount subject to adjustment pertaining to the single person from the total amount in which credit has been granted or contribution have been made that is calculated in accordance with the example prescribed in the provisions of Article 14-2, paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph (except for the amount

contributed by the bank holding company to the single person as prescribed in Article 14, paragraph (3)).

4 前項に規定する「調整対象額」とは、当該子会社等のする資金の貸付けの額のうち当該銀行持株会社又は他の子会社等が保証している額その他金融庁長官が定める額をいう。

(4) The term "amount subject to adjustment" as prescribed in the preceding paragraph means the amount guaranteed by the bank holding company or its subsidiary company, etc. among the amount of funds to be lent by the subsidiary company, etc. or any other amount specified by the Commissioner of the Financial Services Agency.

5 法第五十二条の二十二第一項本文に規定する自己資本の純合計額は、法第五十二条の二十五に規定する基準に従い算出される自己資本の額について金融庁長官が定めるところにより必要な調整を加えた額とする。

(5) The net total amount of equity capital as prescribed in the main clause of Article 52-22, paragraph (1) of the Act is the amount of equity capital calculated in accordance with the standards as prescribed in Article 52-25 of the Act after adding necessary adjustments pursuant to the provisions specified by the Commissioner of the Financial Services Agency.

6 銀行持株会社は、法第五十二条の二十二第一項ただし書の規定による当該銀行持株会社又はその子会社等の同一人に対する信用の供与等の合計額が同項本文に規定する銀行持株会社に係る信用供与等限度額を超えることの承認を受けようとするときは、承認申請書に第十四条の三第三項各号に掲げる書面を添付して金融庁長官等に提出しなければならない。

(6) If a bank holding company seeks approval for it or its subsidiary company, etc. under the proviso to Article 52-22, paragraph (1) of the Act to grant credit or make a contribution to a single person that exceeds the limit on credit and contribution pertaining to the bank holding company as prescribed in the main clause of the paragraph, it must attach the documents set forth in each item of Article 14-3, paragraph (3) to a written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authorities.

7 法第五十二条の二十二第二項第二号に規定する信用の供与等を行う銀行持株会社又はその子会社等と実質的に同一と認められる者とは、当該銀行持株会社又は当該銀行持株会社の子法人等（第一項において準用する第十四条の四に規定する子法人等をいう。）をいう。

(7) A person that is considered to be substantially the same as a bank holding company or its subsidiary company, etc., that grants credit and makes contribution as provided for in Article 52-22, paragraph (2), item (ii) of the Act, means that bank holding company or that bank holding company's subsidiary company, etc. (meaning a subsidiary company, etc. as prescribed in Article 14-4 as applied mutatis mutandis pursuant to paragraph (1)).

(銀行持株会社の子会社の範囲等)

(Scope of Subsidiary Companies of a Bank Holding Company)

第三十四条の十六 法第五十二条の二十三第一項第十号に規定する銀行持株会社、その子会社その他これらに類する者として内閣府令で定めるものは、次に掲げるものとする。

Article 34-16 (1) The bank holding company, its subsidiary companies, and other persons specified by Cabinet Office Order as being similar thereto that are provided for in Article 52-23, paragraph (1), item (x) of the Act means:

一 当該銀行持株会社の銀行持株会社集団（当該銀行持株会社の二以上の子会社の集団又は当該銀行持株会社及びその子会社の集団のうち、銀行又は法第五十二条の二十三第一項第一号若しくは第六号に掲げる会社を含むものをいう。次号において同じ。）

(i) the relevant bank holding company's group of bank holding companies (meaning a group which includes a bank or companies set forth in Article 52-23, paragraph (1), item (i) or item (vi) of the Act among a group of two or more subsidiary companies of the bank holding company or a group of the bank holding company and its subsidiary companies; the same applies in the following item);

二 当該銀行持株会社の銀行持株会社集団及び次に掲げる者

(ii) the bank holding company's group of bank holding companies and the following persons:

イ 第十七条の二第四項第四号に掲げる者

(a) a person as set forth in Article 17-2, paragraph (4), item (iv);

ロ 他の銀行持株会社の銀行持株会社集団

(b) another bank holding company's group of bank holding companies; and

ハ 長期信用銀行持株会社の長期信用銀行持株会社集団

(c) a long-term credit bank holding company's group of long-term credit bank holding companies.

2 前項第二号ハに規定する「長期信用銀行持株会社集団」とは、長期信用銀行持株会社の二以上の子会社の集団又は当該長期信用銀行持株会社及びその子会社の集団のうち、長期信用銀行又は長期信用銀行法第十六条の四第一項第一号若しくは第六号に掲げる会社を含むものをいう。

(2) The term a "group of long-term credit bank holding companies" as prescribed in the preceding paragraph, item (ii), sub-item (c) means a group that includes a long-term credit bank or companies set forth in Article 16-4, paragraph (1), item (i) or (vi) of the Long-Term Credit Bank Act among a group of two or more subsidiary companies of a group of long-term credit bank holding companies or a group of the long-term credit bank holding companies and its subsidiary companies, etc.

3 法第五十二条の二十三第一項第十号イに規定する内閣府令で定めるものは、次に掲

げる業務とする。

- (3) The services specified by Cabinet Office Order that are provided for in Article 52-23, paragraph (1), item (x), sub-item (a) of the Act means:
- 一 他の事業者のための不動産（原則として、自らを子会社とする銀行持株会社又はその子会社から取得し、又は賃借した事業用不動産に限る。）の賃貸又は他の事業者の所有する不動産若しくはそれに付随する設備の保守、点検その他の管理を行う業務
 - (i) services for leasing real property (as a general rule, limited to real property for business acquired from or leased to a bank holding company that is a subsidiary company, or its subsidiary company) for another business operator, or for maintaining, inspecting, or otherwise managing real property or incidental equipment to the real property that is owned by another business operator;
 - 二 他の事業者の役員又は職員のための福利厚生に関する事務を行う業務
 - (ii) services for performing the administrative processes involved in benefits for officers or employees of another business operator;
 - 三 他の事業者の事務の用に供する物品の購入又は管理を行う業務
 - (iii) services for purchasing or managing articles for use in another business operator's administrative processes;
 - 四 他の事業者の事務に係る文書、証票その他の書類の印刷又は製本を行う業務
 - (iv) services for printing or bookbinding of documents, vouchers, or other statements for the administrative processes of another business operator;
 - 五 他の事業者の業務に関する広告又は宣伝を行う業務
 - (v) services for advertising or promoting the business of another business operator;
 - 六 他の事業者のための自動車の運行又は保守、点検その他の管理を行う業務
 - (vi) services for operating, maintaining, inspecting, or otherwise managing automobiles for another business operator;
 - 七 他の事業者の業務に関し必要となる調査又は情報の提供を行う業務（第十号に該当するものを除く。）
 - (vii) services for investigating or providing information necessary for the services of another business operator (except for the case corresponding to item (x));
 - 八 他の事業者の現金自動支払機等の保守、点検その他の管理を行う業務
 - (viii) services for maintaining, inspecting, or otherwise managing cash dispensers, etc. of another business operator;
 - 九 他の事業者の業務に係る契約の締結についての勧誘又は当該契約の内容に係る説明を行う葉書又は封書の作成又は発送を行う業務
 - (ix) services for preparing or sending postcards or sealed documents that solicit persons to enter into contracts related to the business of another business operator or that explain the contents of the contracts;

十 他の事業者の行う資金の貸付けその他の信用供与に係る債権の担保の目的となる財産の評価、当該担保の目的となつている財産の管理その他当該財産に関し必要となる事務を行う業務

(x) services for evaluating property that is the object of security for a claim related to the lending of funds or other granting of credit by another business operator, for maintaining the property that is the object of the security, or for undertaking other necessary administrative processes related to that property;

十の二 他の事業者が資金の貸付けその他の信用供与に係る債権の回収のために担保権を実行する必要がある場合に、当該他の事業者のために当該債権の担保の目的となつている財産（不動産を除く。）の売買の代理又は媒介を行う業務

(x)-2 services for acting as agency or intermediary in the sale and purchase of the property (excluding real property) that is the object of security on behalf of another person conducting business, if it is necessary for the other business operator to exercise a security right in order to collect on a claim related to the lending of funds or other granting of credit;

十一 他の事業者の行う資金の貸付け（住宅の購入に必要な資金の貸付けその他の消費者に対する資金の貸付けに限る。）に関し相談に応ずる業務又は当該資金の貸付けに係る事務の取次ぎその他当該資金の貸付けに関し必要となる事務を行う業務

(xi) services to provide consultations for the lending of funds by another business operator (limited to the lending of the necessary funds to purchase a home or any other lending of funds to consumers), or services to act as an agent for the administrative processes related to lending of funds by another business operator or to undertake any other administrative process that is necessary in relation to lending of funds by another business operator;

十二 他の事業者の行う外国為替取引、信用状若しくは旅行小切手に関する業務又は輸出入その他の対外取引のため直接必要な資金に関する貸付け、手形の割引、債務の保証若しくは手形の引受けに関し必要となる事務を行う業務

(xii) services involving foreign exchange transactions, letters of credit, or traveler's checks, or services for undertaking the necessary administrative processes involved in lending, discounting of bills and notes, debt guarantee, or accepting of bills and notes of funds that are directly necessary for import or export or any other overseas transactions carried out by another business operator;

十三 他の事業者の事務に係る計算を行う業務

(xiii) services for undertaking calculations related to the administrative processes of another business operator;

十四 他の事業者の事務に係る文書、証票その他の書類の作成、整理、保管、発送又は配送を行う業務

(xiv) services for preparing, arranging, storing, sending, or delivering documents, vouchers, or any other documentation related to the

- administrative processes of another business operator;
- 十五 他の事業者と当該他の事業者の顧客との間の事務の取次ぎを行う業務
- (xv) services for acting as an agent in administrative processes between another business operator and customers of the other business operator;
- 十六 労働者派遣事業の適正な運営の確保及び派遣労働者の保護等に関する法律第二条第三号に規定する労働者派遣事業又は職業安定法第三十条第一項の規定に基づき許可を得て行う職業紹介事業
- (xvi) a staffing services as provided in Article 2, item (iii) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers, or employment placement services carried out after obtaining a permission pursuant to the provisions of Article 30, paragraph (1) of the Employment Security Act;
- 十七 他の事業者のために電子計算機に関する事務を行う業務（電子計算機を使用することにより機能するシステムの設計若しくは保守又はプログラムの設計、作成、販売（プログラムの販売に伴い必要となる附属機器の販売を含む。）若しくは保守を行う業務を含む。）
- (xvii) services for undertaking administrative processes involving computers for another business operator (including services for designing or maintaining a system that functions using a computer, or for designing, developing, or selling a software program (including selling peripheral equipment that is necessary in association with the sale of a software program) or for maintaining it);
- 十八 他の事業者の役員又は職員に対する教育又は研修を行う業務
- (xviii) services for providing education or training to the officers or employees of another business operator;
- 十九 他の事業者の現金、小切手、手形又は有価証券の輸送を行う業務（次号及び第二十一号に該当するものを除く。）
- (xix) services for transporting cash, checks, bills and notes, or securities of another business operator (except those corresponding to the following item and item (xxi));
- 二十 他の事業者の主要な取引先に対する現金、小切手、手形又は証書の集配を行う業務
- (xx) services for collecting and delivering cash, checks, bills and notes, or certificates to and from a major client of another business operator;
- 二十一 他の事業者の主要な取引先との間で当該他の事業者の業務に係る有価証券の受渡しを行う業務
- (xxi) services for accepting and delivering securities in connection with the services of another business operator to and from a major client of that business operator;
- 二十二 他の事業者のために現金、小切手、手形又は有価証券を整理し、その金額若しくは枚数を確認し、又は一時的にその保管を行う業務

(xxii) services for organizing cash, checks, bills and notes, or securities, confirming their amounts or number, or retaining their custody temporarily on behalf of another business operator;

二十三 自らを子会社とする保険会社のために投資を行う業務

(xxiii) services for investing on behalf of an insurance company which is a subsidiary company;

二十四 自らを子会社とする銀行持株会社の子会社である銀行、長期信用銀行又は保険会社（以下この号において「兄弟銀行等」という。）が資金の貸付けその他の信用供与に係る債権の回収のために担保権を実行する必要がある場合に、当該兄弟銀行等のために当該債権の担保の目的となつている財産を適正な価格で購入し、並びに購入した財産の所有及び管理その他当該財産に関し必要となる事務を行う業務

(xxiv) if it is necessary for a bank, long-term credit bank, or insurance company that is a subsidiary company of the bank holding company of which the person in question is a subsidiary company (hereinafter referred to as a "fellow bank, etc.") to exercise a security right to collect on a claim related to the lending of funds or other granting of credit, services for purchasing the property that is the object of security for the claim at an appropriate price for the fellow bank, etc. and services for possessing the purchased property, managing it, and undertaking any other necessary administrative processes in relation with it;

二十五 その他第一号から前号までに掲げる業務に準ずるものとして金融庁長官が定める業務

(xxv) other services specified by the Commissioner of the Financial Services Agency as being equivalent to the services set forth in items (i) to the preceding item; or

二十六 前各号に掲げる業務に附帯する業務（当該各号に掲げる業務を営む者が営むものに限る。）

(xxvi) services incidental to the services set forth in each of the preceding items (limited to services performed by a person performing services as set forth in each of those items).

4 法第五十二条の二十三第一項第十一号に規定する内閣府令で定める会社は、第十七条の二第六項に規定する会社とする。

(4) The company specified by Cabinet Office Order that is provided for in Article 52-23, paragraph (1), item (xi) of the Act means a company as prescribed in Article 17-2, paragraph (6).

5 法第五十二条の二十三第一項第十一号の二に規定する内閣府令で定める会社は、第十七条の二第七項に規定する会社とする。

(5) The company specified by Cabinet Office Order as prescribed in Article 52-23, paragraph (1), item (xi)-2 of the Act is the company prescribed in Article 17-2, paragraph (7).

6 法第五十二条の二十三第一項第十一号の二に規定する内閣府令で定める要件は、銀

行持株会社又はその子会社が第十七条の二第七項に規定する会社（同項第九号に該当するものを除く。）の議決権を取得する場合において、次の各号に掲げる要件のいずれにも該当することとする。

- (6) The requirements specified by Cabinet Office Order as prescribed in Article 52-23, paragraph (1), item (xi)-2 of the Act are that a bank holding company or its subsidiary company acquires voting rights in the company prescribed in Article 17-2, paragraph (7) (excluding one that falls under item (ix) of that paragraph) satisfies all of the requirements set forth in the following items:
- 一 法第五十二条の六十一第一項に規定する銀行等による人的な又は財政上の支援その他の当該銀行等が行う事業の再生のための支援をその内容に含む事業計画（法第五十二条の二十三第一項第十一号の二の事業に係る計画をいう。）が作成されていること。
 - (i) a business plan (meaning a business plan as referred to in Article 52-23, paragraph (1), item (xi)-2 of the Act) has been prepared that includes human-resources or financial assistance by a bank, etc. as prescribed in Article 52-61, paragraph (1) of the Act or any other such assistance for business rehabilitation that is provided by such a bank, etc.; and
 - 二 前号の事業計画について、次のいずれかに該当するものが関与して策定していること。
 - (ii) one of the following persons has been involved in formulating the business plan referred to in the preceding item:
 - イ 官公署
 - (a) a public agency;
 - ロ 商工会又は商工会議所
 - (b) a commercial and industrial association or chamber of commerce and industry;
 - ハ イ又はロに準ずるもの
 - (c) any entity equivalent to (a) or (b);
 - ニ 弁護士又は弁護士法人
 - (d) an attorney or legal professional corporation;
 - ホ 公認会計士又は監査法人
 - (e) a certified public accountant or audit corporation;
 - ヘ 税理士又は税理士法人
 - (f) a certified public tax accountant or tax accountancy corporation; or
 - ト 第十七条の三第二項第十五号に掲げる業務を営む会社（当該銀行持株会社の子会社等（法第五十二条の二十五に規定する子会社等をいう。）以外の会社に限る。）
 - (g) a company that carries out the services set forth in Article 17-3, paragraph (2), item (xv) (limited to a company other than a subsidiary company, etc. (meaning a subsidiary company, etc. as prescribed in Article 52-25 of the Act) of the bank holding company)).

7 第四項に規定する会社のほか、会社であつて、その議決権を銀行持株会社若しくはその子会社（子会社となる会社を含む。以下この項において同じ。）の担保権の実行による株式等の取得又は次条第一項第一号に掲げる事由によらずに取得されたとき

（当該会社の議決権が当該銀行持株会社又はその子会社により二回以上にわたり取得された場合においては、当該銀行持株会社若しくはその子会社の担保権の実行による株式等の取得又は同号に掲げる事由によらずに最後に取得されたとき）に第四項に規定する会社に該当していたものも、その議決権が当該銀行持株会社若しくはその子会社担保権の実行による株式等の取得又は同号に掲げる事由によらずに新たに取得されない限り、当該銀行持株会社に係る法第五十二条の二十三第一項第十一号に規定する内閣府令で定める会社に該当するものとする。

(7) Other than a company as provided in paragraph (4), a company that corresponds to a company as prescribed in paragraph (4) at the time when its voting rights were acquired by a bank holding company or its subsidiary company (including a company that is to become a subsidiary company; hereinafter the same applies in this paragraph) due to grounds other than the acquisition of shares, etc. through the exercise of the security right and the ground set forth in paragraph (1), item (i) of the following Article (if the voting rights in the company are acquired by the bank holding company or its subsidiary company on two or more occasions: on the latest occasion of the acquisition due to grounds other than the acquisition of shares, etc. through the exercise of the security right and the ground set forth in that item) is also considered as corresponding to a company as specified by Cabinet Office Order, as prescribed in Article 52-23, paragraph (1), item (xi) of the Act which pertains to the bank holding company, unless the voting rights are newly acquired by the bank holding company or its subsidiary company due to grounds other than the acquisition of shares, etc. through the exercise of the security right and the cause set forth in paragraph (1), item (i) of the following Article.

8 前項の規定は、第五項に規定する会社に該当していたものに準用する。この場合において、前項中「第五十二条の二十三第一項第十一号」とあるのは、「第五十二条の二十三第一項第十一号の二」と読み替えるものとする。

(8) The provisions of the preceding paragraph apply mutatis mutandis to a company that corresponds to a company prescribed in paragraph (5). In this case, the phrase "Article 52-23, paragraph (1), item (xi)" in the preceding paragraph is deemed to be replaced with "Article 52-23, paragraph (1), item (xi)-2."

9 第四項から前項まで（第六項を除く。）の規定にかかわらず、特定子会社（第十七条の三第二項第十二号に掲げる業務及びこれに附帯する業務を専ら営む銀行持株会社の子会社をいう。以下この項及び次項並びに第三十四条の二十三の二第二項において同じ。）がその取得した第四項若しくは第七項に規定する会社（以下この項において「新規事業分野開拓会社」という。）又は第五項に規定する会社若しくは前項におい

て読み替えて準用する第七項の内閣府令で定める会社に該当するもの（以下この節及び第三十五条第三項第九号において「事業再生会社」という。）の議決権を処分基準日（新規事業分野開拓会社の議決権にあつてはその取得の日から十五年を経過する日をいい、事業再生会社のうち第十七条の二第七項第九号に該当する会社の議決権にあつてはその取得の日から五年を経過する日をいい、同号に該当する会社以外の事業再生会社の議決権にあつてはその取得の日から十年を経過する日（当該議決権が同項に規定する会社（同項第五号又は第六号に該当するものに限る。）の議決権である場合であつて、当該会社が当該支援を受けている期間が当該議決権の取得の日から十年を超えるときは、当該支援が終了する日）をいう。以下この項において同じ。）までに処分しないときは、当該新規事業分野開拓会社及び当該事業再生会社（以下この項、第三十四条の二十第一項第九号及び第三十四条の二十三の二第三項において「新規事業分野開拓会社等」という。）は、処分基準日の翌日からは新規事業分野開拓会社にあつては当該銀行持株会社に係る法第五十二条の二十三第一項第十一号に規定する内閣府令で定める会社に、事業再生会社にあつては当該銀行持株会社に係る同項第十一号の二に規定する内閣府令で定める会社にそれぞれ該当しないものとする。ただし、当該処分を行えば当該銀行持株会社又はその子会社が保有する当該新規事業分野開拓会社等の議決権の数が当該処分基準日における基礎議決権数（国内の会社及び事業再生会社（第六項に定める要件に該当するものに限る。次項、第三十四条の二十第一項第九号、第三十四条の二十三の二第三項及び第三十五条第三項第九号において同じ。）の議決権についてはその総株主等の議決権に百分の十五を乗じて得た議決権の数、外国の会社の議決権についてはその総株主等の議決権に百分の五十を乗じて得た議決権の数をいう。以下この項及び次項において同じ。）を下回ることとなる場合において、当該特定子会社が当該取得の日から処分基準日までの間に当該銀行持株会社又はその子会社の保有する当該新規事業分野開拓会社等の議決権のうち当該処分基準日における基礎議決権数を超える部分の議決権を処分したときは、この限りでない。

- (9) Notwithstanding the provisions of paragraph (4) to the preceding paragraph (excluding paragraph (6)), if a specified subsidiary company (meaning a subsidiary company of a bank holding company that carries out only the business set forth in Article 17-3, paragraph (2), item (xii) and other business incidental thereto; hereinafter the same applies in this paragraph, the following paragraph, and Article 34-23-2, paragraph (2)) does not dispose of the voting rights acquired thereby in a company as prescribed in paragraph (4) or (7) (hereinafter referred to as a "company cultivating a new business field" in this paragraph), or in a company prescribed in paragraph (5) or a company that corresponds to a company specified by Cabinet Office Order referred to in paragraph (7) applied mutatis mutandis pursuant to the preceding paragraph by replacing terms (hereinafter referred to as a "company in the business revitalization process" in this Section and Article 35, paragraph (3), item (ix)), by the base disposition date (meaning: the day on which fifteen years have elapsed from the date of the acquisition of the voting rights in a company cultivating a new business field; the day on which five years have elapsed from

the date of the acquisition of the voting rights in a company in the business revitalization process which falls under Article 17-2, paragraph (7), item (ix); or the day on which ten years have elapsed from the date of the acquisition of the voting rights in a company in the business revitalization process other than the company which falls under that item (if the voting rights are voting rights in a company prescribed in that paragraph (limited to one that falls under item (v) or (vi) of that paragraph), and the period during which the company receives the assistance exceeds ten years from the day of the acquisition of the voting rights: the day on which the assistance ends); hereinafter the same applies in this paragraph), the company cultivating a new business field or company in the business revitalization process (hereinafter referred to as a "company cultivating a new business field, etc." in this paragraph, Article 34-20, paragraph (1), item (ix), and Article 34-23-2, paragraph (3)) is considered as not corresponding to a company specified by Cabinet Office Order as prescribed in Article 52-23, paragraph (1), item (xi) of the Act which pertains to the bank holding company in the case of a company cultivating a new business field, or to a company specified by Cabinet Office Order as prescribed in item (xi)-2 of that paragraph which pertains to the bank holding company in the case of a company in the business revitalization process, respectively, from the day following the base disposition date; provided, however, that this does not apply, if the disposition is performed, and the number of voting rights in the company cultivating a new business field, etc. held by the bank holding company or its subsidiary company falls below the base number of voting rights as of the base disposition date (with regard to the voting rights in a domestic company and voting right in a company in the business revitalization process (limited to one that satisfies the requirements specified in paragraph (6); the same applies in the following paragraph, Article 34-20, paragraph (1), item (ix), Article 34-23-2, paragraph (3), and Article 35, paragraph (3), item (ix)), meaning the number of voting rights obtained by multiplying total shareholder or investor voting rights by fifteen percent; and with regard to the voting rights in a foreign company, meaning the number of voting rights obtained by multiplying total shareholder or investor voting rights by fifty percent; hereinafter the same applies in this paragraph and the following paragraph), and if the specified subsidiary company disposes of a part of the voting rights exceeding the base number of voting rights as of the base disposition date among the voting rights in the company cultivating a new business field, etc. held by the bank holding company or its subsidiary company, during the period from the date of the acquisition to the base disposition date.

- 10 第五項及び第八項の規定にかかわらず、銀行持株会社又はその特定子会社以外の子会社がその取得した事業再生会社の議決権を処分基準日（その取得の日から第十七条の二第十二項各号に掲げる議決権の区分に応じ、当該各号に定める期間を経過する

日をいう。以下この項において同じ。)までに処分しないときは、当該事業再生会社は、処分基準日の翌日から当該銀行持株会社に係る法第五十二条の二十三第一項第十一号の二に規定する内閣府令で定める会社に該当しないものとする。ただし、当該処分を行えば当該銀行持株会社又はその特定子会社以外の子会社が保有する当該事業再生会社の議決権の数が当該処分基準日における基礎議決権数を下回ることとなる場合において、当該銀行持株会社又はその特定子会社以外の子会社が当該取得の日から処分基準日までの間に当該銀行持株会社又はその特定子会社以外の子会社の保有する当該事業再生会社の議決権のうち当該処分基準日における基礎議決権数を超える部分の議決権を処分したときは、この限りでない。

(10) Notwithstanding the provisions of paragraphs (5) and (8), if a bank holding company or its subsidiary company other than a specified subsidiary company does not dispose of the voting rights acquired thereby in a company in the business revitalization process by the base disposition date (meaning the day on which the period specified in the items of Article 17-2, paragraph (12) has elapsed from the date of the acquisition of the voting rights in accordance with the categories of voting rights set forth respectively in those items; hereinafter the same applies in this paragraph), the company in the business revitalization process is considered as not corresponding to a company specified by Cabinet Office Order as prescribed in Article 52-23, paragraph (1), item (xi)-2 of the Act which pertains to the bank holding company from the day following the base disposition date; provided, however, that this does not apply, in the case where the disposition is performed and the number of voting rights in the company in the business revitalization process held by the bank holding company or its subsidiary company other than a specified subsidiary company falls below the base number of voting rights as of the base disposition date, and the bank holding company or its subsidiary company other than a specified subsidiary company disposes of a part of voting rights exceeding the base number of voting rights as of the base disposition date among the voting rights in the company in the business revitalization process held by the bank holding company or its subsidiary company other than a specified subsidiary company, during the period from the date of the acquisition to the base disposition date.

1 1 法第五十二条の二十三第一項第十一号に規定する内閣府令で定めるものは、第十七条の三第二項第十二号に掲げる業務及びこれに附帯する業務を専ら営む会社とする。

(11) The company specified by Cabinet Office Order that is provided for in Article 52-23, paragraph (1), item (xi) of the Act means a company engaging exclusively in services as set forth in Article 17-3, paragraph (2), item (xii) and services incidental thereto.

1 2 法第五十二条の二十三第一項第十二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。ただし、当該持株会社が第十七条の三第一項各号に掲げる業務を営む場合にあっては、当該業務は、金融庁長官が定める基準により銀行、その子会社又は第一項各号に掲げる者の営む業務のために営むものでなければならない。

(12) The company specified by Cabinet Office Order that is provided for in Article 52-23, paragraph (1), item (xii) of the Act means as follows; provided, however that if the relevant holding company carries out a business as set forth in each item of Article 17-3, paragraph (1), the business must be that carried out for business that is carried out by a bank, its subsidiary company, or a person as set forth in each item of paragraph (1) pursuant to the standards specified by the Commissioner of the Financial Services Agency:

一 証券専門会社、証券仲介専門会社又は法第五十二条の二十三第一項第七号に規定する有価証券関連業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）及び信託専門会社又は同項第九号に規定する信託業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第二十四号から第三十四号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第五号、第五号の二、第七号及び第九号に規定する会社を有しない場合に限る。次号及び第三号を除き、以下同じ。）

(i) with regard to a holding company of which subsidiary company is a company specialized in securities, a company specialized in securities intermediation, or a foreign company that carries out securities-related business as prescribed in Article 52-23, paragraph (1), item (vii) of the Act (excluding a foreign company that carries out banking) and company specializing in trust business or a foreign company that carries out trust business as prescribed in item (ix) of that paragraph (excluding a foreign company that carries out banking), a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xxiv) to (xxxiv)) (limited to cases in which the company does not hold the company as prescribed in Article 16-2, paragraph (1), items (i), (ii), (v), (v)-2, (vii), and (ix) of the Act as its subsidiary company; the same applies hereinafter except in the following item and item (iii));

二 証券専門会社、証券仲介専門会社又は法第五十二条の二十三第一項第七号に規定する有価証券関連業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第二十四号から第三十七号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第五号から第七号まで、第九号及び第十号に規定する会社を有しない場合に限る。）

(ii) with regard to a holding company whose subsidiary company is a company specializing in securities, company specialized in securities intermediation, or a foreign company that carries out securities-related business as prescribed in Article 52-23, paragraph (1), item (vii) of the Act (excluding a

foreign company that carries out banking), a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xxiv) to (xxxvii)) (limited to cases in which the company does not hold the company as prescribed in Article 16-2, paragraph (1), items (i), (ii), (v) to (vii), (ix), and (x) of the Act as its subsidiary company);

三 信託専門会社又は法第五十二条の二十三第一項第九号に規定する信託業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第三号から第五号の二まで及び第七号から第九号までに規定する会社を有しない場合に限る。）

(iii) with regard to a holding company whose subsidiary company is a company specializing in trust business or a foreign company that carries out trust business as provided in Article 52-23, paragraph (1), item (ix) of the Act (excluding a foreign company that carries out banking), a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xix) to (xxxiv)) (limited to cases in which the company does not hold the company as provided in Article 16-2, paragraph (1), items (i), (ii), (iii) to (v)-2, and (vii) to (ix) of the Act as its subsidiary company);

四 法第五十二条の二十三第一項第一号の二又は第十号から第十一号の三までに規定する会社を子会社とする持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの

(iv) with regard to a holding company whose subsidiary company is a company as provided in Article 52-23, paragraph (1), item (i)-2, or items (x) to (xi)-3 of the Act, a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xix) to (xxxiv));

五 法第十六条の二第二項第六号ハに規定する当該銀行の子会社である証券専門会社又は証券仲介専門会社の子会社のうち第十七条の三第六項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第二十四号から第三十七号までを除く。）に掲げる業務を営むもの

(v) with regard to a holding company as prescribed in Article 17-3, paragraph (6) of the Act among the subsidiary companies of a company specializing in

securities or a company specializing in securities intermediation that is a subsidiary company of the bank as prescribed in Article 16-2, paragraph (2), item (vi), sub-item (c) of the Act, a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xxiv) to (xxxvii));

六 法第十六条の二第二項第七号ハに規定する当該銀行の子会社である保険会社の子会社のうち第十七条の三第七項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第十九号から第二十三号まで及び第三十五号から第三十七号までを除く。）に掲げる業務を営むもの

(vi) with regard to a holding company as prescribed in Article 17-3, paragraph (7) of the Act among subsidiary companies of an insurance company that is a subsidiary company of the bank as prescribed in Article 16-2, paragraph (2), item (vii), sub-item (c) of the Act, a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xiv) to (xxiii), and (xxxv) to (xxxvii)); or

七 法第十六条の二第二項第八号ニに規定する当該銀行の子会社である信託兼営銀行又は信託専門会社の子会社のうち第十七条の三第八項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに同条第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの

(vii) with regard to a holding company as prescribed in Article 17-3, paragraph (8) of the Act among subsidiary companies of a trust bank or a company specializing in trust business, which is a subsidiary company of the bank as prescribed in Article 16-2, paragraph (2), item (viii), sub-item (d) of the Act, a holding company that only engages in the business of managing its subsidiary company's business, business incidental to this, and business as set forth in each item, paragraphs (1) and (2) of that Article (excluding items (xiv) to (xxxiv)).

13 法第二条第十一項の規定は、第六項及び第七項（第八項において読み替えて準用する場合を含む。）、第九項及び第十項に規定する議決権について準用する。

(13) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (6), paragraph (7) (including as applied mutatis mutandis pursuant to paragraph (8) by replacing terms), paragraph (9) and paragraph (10).

(法第五十二条の二十三第一項の規定等が適用されないこととなる事由)

(Grounds for Non-Applicability of the Provisions of Article 52-23, Paragraph (1) of the Act)

第三十四条の十七 法第五十二条の二十三第二項本文に規定する内閣府令で定める事由は、次に掲げる事由とする。

Article 34-17 (1) The grounds specified by Cabinet Office Order that are provided for in the main clause of Article 52-23, paragraph (2) of the Act are the following grounds:

一 銀行持株会社又はその子会社の代物弁済の受領による株式等の取得

(i) acquisition of shares, etc. by acceptance of accord and satisfaction of a bank holding company or its subsidiary company;

二 銀行持株会社又はその子会社が所有する議決権を行使することができない株式又は持分に係る議決権の取得（当該銀行持株会社又はその子会社の意思によらない事象の発生により取得するものに限る。）

(ii) acquisition of voting rights from shares or equity held by a bank holding company or its subsidiary company in respect of which voting rights cannot be exercised (limited to acquisition due to the occurrence of an event that is not based on the intention of the bank holding company or its subsidiary company);

三 銀行持株会社又はその子会社が株式を所有する会社の株式の転換（当該銀行持株会社又はその子会社の請求による場合を除く。）

(iii) conversion of shares of a company for which shares are held by a bank holding company or its subsidiary company (excluding the cases of conversion that are requested by the bank holding company or its subsidiary company);

四 銀行持株会社又はその子会社が株式等を所有する会社の株式等の併合若しくは分割又は株式無償割当て

(iv) consolidation, split, allotment of shares without contribution of shares, etc. of a company for which shares, etc. are held by a bank holding company or its subsidiary company;

五 銀行持株会社又はその子会社が株式等を所有する会社の定款の変更による株式等に係る権利の内容又は一単元の株式の数の変更

(v) change of content of rights or number of share units pertaining to shares, etc. due to a change of articles of incorporation of a company for which shares, etc. are held by a bank holding company or its subsidiary company;

六 銀行持株会社又はその子会社が株式等を所有する会社の自己の株式等の取得

(vi) acquisition of its own shares, etc. of a company for which shares, etc. are held by a bank holding company or its subsidiary company; or

七 銀行持株会社の子会社である法第五十二条の二十三第一項第十一号又は第十一号の二に掲げる会社による株式等の取得

(vii) acquisition of shares, etc. by a company set forth in Article 52-23, paragraph (1), item (xi) or item (xi)-2 of the Act that is a subsidiary company of a bank holding company.

2 法第五十二条の二十三第二項ただし書に規定する内閣府令で定める事由は、前項第

七号に掲げる事由とする。

(2) The ground specified by Cabinet Office Order that is provided for in the proviso to Article 52-23, paragraph (2) of the Act is the ground set forth in item (vii) of the preceding paragraph.

3 法第五十二条の二十三第七項に規定する内閣府令で定める事由は、銀行持株会社若しくはその子会社の担保権の実行による株式等の取得又は第一項第一号から第六号までに掲げる事由とする。

(3) The grounds specified by Cabinet Office Order that are provided for in Article 52-23, paragraph (7) of the Act are the acquisition of shares, etc. by a bank holding company or its subsidiary company through the exercise of a security right or any of the grounds set forth in paragraph (1), items (i) to (vi).

(子会社対象会社のうち子会社対象銀行等から除かれるもの)

(Exclusion of Bank, etc. Eligible to Be a Subsidiary Company from Companies Eligible to Be Subsidiary Companies)

第三十四条の十八 法第五十二条の二十三第六項に規定する内閣府令で定めるものは、次に掲げる業務を専ら営む会社とする。

Article 34-18 The company specified by Cabinet Office Order that is provided for in Article 52-23, paragraph (6) of the Act means a company that exclusively conducts the following services:

一 第十七条の三第二項第一号から第十八号の五までに掲げる業務

(i) services set forth in Article 17-3, paragraph (2), items (i) to (xviii)-5;

二 その他前号に掲げる業務に準ずるものとして金融庁長官が定める業務

(ii) other services as provided by the Commissioner of the Financial Services

Agency as being similar to services set forth in the preceding item; or

三 第十七条の三第二項第三十九号に掲げる業務のうち、前二号に掲げる業務に附帯する業務に係るもの

(iii) services set forth in Article 17-3, paragraph (2), item (xxxix) that are related to services incidental to the services set forth in the preceding two items.

(子会社対象銀行等を子会社とすることについての認可の申請等)

(Application for Authorization to Make a Bank Eligible to Be a Subsidiary Company a Subsidiary Company)

第三十四条の十九 銀行持株会社は、法第五十二条の二十三第六項の規定による子会社対象銀行等（同項に規定する子会社対象銀行等をいい、同条第一項第十一号の三に掲げる会社（以下この節及び第三十五条第三項において「銀行業高度化等会社」という。）を除く。以下この条において同じ。）を子会社とすることの認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-19 (1) When a bank holding company seeks to obtain authorization for

making a bank, etc. eligible to be a subsidiary company (meaning a bank, etc. eligible to be a subsidiary company as prescribed in Article 52-23, paragraph (6) of the Act, and excluding a company set forth in paragraph (1), item (xi)-3 of that Article (hereinafter referred to as an "advanced banking service company" in this Section, and Article 35, paragraph (1)); hereinafter the same applies in this Article) its subsidiary company pursuant to the provisions of that paragraph, it must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該銀行持株会社に関する次に掲げる書面

(ii) the following documents concerning the bank holding company:

イ 当該銀行持株会社が行う子会社の経営管理に係る体制を記載した書面

(a) documents showing the systems associated with the business management of the subsidiary company that the bank holding company carries out;

ロ 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(b) documents showing the extent to which it has secured employees with knowledge and experience concerning banks' services;

ハ 株式交換により子会社対象銀行等を子会社とする場合には、次に掲げる書面

(c) if the bank, etc. eligible to be a subsidiary company would become its subsidiary company due to a share exchange, the following documents:

(1) 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

1. minutes of shareholders meeting and other documents proving that necessary procedures were taken;

(2) 株式交換契約の内容を記載した書面

2. documents stating the details of the share exchange agreement;

(3) 株式交換費用を記載した書面

3. documents stating the costs for the share exchange;

三 当該銀行持株会社及びその子会社等（法第五十二条の二十五に規定する子会社等をいう。以下この号及び次項、次条第一項第三号、第三十四条の二十九第一項第五号及び第九号、第三十四条の三十第一項第五号及び第九号、第三十四条の三十一第一項第四号及び第六号並びに第三十五条第三項において同じ。）に関する次に掲げる書面

(iii) the following documents concerning the bank holding company and its subsidiary company, etc. (meaning a subsidiary company, etc., as prescribed in Article 52-25 of the Act; hereinafter the same applies in this item; the following paragraph; paragraph (1), item (iii) of the following Article; Article 34-29, paragraph (1), items (v) and (ix); Article 34-30, paragraph (1), items (v) and (ix); Article 34-31, paragraph (1), items (iv) and (vi); and Article 35,

paragraph (3)):

イ 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書及び株主資本等変動計算書（これらに類する書面を含む。次条第一項第三号イ及び第三十四条の十九の五第一項第三号イにおいて同じ。）その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(a) with regard to the bank holding company and its subsidiary company, etc., the latest consolidated balance sheet, profit and loss statement, and statement of changes in net assets (including documents similar thereto; the same applies in paragraph (1), item (iii), sub-item (a) of the following Article, and Article 34-19-5, paragraph (1), item (iii), sub-item (a)), and other documents providing the latest status of business, assets, and profit and loss in these companies; and

ロ 当該認可後における当該銀行持株会社及びその子会社等（子会社等となる会社を含む。）の収支及び連結自己資本比率の見込みを記載した書面

(b) documents stating the estimated income and expenditures and consolidated capital adequacy ratio of the bank holding company and its subsidiary company, etc. (including a company that will become a subsidiary company, etc.) after obtaining the authorization;

四 当該認可に係る子会社対象銀行等に関する次に掲げる書面

(iv) the following documents concerning the bank, etc. eligible to be a subsidiary company to which that authorization pertains:

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) documents stating the name, the location of its main business office or office;

ロ 業務の内容を記載した書面

(b) documents stating the content of business;

ハ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近の業務、財産及び損益を知ることができる書面

(c) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest status of business, assets, and profit and loss; and

ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(d) documents stating the titles and names of the officers (if an officer is a corporation, including the person responsible for performing the duties thereof).

五 当該認可に係る子会社対象銀行等を子会社とすることにより、当該銀行持株会社又はその子会社が国内の会社の議決権を合算してその基準議決権数を超過して保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(v) if, by making the bank, etc. eligible to be a subsidiary company to which the authorization pertains its subsidiary company, the bank holding company or

its subsidiary companies would come to hold voting rights in a domestic company that, when combined, would exceed the maximum threshold for voting rights, documents stating the name and content of business of the domestic company; and

六 その他次項の規定による審査をするため参考となるべき事項を記載した書面
(vi) other documents stating information that should serve as a reference in conducting an examination under the following paragraph.

2 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application for authorization under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to examine whether it conforms to the following standards:

一 当該申請の時ににおいて申請をした銀行持株会社及びその子会社等の収支が良好であり、当該認可に係る子会社対象銀行等を子会社とした後も良好に推移することが見込まれること。

(i) the income and expenditures of the bank holding company that filed the application and its subsidiary companies, etc. are satisfactory at the time of the application and are expected to also remain satisfactory after the bank, etc. eligible to be a subsidiary company to which the authorization pertains is made its subsidiary company;

二 申請をした銀行持株会社及びその子会社等（当該認可に係る子会社対象銀行等を含む。）の連結自己資本比率が適正な水準となることが見込まれること。

(ii) the consolidated capital adequacy ratio of the bank holding company that filed the application and its subsidiary companies, etc. (including the bank, etc. eligible to be a subsidiary company to which that authorization pertains) is expected to reach an appropriate level;

三 申請をした銀行持株会社が、その人的構成及び子会社の経営管理に係る体制等に照らし、当該認可に係る子会社対象銀行等の経営管理を的確かつ公正に遂行することができること。

(iii) the bank holding company that filed the application, in light of things such as its personnel structure and the systems associated with its business management of the subsidiary company, is able to reliably and fairly perform the business management of the bank, etc. eligible to be a subsidiary company to which that authorization pertains; and

四 当該認可に係る子会社対象銀行等がその業務を的確かつ公正に遂行することができること。

(iv) the bank, etc. eligible to be a subsidiary company to which the authorization pertains is capable of performing its business properly and fairly.

3 銀行持株会社は、法第五十二条の二十三第四項の規定による子会社対象会社（同条第一項に規定する子会社対象会社をいう。以下この項において同じ。）以外の外国の

会社を引き続き子会社とすることについての承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

(3) When a bank holding company seeks to obtain an approval under Article 52-23, paragraph (4) of the Act for continuing to have a foreign company that is not a company eligible to be a subsidiary company (meaning a company eligible to be a subsidiary company prescribed in paragraph (1) of that Article; hereinafter the same applies in this paragraph) as its subsidiary company, it must attach the following documents to a written application for approval and submit them to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該承認に係る子会社対象会社以外の外国の会社の議決権の保有に関する方針を記載した書面

(ii) a document stating the policies on holding the voting rights in the foreign company that is not a company eligible to be a subsidiary company for which approval is sought;

三 当該承認に係る子会社対象会社以外の外国の会社に関する次に掲げる書面

(iii) the following documents concerning the foreign company that is not a company eligible to be a subsidiary company for which approval is sought;

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and the location of its main business office or office;

ロ 業務の内容を記載した書面

(b) a document stating the content of its business;

ハ 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（これらに類する書面を含む。）その他最近における業務、財産及び損益の状況を知ることができる書面

(c) the latest balance sheet, profit and loss statement, statement of changes in net assets (including documents similar thereto), and other documents that provide the latest conditions of business, assets, and profit and loss; and

ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(d) a document stating the titles and names of the officers (if an officer is a corporation, including the person responsible for performing the duties thereof); and

四 その他法第五十二条の二十三第四項の規定による承認に係る審査をするために参考となるべき事項を記載した書面

(iv) other documents stating information that should serve as a reference in conducting an examination regarding the approval under the provisions of Article 52-23, paragraph (4) of the Act.

4 第一項及び第二項の規定は、法第五十二条の二十三第七項ただし書の規定による認可（銀行持株会社若しくはその子会社が合算してその基準議決権数を超えて取得し、若しくは保有することとなつた銀行業高度化等会社の議決権について引き続きその基準議決権数を超えて保有すること又は子会社となつた外国の銀行業高度化等会社を引き続き子会社とすることについての認可を除く。）について準用する。

(4) The provisions of paragraphs (1) and (2) apply mutatis mutandis to the authorization under the provisions of the proviso to Article 52-23, paragraph (7) of the Act (excluding the authorization for allowing a bank holding company or its subsidiary companies, having acquired or come to hold voting rights in an advanced banking service company, which in total exceed the maximum threshold for voting rights, to continue to hold the voting rights that exceed the maximum threshold for voting rights, or to continue to have as a subsidiary company a foreign advanced banking service company that has become a subsidiary company).

5 第一項の規定は、法第五十二条の二十三第八項の規定による認可について準用する。

(5) The provisions of paragraph (1) apply mutatis mutandis to an authorization pursuant to the provisions of Article 52-23, paragraph (8) of the Act.

6 法第二条第十一項の規定は、第一項第五号（前二項において準用する場合を含む。）、第三項第二号及び第四項に規定する議決権について準用する。

(6) The provisions of Article 2, paragraph (1) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), item (v) (including as applied mutatis mutandis pursuant to the preceding two paragraphs), paragraph (3), item (ii), and paragraph (4).

（銀行業高度化等会社を子会社とすること等についての認可の申請等）

(Application for Authorization to Make an Advanced Banking Service Company a Subsidiary Company)

第三十四条の十九の二 銀行持株会社は、当該銀行持株会社若しくはその子会社が合算して銀行業高度化等会社の議決権をその基準議決権数（法第五十二条の二十四第一項に規定する基準議決権数をいう。以下この条において同じ。）を超えて取得し、若しくは保有すること又は外国の銀行業高度化等会社を子会社とすることについての認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-19-2 (1) If a bank holding company seeks to obtain authorization for itself or its subsidiary companies to acquire or hold voting rights in an advanced banking service company, which in total exceed the maximum threshold for voting rights (meaning the maximum threshold for voting rights prescribed in Article 52-24, paragraph (1) of the Act; hereinafter the same applies in this Article), or to make a foreign advanced banking service company into a subsidiary company, it must attach the following documents to a written application for authorization and submit them to the Commissioner of the

Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該銀行持株会社に関する次に掲げる書面

(ii) the following documents concerning the bank holding company:

イ 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(a) a document showing the extent to which it has secured employees with knowledge and experience concerning banks' services; and

ロ 株式交換により当該銀行持株会社若しくはその子会社が合算して銀行業高度化等会社の議決権をその基準議決権数を超えて取得し、若しくは保有しようとする場合又は外国の銀行業高度化等会社を子会社としようとする場合には、次に掲げる書面

(b) if the bank holding company or its subsidiary companies seeks to acquire or hold, through a share exchange, voting rights in an advanced banking service company, which in total exceed the maximum threshold for voting rights, or to make a foreign advanced banking service company into a subsidiary company, the following documents:

(1) 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

1. minutes of shareholders meetings or other documents proving that necessary procedures were taken;

(2) 株式交換契約の内容を記載した書面

2. a document stating the content of the share exchange contract; and

(3) 株式交換費用を記載した書面

3. a document stating the costs for the share exchange;

三 当該銀行持株会社及びその子会社等に関する次に掲げる書面

(iii) the following documents concerning the bank holding company and its subsidiary companies:

イ 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(a) with regard to the bank holding company and its subsidiary companies, the latest consolidated balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of business, assets, and profit and loss of these companies; and

ロ 当該認可後における当該銀行持株会社及びその子会社等（子会社等となる会社を含む。）の収支及び連結自己資本比率の見込みを記載した書面

(b) a document stating the estimated income and expenditures and the consolidated capital adequacy ratio of the bank holding company and its subsidiary companies (including the company that is to become a subsidiary company, etc.) after obtaining the authorization;

四 当該認可に係る銀行業高度化等会社に関する次に掲げる書面

(iv) the following documents concerning the advanced banking service company to which that authorization pertains:

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and the location of its main business office or office;

ロ 業務の内容及び当該業務を遂行する体制を記載した書面

(b) a document stating the content of the business and the system for executing the business;

ハ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益を知ることができる書面

(c) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest conditions of business, assets, and profit and loss; and

ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(d) a document stating the titles and names of the officers (if an officer is a corporation, including the person responsible for performing the duties thereof);

五 当該銀行持株会社若しくはその子会社が合算して当該認可に係る銀行業高度化等会社の議決権をその基準議決権数を超えて取得し、若しくは保有すること又は外国の銀行業高度化等会社を子会社とすることにより、当該銀行持株会社又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(v) if, by acquiring or holding voting rights in the advanced banking service company to which that authorization pertains, which in total exceed the maximum threshold for voting rights, the bank holding company or its subsidiary companies would hold voting rights in a domestic company, which in total exceed the maximum threshold for voting rights, or making a foreign advanced banking service company into a subsidiary company, a document stating the name and content of business of that domestic company; and

六 その他次項の規定による審査をするため参考となるべき事項を記載した書面

(vi) other documents stating information that should serve as a reference in conducting an examination under the following paragraph.

2 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application of authorization is filed pursuant to the provisions of the preceding paragraph, the Commissioner of the Financial Services Agency is to examine whether it conforms to the following standards:

一 当該申請の時ににおいて、申請をした銀行持株会社及びその子会社等の収支が良好であり、かつ、当該銀行持株会社若しくはその子会社が合算して当該認可に係る銀行業高度化等会社についてその基準議決権数を超える議決権を取得若しくは保有し、

又は外国の銀行業高度化等会社を子会社とした後も良好に推移することが見込まれること。

- (i) the income and expenditures of the bank holding company which filed the application and its subsidiary companies, etc. are satisfactory at the time of the application and are also expected to remain satisfactory after the bank holding company or its subsidiary companies acquire or hold voting rights in the advanced banking service company to which that authorization pertains which, in total, exceed the maximum threshold for voting rights, or make a foreign advanced banking service company into a subsidiary company;
- 二 当該申請に係る銀行業高度化等会社に対する出資が全額毀損した場合であつても、申請をした銀行持株会社及びその子会社等（当該認可により子会社等となる会社を除く。）の財産及び損益の状況が良好であることが見込まれること。
- (ii) even if the whole amount of investment in the advanced banking service company to which the application pertains is lost, the conditions of assets, and profits and losses of the bank holding company that filed the application and its subsidiary companies, etc. (excluding the company that is to become a subsidiary company, etc. based on the authorization) are expected to be satisfactory;
- 三 当該認可に係る銀行業高度化等会社がその業務を的確かつ公正に遂行することができること。
- (iii) the advanced banking service company to which the authorization pertains is capable of conducting its business properly and fairly;
- 四 当該申請をした銀行持株会社若しくはその子会社が合算して当該認可に係る銀行業高度化等会社の議決権をその基準議決権数を超えて取得し、若しくは保有すること又は外国の銀行業高度化等会社を子会社とすることにより、当該銀行持株会社の子会社である銀行の営む銀行業の高度化又は当該銀行の利用者の利便の向上に資すると見込まれること。
- (iv) if the bank holding company that filed the application or its subsidiary companies acquire or hold voting rights in the advanced banking service company to which that authorization pertains, which in total, exceed the maximum threshold for voting rights, or make a foreign advanced banking service company into a subsidiary company, it is expected to contribute to the advanced banking conducted by the banks which are subsidiary companies of the bank holding company or the enhanced convenience of users of the applicant bank;
- 五 当該申請をした銀行持株会社の業務の状況に照らし、当該銀行持株会社若しくはその子会社が合算して当該認可に係る銀行業高度化等会社の基準議決権数を超える議決権を取得若しくは保有し、又は外国の銀行業高度化等会社を子会社とした後も、当該銀行持株会社の子会社である銀行の業務の健全かつ適切な運営に支障を来す著しいおそれがないと認められること。
- (v) in light of the status of business of the bank holding company that filed the

application, it is found that there is no serious risk that may affect the sound and appropriate management of the services of the banks which are subsidiary companies of the bank holding company even after the bank holding company or its subsidiary companies acquire or hold voting rights in the advanced banking service company to which that authorization pertains, which in total exceed the maximum threshold for voting rights, or make a foreign advanced banking service company into a subsidiary company;

六 当該申請をした銀行持株会社の子会社である銀行又は当該認可に係る銀行業高度化等会社の顧客に対し、当該銀行の銀行としての取引上の優越的地位又は当該銀行業高度化等会社の業務における取引上の優越的地位を不当に利用して、当該銀行の業務に係る取引の条件若しくは実施又は当該銀行業高度化等会社の業務に係る取引の条件若しくは実施について不利益を与える行為が行われる著しいおそれがないと認められること。

(vi) it is found that there is no serious risk of a bank that is the subsidiary company of the bank holding company filing the application to wrongfully use its advantageous position as a bank in a transaction to put its customer at a disadvantage as concerns a condition or implementation of a transaction connected with its services; or it is found that there is no serious risk of the advanced banking service company subject to the relevant authorization to wrongfully use its advantageous position in transactions that involve its services to put its customer at a disadvantage as concerns a condition or implementation of a transaction connected with its services; and

七 当該申請をした銀行持株会社の子会社である銀行又は当該認可に係る銀行業高度化等会社が行う取引に伴い、当該銀行持株会社の子会社である銀行又は当該銀行業高度化等会社が行う業務に係る顧客の利益が不当に害される著しいおそれがないと認められること。

(vii) it is found that there is no serious risk that the interests of customers of the services carried out by the banks that are subsidiary companies of the bank holding company that filed the application or by the advanced banking service company subject to the relevant authorization to be unduly harmed in relation to transactions conducted by the banks that are subsidiary companies of that bank holding company or by that advanced banking service company.

3 前二項の規定は、法第五十二条の二十三第七項ただし書の規定による認可（銀行持株会社若しくはその子会社が合算してその基準議決権数を超えて取得し、若しくは保有することとなつた銀行業高度化等会社の議決権について引き続きその基準議決権数を超えて保有すること又は子会社となつた外国の銀行業高度化等会社を引き続き子会社とすることについての認可に限る。）について準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to the authorization under the provisions of the proviso to Article 52-23, paragraph (7) of the Act (limited to the authorization for allowing a bank

holding company or its subsidiary companies, having acquired or come to hold voting rights in an advanced banking service company, which in total exceed the maximum threshold for voting rights, to continue to hold the voting rights exceeding the maximum threshold for voting rights, or continue to have as a subsidiary company a foreign advanced banking service company that has become a subsidiary company).

4 第一項の規定は、法第五十二条の二十三第九項の規定による認可について準用する。

(4) The provisions of paragraph (1) apply mutatis mutandis to the authorization under the provisions of Article 52-23, paragraph (9) of the Act.

5 法第二条第十一項の規定は、第一項（前二項において準用する場合を含む。）、「第二項第一号、第四号及び第五号並びに第三項に規定する議決権について準用する。

(5) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights prescribed in paragraph (1) (including as applied mutatis mutandis pursuant to the preceding two paragraphs), paragraph (2), items (i), (iv) and (v), and paragraph (3).

（銀行持株会社及びその子会社に類する者）

(Persons Similar to a Bank Holding Company and Its Subsidiary Company)

第三十四条の十九の三 法第五十二条の二十三の二第一項第一号イに規定する内閣府令で定めるものは、第三十四条の十六第一項各号に掲げるものとする。

Article 34-19-3 Persons specified by Cabinet Office Order that are provided for in Article 52-23-2, paragraph (1) item (i), sub-item (a) of the Act are those set forth in the items of Article 34-16, paragraph (1) of the Act.

（特例子会社対象業務）

(Services of Specified Bank Holding Company Subsidiaries)

第三十四条の十九の四 法第五十二条の二十三の二第二項に規定する内閣府令で定めるものは、法第十条第二項第十四号に規定する金融等デリバティブ取引に係る同号に規定する商品の売買とする。

Article 34-19-4 The services specified by Cabinet Office Order that are provided for in Article 52-23-2, paragraph (2) of the Act are the purchase and sale of products prescribed in Article 10, paragraph (2), item (xiv) of the Act pertaining to financial derivative transactions prescribed in that item.

（特例子会社対象会社を持株特定子会社とすることについての認可の申請等）

(Applications for Authorization to Make a Company Eligible to Be a Special Subsidiary Company a Specified Bank Holding Company Subsidiary)

第三十四条の十九の五 銀行持株会社は、法第五十二条の二十三の二第三項の規定による特例子会社対象会社（同条第一項に規定する特例子会社対象会社をいう。以下この条において同じ。）を持株特定子会社（同条第一項に規定する持株特定子会社をいう。以下この条及び次条において同じ。）とすることの認可を受けようとするときは、認

可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-19-5 (1) If a bank holding company seeks authorization to make a company eligible to be a special subsidiary company pursuant to the provisions of Article 52-23-2, paragraph (3) of the Act (meaning a company eligible to be a special subsidiary company as prescribed in paragraph (1) of that Article; hereinafter the same applies in this Article) a specified bank holding company subsidiary (meaning a specified bank holding company subsidiary prescribed in paragraph (1) of that Article; hereinafter the same applies in this Article and the following Articles), it must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該銀行持株会社に関する次に掲げる書面

(ii) the following documents pertaining to the bank holding company:

イ 当該銀行持株会社が行う持株特定子会社の経営管理に係る体制を記載した書面

(a) a document showing the systems associated with the business management of the specified bank holding company subsidiary that the bank holding company carries out;

ロ 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(b) a document showing the extent to which it has secured employees having knowledge and experience in banks' services;

ハ 株式交換により特例子会社対象会社を持株特定子会社とする場合には、次に掲げる書面

(c) when making a company eligible to be a special subsidiary company a specified bank holding company subsidiary by means of share exchange, the following documents:

(1) 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

1. minutes of shareholders meetings and other documents proving that necessary procedures are taken;

(2) 株式交換契約の内容を記載した書面

2. a document describing the details of the share exchange contract; and

(3) 株式交換費用を記載した書面

3. a document stating the costs of the share exchange;

三 当該銀行持株会社及びその子会社等（法第五十二条の二十五に規定する子会社等をいう。以下この号及び次項第一号において同じ。）に関する次に掲げる書面

(iii) the following documents concerning the bank holding company and its subsidiary company, etc. (meaning the subsidiary company, etc. prescribed in Article 52-25 of the Act; hereinafter the same applies in this item and the following paragraph, item (i)):

イ 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、

損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(a) with regard to the bank holding company and its subsidiary company, etc., the latest consolidated balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide information on the latest conditions of the business, assets, and profit and loss of these companies; and

ロ 当該認可後における当該銀行持株会社及びその子会社等（子会社等となる会社を含む。）の収支及び連結自己資本比率の見込みを記載した書面

(b) a document giving an estimate of income and expenditures and the consolidated capital adequacy ratio of the bank holding company and its subsidiary company, etc. (including the company to become a subsidiary company, etc.) after obtaining the authorization;

四 当該認可に係る特例子会社対象会社に関する次に掲げる書面

(iv) the following documents concerning the company eligible to be a special subsidiary company to which the authorization pertains:

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and the location of its main business office or office;

ロ 業務の内容を記載した書面

(b) a document stating the details of business;

ハ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近の業務、財産及び損益を知ることができる書面

(c) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide information on the latest conditions of business, assets, and profit and loss; and

ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(d) a document stating the titles and names of the officers (if an officer is a corporation, including the persons responsible for performing the duties thereof);

五 その他次項の規定による審査をするために参考となるべき事項を記載した書面

(v) any other documents stating information that should serve as a reference in conducting an examination under the following paragraph;

2 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application for authorization under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to examine whether it conforms to the following standards:

一 当該申請の時ににおいて申請をした銀行持株会社及びその子会社等の収支が良好であり、当該認可に係る特例子会社対象会社を持株特定子会社とした後も良好に推移

することが見込まれること。

(i) the income and expenditures of the applicant bank holding company and its subsidiary companies, etc. are satisfactory at the time of the application and are also expected to remain satisfactory after the company eligible to be a special subsidiary company to which the authorization pertains is made a specified bank holding company subsidiary;

二 当該申請の時に於いて申請をした銀行持株会社及びその子会社等（法第五十二条の二十五に規定する子会社等をいう。）の連結自己資本比率（第三十四条の十第一項第四号に規定する連結自己資本比率をいう。）、当該銀行持株会社の子会社である銀行及びその子会社等（法第十四条の二第二号に規定する子会社等をいう。）の連結自己資本比率（第十七条の五第一項第三号ロに規定する連結自己資本比率をいう。）並びに当該銀行の単体自己資本比率がいずれも十分な水準にあり、当該認可に係る特例子会社対象会社を持株特定子会社とした後も十分な水準となることが見込まれること。

(ii) the consolidated capital adequacy ratio (meaning the consolidated capital adequacy as prescribed in Article 34-10, paragraph (1), item (iv)) of the applicant bank holding company and its subsidiary companies, etc. (meaning subsidiary companies, etc. as prescribed in that Article), the consolidated capital adequacy ratio (meaning the consolidated capital adequacy ratio as prescribed in Article 17-5, paragraph (1), item (iii), sub-item (b)) of a bank that is a subsidiary company of that bank holding company and its subsidiary companies, etc., and the non-consolidated capital adequacy ratio of the bank (meaning the ratio obtained by the formula of the criteria prescribed in Article 14-2, item (i) of the Act) are all at adequate levels at the time of the application and are expected to remain at adequate levels after the company eligible to be a special subsidiary company to which the authorization pertains is made a specified bank holding company subsidiary.

三 申請をした銀行持株会社が、その人的構成及び子会社の経営管理に係る体制等に照らし、当該認可に係る特例子会社対象会社の経営管理を的確かつ公正に遂行することができること。

(iii) in light of things such as its personnel structure and the systems associated with its business management of the subsidiary company, the applicant bank holding company is capable of ensuring a proper and fair management of the company eligible to be a special subsidiary company to which the authorization pertains.

四 当該認可に係る特例子会社対象会社がある業務を的確かつ公正に遂行することができること。

(iv) the company eligible to be a special subsidiary company to which the authorization pertains is capable of conducting its business properly and fairly.

五 申請をした銀行持株会社の業務の状況に照らし、当該銀行持株会社が当該認可に

係る特例子会社対象会社を持株特定子会社とした後も当該銀行持株会社の子会社である銀行の業務の健全かつ適切な運営に支障を来すおそれがないこと。

(v) In light of the status of business of the applicant bank holding company, there is no risk that may affect the sound and proper operation of the services of the bank that is a subsidiary company of the bank holding company even after the bank holding company has made the company eligible to be a special subsidiary company to which the authorization pertains a specified bank holding company subsidiary.

3 前二項の規定は、法第五十二条の二十三の二第五項ただし書の規定による認可について準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to an authorization pursuant to the provisions of the proviso to Article 52-23-2, paragraph (5) of the Act.

4 第一項の規定は、法第五十二条の二十三の二第六項の規定による認可について準用する。

(4) The provisions of paragraph (1) apply mutatis mutandis to the authorization pursuant to the provisions of Article 52-23-2, paragraph (6) of the Act.

(銀行持株会社の子会社である銀行の業務の健全かつ適切な運営を確保するために必要と認められる要件)

(Requirements Found to Be Necessary for Ensuring Sound and Proper Operation of the Services of a Bank That Is a Subsidiary Company of a Bank Holding Company)

第三十四条の十九の六 法第五十二条の二十三の二第四項に規定する内閣府令で定めるもののうち、第三十四条の十九の四に規定する業務に係るものは、次に掲げるものとする。

Article 34-19-6 (1) The requirements specified by Cabinet Office Order that are provided for in Article 52-23-2, paragraph (4) of the Act for the services prescribed in Article 34-19-4 of the Act are as follows:

一 当該持株特定子会社が第三十四条の十九の四に規定する業務の結果として保有する商品の額の合計額が、金融庁長官の定める額を超えないこと。

(i) the total amount of the commodity held by the specified bank holding company subsidiary as a result of the business prescribed in Article 34-19-4 does not exceed the amount prescribed by the Commissioner of the Financial Services Agency;

二 商品の保管又は運搬のための施設を保有しないこと。

(ii) the company does not own any facility for storing or transporting the commodity; and

三 商品の精製、加工その他の処理を行わないこと。

(iii) the company does not refine, process, or perform other processing of commodities;

2 前項第一号に規定する商品の額は時価によるものとする。ただし、当該商品の額の合計額が当該商品を取得したときの価額（当該商品の価額の低下について損益計算上損失として処理した場合においては、当該処理をした額を差し引いた金額）を合計した金額を超える額である場合は、当該合計した金額とする。

(2) The price of the commodity prescribed in item (i) of the preceding paragraph is accounted for at market value; provided, however, that if the total price of the commodity exceeds the sum of the prices of acquisition of the commodity (when the decline in the value of the merchandise is deducted as loss in the calculation of profit and loss, the balance of the deduction), the total sum.

（法第五十二条の二十四第一項の規定が適用されないこととなる事由）

(Grounds for Non-Applicability of the Provisions of Article 52-24, paragraph (1) of the Act)

第三十四条の二十 法第五十二条の二十四第二項に規定する内閣府令で定める事由は、次に掲げる事由とする。

Article 34-20 (1) The grounds specified by Cabinet Office Order that are provided for in Article 52-24, paragraph (2) of the Act are the following grounds:

一 銀行持株会社又はその子会社の担保権の実行による株式等の取得

(i) acquisition of shares, etc. by exercise of the security right of a bank holding company or its subsidiary company;

二 銀行持株会社又はその子会社の代物弁済の受領による株式等の取得

(ii) acquisition of shares, etc. by acceptance of accord and satisfaction of a bank holding company or its subsidiary company;

三 銀行持株会社又はその子会社の、その取引先である会社との間の合理的な経営改善のための計画に基づく株式等の取得（当該銀行持株会社又はその子会社に対する当該会社の債務を消滅させるために行うものであつて、当該株式等の取得によつて相当の期間内に当該会社の経営の状況が改善されることが見込まれるものに限る。）

(iii) acquisition of shares, etc. by a bank holding company or its subsidiary company, based on a streamlined business improvement plan with a company which it has business dealings (limited to cases in which the acquisition of shares, etc. is executed in order to extinguish a debt of the company to the bank holding company or its subsidiary company, and the cases in which the business management of the company is expected to be improved within a reasonable period of time by the acquisition of shares, etc.);

四 銀行持株会社又はその子会社が所有する議決権を行使することができない株式又は持分に係る議決権の取得（当該銀行持株会社又はその子会社の意思によらない事象の発生により取得するものに限る。）

(iv) acquisition of voting rights from shares or equity held by a bank holding

- company or its subsidiary company in respect of which voting rights cannot be exercised (limited to those shares or voting rights acquired due to occurrence of an event that is not based on the intention of the bank holding company or its subsidiary company);
- 五 銀行持株会社又はその子会社が株式を所有する会社の株式の転換（当該銀行持株会社又はその子会社の請求による場合を除く。）
- (v) conversion of shares of a company whose shares are held by a bank holding company or its subsidiary company (excluding cases in which the conversion is executed by request of the bank holding company or its subsidiary company);
- 六 銀行持株会社又はその子会社が株式等を所有する会社の株式等の併合若しくは分割又は株式無償割当て
- (vi) consolidation, split or allotment of share without contribution of shares, etc. of a company for which shares, etc. are held by a bank holding company or its subsidiary company;
- 七 銀行持株会社又はその子会社が株式等を所有する会社の定款の変更による株式等に係る権利の内容又は一単元の株式の数の変更
- (vii) change of the content of rights or the number of share units pertaining to shares, etc. due to a change in articles of incorporation of a company for which shares, etc. are held by a bank holding company or its subsidiary company;
- 八 銀行持株会社又はその子会社が株式等を所有する会社の自己の株式等の取得
- (viii) acquisition of own shares, etc. by a company for which shares, etc. are held by a bank holding company or its subsidiary company;
- 九 新規事業分野開拓会社等の議決権について第三十四条の十六第九項の規定による処分を行おうとするとき又は事業再生会社の議決権について同条第十項の規定による処分を行おうとするときにおいて、やむを得ないと認められる理由により当該議決権を譲渡することが著しく困難であるため当該議決権を処分することができないこと。
- (ix) when seeking to dispose of the voting rights in a company cultivating a new business field, etc. pursuant to the provisions of Article 34-16, paragraph (9) or seeking to dispose of voting rights in a company in the business revitalization process pursuant to the provisions of paragraph (10) of that Article, the voting rights cannot be disposed of because transfer of the voting rights is extremely difficult due to a reason found to be compelling;
- and
- 十 銀行持株会社又はその子会社の取引先である会社との間の合理的な経営改善のための計画に基づき取得した当該会社の発行する株式を当該会社の経営の状況の改善に伴い相当の期間内に処分するために必要な当該株式の転換（第五号に掲げる事由に該当するものを除く。）その他の合理的な理由があることについてあらかじめ金融庁長官の承認を受けた場合

- (x) with regard to shares that were issued by a company with which a bank holding company or its subsidiary company has business dealings, and acquired based on a streamlined business improvement plan with that company, if an approval by the Commissioner of the Financial Services Agency has been obtained in advance for transfer of the shares (excluding those corresponding to grounds set forth in item (v)) necessary in order to dispose of the shares within a reasonable period of time in accordance with improvement in management of that company, or when there are other reasonable reasons.
- 2 前項第十号の承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。
- (2) When seeking to obtain an approval stated in item (x) in the preceding paragraph, a written application for approval accompanied by the following documents must be submitted to the Commissioner of the Financial Services Agency:
- 一 理由書
 - (i) a written statement of reasons;
 - 二 当該承認に係る国内の会社の商号及び業務の内容を記載した書面
 - (ii) a document stating the trade name and content of business of a domestic company pertaining to the approval;
 - 三 当該承認に係る国内の会社の議決権のうちその基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方法に関する方針を記載した書面
 - (iii) a document stating the policies concerning the method of disposition of a part of the voting rights in a domestic company pertaining to the approval that voting rights are acquired or held exceeding the maximum threshold for voting rights held; and
 - 四 その他次項の規定による審査をするため参考となるべき事項を記載した書面
 - (iv) other documents stating information that should serve as a reference in conducting an examination under the following paragraph.
- 3 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社が基準議決権数を超えて議決権を所有し、又は保有することについて合理的な理由があるかどうか、及び提出される基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方法に関する方針が妥当なものであるかどうかを審査するものとする。
- (3) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to examine whether there are reasonable grounds for the bank holding company that filed the application to own or hold a number of voting rights exceeding the maximum threshold for voting rights held, and whether the policies concerning method to dispose of the part of voting rights exceeding the maximum threshold for voting rights held which is to be acquired or possessed

is appropriate or not.

(基準議決権数を超えて議決権を保有することについての承認の申請)

(Application for Approval for Holding of Voting Rights Exceeding the Maximum Threshold for Voting Rights Held)

第三十四条の二十一 銀行持株会社は、法第五十二条の二十四第二項ただし書の規定による承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-21 (1) When seeking approval under the provisions of the proviso to Article 52-24, paragraph (2) of the Act, a bank holding company must submit a written application for approval accompanied by the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該承認に係る国内の会社の名称及び業務の内容を記載した書類

(ii) a document stating the trade name and content of business of a domestic company pertaining to the approval;

三 当該承認に係る国内の会社の議決権のうちその基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方針に関する方針を記載した書類

(iii) a document stating the policies concerning the method of disposition of a part of the voting rights in a domestic company pertaining to the approval, for which was acquired or possessed in number exceeding the maximum threshold for voting rights held; and

四 その他次項の規定による審査をするため参考となるべき事項を記載した書類

(iv) other documents stating particulars that should be of reference for the examination under the following paragraph.

2 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社又はその子会社が基準議決権数を超えて議決権を保有することについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(2) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to examine whether the bank holding company that filed the application or its subsidiary company has what is found to be a compelling reason to hold voting rights exceeding the maximum threshold for voting rights held.

3 法第二条第十一項の規定は、第一項第三号に規定する議決権について準用する。

(3) The provisions of Article 2, paragraph (11) of the Act apply to the voting rights prescribed in paragraph (1), item (iii).

(基準議決権数を超えて議決権を保有することができる場合)

(Cases in Which Voting Rights Exceeding the Maximum Threshold for Voting Rights Held May Be Held)

第三十四条の二十二 法第五十二条の二十四第四項第四号に規定する内閣府令で定める場合は、当該銀行持株会社が法第五十二条の二十三第六項の認可を受けて銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合とする。

Article 34-22 (1) The case specified by Cabinet Office Order that is provided for in Article 52-24, paragraph (4) of the Act means if the relevant bank holding company has made a bank, a long-term credit bank, a company specializing in securities, company specializing in securities intermediation, an insurance company, or a small amount and short-term insurance company into its subsidiary company in accordance with the authorization as prescribed in Article 52-23, paragraph (6) of the Act.

2 法第五十二条の二十四第四項第六号に規定する内閣府令で定める場合は、当該銀行持株会社が法第五十二条の三十五第二項の認可を受けて吸収分割により事業を承継したことにより銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合とする。

(2) The case specified by Cabinet Office Order that is provided for in Article 52-24, paragraph (4), item (vi) of the Act means if the bank holding company has made a bank, a long-term credit bank, a company specializing in securities, company specializing in securities intermediation, an insurance company, or a small amount and short-term insurance company into its subsidiary company due to succession of business based on an absorption-type company split after obtaining the authorization as prescribed in Article 52-35, paragraph (2) of the Act.

3 法第五十二条の二十四第四項第七号に規定する内閣府令で定める場合は、当該銀行持株会社が法第五十二条の三十五第三項の認可を受けて事業の譲受けをしたことにより銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合とする。

(3) The case specified by Cabinet Office Order that is provided for in Article 52-24, paragraph (4), item (vii) of the Act means if the relevant bank holding company made a bank, a long-term credit bank, a company specializing in securities, company specializing in securities intermediation, an insurance company, or a small amount and short-term insurance company into its subsidiary company due to a business acquisition after obtaining the authorization as prescribed in Article 52-35, paragraph (3) of the Act.

(銀行持株会社の子会社等)

(Subsidiary Company of a Bank Holding Company)

第三十四条の二十三 法第五十二条の二十五に規定する内閣府令で定める特殊の関係のある会社は、次に掲げる者とする。

Article 34-23 The company with a unique relationship with a bank holding company as specified by Cabinet Office Order that is provided for in Article 52-

25 of the Act is as follows:

一 当該銀行持株会社の子法人等（令第四条の二第二項に規定する子法人等をいう。次条第一項及び第三十五条第三項において同じ。）

(i) a subsidiary corporation, etc. of the bank holding company (meaning a subsidiary corporation, etc. as prescribed in Article 4-2, paragraph (2) of the Order; the same applies in paragraph (1) of the following Article and Article 35, paragraph (3)); or

二 当該銀行持株会社の関連法人等（令第四条の二第三項に規定する関連法人等をいう。）

(ii) an affiliated corporation, etc. of the bank holding company (meaning an affiliated corporation, etc. as prescribed in Article 4-2, paragraph (3) of the Order).

(特例対象会社)

(Company Subject to Special Provisions)

第三十四条の二十三の二 法第五十二条の二十四第八項に規定する内閣府令で定める会社は、次の各号のいずれかに該当する会社又は事業の再生の計画の作成に株式会社地域経済活性化支援機構が関与している会社（銀行持株会社の子法人等に該当しない会社に限る。次項において「特例事業再生会社」と総称する。）とする。

Article 34-23-2 (1) The company specified by Cabinet Office Order that is provided for in Article 52-24, paragraph (8) of the Act means a company which falls under either of the following items or a company for which the Regional Economy Vitalization Corporation of Japan was involved in preparing a business reconstruction plan (limited to a company that is not a subsidiary company, etc. of a bank holding company; referred to as a "company in the business revitalization process under special provisions" in the following paragraph):

一 株式会社地域経済活性化支援機構法第二十二条第一項第八号に掲げる業務の実施により設立される株式会社が無限責任組合員となる投資事業有限責任組合であつて、次のいずれかに該当するものから出資を受けている会社

(i) a company that has received capital contribution from an investment limited partnership in which a stock company to be established through the implementation of business set forth in Article 22, paragraph (1), item (viii) of the Act on the Regional Economy Vitalization Corporation of Japan is an unlimited liability partner, and that falls under any of the following entities:

イ 当該銀行持株会社又はその子会社が当該投資事業有限責任組合の組合員となつているもの

(a) the bank holding company or its subsidiary company is a partner of the investment limited partnership; or

ロ 当該株式会社に当該銀行持株会社又はその子会社が出資しているもの

(b) the bank holding company or its subsidiary company makes capital

contribution to the stock company; or

二 事業の再生又は地域の特性を生かした新たな事業の創出その他の地域経済の活性化に資する事業活動を行うことを目的とした会社であつて、次のいずれかに該当するものが関与して策定した事業計画に基づき当該事業計画を実施している会社

(ii) a company established for the purpose of conducting revitalization of business or carrying out business activities that contribute to the revitalization of regional economy such as the creation of a new business with the use of regional characteristics, which implements a business plan formulated through the involvement of any of the following entities:

イ 官公署

(a) a public agency;

ロ 商工会又は商工会議所

(b) a commercial and industrial association or chamber of commerce and industry;

ハ イ又はロに準ずるもの

(c) any entity equivalent to (a) or (b);

ニ 弁護士又は弁護士法人

(d) an attorney or legal professional corporation;

ホ 公認会計士又は監査法人

(e) a certified public accountant or audit corporation;

ヘ 税理士又は税理士法人

(f) a certified public tax accountant or tax accountancy corporation; or

ト 第十七条の三第二項第十五号に掲げる業務を営む会社（当該銀行持株会社の子会社等（法第五十二条の二十五に規定する子会社等をいう。）以外の会社に限る。）

(g) a company that carries out the services set forth in Article 17-3, paragraph (2), item (xv) (limited to a company other than a subsidiary company, etc. of the bank holding company (meaning a subsidiary company, etc. as prescribed in Article 52-25 of the Act)).

2 前項の規定にかかわらず、特定子会社がその取得した特例事業再生会社の議決権を処分基準日（その取得の日から十年を経過する日をいう。以下この項において同じ。）までに処分しないときは、当該特例事業再生会社は、処分基準日の翌日からは当該銀行持株会社に係る法第五十二条の二十四第八項に規定する内閣府令で定める会社に該当しないものとする。ただし、当該処分を行えば当該銀行持株会社又はその子会社が保有する当該特例事業再生会社の議決権の数が当該処分基準日における基礎議決権数（その総株主等の議決権に百分の十五を乗じて得た議決権の数をいう。以下この項において同じ。）を下回ることとなる場合において、当該特定子会社が当該取得の日から処分基準日までの間に当該銀行持株会社又はその子会社の保有する当該特例事業再生会社の議決権のうち当該処分基準日における基礎議決権数を超える部分の議決権を処分したときは、この限りでない。

(2) Notwithstanding the provisions of the preceding paragraph, if a specified

subsidiary company does not dispose of the voting rights acquired thereby in a company in the business revitalization process under special provisions by the base disposition date (meaning the day on which ten years have elapsed from the day of the acquisition of the voting rights; hereinafter the same applies in this paragraph), the company in the business revitalization process under special provisions is considered as not corresponding to a company specified by Cabinet Office Order as prescribed in Article 52-24, paragraph (8) of the Act which pertains to the bank holding company from the day following the base disposition date; provided, however, that this does not apply when the disposition is performed, and the number of voting rights in the company in the business revitalization process under special provisions held by the bank holding company or its subsidiary company falls below the base number of voting rights as of the base disposition date (meaning the number of voting rights obtained by multiplying total shareholder or investor voting rights by fifteen percent; hereinafter the same applies in this paragraph), and if the specified subsidiary company disposes of a part of the voting rights exceeding the base number of voting rights as of the base disposition date out of the voting rights in the company in the business revitalization process under special provisions held by the bank holding company or its subsidiary company, during the period from the date of the acquisition to the base disposition date.

3 法第五十二条の二十四第八項に規定する内閣府令で定める特殊の関係のある会社は、新規事業分野開拓会社等又は事業再生会社の子会社等であつて、当該会社の議決権を、当該銀行持株会社又はその子会社である新規事業分野開拓会社等若しくは事業再生会社以外の子会社が、合算して、当該会社の総株主等の議決権に百分の十五を乗じて得た議決権の数を超えて保有していないものとする。

(3) The company that has a unique relationship with the relevant person as specified by Cabinet Office Order that is provided for in Article 52-24, paragraph (8) of the Act means a subsidiary company, etc. of a company cultivating a new business field or company in the business revitalization process, and the bank holding company or its subsidiary companies other than one that is a company cultivating new business field or company in the business revitalization process do not hold voting rights in that company that, when combined, exceed the number of voting rights arrived at when the total shareholder or investor voting rights are multiplied by fifteen percent.

4 法第二条第十一項の規定は、前二項に規定する議決権について準用する。

(4) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights prescribed in the preceding two paragraphs.

第三款 経理

Subsection 3 Accounting

(銀行持株会社に係る業務報告書等)

(Business Report Pertaining to a Bank Holding Company)

第三十四条の二十四 法第五十二条の二十七第一項の規定による中間業務報告書は、事業年度開始の日から当該事業年度の九月三十日までの間の業務及び財産の状況について、中間事業概況書、中間連結財務諸表に分けて、別紙様式第十一号により作成し、当該期間経過後三月以内（外国所在銀行持株会社にあつては、当該期間経過後六月以内）に金融庁長官等に提出しなければならない。

Article 34-24 (1) An interim business report pursuant to the provisions of Article 52-27, paragraph (1) of the Act must be prepared pursuant to the Appended Form No. 11 on the condition of business and assets for the period from the starting date of the business year to September 30 of the business year by an interim summary statement of business and interim consolidated financial statements separately, and must be submitted to the Commissioner of the Financial Services Agency or other competent authorities within three months after the end of that period (for a bank holding company located in a foreign state, within six months after the end of the period).

2 法第五十二条の二十七第一項の規定による業務報告書は、事業概況書、連結財務諸表に分けて、別紙様式第十二号により作成し、事業年度経過後三月以内（外国所在銀行持株会社にあつては、事業年度経過後六月以内）に金融庁長官等に提出しなければならない。

(2) A business report pursuant to the provisions of Article 52-27, paragraph (1) of the Act must be prepared pursuant to the Appended Form No. 12 by a summary statement of business and consolidated financial statements separately, and must be submitted to the Commissioner of the Financial Services Agency or other competent authorities within three months after the end of the business year (for a bank holding company located in a foreign state, within six months after the end of the business year).

3 銀行持株会社は、やむを得ない理由により前二項に規定する期間内に中間業務報告書又は業務報告書の提出をすることができない場合には、あらかじめ金融庁長官（令第十七条の三の規定により当該銀行持株会社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）が当該報告書を受理する場合にあつては、その財務局長又は福岡財務支局長）の承認を受けて、当該提出を延期することができる。

(3) A bank holding company, if it is unable to submit an interim business report or a business report within the period prescribed in the preceding two paragraphs due to compelling reasons, it may postpone the submission by obtaining an approval from the Commissioner of the Financial Services Agency in advance (when the Director General of the Local Finance Bureau, who has jurisdiction over the locality of the main office of the bank holding company pursuant to the provisions of Article 17-3 of the Order, receives the report (when the locality is within the jurisdictional district of the Fukuoka Local

Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau), the Director General of the Local Finance Bureau, or the Director General of the Fukuoka Local Finance Branch Bureau).

4 銀行持株会社は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(4) When seeking approval under the provisions of the preceding paragraph, a bank holding company must submit a written application for approval accompanied by a written statement of reasons to the Commissioner of the Financial Services Agency or other competent authorities

5 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社が中間業務報告書又は業務報告書の提出を延期することについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(5) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank holding company that filed that application has what is found to be a compelling reason to postpone submission of an interim business report or business report.

(銀行持株会社に係る貸借対照表等の公告)

(Public Notice of Balance Sheet Pertaining to a Bank Holding Company)

第三十四条の二十五 法第五十二条の二十八第一項の規定により作成すべき中間連結貸借対照表等（同項に規定する中間連結貸借対照表等をいい、同条第二項の規定により作成された電磁的記録を含む。第四項において同じ。）は別紙様式第十三号第一により、連結貸借対照表等（同条第一項に規定する連結貸借対照表等をいい、同条第二項の規定により作成された電磁的記録を含む。第四項において同じ。）は別紙様式第十三号の二第一により作成しなければならない。

Article 34-25 (1) An interim consolidated balance sheet, etc. that is to be prepared pursuant to the provisions of Article 52-28, paragraph (1) of the Act (meaning an interim consolidated balance sheet, etc. as specified in that paragraph; including an electronic or magnetic record prepared pursuant to the provisions of same Article, paragraph (2); the same applies hereinafter in paragraph (4)) must be prepared in accordance with the Appended Form No. 13-1 and a consolidated balance sheet, etc. (meaning a consolidated balance sheet, etc. as specified in paragraph (1) of same Article; including an electronic or magnetic record prepared pursuant to the provisions of paragraph (2) of same Article; hereinafter the same applies in paragraph (4)) must be prepared in accordance with the Appended Form No. 13-2-1.

2 銀行持株会社は、法第五十二条の二十八第三項ただし書の規定による公告の延期の承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(2) When seeking approval for postponement of public notice under the provisions

of the proviso to Article 52-28, paragraph (3) of the Act, a bank holding company must submit a written application for approval accompanied by a written statement of reasons to the Commissioner of the Financial Services Agency or other competent authorities

3 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社が法第五十二条の二十八第三項ただし書の規定による公告の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(3) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank holding company that filed the application has what is found to be a compelling reason to postpone issuing public notice as under the provisions of the proviso of Article 52-28, paragraph (3) of the Act.

4 法第五十二条の二十八第四項の規定により銀行持株会社が公告すべき中間連結貸借対照表等の要旨は別紙様式第十三号第二に、連結貸借対照表等の要旨は別紙様式第十三号の二第二に定めるものとする。

(4) The main points of the interim consolidated balance sheet, etc. that a bank holding company is to announce publicly pursuant to the provisions of Article 52-28, paragraph (4) of the Act are to be specified in the Appended Form 13-2, and the main points of the consolidated balance sheet, etc. are to be specified in the Appended Form 13-2-2.

5 法第五十二条の二十八第五項の規定による措置は、第十九条第七項第一号ロに掲げる方法のうち、インターネットに接続された自動公衆送信装置を使用する方法によつて行うものとする。

(5) Measures pursuant to the provisions of Article 52-28, paragraph (5) of the Act are to be undertaken by means of the use of an automatic public transmission server connected to the internet out of the means set forth in Article 19, paragraph (7), item (i), sub-item (b).

(銀行持株会社に係る業務及び財産の状況に関する説明書類の縦覧等)

(Public Inspection of Explanatory Documents on the Condition of Business and Assets of a Bank Holding Company)

第三十四条の二十六 法第五十二条の二十九第一項前段に規定する内閣府令で定めるものは、次に掲げる事項（中間説明書類にあつては、第一号イ及びニからへまで、第二号、第四号へ並びに第五号に掲げる事項を除く。）とする。

Article 34-26 (1) The particulars specified by Cabinet Office Order that are provided for in the first sentence of Article 52-29, paragraph (1) of the Act means the following particulars (with regard to interim explanatory documents, except the particulars set forth in item (i), sub-items (a), and (d) to (f); item (ii); item (iv), sub-item (f); and item (v)):

一 銀行持株会社の概況及び組織に関する次に掲げる事項

(i) the following particulars on the general condition and organization of a bank holding company:

イ 経営の組織（銀行持株会社の子会社等（法第五十二条の二十五に規定する子会社等（法第五十二条の十三第一項前段に規定する説明書類の内容に重要な影響を与えない子会社等を除く。）をいう。以下この項において同じ。）の経営管理に係る体制を含む。）

(a) the organization of business management (including the systems associated with the business management of a subsidiary company, etc. of a bank holding company (meaning a subsidiary company, etc. as prescribed in Article 52-25 of the Act (excluding a subsidiary company, etc. that does not significantly impact the content of the explanatory documents prescribed in the first sentence of Article 52-13, paragraph (1) of the Act); hereinafter the same applies in this item));

ロ 資本金及び発行済株式の総数

(b) stated capital and total number of issued shares;

ハ 持株数の多い順に十以上の株主に関する次に掲げる事項

(c) the following particulars on more than 10 largest shareholders in order of the number of shares held:

(1) 氏名（株主が法人その他の団体である場合には、その名称）

1. name (when shareholder is a corporation or other organization, its name);

(2) 各株主の持株数

2. number of shares held by each shareholder; and

(3) 発行済株式の総数に占める各株主の持株数の割合

3. percentage of shares held by each shareholder in the total number of issued shares;

ニ 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の氏名及び役職名

(d) the names and titles of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers);

ホ 会計参与設置会社にあつては、会計参与の氏名又は名称

(e) with regard to a company with accounting advisors, the names of the accounting advisors; and

ヘ 会計監査人の氏名又は名称

(f) the name of the financial auditor;

二 銀行持株会社及びその子会社等の概況に関する次に掲げる事項

(ii) the following particulars on the general condition of the bank holding company and its subsidiary company, etc.:

イ 銀行持株会社及びその子会社等の主要な事業の内容及び組織の構成

(a) the content of the main business and the structure of the organization of

the bank holding company and its subsidiary companies, etc.;

ロ 銀行持株会社の子会社等に関する次に掲げる事項

(b) the following particulars on a subsidiary company, etc. of the bank holding company:

(1) 名称

1. name;

(2) 主たる営業所又は事務所の所在地

2. the location of its main business office or office;

(3) 資本金又は出資金

3. stated capital or contribution in capital;

(4) 事業の内容

4. content of business;

(5) 設立年月日

5. date of incorporation;

(6) 銀行持株会社が保有する子会社等の議決権の総株主又は総出資者の議決権に占める割合

6. the percentage of the total shareholder or total investor voting rights that the voting rights a bank holding company holds in a subsidiary company, etc. account for; and

(7) 銀行持株会社の一の子会社等以外の子会社等が保有する当該一の子会社等の議決権の総株主又は総出資者の議決権に占める割合

7. the percentage of the total shareholder or total investor voting rights that the voting rights in a single subsidiary company, etc. which are held by the other subsidiary companies, etc. of a bank holding company account for;

三 銀行持株会社及びその子会社等の主要な業務に関する事項として次に掲げるもの

(iii) particulars on the main business of a bank holding company and its subsidiary company, etc. listed as follows:

イ 直近の中間事業年度又は事業年度における事業の概況

(a) general condition of business in the latest interim period of the business year or business year; and

ロ 直近の三中間連結会計年度及び二連結会計年度又は直近の五連結会計年度における主要な業務の状況を示す指標として次に掲げる事項

(b) particulars on indicators of the condition of the main business in the latest three interim periods of consolidated fiscal year and two consolidated fiscal years, or, in the latest five consolidated fiscal years listed as follows:

(1) 経常収益又はこれに相当するもの

1. ordinary income or any amount equivalent thereto;

(2) 経常利益若しくは経常損失又はこれに相当するもの

2. ordinary profit or ordinary loss, or any amount equivalent thereto;

- (3) 親会社株主に帰属する中間純利益若しくは親会社株主に帰属する中間純損失又は親会社株主に帰属する当期純利益若しくは親会社株主に帰属する当期純損失
3. interim net income attributable to the shareholders of the parent company or interim net loss attributable to the shareholders of the parent company, or net income for the period attributable to the shareholders of the parent company or net loss for the period attributable to the shareholders of the parent company;
- (4) 包括利益
4. comprehensive income;
- (5) 純資産額
5. amount of net assets;
- (6) 総資産額
6. amount of total assets; and
- (7) 連結自己資本比率
7. consolidated capital adequacy ratio;
- 四 銀行持株会社及びその子会社等の直近の二中間連結会計年度又は二連結会計年度における財産の状況に関する次に掲げる事項
- (iv) the following particulars on the financial status of a bank holding company and its subsidiary company, etc. in the latest two interim periods of consolidated fiscal year or two consolidated fiscal years:
- イ 中間連結貸借対照表又は連結貸借対照表、中間連結損益計算書又は連結損益計算書及び中間連結株主資本等変動計算書又は連結株主資本等変動計算書（これらに類する事項を含む。トにおいて同じ。）
- (a) interim consolidated balance sheet or consolidated balance sheet, interim consolidated profit and loss statement or consolidated profit and loss statement, and interim consolidated statement of changes in net assets or consolidated statement of changes in net assets (including documents similar thereto; the same applies in sub-item (g));
- ロ 貸出金のうち次に掲げるものの額及びその合計額
- (b) amount of loans which correspond to the following and its total amount:
- (1) 破綻先債権に該当する貸出金
1. loans corresponding to loans to bankrupt borrowers;
- (2) 延滞債権に該当する貸出金
2. loans corresponding to overdue loans;
- (3) 三カ月以上延滞債権に該当する貸出金
3. loans corresponding to loans overdue for three months or more;
- (4) 貸出条件緩和債権に該当する貸出金
4. loans corresponding to restructured loans;
- ハ 自己資本の充実の状況について金融庁長官が別に定める事項
- (c) the particulars specified separately by the Commissioner of the Financial

- Services Agency on the condition of adequacy of equity capital;
- ニ 経営の健全性の状況について金融庁長官が別に定める事項（ハに掲げる事項を除く。）
- (d) the particulars specified separately by the Commissioner of the Financial Services Agency on the condition of soundness in management (excluding the particulars set forth in (c));
- ホ 連結財務諸表規則第十五条の二第一項に規定するセグメント情報又はこれに相当するもの
- (e) segment information prescribed in Article 15-2, paragraph (1) of the Regulation on Consolidated Financial Statements or information equivalent thereto;
- ヘ 法第五十二条の二十八第一項の規定により作成した書面（同条第二項の規定により作成された電磁的記録を含む。）について会社法第三百九十六条第一項による会計監査人の監査を受けている場合にはその旨
- (f) when documents prepared pursuant to the provisions of Article 52-28, paragraph (1) of the Act (including an electronic or magnetic record prepared pursuant to the provisions of paragraph (2) of the Article) are audited by financial auditors pursuant to the provisions of Article 396, paragraph (1) of the Companies Act, that fact;
- ト 銀行持株会社が中間連結貸借対照表又は連結貸借対照表、中間連結損益計算書又は連結損益計算書及び中間連結株主資本等変動計算書又は連結株主資本等変動計算書について金融商品取引法第百九十三条の二の規定に基づき公認会計士又は監査法人の監査証明を受けている場合にはその旨
- (g) when a bank holding company obtains an audit certification of a certified public accountant or auditing firm based on Article 193-2 of the Financial Instruments and Exchange Act for an interim consolidated balance sheet or consolidated balance sheet, interim consolidated profit and loss statement or consolidated profit and loss statement, and interim consolidated statement of changes in net assets or consolidated statement of changes in net assets, that fact; or
- チ 連結自己資本比率及び連結レバレッジ比率（法第五十二条の二十五に規定する銀行持株会社が銀行持株会社及びその子会社等の保有する資産等に照らし当該銀行持株会社及びその子会社等の自己資本の充実の状況が適当であるかどうかを判断するための基準に係る算式により得られる比率（連結自己資本比率を除く。）をいう。）の算定に関する外部監査を受けている場合にはその旨
- (h) if an external audit has been conducted concerning the calculation of consolidated capital adequacy ratio and the consolidated leverage ratio (meaning the ratio arrived at by the formula associated with the criteria for a bank holding company as prescribed in Article 52-25 of the Act to use in order to determine whether the adequacy of equity capital of the bank holding company or of its subsidiary company, etc. is appropriate in light of

circumstances such as the assets owned by the bank holding company and its subsidiary companies, etc. (excluding the consolidated leverage ratio)), that fact;

五 報酬等（報酬、賞与その他の職務執行の対価として銀行持株会社若しくはその子会社等から受ける財産上の利益又は労働基準法第十一条に規定する賃金をいう。）に関する事項であつて、銀行持株会社及びその子会社等の業務の運営又は財産の状況に重要な影響を与えるものとして金融庁長官が別に定めるもの

(v) the particulars of remuneration, etc. (meaning remuneration, bonuses or any other type of economic benefit payable from a bank holding company or its subsidiary company, etc. as consideration of performance of duties or bonuses prescribed in Article 11 of the Labor Standards Act), which are specified separately by the Commissioner of the Financial Services Agency as particulars that have a significant impact on the conditions of business operation or assets of a bank holding company or its subsidiary company, etc.;

六 事業年度の末日（中間説明書類にあつては、中間事業年度の末日）において、当該銀行持株会社が将来にわたつて事業活動を継続するとの前提に重要な疑義を生じさせるような事象又は状況その他当該銀行持株会社の経営に重要な影響を及ぼす事象（以下この号において「重要事象等」という。）が存在する場合には、その旨及びその内容、当該重要事象等についての分析及び検討内容並びに当該重要事象等を解消し、又は改善するための対応策の具体的内容

(vi) if, on the last day of a business period (in interim explanatory documents, on the last day of the interim business period), an event or circumstances that cast serious doubt on the premise that the bank holding company will continue its business activities in the future or any other event that has a significant effect on the management of the bank holding company (hereinafter referred to as a "significant event, etc." in this item), a statement to that effect and the details of such events, the results of the analysis and study on the significant event, etc. as well as the specific measures to be taken to eliminate or improve the significant event, etc.; and

七 特例企業会計基準等適用法人等にあつては、その採用する企業会計の基準

(vii) in the case of a corporation, etc. subject to special business accounting standards, etc., the standards of corporate accounting it adopts.

2 前項の規定にかかわらず、外国所在銀行持株会社は、当該外国所在銀行持株会社の業務及び財産の状況に関する事項を記載した書面（日本語以外で記載されたものを含む。）を当該外国所在銀行持株会社の子会社である銀行の営業所（無人の営業所及び外国に所在する営業所を除く。次項において同じ。）に備え置き、公衆の縦覧に供しなければならない。

(2) Notwithstanding the provisions of the preceding paragraph, a bank holding company located in a foreign state must preserve documents (including those written in any language other than Japanese) stating particulars on the

condition of business and assets of the bank holding company located in a foreign state at a business office of a bank that is a subsidiary company of the bank holding company located in a foreign state (excluding an unmanned business office, and a business office located in a foreign state; the same applies in the following paragraph) and make them available for public inspection.

3 前項に規定する書面が日本語以外で記載されたものである場合には、外国所在銀行持株会社は、当該書面に加え、当該外国所在銀行持株会社に関する事業の概況並びに中間貸借対照表又は貸借対照表及び中間損益計算書又は損益計算書について日本語で記載された書面を作成し、当該外国所在銀行持株会社の子会社である銀行の事業所に備え置き、公衆の縦覧に供しなければならない。

(3) When the documents specified in the preceding paragraph are written in a language other than Japanese, a bank holding company located in a foreign state, in addition to the documents stating general conditions of business of the bank holding company located in a foreign state, interim balance sheet or balance sheet, and interim profit and loss statement or profit and loss statement, must prepare documents stated in Japanese, maintain such documents in an office of a bank that is a subsidiary company of the bank holding company located in a foreign state, and make such documents available for public inspection.

4 法第五十二条の二十九第一項前段に規定する内閣府令で定める営業所は、次に掲げる営業所とする。

(4) A business office as specified by Cabinet Office Order that is provided for in the first sentence of Article 52-29, paragraph (1) of the Act means one of the following offices:

一 銀行持株会社の子会社である銀行の無人の営業所

(i) an unmanned business office of a bank that is a subsidiary company of a bank holding company; or

二 銀行持株会社の子会社である銀行の外国に所在する営業所

(ii) a business office located in a foreign state of a bank that is a subsidiary company of a bank holding company.

第三十四条の二十七 銀行持株会社は、法第五十二条の二十八第一項及び第五十二条の二十九第一項の規定により作成した書面（外国所在銀行持株会社にあつては、前条第二項及び第三項に規定する書面）（法第五十二条の二十八第二項及び法第五十二条の二十九第二項の規定により作成された電磁的記録を含む。以下この項及び次項において「縦覧書類」という。）の縦覧を、当該銀行持株会社の中間事業年度及び事業年度経過後四月以内（外国所在銀行持株会社にあつては、中間事業年度及び事業年度経過後六月以内）に開始し、当該中間事業年度及び事業年度の翌中間事業年度及び翌事業年度に係るそれぞれの縦覧書類の縦覧を開始するまでの間、公衆の縦覧に供しなければならない。

Article 34-27 (1) A bank holding company must make available for public inspection the documents prepared pursuant to the provisions of Article 52-28, paragraph (1) and Article 52-29, paragraph (1) of the Act (for a bank holding company located in a foreign state, the documents prescribed in paragraphs (2) and (3) of the preceding Article) (including an electronic or magnetic record prepared pursuant to the provisions of Article 52-28, paragraph (2) and Article 52-29, paragraph (2) of the Act; hereinafter referred to as "documents for public inspection" in this paragraph and the following paragraph) no later than four months after the end of an interim period of business year and business year of the bank holding company (for a bank holding company located in a foreign state, no later than six months after the end of an interim period of business year and business year) and keep the documents available for public inspection until the time that the bank holding company commences to make available documents on the interim period of business year or business year following the interim period of business year and business year for public inspection.

2 銀行持株会社は、やむを得ない理由により前項に規定する期間までに縦覧書類の縦覧を開始できない場合には、あらかじめ金融庁長官（金融庁長官の指定する銀行持株会社以外の銀行持株会社にあつては、当該銀行持株会社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つては、福岡財務支局長））の承認を受けて、当該縦覧の開始を延期することができる。

(2) If a bank holding company is unable to commence making available for public inspection the documents for public inspection by the date specified in the preceding paragraph due to an compelling reason, the bank holding company may postpone the commencement of the public inspection by obtaining an approval of the Commissioner of the Financial Services Agency in advance (in the case of a bank holding company other than a bank holding company designated by the Commissioner of the Financial Services Agency, the Director General of the Local Finance Bureau that has jurisdiction over the locality of the principal office of the bank holding company (when the locality is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau)).

3 銀行持株会社は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して、金融庁長官等に提出しなければならない。

(3) When seeking approval under the provisions of the preceding paragraph, a bank holding company must submit a written statement of reasons attached to a written application for approval to the Commissioner of the Financial Services Agency or other competent authorities.

4 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社が第一項の規定による縦覧の開始の延期をすることについてやむを得ない理由があるかどうかを審査するものとする。

(4) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank holding company that filed the application has what is found to be a compelling reason to postpone the commencement date of the public inspection as under the provisions of paragraph (1).

5 法第五十二条の二十九第三項に規定する内閣府令で定める措置は、電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

(5) The measure specified by Cabinet Office Order that is provided for in Article 52-29, paragraph (3) of the Act means one that is taken to show the information that has been recorded in an electronic or magnetic record on a sheet of paper or to display it on a screen.

第三十四条の二十七の二 銀行持株会社は、四半期ごとに、法第五十二条の二十九第五項に規定する当該銀行持株会社の子会社である銀行の預金者その他の顧客が当該銀行持株会社及びその子会社等の業務及び財産の状況を知るために参考となるべき事項のうち特に重要なもの（金融庁長官が別に定める事項を含む。）の開示に努めなければならない。

Article 34-27-2 A bank holding company must endeavor to disclose, for each quarter of the business year, particulars of special importance (including particulars specified separately by the Commissioner of the Financial Services Agency) out of the particulars which are to be of reference for depositors and other customers of a bank that is a subsidiary company of the bank holding company as prescribed in Article 52-29, paragraph (5) of the Act to learn the condition of business and assets of the bank holding company and its subsidiary company, etc.

(銀行持株会社の事業報告等の記載事項)

(Information to Be Entered in a Business Report of a Bank Holding Company)

第三十四条の二十八 法第五十二条の三十の規定による事業報告は、別紙様式第十四号により作成しなければならない。

Article 34-28 (1) A business report pursuant to the provisions of Article 52-30 of the Act must be prepared in accordance with the Appended Form No. 14.

2 法第五十二条の三十の規定による附属明細書は、別紙様式第十五号により作成しなければならない。

(2) The annexed detailed statement as prescribed in the provisions of Article 52-30 of the Act must be prepared in accordance with the Appended Form No. 15.

(銀行持株会社がその経営を支配している法人)

(Corporation Whose Management Is Controlled by a Bank Holding Company)

第三十四条の二十八の二 法第五十二条の三十一第二項に規定する内閣府令で定めるも

のは、当該銀行持株会社の子法人等（当該銀行持株会社の子会社を除く。）とする。
Article 34-28-2 The corporation specified by Cabinet Office Order that is provided for in Article 52-31, paragraph (2) of the Act is a subsidiary corporation, etc. of the relevant bank holding company, etc. (this excludes a subsidiary company of the bank holding company).

第四款 合併、会社分割又は事業の譲渡若しくは譲受け
Subsection 4 Mergers, Company Splits, and Business Transfers and Acquisitions

（銀行持株会社に係る合併の認可の申請）

(Written Application for Approval for Merger Pertaining to a Bank Holding Company)

第三十四条の二十九 銀行持株会社は、法第五十二条の三十五第一項の規定による合併の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-29 (1) When seeking authorization for merger under Article 52-35, paragraph (1) of the Act, a bank holding company must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 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 proving that necessary proceedings were taken;

三 合併契約の内容を記載した書面

(iii) documents stating the content of the merger agreement;

四 合併費用を記載した書面

(iv) documents stating the costs of the merger;

五 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(v) with regard to the bank holding company and its subsidiary company, etc., their latest consolidated balance sheet, profit and loss statement, statement of changes in net assets, and other documents providing the latest conditions of business, assets and profit and loss;

六 会社法第七百八十四条の二、第七百九十六条の二又は第八百五条の二の規定による請求をした株主があるときは、当該請求に係る手続の経過を記載した書面

(vi) if there is any shareholder that has made a demand under Article 784-2, Article 796-2, or Article 805-2 of the Companies Act, a document stating the progress of the procedures pertaining to the demand;

六の二 会社法第七百八十九条第二項若しくは第七百九十九条第二項又は第八百十条第二項の規定による公告及び催告（同法第七百八十九条第三項若しくは第七百九十九条第三項又は第八百十条第三項の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該合併をしても当該債権者を害するおそれがないことを証する書面

(vi)-2 if there is any creditor that has given a public notice or other notices (when a public notice is given by means of a daily newspaper publishing the particulars of current events or an electronic public notice in addition to by means of an official gazette pursuant to the provisions of Article 789, paragraph (3); Article 799, paragraph (3); or Article 810, paragraph (3) of the Companies Act, the public notice by these means) pursuant to the provisions of Article 789, paragraph (2); Article 799, paragraph (2); or Article 810, paragraph (2) of the Companies Act, or has made an objection, a document proving that the debt was paid to the creditor, reasonable security was provided to the creditor, or reasonable assets was entrusted for the purpose of payment to the creditor, or that there is no risk of loss to the creditor if the merger is implemented;

七 合併により消滅する会社又は株式の併合をする会社が株券発行会社であるときは、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面

(vii) if a company disappearing in the merger or a company that would consolidate its shares is a company that issues share certificates, a document proving that public notice has been given pursuant to the provisions of the main clause of Article 219, paragraph (1) of the Companies Act, or a document proving that share certificates have not been issued pertaining to all of the shares;

七の二 合併により消滅する会社が新株予約権を発行しているときは、会社法第二百九十三条第一項の規定による公告をしたことを証する書面又は同項に規定する新株予約権証券を発行していないことを証する書面

(vii)-2 if a company disappearing in the merger has issued share options, a document proving that public notice was given pursuant to the provisions of Article 293, paragraph (1) of the Companies Act, or a document proving that share option certificates as prescribed in that paragraph have not been issued;

八 私的独占の禁止及び公正取引の確保に関する法律第十五条第二項の規定による届出をしたことを証明する書面

(viii) a document proving that notification was submitted pursuant to the provisions of Article 15, paragraph (2) of the Act on Prohibition of Private

Monopolization and Maintenance of Fair Trade;

九 合併後存続する銀行持株会社の定款、取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書並びに事務所の位置を記載した書面並びに合併後における銀行持株会社及びその子会社等の収支及び連結自己資本比率の見込みを記載した書面

(ix) articles of incorporation, resumes of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers), a document stating the location of offices of the bank holding company surviving the merger, and documents stating the prospective income and expenditures and consolidated capital adequacy ratio of the bank holding company and its subsidiary company, etc. after the merger;

九の二 合併後存続する銀行持株会社又は合併により設立される銀行持株会社が会計参与設置会社である場合には、当該銀行持株会社の会計参与の履歴書

(ix)-2 if the bank holding company that survives the merger or the bank holding company established in the merger would be a company with accounting advisors, the resumes of the accounting advisors of that bank holding company;

九の三 合併後存続する銀行持株会社又は合併により設立される銀行持株会社の会計監査人の履歴書

(ix)-3 the resume of the financial auditor of the bank holding company that survives the merger or the bank established in the merger;

十 合併の当事者の一部が銀行持株会社でない場合には、当該銀行持株会社でない当事者の従前の定款並びに最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(x) if any of the parties to the merger is not a bank holding company, the articles of incorporation, the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents providing the latest conditions of business, assets, and profit and loss of any party that is not a bank holding company;

十一 合併後存続する銀行持株会社が行う子会社の経営管理に係る体制を記載した書面

(xi) a document showing the systems associated with the business management of a subsidiary company that the bank holding company that survives the merger will carry out;

十二 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(xii) a document showing the extent to which it has secured employees with knowledge and experience concerning banks' services;

十三 合併後存続する銀行持株会社が当該合併により子会社対象会社（法第五十二条の二十三第一項に規定する子会社対象会社をいい、銀行業高度化等会社を除く。以下この号、次条第一項第十四号及び第三十四条の三十一第一項第十号において同

じ。) を子会社とする場合には、当該子会社対象会社に関する第三十四条の十九第一項第四号に掲げる書面

(xiii) if the bank holding company that survives the merger would make a company eligible to be a subsidiary company (meaning a company eligible to be a subsidiary company as prescribed in Article 52-23, paragraph (1) of the Act, and excluding an advanced banking service company; hereinafter the same applies in this item, paragraph (1), item (xiv) of the following Article, and Article 34-31, paragraph (1), item (x)) into its subsidiary company, the documents set forth in Article 34-19, paragraph (1), item (iv) concerning the company eligible to be a subsidiary company;

十三の二 合併後存続する銀行持株会社が当該合併により銀行業高度化等会社の議決権を合算してその基準議決権数を超えて保有すること又は外国の銀行業高度化等会社を子会社とすることとなる場合には、当該銀行業高度化等会社に関する第三十四条の十九の二第一項第四号に掲げる書面

(xiii)-2 if, due to the merger, the bank that survives the merger or the bank holding company established in the merger would hold voting rights in an advanced banking service company, which in total exceed the maximum threshold for voting rights, or make a foreign advanced banking service company into a subsidiary company, a document set forth in Article 34-19-2, paragraph (1), item (iv) regarding the company;

十四 合併後存続する銀行持株会社又はその子会社が、当該合併により国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(xiv) if, due to the merger, the bank holding company that survives the merger or its subsidiary companies would come to hold voting rights in a domestic company that, when combined, would exceed the maximum threshold for voting rights held, a document stating the name and content of business of the domestic company; and

十五 その他法第五十二条の三十五第四項において準用する法第五十二条の十八第一項の規定による審査をするため参考となるべき事項を記載した書面

(xv) other documents stating information that should serve as a reference in conducting an examination under Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) of the Act.

2 第三十四条の十第三項の規定は、前項の規定による認可の申請に係る法第五十二条の三十五第四項において準用する法第五十二条の十八第一項の規定による審査について準用する。

(2) The provisions of Article 34-10, paragraph (3) apply mutatis mutandis to an examination conducted under Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) of the Act pertaining to an application for authorization pursuant to the provisions of the preceding paragraph.

3 法第二条第十一項の規定は、第一項第十三号の二及び第十四号に規定する議決権について準用する。

(3) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), items (xiii)-2 and (xiv).

(銀行持株会社に係る会社分割の認可の申請)

(Written Application for Approval of a Company Split Pertaining to a Bank Holding Company)

第三十四条の三十 銀行持株会社は、法第五十二条の三十五第二項の規定による会社分割の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 34-30 (1) When seeking approval for a company split under the provisions of Article 52-35, paragraph (2) of the Act, a bank holding company must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 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 proving that necessary proceedings were followed;

三 新設分割計画又は吸収分割契約の内容を記載した書面

(iii) a document stating the content of the incorporation-type company split plan or absorption-type company split agreement;

四 会社分割費用を記載した書面

(iv) a document stating the costs of the company split;

五 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(v) the latest consolidated balance sheet, profit and loss statement, statement of changes in net assets of the bank holding company and its subsidiary company, etc., and other documents providing the latest conditions of business, assets, and profit and loss of these companies;

六 会社法第七百八十四条の二、第七百九十六条の二又は第八百五条の二の規定による請求をした株主があるときは、当該請求に係る手続の経過を記載した書面

(vi) if there is any shareholder that has made a demand under Article 784-2, Article 796-2, or Article 805-2 of the Companies Act, a document stating the progress of the procedures pertaining to the demand;

六の二 会社法第七百八十九条第二項若しくは第七百九十九条第二項又は第八百十条第二項の規定による公告及び催告（同法第七百八十九条第三項若しくは第七百九十九条第三項又は第八百十条第三項の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法に

よる公告（同法第七百八十九条第三項又は第八百十条第三項の規定により各別の催告をすることを要しない場合以外の場合にあつては、当該公告及び催告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該会社分割をしても当該債権者を害するおそれがないことを証する書面

(vi)-2 if there is any creditor that has given public notice or other notice (when a public notice is made by means of daily newspaper publishing the particulars of current events or an electronic public notice, in addition to by means of an official gazette pursuant to the provisions of Article 789, paragraph (3); Article 799, paragraph (3); or Article 810, paragraph (3) the Companies Act, the public notice by these means (when a separate notice is not required pursuant to the provisions of Article 789, paragraph (3) or Article 810, paragraph (3) of that Act, the public notice and other notice)) pursuant to the provisions of Article 789, paragraph (2); Article 799, paragraph (2); or Article 810, paragraph (2) of the Companies Act, or has made an objection, a document proving that the debt was paid to the creditor, reasonable security was provided to the creditor, or reasonable assets were entrusted for the purpose of payment to the creditor, or there is no risk of loss to the creditor if the company split is implemented;

七 株券発行会社が株式の併合をする場合には、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面

(vii) if a share certificate-issuing company would consolidate shares, a document proving that public notice has been given pursuant to the provisions of the main clause of Article 219, paragraph (1) of the Companies Act, or a document proving that share certificates have not been issued with regard to all of the shares;

七の二 会社分割をする会社が新株予約権を発行している場合であつて、会社法第七百五十八条第五号又は第七百六十三条第一項第十号に規定する場合には、同法第二百九十三条第一項の規定による公告をしたことを証する書面又は同項に規定する新株予約権証券を発行していないことを証する書面

(vii)-2 if the splitting company has issued share options and it is prescribed in Article 758, item (v) or Article 763, paragraph (1), item (x) of the Companies Act, a document proving that public notice has been given pursuant to the provisions of Article 293, paragraph (1) of that Act and a document proving that share options as prescribed in the paragraph have not been issued;

八 私的独占の禁止及び公正取引の確保に関する法律第十五条の二第二項又は第三項の規定による届出を要する場合には、当該届出をしたことを証明する書面

(viii) if a notification is required pursuant to the provisions of Article 15-2, paragraph (2) or (3) of the Act on Prohibition of Private Monopolization and

Maintenance of Fair Trade, a document proving that the notification has been submitted;

九 当該会社分割を行つた後における銀行持株会社の定款、取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）の履歴書並びに事務所の位置を記載した書面並びに銀行持株会社及びその子会社等の収支及び連結自己資本比率の見込みを記載した書面

(ix) the articles of incorporation, resumes of the directors and auditors (for a company with audit and supervisory committee, the directors; and for a company with nominating committee, etc., the directors and executive officers), and a document stating the location of offices of the bank holding company after the company split, and a document stating the prospective income and expenditures and consolidated capital adequacy ratio of the bank holding company and its subsidiary company, etc.;

九の二 当該会社分割を行つた後における銀行持株会社が会計参与設置会社である場合には、当該銀行持株会社の会計参与の履歴書

(ix)-2 if the bank holding company after the company split would be a company with accounting advisors, the resumes of the accounting advisors of that bank holding company;

九の三 当該会社分割を行つた後における銀行持株会社の会計監査人の履歴書

(ix)-3 the resume of the financial auditor of the bank holding company after the company split;

十 会社分割の当事者の一部が銀行持株会社でない場合には、当該銀行持株会社でない当事者の従前の定款並びに最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(x) if any of the parties to a company split is not a bank holding company, the former articles of incorporation, the latest balance sheet, profit and loss statement, statement of changes in net assets and other documents providing the latest conditions of business, assets, and profit and loss of any party that is not a bank holding company;

十一 当該銀行持株会社が行う子会社の経営管理に係る体制を記載した書面

(xi) a document showing the systems associated with the business management of a subsidiary company that the bank holding company carries out;

十二 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(xii) a document showing the extent to which it has secured employees with knowledge and experience concerning banks' services;

十三 当該会社分割により当該銀行持株会社の子会社が子会社でなくなる場合には、当該子会社の名称を記載した書面

(xiii) if as a result of the company split, a subsidiary company of the bank holding company ceases to be its subsidiary company, a document stating the name of the subsidiary company;

十四 当該会社分割により子会社対象会社を子会社とする場合には、当該子会社対象

会社に関する第三十四条の十九第一項第四号に掲げる書面

(xiv) if the company split makes a company eligible to be a subsidiary company into a subsidiary company of the relevant person, the documents set forth in Article 34-19, paragraph (1), item (iv) concerning the company eligible to be a subsidiary company;

十四の二 当該会社分割により銀行業高度化等会社の議決権を合算してその基準議決権数を超えて保有すること又は外国の銀行業高度化等会社を子会社とすることとなる場合には、当該会社に関する第三十四条の十九の二第一項第四号に掲げる書面

(xiv)-2 if the company split results in the relevant person to hold voting rights in an advanced banking service company which in total, exceed the maximum threshold for voting rights, or makes a foreign advanced banking service company into a subsidiary company, a document set forth in Article 34-19-2, paragraph (1), item (iv) regarding the company;

十五 当該会社分割により銀行持株会社又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(xv) if the company split results in the bank holding company or its subsidiary company to hold voting rights in a domestic company that, when combined, would exceed the maximum threshold for voting rights held, a document stating the name and content of business of the domestic company; and

十六 その他法第五十二条の三十五第四項において準用する法第五十二条の十八第一項の規定による審査をするため参考となるべき事項を記載した書面

(xvi) other documents giving particulars that should be of reference for an examination conducted under Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) of the Act.

2 第三十四条の十第三項の規定は、前項の規定による認可の申請に係る法第五十二条の三十五第四項において準用する法第五十二条の十八第一項の規定による審査について準用する。

(2) The provisions of Article 34-10, paragraph (3) apply mutatis mutandis to an examination conducted under Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) pertaining to an application of an approval pursuant to the provisions of the preceding paragraph.

3 法第二条第十一項の規定は、第一項十四号の二及び第十五号に規定する議決権について準用する。

(3) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), items and (xiv)-2 and (xv).

(資産の額等)

(Amount of Assets)

第三十四条の三十の二 令第十六条の二の四第一項第二号イに規定する債務の額として

内閣府令で定める額は、第一号に掲げる額から第二号に掲げる額を減じて得た額とする。

Article 34-30-2 (1) The amount specified by Cabinet Office Order as an amount of debts as prescribed in Article 16-2-4, paragraph (1), item (ii), sub-item (a) of the Order is the amount obtained by deducting the amount set forth in item (ii) from the amount set forth in item (i):

一 吸収分割の直後に当該銀行持株会社の貸借対照表の作成があつたものとする場合における当該貸借対照表の負債の部に計上すべき額から会社法第七百九十五条第二項第二号の株式等（社債（吸収分割の直前に当該銀行持株会社が有していた社債を除く。）に限る。）につき会計帳簿に付すべき額を減じて得た額

(i) the amount arrived at when the amount that would have been required to be placed on the accounting books for shares, etc. as referred to in Article 795, paragraph (2), item (ii) of the Companies Act (limited to corporate bonds (excluding a corporate bond that was held by a bank holding company immediately before an absorption-type company split)) is deducted from the amount that would have been required to be declared in the liabilities section of the bank holding company's balance sheet if a balance sheet were to have been prepared immediately after the absorption-type company split;

二 吸収分割の直前に当該銀行持株会社の貸借対照表の作成があつたものとする場合における当該貸借対照表の負債の部に計上すべき額

(ii) the amount that would have been required to be declared in the liabilities section of the bank holding company's balance sheet if a balance sheet were to have been prepared immediately before the absorption-type company split.

2 令第十六条の二の四第一項第二号イに規定する資産の額として内閣府令で定める額は、第一号に掲げる額から第二号に掲げる額を減じて得た額とする。

(2) The amount specified by Cabinet Office Order as an amount of assets as prescribed in Article 16-2-4, paragraph (1), item (ii), sub-item (a) of the Order is the amount obtained by deducting the amount set forth in item (ii) from the amount set forth in item (i):

一 吸収分割の直後に当該銀行持株会社の貸借対照表の作成があつたものとする場合における当該貸借対照表の資産の部に計上すべき額

(i) the amount that would have been required to be declared in the assets section of the bank holding company's balance sheet if a balance sheet were to have been prepared immediately after an absorption-type company split;

二 吸収分割の直前に当該銀行持株会社の貸借対照表の作成があつたものとする場合における当該貸借対照表の資産の部に計上すべき額から会社法第七百九十五条第二項第二号に規定する金銭等（同号の株式等のうち吸収分割の直前に当該銀行持株会社が有していた社債を含む。）の帳簿価額を減じて得た額

(ii) the amount arrived at when the book value of money, etc. as prescribed in Article 795, paragraph (2), item (ii) of the Companies Act (including corporate bonds held by the bank holding company immediately before the

absorption-type company split among shares, etc. as prescribed in that item) is deducted from the amount that would have been required to be declared in the assets section of the bank holding company's balance sheet if a balance sheet were to have been prepared immediately before the absorption-type company split.

- 3 前項の規定にかかわらず、当該銀行持株会社が連結配当規制適用会社である場合において、吸収分割会社（会社法第七百五十八条第一号に規定する吸収分割会社をいう。）が当該銀行持株会社の子会社であるときは、令第十六条の二の四第一項第二号イに規定する資産の額として内閣府令で定める額は、次に掲げる額のうちいずれか高い額とする。

(3) Notwithstanding the provisions of the preceding paragraph, if the bank holding company is a company subject to restriction of consolidated dividends, and the splitting company in an absorption-type company split (meaning a splitting company in an absorption-type company split as prescribed in Article 758, item (i) of the Companies Act) is a subsidiary company of that bank holding company, the amount specified by Cabinet Office Order as an amount of assets as prescribed in Article 16-2-4, paragraph (1), item (ii), sub-item (a) of the Order is the larger amount of the following:

一 第一項第一号に掲げる額から同項第二号に掲げる額を減じて得た額

(i) the amount obtained by deducting the amount set forth in paragraph (1), item (ii) from the amount set forth in item (i) of that paragraph;

二 前項第一号に掲げる額から同項第二号に掲げる額を減じて得た額

(ii) the amount obtained by deducting the amount set forth in item (ii) of the preceding paragraph from the amount set forth in item (i) of the preceding paragraph.

（銀行持株会社に係る事業譲渡等の認可の申請）

(Written Application for Authorization of Business Transfer Pertaining to a Bank Holding Company)

第三十四条の三十一 銀行持株会社は、法第五十二条の三十五第三項の規定による事業の譲渡又は譲受け（以下この条において「事業譲渡等」という。）の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 34-31 (1) When seeking to obtain an authorization for a business transfer or acquisition under the provisions of Article 52-35, paragraph (3) of the Act (hereinafter referred to as a "business transfer, etc." in this Article), a bank holding company must submit a written application for authorization accompanied by the following documents to the Commissioner of the Financial Services Agency or other competent authorities:

一 理由書

(i) a written statement of reasons;

- 二 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 proving that necessary proceedings were taken;
- 三 事業譲渡等の契約の内容を記載した書面
(iii) documents stating the content of the contract for the business transfer, etc.;
- 四 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面
(iv) the latest consolidated balance sheet, profit and loss statement, and statement of changes in net assets for the bank holding company and its subsidiary companies, etc., and other documents providing the latest conditions of business, assets, and profit and loss of the companies;
- 五 私的独占の禁止及び公正取引の確保に関する法律第十六条第二項の規定による届出を要する場合には、当該届出をしたことを証明する書面
(v) if notification is required pursuant to the provisions of Article 16, paragraph (2) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, a document proving that the notification was submitted;
- 六 当該事業譲渡等を行つた後における銀行持株会社及びその子会社等の収支及び連結自己資本比率の見込みを記載した書面
(vi) documents stating the prospective income and expenditures, and consolidated capital adequacy ratio of the bank holding company and its subsidiary company, etc., after the business transfer, etc.;
- 七 当該銀行持株会社が行う子会社の経営管理に係る体制を記載した書面
(vii) a document stating the systems associated with the business management of a subsidiary company that the bank holding company will carry out;
- 八 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面
(viii) a document showing the extent to which it has secured employees with knowledge and experience concerning banks' services;
- 九 当該事業の譲渡により当該銀行持株会社の子会社が子会社でなくなる場合には、当該子会社の名称を記載した書面
(ix) if as a result of the business transfer, a subsidiary company of the bank holding company ceases to be its subsidiary company, documents stating the name of the subsidiary company;
- 十 当該事業の譲受けにより子会社対象会社を子会社とする場合には、当該子会社対象会社に関する第三十四条の十九第一項第四号に掲げる書面
(x) if the business acquisition would make a company eligible to be a subsidiary company into the subsidiary company of the relevant person, the documents set forth in Article 34-19, paragraph (1), item (iv) concerning the company eligible to be a subsidiary company;

十の二 当該事業の譲渡により銀行業高度化等会社の議決権を合算してその基準議決権数を超えて保有すること又は外国の銀行業高度化等会社を子会社とすることとなる場合には、当該会社に関する第三十四条の十九の二第一項第四号に掲げる書面

(x)-2 if the business transfer results in the relevant person to hold voting rights in an advanced banking service company which, in total exceed the maximum threshold for voting rights held, or make a foreign advanced banking service company into a subsidiary company, a document set forth in Article 34-19-2, paragraph (1), item (iv) regarding the company;

十一 当該事業の譲受けにより銀行持株会社又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(xi) if the business acquisition results in the bank holding company or its subsidiary company to hold voting rights in a domestic company that, when combined, would exceed the maximum threshold for voting rights held, documents stating the name and content of business of the domestic company; and

十二 その他法第五十二条の三十五第四項において準用する法第五十二条の十八第一項の規定による審査をするため参考となるべき事項を記載した書面

(xii) other documents stating information that should serve as a reference in conducting an examination under Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) of the Act.

2 第三十四条の十第三項の規定は、前項の規定による認可の申請に係る法第五十二条の三十五第四項において準用する法第五十二条の十八第一項の規定による審査について準用する。

(2) The provisions of Article 34-10, paragraph (3) apply mutatis mutandis to the examination conducted under Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) pertaining to an application for an approval pursuant to the provisions of the preceding paragraph.

3 法第二条第十一項の規定は、第一項第十号の二及び第十一号に規定する議決権について準用する。

(3) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), items (x)-2 and (xi).

第八章の二 銀行代理業

Chapter VIII-2 Bank Agency Services

第一節 通則

Section 1 General Rules

(銀行代理業の許可の申請書の記載事項)

(Information to Be Stated in a Written Application for Permission for Bank

Agency Services)

第三十四条の三十二 法第五十二条の三十七第一項第六号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-32 (1) The particulars specified by Cabinet Office Order that are provided for in Article 52-37, paragraph (1), item (vi) of the Act are the following particulars:

一 個人であるときは、次に掲げる事項

(i) when a bank agent is an individual, the following particulars:

イ 他の法人の常務に従事する場合にあつては、当該他の法人の商号又は名称、主たる営業所又は事務所の所在地及び業務の種類

(a) if that individual is involved in the ordinary business of another corporation, the other corporation's trade name or name, the location of its main business office or office, and its type of business;

ロ 当該個人に係る次に掲げる法人等（会社、組合その他これらに準ずる事業体（外国におけるこれらに相当するものを含み、国内に営業所、事務所その他これらに準ずるものを有していない者を除く。）をいう。以下この条において同じ。）の商号又は名称、主たる営業所又は事務所の所在地、代表者の氏名又は名称及び業務の種類

(b) the trade name or name, the location of its main business office or office, name of the representative person, and the type of business of the following corporations, etc. (meaning a company, partnership or other equivalent business entities (including a business entity in a foreign state equivalent to those and excluding a business entity that has no business office, office or other facilities equivalent thereto in Japan), hereinafter the same applies in this Article) with which the individual is associated:

(1) 当該個人がその総株主等の議決権の百分の五十を超える議決権を保有する法人等

1. a business entity, etc. in which the individual holds voting rights accounting for over fifty percent of the total shareholder or investor voting rights;

(2) (1)に掲げる法人等の子法人等（外国の法人その他の団体であつて、国内に営業所、事務所その他これらに準ずるものを有していない者を除く。次号ロにおいて同じ。）

2. a subsidiary corporation, etc. (excluding a foreign corporation or other organizations that have no business office, office or other facilities equivalent thereto in Japan; the same applies in the following item (b)) of a corporation, etc. as set forth in 1;

二 法人であるときは、次に掲げる事項

(ii) if a bank agent is a corporation, the following particulars:

イ その役員が、他の法人の常務に従事し、又は事業を営む場合にあつては、当該役員の名、当該他の法人又は事務所の商号若しくは名称、主たる営業所又は事

務所の所在地及び業務の種類

(a) if an officer of that corporation is involved in ordinary business or carries out the business of another corporation, the name of that officer, the corporation's trade name, the location of its principal business office or office, and its types of business;

ロ 当該法人に係る次に掲げる法人等の商号又は名称、主たる営業所又は事務所の所在地、代表者の氏名又は名称及び業務の種類

(b) the trade name or name, principal business office or office location, name of the representative person or corporation, and type of business for the following corporations, etc. associated with the corporation in question:

(1) 当該法人の子法人等

1. its subsidiary corporation, etc.;

(2) 当該法人の親法人等（外国の法人その他の団体であつて、国内に営業所、事務所その他これらに準ずるものを有していない者を除く。）

2. its parent corporation, etc. (excluding a foreign corporation or other organizations that have no business office, office or other facilities equivalent thereto in Japan)

(3) 当該法人の親法人等の子法人等（(1)に掲げる者を除く。）

3. any other subsidiary corporation, etc. of its parent corporation, etc. (excluding an entity as prescribed in 1);

三 銀行代理業再委託者（法第五十二条の五十八第二項に規定する銀行代理業再委託者をいう。以下同じ。）の再委託を受けるときは、当該銀行代理業再委託者の商号、名称又は氏名及び主たる営業所又は事務所の所在地

(iii) if services are further entrusted to a bank agent by a principal bank agent (meaning an entrusting bank agent as prescribed in Article 52-28, paragraph (2) of the Act, the same applies hereinafter), the trade name or business name and the location of its main business office or office of the entrusting bank agent;

四 銀行代理業を再委託するとき、当該再委託を受ける銀行代理業再受託者（法第五十二条の五十八第二項に規定する銀行代理業再受託者をいう。以下同じ。）の商号、名称又は氏名及び主たる営業所又は事務所の所在地

(iv) if further entrusting bank agency services, the trade name or name and the location of its main business office or office of a secondary bank agent to which they are further entrusted (meaning a secondary bank agent as prescribed in Article 52-58, paragraph (2) of the Act; the same applies hereinafter).

2 前項の規定にかかわらず、法第五十二条の六十一第一項に規定する銀行等が同条第三項の規定に基づき届け出ることとされている法第五十二条の三十七第一項第六号に規定する内閣府令で定める事項は、前項第三号及び第四号に掲げる事項とする。

(2) Notwithstanding the provisions of the preceding paragraph, the particulars specified by Cabinet Office Order that are provided for in Article 52-37,

paragraph (1), item (vi) of the Act, for which a bank, etc. is to give notice pursuant to the provisions of Article 52-61, paragraph (3), etc. of the Act as prescribed in paragraph (1) of that Article, are the particulars set forth in items (iii) and (iv) of the preceding paragraph.

- 3 第一条の六第三項の規定は、第一項第一号ロ（1）の場合において法第五十二条の三十七第一項に規定する申請者が保有する議決権について準用する。
- (3) The provisions of Article 1-6, paragraph (3) are applied mutatis mutandis to the voting rights held, in the case of paragraph (1), item (i), sub-item (b), 1, by the applicant prescribed in Article 52-37, paragraph (1) of the Act.

(銀行代理業の業務の内容及び方法)

(Content and Method of Services of Bank Agency Services)

第三十四条の三十三 法第五十二条の三十七第二項第二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 34-33 (1) The particulars specified by Cabinet Office Order that are provided for in Article 52-37, paragraph (2), item (ii) of the Act are the following particulars:

一 取り扱う法第二条第十四項各号に規定する契約の種類（預金の種類並びに貸付先の種類及び貸付けに係る資金の使途を含む。）

(i) the type of contract as prescribed in each item of Article 2, paragraph (14) of the Act that a bank agent handles (including type of deposit, type of borrower, and use of funds borrowed);

二 取り扱う法第二条第十四項各号に規定する契約の種類ごとに契約の締結の代理又は媒介のいずれを行うかの別（代理及び媒介のいずれも行う場合はその旨）

(ii) whether the relevant person acts as an agent or as an intermediary for each type of contract as prescribed in each item of Article 2, paragraph (14) of the Act that a bank agent handles (if it acts as both agent and intermediary, a statement to that effect);

三 銀行代理業の実施体制

(iii) the implementation system of bank agency services.

- 2 前項第三号に規定する銀行代理業の実施体制には、法第五十二条の四十五各号に掲げる行為その他銀行代理業を適正かつ確実に営むことにつき支障を及ぼす行為を防止するための体制のほか、次の各号に掲げる場合の区分に応じ、当該各号に掲げる体制を含むものとする。

(2) The implementation system of bank agency services as prescribed in item (iii) of the preceding paragraph, is to include, in addition to a system to prevent acts as prescribed in each item of Article 52-45 of the Act and other acts which may harm proper and reliable operation of bank agency services, a system as set forth in each of the following item in accordance with the categories in each item:

一 銀行代理行為（法第五十二条の四十三に規定する銀行代理行為をいう。以下同

じ。) に関して顧客から金銭その他の財産の交付を受ける権限が付与されている場合 当該交付を受ける財産と自己の固有財産とを分別して管理するための体制

(i) when a bank agent is authorized to receive delivery of cash or other assets from a customer concerning activities as a bank agent (meaning activities as a bank agent as prescribed in Article 52-43 of the Act; the same applies hereinafter): a system in order to separate and manage the assets from its own assets;

二 電気通信回線に接続している電子計算機を利用して銀行代理業を営む場合 顧客が当該銀行代理業者と他の者を誤認することを防止するための体制

(ii) when a bank agent operates bank agency services by using a computer connected with electronic telecommunications lines: a system to prevent a customer from misidentifying the bank agent for another party;

三 兼業業務（銀行代理業及び銀行代理業に付随する業務以外の業務をいう。以下同じ。）を営む場合 銀行代理行為に関して取得した顧客に関する情報の適正な取扱いのための体制

(iii) when concurrent business (meaning a business other than bank agency services and business incidental to bank agency services; the same applies hereinafter) is carried out: a system to properly handle information of customers acquired in relation to activities as a bank agent.

(許可申請書のその他の添付書類)

(Written Applications for Permission and Other Documents Attached Thereto)

第三十四条の三十四 法第五十二条の三十七第二項第三号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 34-34 The documents specified by Cabinet Office Order that are provided for in Article 52-37, paragraph (2), item (iii) of the Act means the following documents:

一 個人であるときは、履歴書、住民票の抄本（外国人であり、かつ、国内に居住している場合には、出入国管理及び難民認定法（昭和二十六年政令第三百十九号）第十九条の三に規定する在留カードの写し、日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法（平成三年法律第七十一号）第七条第一項に規定する特別永住者証明書の写し又は住民票の抄本。第三十四条の六十八第三項第三号を除き、以下同じ。）又はこれに代わる書面及び第三十四条の三十七第四号イからチまでのいずれにも該当しないことを誓約する書面

(i) if a bank agent is an individual, a resume and an abstract of a certificate of residence (if the individual is a foreign national and resides in Japan, a copy of the residence card prescribed in Article 19-3 of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951), a copy of the special permanent resident certificate prescribed in Article 7, paragraph (1) of the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act

No. 71 of 1991), or an abstract of the certificate of residence; the same applies hereinafter except in Article 34-68, paragraph (3), item (iii)) or alternative documents, and documents in which the person pledges that they do not fall under any of the provisions of any of sub-items (a) to (h) of Article 34-37, item (iv);

一の二 個人である申請者（法第五十二条の三十七第一項に規定する申請者をいう。以下この号及び第二号の二において同じ。）の婚姻前の氏名を当該申請者の氏名に併せて申請書（同項の申請書をいう。同号において同じ。）に記載した場合において、前号の住民票の抄本又はこれに代わる書面が当該申請者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

(i)-2 if the name used before marriage of an applicant (meaning the applicant prescribed in Article 52-37, paragraph (1) of the Act; hereinafter the same applies in this item and item (ii)-2) that is an individual is stated together with the applicant's current name in a written application (meaning the written application referred to in that paragraph; the same applies in item (ii)-2), and the abstract of the certificate of residence or any alternative document as referred to in the preceding item does not certify the applicant's name used before marriage: a document proving the name used before marriage;

二 法人であるときは、役員（役員が法人であるときは、その職務を行うべき者を含む。以下この号、第三十四条の三十七及び第三十四条の四十八第一項において同じ。）の履歴書（役員が法人であるときは、当該役員の沿革を記載した書面）、役員（国内における営業所又は事務所に駐在する役員に限る。）の住民票の抄本（役員が法人であるときは、当該役員の登記事項証明書）又はこれに代わる書面、第三十四条の三十七第五号イからニまでのいずれにも該当しないことを誓約する書面及び役員が同条第四号イからチ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

(ii) if a bank agent is a corporation, a resume (if an officer is a corporation, including documents stating its history) of each officer (if an officer is a corporation, including the person responsible for performing the duties thereof; hereinafter the same applies in this item, Article 34-37 and Article 34-48, paragraph (1)), abstracts of certificates of residence of officers (if an officer is a corporation, including a certificate of registered information of the officer) (limited to officers working in a business office or other offices in Japan) or alternative documents, documents in which it pledges that it does not to fall under any of the provisions of Article 34-37, item (v), sub-items (a) to (d) and a document in which an officer pledges that they do not to fall under any of the provisions of item (iv), sub-items (a) to (h) of that Article;

二の二 法人である申請者の役員の婚姻前の氏名を当該役員の氏名に併せて申請書に記載した場合において、前号の住民票の抄本又はこれに代わる書面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

- (ii)-2 if the name used before marriage of an officer of an applicant that is a corporation is stated together with the officer's current name in a written application, and the abstract of the certificate of residence or any alternative document as referred to in the preceding item does not certify the officer's name used before marriage; a document proving the name before marriage;
- 三 所属銀行の委託を受けて銀行代理業を営むときは、当該所属銀行との間の銀行代理業に係る業務の委託契約書の案
- (iii) when carrying out bank agency services as entrusted by a principal bank, the draft of the outsourcing contract of the business concerning bank agency services with the principal bank;
- 四 銀行代理業再委託者の再委託を受けて銀行代理業を営むときは、当該銀行代理業再委託者との間の銀行代理業に係る業務の委託契約書の案及び当該銀行代理業再委託者が当該再委託について所属銀行の許諾を得たことを当該所属銀行が誓約する書面
- (iv) when carrying out bank agency services as further entrusted by an entrusting bank agent, the draft of the outsourcing contract of the business concerning bank agency services with the entrusting bank agent, and a document in which the principal bank pledges that the entrusting bank agent has obtained the authorization of the principal bank;
- 五 銀行代理業に関する能力を有する者の確保の状況及び当該者の配置の状況を記載した書面（銀行代理業に関する能力を有する者であることを証する書面を含む。）
- (v) documents stating the situation of securing persons with abilities concerning bank agency services and the situation of placement of those persons (including documents proving that those persons are competent in bank agency services);
- 六 個人であるときは、許可の申請の日を含む事業年度（個人の事業年度は、一月一日からその年の十二月三十一日までとする。以下同じ。）の前事業年度に係る別紙様式第十六号により作成した財産に関する調書
- (vi) if a bank agent is an individual, a written evidence concerning assets prepared pursuant to the Appended Form No. 16 for the business year preceding the business year that includes the date of application for permission (the business year for an individual is from January 1 to December 31 of the same year; the same applies hereinafter)
- 七 法人であるときは、許可の申請の日を含む事業年度の前事業年度に係る貸借対照表又はこれに代わる書面。ただし、許可の申請の日を含む事業年度に設立された法人にあつては、当該法人の設立の時における貸借対照表又はこれに代わる書面
- (vii) if a bank agent is a corporation, the balance sheet pertaining to the business year preceding the business year that includes the date of application for permission or alternative documents; provided, however, that if a bank agent is a corporation that was established in the business year that includes the date of application for permission, the balance sheet at the

- time of incorporation of the corporation or alternative documents;
- 八 会計監査人設置会社（会社法第二条第十一号に規定する会計監査人設置会社をいう。第三十四条の六十四の四第一号へにおいて同じ。）であるときは、許可の申請の日を含む事業年度の前事業年度の同法第三百九十六条第一項に規定する会計監査報告の内容を記載した書面
- (viii) if a bank agent is a company with financial auditors (meaning a company with financial auditors as prescribed in Article 2, item (xi) of the Companies Act; the same applies in Article 34-64-4, item (i), sub-item (f)), documents stating the content of a financial audit report as prescribed in Article 396, paragraph (1) of that Act pertaining to the business year preceding the business year that includes the date of application for permission;
- 九 銀行代理業開始後三事業年度における収支及び財産の状況の見込みを記載した書面
- (ix) documents stating the prospective condition of income and expenditures, and assets, in the three business years after the commencement of bank agency services;
- 十 所属銀行（銀行代理業再委託者の再委託を受ける場合は当該銀行代理業再委託者を含む。）が保証人の保証を徴するときは、当該保証を証する書面及び当該保証人に係る第六号又は第七号に規定する書面
- (x) if a principal bank (if the relevant person is further entrusted by an entrusting bank agent, including the entrusting bank agent) collects a guarantee by a guarantor, documents proving the guarantee and documents concerning the guarantor as prescribed in items (vi) and (vii);
- 十一 他に業務を営むときは、兼業業務の内容及び方法を記載した書面
- (xi) if a bank agent engages in another business, documents stating the content and means of the concurrent business;
- 十二 銀行代理業の運営に関する社内規則等
- (xii) the internal rules, etc. concerning management of the bank agency services;
- 十三 銀行代理業を営む営業所又は事務所の付近見取図及び間取図（防犯カメラの設置状況、警備状況等を含む。）並びに当該営業所又は当該事務所で営む銀行代理業の業務運営を指揮する所属銀行の営業所の名称を記載した書面
- (xiii) a pictorial drawing of the surrounding area of the business office or offices where bank agency services are carried out and its layout (including the situation of security cameras placed and situation of security, etc.) and documents stating the name of the business office and the business office of a principal bank, which directs business management of the bank agency services which are carried out at the business office; and
- 十四 前各号に掲げるもののほか法第五十二条の三十八第一項の規定による審査をするため参考となるべき事項を記載した書面
- (xiv) documents stating information that should serve as a reference in

conducting an examination under Article 52-38, paragraph (1), beyond what is provided for in each of the preceding items.

(委託契約書の案の記載事項)

(Information to Be Entered Into a Draft of an Outsourcing contract)

第三十四条の三十五 前条第三号に規定する委託契約書の案に記載すべき事項は、次に掲げる事項とする。

Article 34-35 (1) The information to be stated in a draft of an outsourcing contract as prescribed in the preceding three paragraphs are the following:

一 銀行代理業を営む営業所又は事務所の設置、廃止又は位置変更に関する事項
(i) the particulars on the establishment, closure or relocation of a business office or office where bank agency services are carried out;

二 銀行代理業の内容（代理又は媒介の別を含む。以下同じ。）に関する事項
(ii) the particulars on the content of bank agency services (including identification whether this involves agency or intermediation; the same applies hereinafter);

三 銀行代理業の営業日及び営業時間に関する事項

(iii) the particulars on business days and business hours of the bank agency services;

四 次に掲げる銀行代理業者の行為を禁ずる規定

(iv) provisions prohibiting the following acts of a bank agent:

イ 所属銀行の営業上の秘密又は取引先の信用に関する事項を所属銀行及び当該取引先以外の者に漏らし、又は自己若しくは当該所属銀行及び当該取引先以外の者のために利用する行為

(a) the acts of divulging trade secrets of a principal bank or information on the creditworthiness of its clients to a person other than the principal bank or the client, or making use thereof for a person other than principal bank or the client;

ロ 法第五十二条の四十五各号に掲げる行為

(b) the acts as set forth in each item of Article 52-45 of the Act;

五 現金、有価証券等の取扱基準及びこれに関連する銀行代理業者の責任に関する事項

(v) standards for handling cash and securities, etc. and the particulars on the responsibilities of the bank agent pertaining thereto;

六 銀行代理業の再委託に関する事項

(vi) the particulars on further entrustment of bank agency services;

七 所属銀行による監督、監査又は報告徴求に関する事項

(vii) the particulars on supervision, audit, and collection of reports by the principal bank;

八 契約の期間、更新及び解除に関する事項

(viii) the particulars on the period, renewal, and cancellation of contracts;

九 銀行代理業の内容並びに銀行代理業の営業日及び営業時間の店頭掲示に関する事項

(ix) the particulars on the display at the storefront regarding content of the bank agency services and business days and business hours of the bank agency services;

十 その他必要と認められる事項

(x) other particulars found to be necessary.

2 前項の規定は、前条第四号に規定する銀行代理業再委託者と銀行代理業再受託者との間の銀行代理業に係る業務の委託契約書の案に記載すべき事項について準用する。この場合において、同項第四号及び第五号中「銀行代理業者」とあるのは「銀行代理業再受託者」と、同項第六号中「再委託」とあるのは「再委託の禁止」と、同項第七号中「所属銀行」とあるのは「所属銀行及び銀行代理業再委託者」と読み替えるものとする。

(2) The provisions of the preceding paragraph apply mutatis mutandis to the particulars which are to be stated in the draft of an outsourcing contract of business pertaining to bank agency services between an entrusting bank agent and secondary bank agent as prescribed in item (iv) of the preceding Article. In this case, the term "bank agent" in item (iv) and (v) of that paragraph is deemed to be replaced with "secondary bank agent"; the term "further entrustment" in item (vi) of that paragraph is deemed to be replaced with "prohibition of further entrustment", and the term "a principal bank" in item (vii) of that paragraph is deemed to be replaced with "an principal bank and an entrusting bank agent."

(財産的基礎)

(Financial Basis)

第三十四条の三十六 法第五十二条の三十八第一項第一号に規定する内閣府令で定める基準は、第三十四条の三十四第六号に規定する財産に関する調書又は同条第七号に規定する貸借対照表若しくはこれに代わる書面に計上された資産の合計額から負債の合計額を控除した額（次項において「純資産額」という。）が、次の各号に掲げる区分に応じ、当該各号に掲げる額以上であることとする。

Article 34-36 (1) The standards specified by Cabinet Office Order that are provided for in Article 52-38, paragraph (1), item (i) of the Act are that the amount calculated by deducting the total amount of liabilities from the total amount of assets recorded on the written evidence concerning the assets as prescribed in Article 34-34, item (vi), the balance sheet as prescribed in item (vii) of that Article, or documents equivalent thereto (which is referred to as the "amount of net assets" in the following paragraph) is equal to or greater than the amount as set forth in each of the following items, in accordance with the category as set forth in each of those items:

一 個人 三百万円

(i) an individual: three million yen;

二 法人 五百万円

(ii) a corporation: five million yen.

2 次に掲げる者は、法第五十二条の三十八第一項第一号に規定する財産的基礎を有するものとみなす。

(2) The following persons are deemed to possess the financial basis as prescribed in Article 52-38, paragraph (1), item (i) of the Act:

一 個人（純資産額が負の値でない者に限る。）であつて所属銀行（当該個人が銀行代理業再委託者の再委託を受けて銀行代理業を営む場合は、当該銀行代理業再委託者を含む。）が銀行代理業に係る損害についての保証人（純資産額が前項各号に規定する額以上である者に限る。）の保証を徴している者その他の前項に規定する基準と同等以上の財産的基礎を有していると認められる者

(i) a person that is an individual (limited to an individual whose amount of net assets is not a negative value), whose principal bank (if that individual carries out bank agency services as further entrusted by an entrusted bank agent, including that entrusted bank agent) collects a guarantee by a guarantor (limited to a person whose amount of net assets is equal to or greater than the amount as prescribed in each item of the preceding paragraph) concerning damages pertaining to bank agency services, and other persons that are found to possess a financial basis which is equal to or greater than the standards as prescribed in the preceding item;

二 地方公共団体

(ii) a local government.

（銀行代理業の許可の審査）

(Examination of Permission for Bank Agency Services)

第三十四条の三十七 金融庁長官等は、法第五十二条の三十六第一項に規定する許可の申請があつた場合において、法第五十二条の三十八第一項の規定による審査をするときは、次に掲げる事項に配慮するものとする。

Article 34-37 When an application for permission as prescribed in Article 52-36, paragraph (1) of the Act is filed, and when conducting an examination under Article 52-38, paragraph (1) of the Act, the Commissioner of the Financial Services Agency or other competent authorities is to take account of the following particulars:

一 個人又は法人（外国法人で国内に事務所を有しないものを除く。）であること。

(i) the applicant is an individual or a corporation (excluding a foreign corporation that does not have an office in Japan);

二 前条第一項又は第二項に該当し、かつ、銀行代理業開始後三事業年度を通じて同条第一項又は第二項に該当すると見込まれること。

(ii) the applicant falls under the provisions of paragraph (1) or (2) of the preceding Article, and it is expected that it will fall under the provisions of

paragraph (1) or (2) of that Article during the three business years after the commencement of bank agency services;

三 銀行代理業に関する能力を有する者の確保の状況、銀行代理業の業務運営に係る体制等に照らし、次に掲げる要件に該当し、十分な業務遂行能力を備えていると認められること。

(iii) in light of its situation of securing persons with abilities for bank agency services and its systems, etc. concerning business management of bank agency services, the applicant is found to correspond to the following requirements and possess sufficient abilities for performing the business:

イ 申請者が個人（二以上の事務所で銀行代理業を営む者を除く。）であるときは、その営む銀行代理業の業務に関する十分な知識を有する者であること。ただし、特別銀行代理行為（当座預金の受入れを内容とする契約の締結の代理若しくは媒介又は法第二条第十四項第二号に掲げる行為（所属銀行が受け入れたその顧客の預金等又は国債を担保として行う貸付契約に係るもの及び事業以外の用に供する資金に係る定型的な貸付契約であつてその契約の締結に係る審査に関与しないものを除く。）をいう。以下イ及びロにおいて同じ。）を行う場合にあっては、次の（１）又は（２）に掲げる特別銀行代理行為の内容の区分に応じ、当該（１）又は（２）に定める者であること。

(a) when the applicant is an individual (excluding a person that engages in bank agency services in two or more offices), the applicant has sufficient knowledge of bank agency services that the applicant carries out; provided, however, that when engaging in the special activities as a bank agent (meaning acting as an agent or intermediary in the conclusion of a contract whose the content is the acceptance of current deposits, or acts as set forth in Article 2, paragraph (14), item (ii) of the Act (excluding acts pertaining to a loan agreement that a principal bank concludes with security of deposit, etc. or national government bonds, and acts pertaining to a regular loan agreement pertaining to funds for the use of other than business, which acts that are not involved in the examination pertaining to conclusion of the agreement); the same applies in sub-items (a) and (b)), the applicant is the person set forth in 1 or 2 in accordance with the categories of content of special activities as a bank agent set forth therein:

（１） 当座預金の受入れを内容とする契約の締結の代理又は媒介 当座預金業務若しくは資金の貸付け業務に従事したことがある者又はこれと同等以上の能力を有すると認められる者であつて、当座預金業務を的確に遂行することができる者

1. acting as an agent or intermediary in the conclusion of a contract whose content is the acceptance of current deposits: a person that has engaged in current deposit services or fund lending services or is found to possess abilities equal or better thereto, and is found to be capable of performing current deposit services correctly; or

(2) 法第二条第十四項第二号に掲げる行為 資金の貸付け業務に従事したことの
ある者又はこれと同等以上の能力を有すると認められる者であつて、当
該業務を的確に遂行することができる者と認められる者

2. the acts set forth in Article 2, paragraph (14), item (ii) of the Act: a
person that has engaged in fund lending services or is found to possess
abilities equal or better thereto, and is found to be capable of
performing those services correctly;

ロ 申請者が法人（二以上の事務所で銀行代理業を営む個人を含む。）であるときは、その営む銀行代理業の業務に係る法令等の遵守を確保する業務に係る責任者（当該銀行代理業の業務に関する十分な知識を有するものに限る。）を当該銀行代理業の業務を営む営業所又は事務所（主たる営業所又は事務所以外の営業所又は事務所（以下ロにおいて「従たる営業所等」という。）に他の従たる営業所等における当該銀行代理業の業務を管理する部署を置いた場合にあつては、当該部署を置いた従たる営業所等）ごとに、当該責任者を指揮し法令等の遵守の確保を統括管理する業務に係る統括責任者（当該銀行代理業の業務に関する十分な知識を有するものに限る。）を主たる営業所又は事務所に（従たる営業所等において銀行代理業を営まない場合を除く。）、それぞれ配置していること。ただし、特別銀行代理行為を行う場合にあつては、これらの責任者又は統括責任者のうちそれぞれ一名以上は、次の（1）又は（2）に掲げる特別銀行代理行為の内容の区分に応じ、当該（1）又は（2）に定める者であること。

(b) when the applicant is a corporation (including an individual who engages in bank agency services at two or more offices), the applicant assigns a responsible person (limited to a person that has sufficient knowledge of bank agency services) for business in order to secure compliance with laws and regulations, etc. pertaining to bank agency services that the corporation engages in at each business office or office where the business of the bank agency services is conducted (if a business office or office other than the main business office or office (hereinafter referred to as a "secondary business office, etc." in (b)) has in place a division to control the business of the bank agency services to be conducted at another secondary business office, etc., a responsible person is assigned at each secondary business office, etc. with such a division), and assigns a supervising manager (limited to a person that has sufficient knowledge of bank agency services) for instructing the responsible person and for supervising the securing of compliance with laws and regulations, etc. to the main business office or office (excluding the case in which the bank agency services are not carried out in a secondary business office, etc.); provided, however, that if the applicant carries out special activities as a bank agent, at least one of the responsible persons or supervising managers is to be the person set forth in 1 or 2 in accordance with the following categories of content of special activities as a bank agent set forth therein:

- (1) 当座預金の受入れを内容とする契約の締結の代理又は媒介 当座預金業務若しくは資金の貸付け業務に従事したことがある者又はこれと同等以上の能力を有すると認められる者であつて、当座預金業務を的確に遂行することができる者と認められる者。
1. acting as an agent or intermediary in the conclusion of a contract whose content is the acceptance of current deposits: a person that has engaged in current deposit services or fund lending services or is found to possess abilities equal or better thereto, and is found to be capable of performing current deposit services correctly; or
- (2) 法第二条第十四項第二号に掲げる行為 資金の貸付け業務に従事したことがある者又はこれと同等以上の能力を有すると認められる者であつて、当該業務を的確に遂行することができる者と認められる者
2. the acts set forth in Article 2, paragraph (14), item (ii) of the Act: a person that has engaged in current deposit services or fund lending services or is found to possess abilities equal or better thereto, and is found to be capable of performing those services correctly;
- ハ 法第二条第十四項第一号及び第三号に規定する行為を行う場合にあつては、オンライン処理その他の適切な方法により処理する等銀行代理業の業務の態様に応じ必要な事務処理の体制が整備されていること。
- (c) when the applicant performs acts as prescribed in Article 2, paragraph (14), items (i) and (iii) of the Act, the necessary systems of business operations are developed in accordance with the category of bank agency services, such as processing services by means of on-line processing or other appropriate methods;
- ニ 銀行代理業に関する社内規則等を定め、これに基づく業務の運営の検証がされる等、法令等を遵守した運営が確保されると認められること。
- (d) management that conform to laws and regulations, etc. is found to be assured, such as that the applicant determines internal rules, etc. on bank agency services and inspects business management based on the rules;
- ホ 人的構成、資本構成又は組織等により、銀行代理業を的確、公正かつ効率的に遂行することについて支障が生じるおそれがあると認められないこと。
- (e) it is not found that the personnel structure, capital structure, or organization, etc. of the applicant is likely to hinder carrying out of bank agency services precisely, fairly, and efficiently;
- 四 申請者が個人であるときは、次のいずれにも該当しないこと。
- (iv) when the applicant is an individual, the applicant does not fall under any of the following cases:
- イ 精神の機能の障害により銀行代理業を適正に行うに当たつて必要な認知、判断及び意思疎通を適切に行うことができない者
- (a) a person that is unable to adequately carry out the cognition, decision making, and communication necessary for properly engaging in bank

agency services due to mental impairment;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これと同様に取
り扱われている者

(b) a person subject to an order commencing bankruptcy proceedings that has
not been discharged from bankruptcy, or a person that is treated in the
same manner as that under the foreign laws and regulations;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、そ
の刑の執行を終わり、又はその刑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

(c) a person that has been sentenced to imprisonment without work or
severer punishment (including equivalent punishment thereto under
foreign laws and regulations) and five years have not elapsed since the
date when the sentence was completed or the execution of the sentence is
ceased;

ニ 次のいずれかに該当する場合において、その取消しの日（更新の拒否の場合に
あつては、当該更新の拒否の処分がなされた日。へ及び次号イにおいて同じ。）
前三十日以内にその法人の取締役、執行役、会計参与、監査役、会計監査人、理
事、監事若しくはこれらに準ずる者又は日本における代表者（法第四十七条第二
項に規定する日本における代表者をいう。（１）において同じ。）であつた者で
その取消しの日から五年を経過しない者

(d) when corresponding to any of the following, a person that was a director,
executive officer, accounting advisor, auditor, financial auditor,
administration officer, inspector, or any person equivalent thereto, or a
representative person in Japan (meaning a representative person in Japan
as prescribed in Article 47, paragraph (2) of the Act; the same applies in 1)
within 30 days before the date of the revocation (in the cases of a refusal of
renewal, the date when the refusal of renewal is disposed; the same applies
in sub-item (f) and in the following item, sub-item (a)) and five years have
not elapsed since the date of the revocation:

（１） 法第二十七条若しくは第二十八条の規定により法第四条第一項の免許を
取り消され、法第五十二条の十五第一項の規定により法第五十二条の九第一
項若しくは第二項ただし書の認可を取り消され、法第五十二条の三十四第一
項の規定により法第五十二条の十七第一項若しくは第三項ただし書の認可を
取り消され、又は法第五十二条の五十六第一項の規定により法第五十二条の
三十六第一項の許可を取り消された場合

1. when a license as prescribed in Article 4, paragraph (1) of the Act is
revoked pursuant to the provisions of Article 27 or Article 28 of the
Act; when an authorization as prescribed in Article 52-9, paragraph (1)
or the proviso to paragraph (2) of that Article is revoked pursuant to
the provisions of Article 52-15, paragraph (1) of the Act; when an
authorization as prescribed in Article 52-17, paragraph (1) or the

proviso to paragraph (3) of that Article is revoked pursuant to the provisions of Article 52-34, paragraph (1) of the Act; or when a permission as prescribed in Article 52-36, paragraph (1) of the Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act;

- (2) 長期信用銀行法第十七条において準用する法第二十七条若しくは第二十八条の規定により長期信用銀行法第四条第一項の免許を取り消され、同法第十七条において準用する法第五十二条の十五第一項の規定により長期信用銀行法第十六条の二の二第一項若しくは第二項ただし書の認可を取り消され、同法第十七条において準用する法第五十二条の三十四第一項の規定により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ただし書の認可を取り消され、又は同法第十七条において準用する法第五十二条の五十六第一項の規定により長期信用銀行法第十六条の五第一項の許可を取り消された場合
2. when a license as prescribed in Article 4, paragraph (1) of the Long Term Credit Bank Act is revoked pursuant to the provisions of Article 27 or Article 28 of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long Term Credit Bank Act; when an authorization as prescribed in Article 16-2-2, paragraph (1) or the proviso to paragraph (2) of that Article of the Long Term Credit Bank Act is revoked pursuant to the provisions of Article 52-15, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long Term Credit Bank Act; when an authorization as prescribed in Article 16-2-4, paragraph (1) or the proviso of paragraph (3) of that Article of the Long Term Credit Bank Act is revoked pursuant to the provisions of Article 52-34, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long Term Credit Bank Act; or when a permission as prescribed in Article 16-5, paragraph (1) of the Long Term Credit Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long Term Credit Bank Act;
- (3) 信用金庫法第八十九条第一項において準用する法第二十七条若しくは第二十八条の規定により信用金庫法第四条の免許を取り消され、又は同法第八十九条第五項において準用する法第五十二条の五十六第一項の規定により信用金庫法第八十五条の二第一項の許可を取り消された場合
3. when a license as prescribed in Article 4 of the Shinkin Bank Act is revoked pursuant to the provisions of Article 27 or Article 28 of the Act, as applied mutatis mutandis pursuant to Article 89, paragraph (1) of the Shinkin Bank Act, or when a permission as prescribed in Article 85-2, paragraph (1) of the Shinkin Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 89, paragraph (5) of the Shinkin Bank

Act;

- (4) 労働金庫法第九十五条の規定により同法第六条の免許を取り消され、又は同法第九十四条第三項において準用する法第五十二条の五十六第一項の規定により労働金庫法第八十九条の三第一項の許可を取り消された場合
4. when a license as prescribed in Article 6 of the Labor Bank Act is revoked pursuant to the provisions of Article 95 of the Labor Bank Act, or when a permission as prescribed in Article 89-3, paragraph (1) of the Labor Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 94, paragraph (3) of the Labor Bank Act;
- (5) 中小企業等協同組合法第百六条第二項若しくは協同組合による金融事業に関する法律第六条第一項において準用する法第二十七条若しくは第二十八条の規定により解散を命ぜられ、又は協同組合による金融事業に関する法律第六条の五第一項において準用する法第五十二条の五十六第一項の規定により協同組合による金融事業に関する法律第六条の三第一項の許可を取り消された場合
5. when dissolution is ordered pursuant to the provisions of Article 27 or Article 28 of the Act, as applied mutatis mutandis pursuant to Article 106, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act or Article 6, paragraph (1) of the Act on Financial Business by a Cooperative, or when a permission as prescribed in Article 6-3, paragraph (1) of the Act on Financial Business by a Cooperative is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 6-5, paragraph (1) of the Act on Financial Business by a Cooperative;
- (6) 農業協同組合法第九十二条の四第一項において準用する法第五十二条の五十六第一項の規定により農業協同組合法第九十二条の二第一項の許可を取り消され、又は同法第九十五条の二の規定により農業協同組合若しくは農業協同組合連合会が解散を命ぜられた場合
6. when a permission as prescribed by Article 92-2, paragraph (1) of the Agricultural Cooperatives Act is revoked under the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 92-4, paragraph (1) of the Agricultural Cooperatives Act, or when an agricultural cooperative or a federation of agricultural cooperatives is ordered dissolution pursuant to the provisions of Article 95-2 of the Agricultural Cooperatives Act;
- (7) 水産業協同組合法第二百二十一条の四第一項において準用する法第五十二条の五十六第一項の規定により水産業協同組合法第二百二十一条の二第一項の許可を取り消され、又は同法第二百二十四条の二の規定により漁業協同組合、漁業協同組合連合会、水産加工業協同組合若しくは水産加工業協同組合連合

会が解散を命ぜられた場合

7. when a permission as prescribed in Article 121-2, paragraph (1) of the Fishery Cooperative Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 121-4, paragraph (1) of the Fishery Cooperative Act, or when a fisheries cooperative or a federation of fishery processing cooperatives is ordered dissolution pursuant to the provisions of Article 124-2 of Fishery Cooperative Act;
 - (8) 農林中央金庫法第九十五条の四第一項において準用する法第五十二条の五十六第一項の規定により農林中央金庫法第九十五条の二第一項の許可を取り消され、又は同法第八十六条の規定により解散を命ぜられた場合
8. when a permission as prescribed in Article 95-2, paragraph (1) of the Norinchukin Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 95-4, paragraph (1) of the Norinchukin Bank Act, or when dissolution is ordered pursuant to the provisions of Article 86 of the Norinchukin Bank Act;
 - (9) 貸金業法（昭和五十八年法律第三十二号）第六条第一項の規定により同法第三条第一項の登録の更新を拒否され、又は同法第三十七条第一項の規定により同法第三条第一項の登録を取り消された場合
9. when a renewal of registration as prescribed in Article 3, paragraph (1) of the Money Lending Business Act (Act No. 32 of 1983) cancelled pursuant to Article 6, paragraph (1) of that Act, or when a registration as prescribed in Article 3, paragraph (1) of that Act is revoked pursuant to the provisions of Article 37, paragraph (1) of that Act;
 - (10) 法、長期信用銀行法、信用金庫法、労働金庫法、中小企業等協同組合法、協同組合による金融事業に関する法律、農業協同組合法、水産業協同組合法、農林中央金庫法又は貸金業法に相当する外国の法令の規定により当該外国において受けている（1）から（9）までに規定する免許、許可、認可若しくは登録（当該免許、許可、認可若しくは登録に類するその他の行政処分を含む。以下この号において同じ。）と同種類の免許、許可、認可若しくは登録を取り消され、又は当該免許、許可、認可若しくは登録の更新を拒否された場合
10. when a license, permission, authorization, or registration that is equivalent to a license, permission, authorization or registration (including other administrative dispositions equivalent to the license, permission, authorization, or registration; hereinafter the same applies in this item) as prescribed in the preceding items (i) to (ix) that are provided in a foreign state pursuant to the provisions of laws or regulations of the foreign state which are equivalent to the Act, the Long Term Credit Bank Act, the Shinkin Bank Act the Labor Bank Act,

the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Business by a Cooperative, the Agricultural Cooperatives Act, the Fishery Cooperative Act, the Norinchukin Bank Act, or the Money Lending Business Act is revoked, or a renewal of the license, permission, authorization or registration is refused;

ホ 法第五十二条の十五第一項の規定により法第五十二条の九第一項若しくは第二項ただし書の認可を取り消された場合、法第五十二条の五十六第一項（長期信用銀行法第十七条、信用金庫法第八十九条第五項、労働金庫法第九十四条第三項、協同組合による金融事業に関する法律第六条の五第一項、農業協同組合法第九十二条の四第一項、水産業協同組合法第二百一条の四第一項及び農林中央金庫法第九十五条の四第一項において準用する場合を含む。）の規定により法第五十二条の三十六第一項の許可、長期信用銀行法第十六条の五第一項の許可、信用金庫法第八十五条の二第一項の許可、労働金庫法第八十九条の三第一項の許可、協同組合による金融事業に関する法律第六条の三第一項の許可、農業協同組合法第九十二条の二第一項の許可、水産業協同組合法第二百一条の二第一項の許可若しくは農林中央金庫法第九十五条の二第一項の許可を取り消された場合、長期信用銀行法第十七条において準用する法第五十二条の十五第一項の規定により長期信用銀行法第十六条の二の二第一項若しくは第二項ただし書の認可を取り消された場合又は貸金業法第六条第一項の規定により同法第三条第一項の登録の更新を拒否され、若しくは同法第三十七条第一項の規定により同法第三条第一項の登録を取り消された場合において、その取消の日から五年を経過しない者

(e) when an authorization as prescribed in Article 52-9, paragraph (1) or the proviso to paragraph (2) of that Article of the Act is revoked pursuant to the provisions of Article 52-15, paragraph (1) of the Act; when permission as prescribed in Article 52-36, paragraph (1) of the Act, permission as prescribed in Article 16-5, paragraph (1) of the Long Term Credit Bank Act, permission as prescribed in Article 85-2, paragraph (1) of the Shinkin Bank Act, permission as prescribed in Article 89-3, paragraph (1) of the Labor Bank Act, permission as prescribed in Article 6-3, paragraph (1) of the Act on Financial Business by a Cooperative, permission as prescribed in Article 92-2, paragraph (1) of the Agricultural Cooperatives Act, permission as prescribed in Article 121-2, paragraph (1) of the Fishery Cooperative Act, or permission as prescribed in Article 95-2, paragraph (1) of the Norinchukin Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act (including cases as applied mutatis mutandis pursuant to Article 17 of the Long Term Credit Bank Act; Article 89, paragraph (5) of the Shinkin Bank Act; Article 94, paragraph (3) of the Labor Bank Act; Article 6-5, paragraph (1) of the Act on Financial Business by a Cooperative; Article 92-4, paragraph (1) of the Agricultural Cooperatives Act; Article 121-4, paragraph (1) of the Fishery Cooperative Act; or Article 95-4, paragraph (1) of the Norinchukin Bank Act); when an

authorization as prescribed in Article 16-2-2, paragraph (1) or proviso of paragraph (2) of that Article of the Long Term Credit Bank Act is revoked pursuant to the provisions of Article 52-15, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long Term Credit Bank Act; or when renewal of registration as prescribed in Article 3, paragraph (1) the Money Lending Business Act is refused pursuant to the provisions of Article 6, paragraph (1) of that Act or is revoked pursuant to the provisions of Article 37, paragraph (1) of that Act, a person for whom five years have not elapsed since the date of the revocation;

へ 法に相当する外国の法令の規定により当該外国において受けている法第五十二条の九第一項若しくは第二項ただし書若しくは法第五十二条の三十六第一項若しくは貸金業法第三条第一項と同種類の認可、許可若しくは登録を取り消され、又は当該認可、許可若しくは登録の更新を拒否された場合において、その取消の日から五年を経過しない者

(f) when an authorization, permission or registration which is of a type equivalent to those prescribed in Article 52-9, paragraph (1) or the proviso to paragraph (2) of that Article, or Article 52-36, paragraph (1) of the Act, or Article 3, paragraph (1) of the Money Lending Business Act and which are obtained in a foreign state pursuant to the provisions of laws and regulations of the foreign state equivalent to the Act is revoked or renewal of the authorization, permission or registration is refused, a person for whom five years have not elapsed since the date of the revocation;

ト 次に掲げる者であつて、その処分を受けた日から五年を経過しない者

(g) a person that corresponds to any of the following and for whom five years have not elapsed since the date of the disposition:

(1) 法第二十七条若しくは法第五十二条の三十四第一項の規定により解任を命ぜられた取締役、執行役、会計参与、監査役、会計監査人若しくは日本における代表者又は法第五十二条の五十六第二項の規定により解任を命ぜられた役員

1. a director, executive officer, accounting advisor, auditor, financial auditor or representative person in Japan, whose dismissal was ordered pursuant to the provisions of Article 27 of the Act or Article 52-34, paragraph (1) of the Act, or an officer whose dismissal was ordered pursuant to the provisions of Article 52-56, paragraph (2) of the Act;

(2) 長期信用銀行法第十七条において準用する法第二十七条若しくは法第五十二条の三十四第一項の規定により解任を命ぜられた取締役、執行役、会計参与、監査役若しくは会計監査人又は長期信用銀行法第十七条において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員

2. a director, executive officer, accounting advisor, accounting advisor, auditor or financial auditor, whose dismissal was ordered pursuant to

the provisions of Article 27 of the Act or Article 52-34, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long Term Credit Bank Act, or an officer whose dismissal was ordered pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long Term Credit Bank Act;

- (3) 信用金庫法第八十九条第一項において準用する法第二十七条の規定により解任を命ぜられた理事、は監事若しくは会計監査人又は信用金庫法第八十九条第五項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員
3. an administration officer, inspector or financial auditor whose dismissal was ordered pursuant to the provisions of Article 27 of the Act, as applied mutatis mutandis pursuant to Article 89, paragraph (1) of the Shinkin Bank Act, or an officer whose dismissal was ordered pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 89, paragraph (5) of the Shinkin Bank Act;
 - (4) 労働金庫法第九十五条第一項の規定により改任を命ぜられた理事、監事若しくは会計監査人又は労働金庫法第九十四条第三項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員
4. an administration officer, inspector or financial auditor whose dismissal was ordered pursuant to the provisions of Article 95, paragraph (1) of the Labor Bank Act, or an officer whose dismissal was ordered pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 94, paragraph (3) of the Labor Bank Act;
 - (5) 協同組合による金融事業に関する法律第六条第一項において準用する法第二十七条の規定により解任を命ぜられた理事、監事若しくは会計監査人又は協同組合による金融事業に関する法律第六条の五第一項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員
5. an administration officer, inspector or financial auditor whose dismissal was ordered pursuant to the provisions of Article 27 of the Act, as applied mutatis mutandis pursuant to Article 6, paragraph (1) of the Act on Financial Business by a Cooperative, or an officer whose dismissal was ordered pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 6-5, paragraph (1) of the Act on Financial Business by a Cooperative;
 - (6) 農業協同組合法第九十二条の四第一項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員又は農業協同組合法第九十五条第二項の規定により改選を命ぜられた役員

6. an officer whose dismissal was ordered pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 92-4, paragraph (1) of the Agricultural Cooperatives Act, or an officer who was ordered to be reelected pursuant to the provisions of Article 95, paragraph (2) of the Agricultural Cooperatives Act;
- (7) 水産業協同組合法第二百一条の四第一項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員又は水産業協同組合法第二百二十四条第二項の規定により改選を命ぜられた役員
7. an officer whose dismissal was ordered pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 121-4, paragraph (1) of the Fishery Cooperative Act, or an officer who was ordered to be reelected pursuant to the provisions of Article 124, paragraph (2) of the Fishery Cooperative Act;
- (8) 農林中央金庫法第九十五条の四第一項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員又は農林中央金庫法第八十六条の規定により解任を命ぜられた理事、経営管理委員、監事若しくは会計監査人
8. an officer whose dismissal was ordered pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 95-4, paragraph (1) of the Norinchukin Bank Act, or an administration officer, management supervisory committee member, auditor or accounting auditor whose dismissal was ordered pursuant to the provisions of Article 86 of the Norinchukin Bank Act;
- (9) 貸金業法第二十四条の六の四第二項の規定により解任を命ぜられた役員
9. an officer whose dismissal was ordered pursuant to the provisions of Article 24-6-4, paragraph (2) of the Money Lending Business Act;
- (10) 法、長期信用銀行法、信用金庫法、労働金庫法、中小企業等協同組合法、協同組合による金融事業に関する法律、農業協同組合法、水産業協同組合法、農林中央金庫法又は貸金業法に相当する外国の法令の規定により解任を命ぜられた取締役、執行役、会計参与、監査役、会計監査人又はこれらに準ずる者
10. a director, executive officer, accounting advisor, auditor, accounting auditor or equivalent person thereto whose dismissal was ordered pursuant to the provisions of foreign laws and regulations which are equivalent to the Act, the Long Term Credit Bank Act, the Shinkin Bank Act, the Labor Bank Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Business by a Cooperative, the Agricultural Cooperatives Act, the Fishery Cooperative Act, the Norinchukin Bank Act, or the Money Lending Business Act;

チ 法、長期信用銀行法、信用金庫法、労働金庫法、中小企業等協同組合法、協同組合による金融事業に関する法律、農業協同組合法、水産業協同組合法、農林中央金庫法、貸金業法若しくは出資の受入れ、預り金及び金利等の取締りに関する法律（昭和二十九年法律第百九十五号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなつた日から五年を経過しない者

(h) a person that violates a provisions of the Act, the Long Term Credit Bank Act, the Shinkin Bank Act the Labor Bank Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Business by a Cooperative, the Agricultural Cooperatives Act, the Fishery Cooperative Act, the Norinchukin Bank Act, the Money Lending Business Act, the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates (Act No. 195 of 1954), or foreign laws and regulations equivalent thereto, has been sentenced to a fine (including equivalent punishment thereto under foreign laws and regulations), and for whom five years have not elapsed since the date when the sentence is completed or the effectuation of the sentence is ceased;

五 申請者が法人であるときは、次のいずれにも該当しないこと。

(v) if the applicant is a corporation, that the applicant does not correspond to any of the following cases:

イ 前号ニ（１）から（１０）までのいずれかに該当する場合において、その取消しの日から五年を経過しない者

(a) if the applicant corresponds to any of the preceding (d), 1 to 10, a corporation for which five years have not elapsed since the date of the revocation;

ロ 前号チに規定する法律の規定又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなつた日から五年を経過しない者

(b) a corporation that violates the provisions as prescribed in the preceding (h) or foreign laws and regulations equivalent thereto, which is sentenced to a fine (including equivalent punishment thereto under foreign laws and regulations), and for which five years have not elapsed since the date when the sentence is completed or the execution of the sentence is ceased;

ハ 役員のうち精神の機能の障害のため銀行代理業に係る職務を適正に執行するに当たつて必要な認知、判断及び意思疎通を適切に行うことができない者のある者

(c) a corporation whose officers include a person that is unable to adequately carry out the cognition, decision making, and communication necessary for properly performing their duties related to bank agency services due to

mental impairment;

ニ 役員のうち前号ロからチまでのいずれかに該当する者のある者

(d) a corporation whose officers include a person falling under any of (b) to (h) of the preceding item;

六 主たる兼業業務の内容が資金の貸付け、手形の割引、債務の保証又は手形の引受けその他の信用の供与を行う業務以外である場合においては、次のいずれにも該当しないこと。

(vi) when the content of its main concurrent business is other than the lending of funds, discounting of bills and notes, guarantee of debt, accepting of bills and notes, or any other business of granting credit, that the concurrent business does not correspond to any of the following cases:

イ 兼業業務の内容が法令に抵触するものであること。

(a) the content of its concurrent business is contrary to laws and regulations;

ロ 兼業業務の内容が銀行代理業者としての社会的信用を損なうおそれがあること。

(b) the content of its concurrent business is likely to damage the social credibility as a bank agent;

ハ 銀行代理業の内容が、事業の用に供するための資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介（所属銀行が受け入れたその顧客の預金等又は国債を担保として行う契約に係るもの及び規格化された貸付商品（資金需要者に関する財務情報の機械的処理のみにより、貸付けの可否及び貸付条件が設定されることがあらかじめ決められている貸付商品をいう。次号ロにおいて同じ。）（貸付けの金額が一千万円を上限とするものに限る。）であつてその契約の締結に係る審査に関与しないものを除く。）であることその他の兼業業務における顧客との間の取引関係に照らして、所属銀行と銀行代理業者の利益が相反する取引が行われる可能性があると認められるものであること（申請者が保険会社その他金融庁長官が定める者である場合を除く。）。

(c) the content of bank agency services is found to have possibilities to conduct transactions in which interests of principal bank and bank agent conflict, in light of the fact that the content is actions as an agent or intermediary for the conclusion of a contract whose content is the lending of funds or discounting of bills and notes for the use of business (excluding a service pertaining to a contract with security of deposits, etc. or national government bonds that a principal bank received, and services that does not involve examination pertaining to conclusion of the contact of standardized loan products (meaning loan products for which the possibility and conditions of the loan have been determined only by mechanical processing of financial data concerning the consumers seeking funds; the same applies in sub-item (b) of the following item) (limited to products whose loan amount does not exceed ten million yen)), and other transactions with a customer in the course of concurrent business (excluding the cases in which an applicant is an insurance company or

other persons as specified by the Commissioner of the Financial Services Agency);

ニ 兼業業務による取引上の優越的地位を不当に利用して、銀行代理業に係る顧客の保護に欠ける行為が行われるおそれがあると認められること。

(d) it is found that there is a likelihood of an act that results in insufficient protection of customers related to bank agency services due to the wrongful use of the advantageous position in a transaction based on its concurrent business to be conducted; and

ホ その他銀行代理業の内容に照らして兼業業務を営むことが顧客の保護に欠け、又は所属銀行の業務の健全かつ適切な遂行に支障を及ぼす行為が行われるおそれがあると認められること。

(e) in light of the content of bank agency services, it is found that carrying out concurrent business is likely to result in insufficient protection of customers and hinder performance of sound and appropriate services of the principal bank.

七 主たる兼業業務の内容が資金の貸付け、手形の割引、債務の保証又は手形の引受けその他の信用の供与を行う業務である場合においては、前号イからホまでのいずれにも該当せず、かつ、その業務について所属銀行と銀行代理業者の利益が相反する取引が行われる可能性がないと認められるときを除き、銀行代理業として行う法第二条第十四項第二号に掲げる行為（所属銀行が受け入れたその顧客の預金等又は国債を担保として行う契約に係るものを除く。）の内容及び方法が、次に掲げる要件のいずれにも該当すること。

(vii) if the content of its main concurrent business is the lending of funds, discounting of bills and notes, guarantee of debt, accepting of bills and notes, or any other business of granting credit, that the concurrent business does not correspond to any of sub-items (a) to (e) of the preceding item, and excluding the case in which it is found that there is no possibility of transactions that could result in a conflict of interests between the principal bank and the bank agent in the course of the business, the content and method of the act as prescribed in Article 2, paragraph (14), item (ii) of the Act conducted as bank agency services (excluding acts pertaining to a contract with security of deposits, etc. or national government bonds that a principal bank received) correspond to all of the following requirements:

イ 貸付資金で購入する物品又は物件を担保として行う貸付契約に係るものであること（事業の用に供するための資金に係るものを除く。）。

(a) the act concerns a loan agreement that is concluded with the goods or articles to be purchased with the loan funds as security (excluding acts for funds to be used for business);

ロ 規格化された貸付商品であつてその契約の締結に係る審査に関与するものでないこと。

(b) the act is not involved in examination pertaining to the conclusion of the

contract for standardized loan products; and

ハ 兼業業務として信用の供与を行つている顧客に対し、銀行代理業に係る資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介を行うときは、あらかじめ顧客の書面による同意を得て、所属銀行に対し、兼業業務における信用の供与の残高その他の所属銀行が契約の締結の判断に影響を及ぼすこととなる重要な事項を告げることとしていること。

(c) when acting as an agent or intermediary for the conclusion of a contract whose content is the lending of funds or discounting of bills and notes pertaining to bank agency services, for a customer to whom credit is granted in the course of the concurrent business, the bank agent is required to inform the principal bank of the outstanding credit granted and any other important particulars relating to the concurrent business that may affect the principal bank's judgment on the conclusion of a contract, after obtaining prior consent in writing from the customer.

(銀行代理業の許可の予備審査)

(Preliminary Examination of Permission for Bank Agency Services)

第三十四条の三十八 法第五十二条の三十六第一項の規定により銀行代理業の許可を受けようとする者は、法第五十二条の三十七に定めるところに準じた書面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 34-38 A person that intends to obtain a permission for bank agency services pursuant to the provisions of Article 52-36, paragraph (1) of the Act, may request a preliminary examination by submitting documents equivalent to the provisions provided in Article 52-37 of the Act to the Commissioner of the Financial Services Agency or other competent authorities.

(変更の届出を要しない場合)

(When Notification of Change Is Not Required)

第三十四条の三十八の二 法第五十二条の三十九第一項に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 34-38-2 The cases specified by Cabinet Office Order that are provided for in Article 52-39, paragraph (1) of the Act are as follows:

一 増改築その他のやむを得ない理由により営業所又は事務所の所在地の変更をした場合（変更前の所在地に復することが明らかな場合に限る。）

(i) a case in which the locality of a business office or office is changed for compelling reasons such as extension or reconstruction (but only if it is clear that the business office or office will be moved back to the locality before the change); and

二 前号に規定する所在地の変更に係る営業所又は事務所を変更前の所在地に復した場合

(ii) a case in which the locality of the business office or office subject to the

change of the locality as prescribed in the preceding item is moved back to the locality before the change.

(変更の届出)

(Notification of Change)

第三十四条の三十九 法第五十二条の三十九第一項及び第二項の規定により届出を行う銀行代理業者は、別表第二上欄に掲げる区分により、同表中欄に定める事項を記載した届出書及び同表下欄に定める添付書類を、金融庁長官等に提出しなければならない。

Article 34-39 A bank agent that submits a notification pursuant to the provisions of Article 52-39, paragraphs (1) and (2) of the Act, must submit to the Commissioner of the Financial Services Agency or other competent authorities, in accordance with the categories set forth in the left-hand column of the Appended Table 2, a written notice stating the particulars specified in the middle column of the Table, accompanied by documents as specified in the right-hand column of the Table,

(標識の様式)

(Form of Sign)

第三十四条の四十 法第五十二条の四十第一項に規定する内閣府令で定める様式は、別紙様式第十七号に定めるものとする。

Article 34-40 The form specified by Cabinet Office Order that is provided for in Article 52-40, paragraph (1) of the Act is as prescribed in the Appended Form No. 17.

第二節 業務

Section 2 Services

(兼業の承認の申請等)

(Application for Approval of Concurrent Business)

第三十四条の四十一 銀行代理業者は、法第五十二条の四十二第一項の規定による兼業業務の承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 34-41 (1) When seeking approval for concurrent business under the provisions of Article 52-42, paragraph (1) of the Act, a bank agent must submit a written application for approval accompanied by the following documents to the Commissioner of the Financial Services Agency or other competent authorities:

一 理由書

(i) a written statement of reasons;

二 兼業業務の内容及び方法を記載した書面

(ii) a document stating the content of the concurrent business and its methods;

and

三 その他参考となるべき事項を記載した書面

(iii) any other document stating information that should serve as a reference.

2 前項第二号に掲げる書面は、銀行代理業の適正かつ確実な遂行に支障を及ぼすおそれがあると認められないことが明確となるよう記載しなければならない。

(2) The document set forth in item (ii) of the preceding paragraph must clarify that no risk that would hinder the proper and reliable performance of the bank agency services has been found.

3 金融庁長官等は、第一項の規定による承認の申請があつたときは、第三十四条の三十七第六号に掲げる事項に該当するとき又は同条第七号に該当しないときに限り、承認しないことができるものとする。

(3) When an application of approval under the provisions of paragraph (1) is filed, the Commissioner of the Financial Services Agency or other competent authorities may refuse to provide an approval only if the applicant corresponds to any particular as set forth in Article 34-37, item (vi) or if the applicant does not fall under item (vii) of that Article.

(分別管理)

(Segregated Management)

第三十四条の四十二 銀行代理業者は、法第五十二条の四十三の規定に基づき、管理場所を区別することその他の方法により銀行代理行為に関して顧客から交付を受けた金銭その他の財産が自己の固有財産であるか、又はいずれの所属銀行に係るものであるかが直ちに判別できる状態で管理しなければならない。

Article 34-42 A bank agent, based on the provisions of Article 52-43 of the Act, must manage money or other assets delivered by customers, with regard to its activities as a bank agent, in a condition that is immediately distinguishable as to whether the asset is its own asset or belongs to any principal bank, by separating the places of management or by other methods.

(明示事項)

(Matters to Be Clarified)

第三十四条の四十三 法第五十二条の四十四第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-43 (1) The particulars specified by Cabinet Office Order that are provided for in Article 52-44, paragraph (1), item (iii) of the Act are the following particulars:

一 銀行代理行為に関して顧客から金銭その他の財産の交付を受けるときは、当該交付を受けることについての所属銀行からの権限の付与がある旨

(i) when receiving the delivery of money or other assets from a customer with regard to acts as a bank agent, the bank agent is authorized by the principal bank to receive the delivery;

二 所属銀行が二以上ある場合において、顧客が締結しようとする銀行代理行為に係る契約につき顧客が支払うべき手数料と、当該契約と同種の契約につき他の所属銀行に支払うべき手数料が異なるときは、その旨

(ii) when there are two or more principal banks, and when the fees pertaining to acts as a bank agent that the customer is to pay for a contract that the customer seeks to conclude and the fee to be paid to another principal bank for the same type of contract as the contract are different, to that effect;

三 所属銀行が二以上ある場合において、顧客が締結しようとする銀行代理行為に係る契約と同種の契約の締結の代理又は媒介を他の所属銀行のために行っているときは、その旨

(iii) when there are two or more principal banks, and when the bank agent acts as an agent or intermediary for the conclusion of the same type of contract that a customer seeks to conclude as a contract pertaining to the acts as a bank agent for another principal bank, to that effect;

四 所属銀行が二以上ある場合は、顧客の取引の相手方となる所属銀行の商号又は名称

(iv) when there are two or more principal banks, the trade name or name of the principal bank that is the other party of the transaction with the customer.

2 前項各号（第一号を除く。）の所属銀行には、銀行代理業者が長期信用銀行法第十六条の五第三項に規定する長期信用銀行代理業者である場合にあつては同項に規定する所属長期信用銀行、信用金庫法第八十五条の二第三項に規定する信用金庫代理業者である場合にあつては同項に規定する所属信用金庫、労働金庫法第八十九条の三第三項に規定する労働金庫代理業者である場合にあつては同項に規定する所属労働金庫、協同組合による金融事業に関する法律第六条の三第三項に規定する信用協同組合代理業者である場合にあつては同項に規定する所属信用協同組合、農業協同組合法第九十二条の二第三項に規定する特定信用事業代理業者である場合にあつては同項に規定する所属組合、水産業協同組合法第二百一十一条の二第三項に規定する特定信用事業代理業者である場合にあつては同項に規定する所属組合、農林中央金庫法第九十五条の二第三項に規定する農林中央金庫代理業者である場合にあつては農林中央金庫、農林中央金庫及び特定農水産業協同組合等による信用事業の再編及び強化に関する法律（平成八年法律第百十八号）第四十二条第三項の認可に係る業務の代理を行う農業協同組合である場合にあつては同項の認可を受けた農林中央金庫又は同法第二条第一項第二号に規定する信用農業協同組合連合会を含むものとする。

(2) A principal bank as prescribed in each item of the preceding paragraph (excluding item (i)), is to include, when the bank agent is an agent of a long term credit bank as prescribed in Article 16-5, paragraph (3) of the Long Term Credit Bank Act, the principal long-term credit bank; when the bank agent is an agent of a Shinkin Bank as prescribed in Article 85-2, paragraph (3) of the Shinkin Bank Act, the principal Shinkin Bank as prescribed in that paragraph; when the bank agent is an agent of a labor bank as prescribed in Article 89-3, paragraph (3) of the Labor Bank Act, the principal labor bank as prescribed in

that paragraph; when the bank agent is a credit cooperative as prescribed in Article 6-3, paragraph (3) of the Act on Financial Business by a Cooperative, the principal credit cooperative as prescribed in that paragraph; when the bank agent is a specific credit business agent as prescribed in Article 92-2, paragraph (3) of the Agricultural Co-operatives Act, the principal cooperative as prescribed in that paragraph; when the bank agent is a specific credit business agent as prescribed in Article 121-2, paragraph (3) of the Fishery Cooperative Act, the principal cooperative as prescribed in that paragraph or when the bank agent is an agent of Norinchukin Bank as prescribed in Article 95-2, paragraph (3) of the Norinchukin Bank Act, the Norinchukin Bank; when the bank agent is an agricultural cooperative engaging in agency services for business with authorization under Article 42, paragraph (3) of the Act on Enhancement and Restructuring of Credit Business Conducted by The Norinchukin Bank and Specified Agricultural and Fishery Cooperatives, etc. (Act No. 118 of 1996), the Norinchukin Bank or the credit federations of agricultural cooperatives prescribed in Article 2, paragraph (1), item (ii) of that Act, which has obtained authorization referred to in Article 42, paragraph (3) of that Act.

(銀行代理業者の預金者等に対する情報の提供)

(Provision of Information to Depositors by a Bank Agent)

第三十四条の四十四 第十三条の三の規定は、法第五十二条の四十四第二項の規定による銀行代理業者が行う預金者等に対する情報の提供について準用する。

Article 34-44 The provisions of Article 13-3 apply mutatis mutandis to the provision of information to depositor, etc. provided by a bank agent pursuant to the provisions of Article 52-44, paragraph (2) of the Act.

(預金等との誤認防止等)

(Prevention of Misidentification with a Deposit)

第三十四条の四十五 銀行代理業者（法第五十二条の六十一第一項に規定する銀行等を除く。）が、金融商品の販売（金融商品の販売等に関する法律（平成十二年法律第一百号）第二条第一項に規定する金融商品の販売をいい、同項第一号及び第二号に掲げる行為を除く。）又はその代理若しくは媒介を行う場合には、第十三条の五第一項、第二項及び第四項の規定を準用する。

Article 34-45 (1) The provisions of Article 13-5, paragraphs (1), (2), and (4) apply mutatis mutandis when the bank agent (excluding a bank, etc., as prescribed in Article 52-61, paragraph (1) of the Act) sells financial instruments (meaning the sale of financial instruments as prescribed in Article 2, paragraph (1) of the Act on Sales, etc. of Financial Instruments (Act No. 101 of 2000); excluding acts as set forth in items (i) and (ii) of that paragraph) or acting as an agent or intermediary.

2 銀行代理業者は、銀行代理行為を行う営業所又は事務所の窓口には、銀行代理行為を行う旨を顧客の目につきやすいように掲示しなければならない。

(2) A bank agent must display indication that it performs acts as a bank agent, at the counter of the business office or an office that carries out acts as a bank agent in a manner easily seen by customers .

3 第一項の規定は、銀行代理行為を行わない窓口については、適用しない。

(3) The provisions of paragraph (1) do not apply to a counter at which the person does not act as a bank agent.

4 銀行代理業者は、顧客に対し、その営業所又は事務所の銀行代理行為を行わない窓口を銀行代理行為を行う窓口と誤認させないための措置を講じなければならない。

(4) A bank agent must take measures to prevent a customer from mistaking a counter of its business office or office at which the person does not act as a bank agent for a counter at which the person does act as a bank agent.

(他の所属銀行の同種の契約に係る情報提供)

(Provision of Information on the Same Type of Contract as Another Principal Bank)

第三十四条の四十六 銀行代理業者は、第三十四条の四十三第一項第三号に規定する事項を明らかにしたときは、顧客の求めに応じ、他の所属銀行の同種の契約の内容その他顧客に参考となるべき情報の提供を行わなければならない。

Article 34-46 (1) A bank agent, if it has clarified the particulars prescribed in Article 34-43, paragraph (1), item (iii), must respond to the request of a customer and provide the content of the same type of contract for another principal bank and other information that serve as a reference for the customer.

2 前項の場合においては、第三十四条の四十三第二項の規定を準用する。

(2) The provisions of Article 34-43, paragraph (2) apply mutatis mutandis to a case prescribed in the preceding paragraph.

(個人顧客情報の取扱い)

(Handling of Information on Individual Customers)

第三十四条の四十七 第十三条の六の五から第十三条の六の七までの規定は、銀行代理業者について準用する。

Article 34-47 The provisions of Article 13-6-5 to Article 13-6-7 apply mutatis mutandis to a bank agent.

(顧客情報の使用に係る書面による同意等)

(Consent by a Document Pertaining to the Use of Customer Information)

第三十四条の四十八 銀行代理業者は、銀行代理業において取り扱う顧客に関する非公開金融情報（その役員又は使用人が職務上知り得た顧客の預金等、為替取引又は資金の借入れに関する情報その他の顧客の金融取引又は資産に関する公表されていない情報（前条において準用する第十三条の六の六に規定する情報及び前条において準用す

る第十三条の六の七に規定する特別の非公開情報を除く。)をいう。)が、事前に書面その他の適切な方法により当該顧客の同意を得ることなく兼業業務(保険募集に係る業務を除く。次項において同じ。)に利用されないことを確保するための措置を講じなければならない。

Article 34-48 (1) A bank agent must take measures in order to ensure that non-public financial information (meaning information concerning a deposit, etc., a exchange transaction, or a loan concerning a customer which an officer or employee obtains in the course of duties and other information which is not publicly disclosed concerning a financial transaction or the assets of a customer (excluding information as prescribed in Article 13-6-6, as applied mutatis mutandis pursuant to the preceding Article and special non-public information as prescribed in Article 13-6-7, as applied mutatis mutandis pursuant to the preceding Article)) concerning a customer handled in the course of bank agency services is not used for concurrent business (excluding business for soliciting insurance; the same applies in the following paragraph) without obtaining the customer's prior consent in writing or other appropriate methods.

2 銀行代理業者は、兼業業務において取り扱う顧客に関する非公開情報(その兼業業務上知り得た公表されていない情報(前条において準用する第十三条の六の六に規定する情報及び前条において準用する第十三条の六の七に規定する特別の非公開情報を除く。)をいう。次項において同じ。)が、事前に書面その他の適切な方法により当該顧客の同意を得ることなく銀行代理業及び銀行代理業に付随する業務に利用されないことを確保するための措置を講じなければならない。

(2) A bank agent must take measures in order to ensure that non-public information (meaning information which is obtained in the course of its concurrent business and not publicly disclosed (excluding information as prescribed in Article 13-6-6, as applied mutatis mutandis pursuant to the preceding Article and special non-public information as prescribed in Article 13-6-7, as applied mutatis mutandis to the preceding Article); the same applies in the following paragraph) concerning a customer handled for concurrent business is not used for bank agency services and incidental business to bank agency services without obtaining the customer's prior consent in writing or other appropriate methods.

3 銀行代理業者は、兼業業務において取り扱う顧客に関する非公開情報が、事前に書面その他の適切な方法により当該顧客の同意を得ることなく所属銀行に提供されないことを確保するための措置を講じなければならない。

(3) A bank agent must take measures in order to ensure that non-public information concerning a customer handled in the course of concurrent business is not provided to a principal bank without obtaining the customer's consent in writing or other appropriate methods.

(銀行代理業に係る社内規則等)

(Internal Rules on Bank Agency Services)

第三十四条の四十九 銀行代理業者は、その営む銀行代理業の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項の顧客に対する説明その他の健全かつ適切な業務の運営を確保するための措置（書面の交付その他の適切な方法による商品又は取引の内容及びリスク並びに当該銀行代理業者の所属銀行が講ずる法第十二条の三第一項に定める措置の内容の説明並びに犯罪を防止するための措置を含む。）に関する社内規則等を定めるとともに、従業員に対する研修その他の当該社内規則等に基づいて業務が運営されるための十分な体制を整備しなければならない。

Article 34-49 A bank agent must establish internal rules on measures for ensuring explanations to a customer of important particulars based on the customer's knowledge, experience, financial status, and the purpose of the transaction and other measures for ensuring sound and appropriate business management that corresponds to the content and method of its bank agency services (including the explanation of financial instruments, transactions, and their risks and measures taken by the principal bank of the bank agent as prescribed in Article 12-3, paragraph (1) of the Act by delivery of documents or other appropriate method and measures to prevent crime), as well as develop a sufficient system so that business will be managed based on the training for employees and other internal rules, etc.

（銀行代理業者の密接関係者）

(Closely Related Persons of a Bank Agent)

第三十四条の五十 法第五十二条の四十五第三号に規定する内閣府令で定める銀行代理業者と密接な関係を有する者は、当該銀行代理業者の所属銀行の特定関係者（法第十三条の二に規定する特定関係者をいい、当該銀行代理業者の子会社を除く。）とする。

Article 34-50 A person closely related to a bank agent as specified by Cabinet Office Order that is provided for in Article 52-45, item (iii) of the Act means a specified related party of a principal bank of the bank agent (meaning a specified related party as prescribed in Article 13-2 of the Act and excluding a subsidiary company of the bank agent).

（顧客の保護に欠けるおそれのないもの）

(Acts Unlikely to Result in Insufficient Protection of Customers)

第三十四条の五十一 法第五十二条の四十五第三号に規定する顧客の保護に欠けるおそれのないものとして内閣府令で定めるものは、銀行代理業者が不当に取引を行うことを条件として、資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介をする行為ではないものとする。

Article 34-51 The act specified by Cabinet Office Order as being unlikely to result in insufficient protection of customers that is provided for in Article 52-45, item (iii) of the Act means an act not constituting a bank agent to

wrongfully act as an agent or intermediary in the conclusion of a contract for lending funds or discounting bills and notes on the condition that the customer conducts the transaction.

(所属銀行の業務の健全かつ適切な遂行に支障を及ぼすおそれがないもの)

(Matters without Risk of Hindering Performance of the Sound and Proper Services of a Principal Bank)

第三十四条の五十二 法第五十二条の四十五第四号に規定する所属銀行の業務の健全かつ適切な遂行に支障を及ぼすおそれがないものとして内閣府令で定めるものは、所属銀行が法第十三条の二ただし書の規定による承認を受けた取引又は行為に係るものとする。

Article 34-52 The act specified by Cabinet Office Order as unlikely to hinder the sound and appropriate performance of the services of the principal bank that is provided for in Article 52-45, item (iv) means the act involved in a transaction or act for which the principal bank has obtained the approval under the proviso to Article 13-2 of the Act.

(銀行代理業に係る禁止行為)

(Prohibited Acts Pertaining to Bank Agency Services)

第三十四条の五十三 法第五十二条の四十五第五号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 34-53 The conduct specified by Cabinet Office Order that is provided for in Article 52-45, item (v) of the Act are as follows:

一 顧客に対し、その営む銀行代理業の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項について告げず、又は誤解させるおそれのあることを告げる行為

(i) an act of not conveying to a customer, in accordance with the content of its bank agency services and business methods, an important particular in light of that customer's knowledge, experience, financial status, or purpose for conducting a transaction, or of conveying something to the customer that is likely to lead to a misunderstanding;

二 顧客に対し、不当に、自己又は自己の指定する事業者と取引を行うことを条件として、法第二条第十四項各号に規定する契約の締結の代理又は媒介をする行為（法第五十二条の四十五第三号に掲げるものを除く。）

(ii) to wrongfully act as an agent or intermediary in the conclusion of a contract as prescribed in any of the items of Article 2, paragraph (14) of the Act on the condition that the customer conducts a transaction with the bank agent or a business operator it designates (excluding an act set forth in Article 52-45, item (iii) of the Act);

三 顧客に対し、銀行代理業者としての取引上の優越的地位を不当に利用して、取引の条件又は実施について不利益を与える行為

(iii) to wrongfully use its advantageous position in a transaction as a bank agent's to put a customer at a disadvantage concerning a condition or implementation of a transaction;

四 顧客に対し、不当に、法第二条第十四項各号に規定する契約の締結の代理又は媒介を行うことを条件として、自己又は自己の指定する事業者と取引をする行為

(iv) to wrongfully have the customer conduct a transaction with itself or a business operator it designates on the condition that it act as an agent or intermediary in the conclusion of a contract as prescribed in each item of Article 2, paragraph (14) of the Act;

五 顧客に対し、兼業業務における取引上の優越的地位を不当に利用して、銀行代理業に係る取引の条件又は実施について不利益を与える行為

(v) to improperly use its advantageous position in a transaction in its concurrent business to put a customer at a disadvantage concerning a condition or implementation of a transaction involving bank agency services; and

六 所属銀行に対し、銀行代理行為に係る契約の締結の判断に影響を及ぼすこととなる重要な事項を告げず、又は虚偽のことを告げる行為

(vi) an act of not conveying to the principal bank an important particular that affects its judgment regarding the conclusion of a contract related to the relevant person's activities as a bank agent, or of conveying something that is false regarding this.

(広告類似行為)

(Acts Similar to Advertisement)

第三十四条の五十三の二 法第五十二条の四十五の二において準用する金融商品取引法第三十七条各項に規定する内閣府令で定める行為は、郵便、信書便、ファクシミリ装置を用いて送信する方法、電子メールを送信する方法、ビラ又はパンフレットを配布する方法その他の方法（次に掲げるものを除く。）により多数の者に対して同様の内容で行う情報の提供とする。

Article 34-53-2 The acts as specified by Cabinet Office Order that are provided for in each item of Article 37 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, means providing information that has the same content to many persons by postal mail, correspondence delivery, using a facsimile device, sending electronic mail, distributing fliers or pamphlets, or by other means (excluding the following means):

一 法令又は法令に基づく行政官庁の処分に基づき作成された書類を配布する方法

(i) distributing a document that is prepared based on laws and regulations or a disposition of an administrative government agency in accordance with laws and regulations;

二 個別の企業の分析及び評価に関する資料であつて、特定預金等契約の締結の勧誘

に使用しないものを配布する方法

(ii) distributing materials on analysis and evaluation of an individual companies that are not used for the solicitation of conclusion of a contract for specified deposit, etc.;

三 次に掲げる全ての事項のみが表示されている景品その他の物品（口から二までに掲げる事項について明瞭かつ正確に表示されているものに限る。）を提供する方法（当該事項のうち景品その他の物品に表示されていない事項がある場合にあっては、当該景品その他の物品と当該事項が表示されている他の物品とを一体のものとして提供する方法を含む。）

(iii) means of providing persons with gifts or other goods that only show all the following information (limited to goods for which the information set forth in sub-items (b) to (d) are shown clearly and properly) (if any of this information is not indicated on a gift or other goods, this includes means of providing such a gifts or other goods together as a single unit with any other goods that is indicating that information):

イ 商品の名称（通称を含む。）

(a) name of the financial instrument (including an alias);

ロ この号に規定する方法により多数の者に対して同様の内容で行う情報の提供をする銀行代理業者の商号、名称若しくは氏名又はこれらの通称

(b) trade name, name or alias of these objects of a bank agent that provides the same content of information to many persons by a method as prescribed in this item;

ハ 令第十六条の六の二第二項第一号に掲げる事項（当該事項の文字又は数字が当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異ならない大きさで表示されているものに限る。）

(c) information as set forth in Article 16-6-2, paragraph (2), item (i) of the Order (limited to information conveyed using characters and numerals of a size that is not significantly different from the largest size of characters and numerals that convey information other than the information in question); and

ニ 次に掲げるいずれかの書面の内容を十分に読むべき旨

(d) an indication to thoroughly read the content of any of the following documents:

(1) 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項に規定する書面（以下この条から第三十四条の五十三の十七の二までにおいて「契約締結前交付書面」という。）

1. a document as prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act (hereinafter referred to as "documents to be delivered prior to the concluding the contract" from this Article to Article 34-53-17-2);

- (2) 第三十四条の五十三の十第一項第一号に規定する外貨預金等書面
- 2. a document on foreign currency deposit, etc. as prescribed in Article 34-53-10, paragraph (1), item (i); and
- (3) 第三十四条の五十三の十第一項第三号ロに規定する契約変更書面
- 3. a contract change document as prescribed in Article 34-53-10, paragraph (1), item (iii), sub-item (b).

(特定預金等契約の締結の代理又は媒介の業務の内容についての広告等の表示方法)
(Indication Method of Advertisement on the Content of Services as Agent or Intermediary in Concluding a Contract for Specified Deposits)

第三十四条の五十三の三 銀行代理業者がその行う特定預金等契約の締結の代理又は媒介の業務の内容について広告又は前条に規定する行為（次項において「広告等」という。）をするとき、法第五十二条の四十五の二において準用する金融商品取引法第三十七条第一項各号（第二号を除く。）に掲げる事項について明瞭かつ正確に表示しなければならない。

Article 34-53-3 (1) A bank agent, in the case of advertising the content of services as an agent or intermediary in concluding a contract for specified deposit, etc. or performing an act (which is referred to as "advertisement, etc." in the following paragraph) as prescribed in the preceding Article, must indicate clearly and accurately the particulars set forth in each item of Article 37, paragraph (1) (excluding item (ii)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act.

2 銀行代理業者がその行う特定預金等契約の締結の代理又は媒介の業務の内容について広告等をするときは、令第十六条の六の二第一項第二号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(2) If a bank agent runs an advertisement, etc. on the content of its services as an agent or intermediary in concluding a contract for specified deposit, etc., any characters or numerals that convey the information set forth in Article 16-6-2, paragraph (1), item (ii) of the Order are to be indicated in a size that is not significantly different from the largest size of characters and numerals that convey information other than the information in question.

3 銀行代理業者がその行う特定預金等契約の締結の代理又は媒介の業務の内容について基幹放送事業者の放送設備により放送をさせる方法又は第三十四条の五十三の六第一項各号に掲げる方法（音声により放送をさせる方法を除く。）により広告をするときは、前項の規定にかかわらず、令第十六条の六の二第二項第一号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(3) If a bank agent runs an advertisement, etc. on the content of its services as an agent or intermediary in concluding contracts for specified deposit, etc. by

broadcasting it using the broadcasting equipment of a basic broadcaster or by any of the methods set forth in the items of Article 34-53-6, paragraph (1) (excluding audio broadcasting), notwithstanding the provisions of the preceding paragraph, any characters or numerals that convey the information set forth in Article 16-6-2, paragraph (2), item (i) of the Order are to be indicated in a size that is not significantly different from the largest size of characters and numerals that convey information other than the information in question.

(顧客が支払うべき対価に関する事項)

(Particulars on Compensation to Be Paid by a Customer)

第三十四条の五十三の四 令第十六条の六の二第一項第一号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）の概要及び当該金額の合計額若しくはその上限額又はこれらの計算方法の概要とする。ただし、これらの表示をすることができない場合にあつては、その旨及びその理由とする。

Article 34-53-4 The particulars specified by Cabinet Office Order that are provided for in Article 16-6-2, paragraph (1), item (i) of the Order are the outline of the amount by category of the fees, etc. or their maximum limits, or the way these are calculated (including the percentage of the amount of principal pertaining to the contract for specified deposit, etc.; hereinafter the same applies in this Article), regardless of whether this is referred to as a fee, consideration, or expenses, or any other term, and the outline of the total of those amounts or maximum limits, or the way these are calculated; provided, however, that if these items cannot be indicated, to that effect and the reasons therefor.

(顧客の判断に影響を及ぼす重要事項)

(Important Particulars That Impact Customers' Judgment)

第三十四条の五十三の五 令第十六条の六の二第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-53-5 The particulars specified by Cabinet Office Order that are provided for in Article 16-6-2, paragraph (1), item (iii) of the Order are the following particulars:

一 当該銀行代理業者の所属銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回ることにより顧客に不利となるおそれがある旨

(i) an indication that, if the right that the referenced principal bank of the bank agent holds to extend the deposit period of a specified deposit, etc. is

- exercised, the customer risks being put at a disadvantage by the money rate of the specified deposit, etc. falling below the money market rate;
- 二 その他当該特定預金等契約に関する重要な事項について顧客の不利益となる事実
- (ii) any other fact on important particulars regarding the contract for specified deposit, etc. that is disadvantageous for the customer.

(基幹放送事業者の放送設備により放送をさせる方法に準ずる方法等)

(Means Equivalent to Having Something to Be Broadcast Using the Broadcasting Equipment of a Basic Broadcaster)

第三十四条の五十三の六 令第十六条の六の二第二項に規定する内閣府令で定める方法は、次に掲げるものとする。

Article 34-53-6 (1) The methods specified by Cabinet Office Order that are provided for in Article 16-6-2, paragraph (2) of the Order are as follows:

一 一般放送事業者の放送設備により放送をさせる方法

(i) means of broadcasting the matter using the broadcasting equipment of a basic broadcaster:

二 銀行代理業者又は当該銀行代理業者が行う広告等に係る業務の委託を受けた者の使用に係る電子計算機に備えられたファイルに記録された情報の内容（基幹放送事業者の放送設備により放送をさせる方法又は前号に掲げる方法により提供される事項と同一のものに限る。）を電気通信回線を利用して顧客に閲覧させる方法

(ii) making the content of information recorded in a file that has been prepared on a computer used by a bank agent or a person that is entrusted with services involving advertisement, etc. conducted by the bank agent (limited to information that has the same content as the particulars provided by broadcasting the matter using the broadcasting equipment of a basic broadcaster or by a means set forth in the preceding item) available for inspection to customers through a telecommunications line;

三 常時又は一定の期間継続して屋内又は屋外で公衆に表示させる方法であつて、看板、立看板、はり紙及びはり札並びに広告塔、広告板、建物その他の工作物等に掲出させ、又は表示させるもの並びにこれらに類するもの

(iii) a means of indicating to the public regularly or continuously for a fixed period inside or outside a building by having it installed or indicated on a signboard, standing signboard, placard and label, advertising tower, advertising board, building, or other structures, etc. or by any equivalent means.

2 令第十六条の六の二第二項第二号に規定する内閣府令で定める事項は、第三十四条の五十三の二第三号ニに掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 16-6-2, paragraph (2), item (ii) of the Order are the particulars set forth in Article 34-53-2, item (iii), sub-item (d).

(誇大広告をしてはならない事項)

(Particulars for Which Exaggerated Advertisement is Prohibited)

第三十四条の五十三の七 法第五十二条の四十五の二において準用する金融商品取引法第三十七条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-53-7 The particulars specified by Cabinet Office Order that are provided for in Article 37, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2, are the following particulars:

一 特定預金等契約の解除に関する事項

(i) the particulars on cancellation of a contract for specified deposit, etc.;

二 特定預金等契約に係る損失の全部若しくは一部の負担又は利益の保証に関する事項

(ii) the particulars on sharing burden of all or part of loss or guarantee of profit pertaining to a contract for specified deposit, etc.;

三 特定預金等契約に係る損害賠償額の予定（違約金を含む。）に関する事項

(iii) the particulars of liquidated damages (including a penalty) pertaining to a contract for specified deposit, etc.; and

四 特定預金等契約に関して顧客が支払うべき手数料等の額又はその計算方法、支払の方法及び時期並びに支払先に関する事項

(iv) the particulars on the amount of a fee, etc. to be paid by a customer concerning a contract for specified deposit, etc. or its calculation method, payment method, or timing, and the payee.

(契約締結前交付書面の記載方法)

(Method of Filling In the Document to be Delivered Prior to the Conclusion of a Contract)

第三十四条の五十三の八 契約締結前交付書面には、法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項各号（第二号及び第六号を除く。）に掲げる事項を日本産業規格Z八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

Article 34-53-8 (1) In a document to be delivered prior to the conclusion of a contract, the particulars set forth in each item of Article 37-3, paragraph (1) (excluding items (ii) and (vi)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, must be entered clearly and properly by using characters and numerals in a size of eight points or larger as defined by Japanese Industrial Standard Z 8305.

2 前項の規定にかかわらず、契約締結前交付書面には、次に掲げる事項を枠の中に日本産業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載し、かつ、次項に規定する事項の次に記載するものとする。

(2) Notwithstanding the provisions of the preceding paragraph, in a document to be delivered prior to the conclusion of a contract, the following particulars are

to be entered clearly and properly by using printed characters and numerals in a size of 12 points or larger as defined by Japanese Industrial Standard Z 8305, and are to be entered after the particulars prescribed in the following paragraph:

一 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項第四号に掲げる事項の概要並びに同項第五号及び第三十四条の五十三の十二第十一号に掲げる事項

(i) an overview of the particulars set forth in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, and the particulars set forth in item (v) of that paragraph and Article 34-53-12, item (xi); and

二 第三十四条の五十三の十二第十二号に掲げる事項

(ii) the particulars set forth in Article 34-53-12, item (xii).

3 銀行代理業者は、契約締結前交付書面には、第三十四条の五十三の十二第一号に掲げる事項及び法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項各号（第二号及び第六号を除く。）に掲げる事項のうち顧客の判断に影響を及ぼすこととなる特に重要なものを、日本産業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて当該契約締結前交付書面の最初に平易に記載するものとする。

(3) A bank agent, in a document to be delivered prior to the conclusion of a contract, is to enter out of the particulars set forth in Article 34-53-12, item (i), and the particulars set forth in each item of Article 37-3, paragraph (1) (excluding items (ii) and (vi)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, particulars that are of particular importance in their impact on customers' judgment, in plain language, using characters and numerals of size 12 points or larger as defined by Japanese Industrial Standard Z 8305 at the beginning of the document to be delivered prior to the conclusion of a contract.

(情報の提供の方法)

(Method of Provision of Information)

第三十四条の五十三の九 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項の規定による情報の提供は、契約締結前交付書面を交付することにより行うものとする。

Article 34-53-9 Provision of information as prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, is to be carried out by delivery of the document to be delivered prior to the conclusion of a contract.

(契約締結前交付書面の交付を要しない場合)

(When Delivery of a Document to be Delivered Prior to the Conclusion of a

Contract Is Not Required)

第三十四条の五十三の十 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 34-53-10 (1) The cases specified by Cabinet Office Order that are provided for in the proviso to Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act are as follows:

一 外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約について法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項第一号及び第三号から第五号までに掲げる事項並びに第三十四条の五十三の十二第一号、第十一号、第十七号及び第十八号に掲げる事項を、第三十四条の五十三の八に規定する方法に準ずる方法により記載した書面（以下この条から第三十四条の五十三の十七の二までにおいて「外貨預金等書面」という。）を交付している場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があつた場合に限る。）

(i) if, within one year before the conclusion of a contract for specified deposit, etc. pertaining to a foreign currency deposit, etc., a document in which the particulars set forth in Article 37-3, paragraph (1), items (i), and (iii) to (v) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 52-45-2 of the Act and the particulars set forth in Article 34-53-12, items (i), (xi), (xvii), and (xviii) are stated with regard to the contract for specified deposit, etc. by a method equivalent to the method prescribed in Article 34-53-8 (hereinafter referred to as a "document on foreign currency deposit, etc." in this Article to Article 34-53-17-2) has been delivered to the customer (limited to the cases in which the customer expressed the intention of not requiring the delivery of the document to be delivered prior to the conclusion of a contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結前交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結前交付書面を交付していない場合を含む。）

(ii) if, within one year before the conclusion of a contract for specified deposit, etc., a document to be delivered prior to the conclusion of a contract pertaining to a contract for specified deposit, etc. that has the same content as the contract for specified deposit, etc. has been delivered to the customer (including the cases in which a document to be delivered prior to the conclusion of a contract has not been delivered regarding the contract for specified deposit, etc. that has the same content pursuant to the provisions of the preceding item);

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金

等契約の締結の代理又は媒介を行う場合においては、次に掲げるとき。

(iii) if the relevant person acts as an agent or intermediary in the conclusion of a contract for specified deposit, etc. for changing part of the terms of the contract for specified deposit, etc. already concluded, the cases set forth in the following sub-items:

イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがないとき。

(a) when there is nothing to be changed in the particulars stated in the document to be delivered prior to the conclusion of a contract for the contract for specified deposit, etc. already concluded along with the change to be made; and

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがある場合にあっては、当該顧客に対し当該変更すべき記載事項を記載した書面（次項及び第三十四条の五十三の十七の二第二号において「契約変更書面」という。）を交付しているとき。

(b) if there are changes to be made in the particulars stated in the document to be delivered prior to the conclusion of a contract for a contract for specified deposit, etc. already concluded along with the change to be made, when a document in which the change is stated (referred to as a "contract change document" in the following paragraph and Article 34-53-17-2, item (ii)) is delivered to the customer; and

四 一の特定預金等契約の締結について、当該銀行代理業者の所属銀行が法第十三条の四において準用する金融商品取引法第三十七条の三第一項本文の規定により当該顧客に対し同項に規定する書面を交付している場合

(iv) if a principal bank of the bank agent has delivered a document that is provided for in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 13-4 of the Act, with regard to the conclusion of a single contract for specified deposit, etc., pursuant to the provisions of the main clause of that paragraph.

2 第十四条の十一の二十五第二項の規定は、前項第一号の規定による外貨預金等書面の交付及び同項第三号ロの規定による契約変更書面の交付について準用する。

(2) The provisions of Article 14-11-25, paragraph (2) apply mutatis mutandis to delivery of a document on foreign currency deposit, etc. pursuant to the provisions of item (i) of the preceding paragraph and delivery of a contract change document pursuant to the provisions of item (iii), sub-item (b) of that paragraph.

3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行つた場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があつた場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみなして、第一項第一号の規定を適用する。

(3) If a contract for specified deposit, etc. pertaining to a foreign currency deposit, etc. is concluded within one year from the date when a document on foreign currency deposit, etc. is delivered (including the date when a document on foreign currency deposit, etc. is deemed to be delivered pursuant to the provisions of this paragraph) (limited to the cases in which the customer expressed the intention of not requiring delivery of a document to be delivered prior to the conclusion of a contract), it is deemed that a document on foreign currency deposit, etc. is delivered on the date of the conclusion, and the provisions of paragraph (1), item (i) are applied.

4 契約締結前交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結前交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結前交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結前交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結を行った場合には、当該締結の日において契約締結前交付書面を交付したものとみなして、第一項第二号の規定を適用する。

(4) If, within one year from the date when a document to be delivered prior to the conclusion of a contract is delivered (if a document to be delivered prior to the conclusion of a contract is not delivered with regard to a contract for specified deposit, etc. pursuant to the provisions of paragraph (1), item (i), including the date of conclusion of the contract for specified deposit, etc. and the date when a document to be delivered prior to the conclusion of a contract is deemed to be delivered pursuant to the provisions of this paragraph), a contract for specified deposit, etc. that has the same content as that of the contract for specified deposit, etc. pertaining to the document to be delivered prior to the conclusion of a contract is concluded, the document to be delivered prior to the conclusion of a contract is deemed to be delivered on the date of the conclusion, and provisions of paragraph (1), item (ii) are applied.

（顧客が支払うべき対価に関する事項）

(Particulars on Compensation to Be Paid by a Customer)

第三十四条の五十三の十一 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項第四号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）及び当該金額の合計額若しくはその上限額又はこれらの計算方法とする。ただし、これらの記載をすることができない場合にあっては、その旨及びその理由とする。

Article 34-53-11 The particulars specified by Cabinet Office Order that are provided for in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, are the amounts by category of fee, etc. that the

customer is to pay for a contract for specified deposit, etc., regardless of whether this is referred to as a fee, consideration, expenses, or any other term, or their maximum limits, or the way these are calculated (including the percentage of the amount of principal pertaining to the contract for specified deposit, etc.; hereinafter the same applies in this Article) and the total of those amounts or maximum limits, or the way these are calculated; provided, however, that when these cannot be stated, to that effect and the reasons therefor.

(契約締結前交付書面の記載事項)

(Information to Be Stated in a Document to be Delivered Prior to the Conclusion of a Contract)

第三十四条の五十三の十二 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-53-12 The particulars specified by Cabinet Office Order that are provided for in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, are the following particulars:

一 当該契約締結前交付書面の内容を十分に読むべき旨

(i) an indication that the content of the document to be delivered prior to the conclusion of a contract should be thoroughly read;

二 商品の名称（通称を含む。）

(ii) name of the financial instrument (including an alias);

三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

(iii) the distinction of whether it is subject to payment of insurance money as prescribed in Article 53 of the Deposit Insurance Act;

四 受入れの対象となる者の範囲

(iv) scope of the persons subject to acceptance;

五 預入期間（自動継続扱いの有無を含む。）

(v) period of deposit (including an indication of whether the deposit will be automatically renewed or not);

六 最低預入金額、預入単位その他の預入れに関する事項

(vi) minimum amount of deposit, unit of deposit, and any other item concerning the deposit;

七 払戻しの方法

(vii) method of repayment;

八 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(viii) method of setting interest rates, its payment method, its calculation method, and any other item concerning interest;

九 付加することのできる特約に関する事項

- (ix) the particulars on any special agreement that may be added;
- 十 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）
- (x) handling of the termination of the contract during the period of deposit
(including the calculation methods of interest and fees);
- 十一 顧客が行う特定預金等契約の締結について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあつては、次に掲げる事項
- (xi) the following particulars, if there is a risk for a loss to arise that has as its direct cause fluctuations in the money rate, the value of currencies, quotations on a financial instruments market, or any other indicator, as regards the contract for specified deposit, etc. into which the customer will enter:
- イ 当該指標
- (a) the indicator in question; and
- ロ 当該指標に係る変動により損失が生ずるおそれがある理由
- (b) the reasons for there being a risk of inflicting a loss due to fluctuations in that indicator;
- 十二 当該銀行代理業者の所属銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回ることにより顧客に不利となるおそれがある旨
- (xii) an indication that, if the right that the referenced principal bank of the bank agent holds to extend the deposit period of a specified deposit, etc. is exercised, the customer risks being put at a disadvantage by the money rate of the specified deposit, etc. falling below the money market rate;
- 十三 次に掲げるものと特定預金等との組合せによる預入れ時の払込金が満期時に全額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全額返還される保証のないことその他当該商品に関する詳細
- (xiii) in the case of handling a financial instrument that does not guarantee the repayment of the full amount at expiry of the amount paid for the combination of the following items and for the specified deposit, etc. at the time of initial deposit, an explanation stating that the deposited amount is not guaranteed to be repaid in the full amount at expiry and any other detailed explanations on the commodity:
- イ 市場デリバティブ取引又は外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。）
- (a) a market derivative transaction or foreign market derivative transaction (excluding a transaction corresponding to securities-related derivative transactions);
- ロ 法第十条第二項第十四号に規定する金融等デリバティブ取引
- (b) a financial derivative transaction as prescribed in Article 10, paragraph (2), item (xiv) of the Act;

- ハ 先物外国為替取引
- (c) a forward foreign exchange transaction;
- ニ 有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲げる取引及び外国金融商品市場における同号に掲げる取引と類似の取引を除く。）
- (d) a securities-related derivative transaction (excluding a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act and a similar transaction in a foreign financial instruments market to that as set forth in that item); and;
- ホ 金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場における同号に掲げる取引と類似の取引（国債証券等及び同条第一項第十七号に掲げる有価証券のうち同項第一号の性質を有するものに係るものに限る。）
- (e) a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act or a similar transaction in a foreign financial instruments market to that as set forth in that item (limited to a national government bond certificate, etc. and securities set forth in paragraph (1), item (xvii) of that Article pertaining to those that have characteristics as prescribed in item (i) of that paragraph);
- 十四 変動金利預金の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあつては、当該基準及び方法並びに金利に関する事項
- (xiv) when the way of establishing an indicator to be the standard for setting a money rate of a floating rate deposit and money rate are specified, the particulars of the standards, the method, and the money rate;
- 十五 当該特定預金等契約に関する租税の概要
- (xv) a summary of the taxation concerning the contract for specified deposit, etc.;
- 十六 顧客が当該銀行代理業者の所属銀行に連絡する方法
- (xvi) a method to contact the principal bank of the bank agent by the customer;
- 十七 当該銀行代理業者の所属銀行が対象事業者となつている認定投資者保護団体の有無（対象事業者となつている場合にあつては、その名称）
- (xvii) the existence of a recognized investor protection association in which the principal bank of the bank agent is a subject business operator (when the principal bank of the bank agent is a subject business operation, its name); and
- 十八 次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項
- (xviii) the particulars prescribed in the following (a) or (b) in accordance with the categories of cases set forth respectively therein:
- イ 指定紛争解決機関が存在する場合 当該銀行代理業者の所属銀行が法第十二条の三第一項第一号に定める手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定紛争解決機関の商号又は名称
- (a) cases where a designated dispute resolution organization exists: the trade

name or name of the designated dispute resolution organization, which is the other party to the basic contract for the implementation of dispute resolution procedures, prescribed in Article 12-3, paragraph (1), item (i) of the Act, that the principal bank of the bank agent takes a measure of concluding;

ロ 指定紛争解決機関が存在しない場合 当該銀行代理業者の所属銀行の法第十二条の三第一項第二号に定める苦情処理措置及び紛争解決措置の内容

(b) cases where designated dispute resolution organization does not exist: the content of the measures for handling complaints and the dispute resolution measures taken by the principal bank of the bank agent prescribed in Article 12-3, paragraph (1), item (ii) of the Act.

十九 その他特定預金等の預入れに関し参考となると認められる事項

(xix) other information found to be of reference for depositing a specified deposit, etc.

(情報通信の技術を利用した提供)

(Provision by Use of Information and Communications Technology)

第三十四条の五十三の十三 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第二項において準用する同法第三十四条の二第四項（法第五十二条の四十五の二において準用する金融商品取引法第三十七条の四第二項において準用する場合を含む。以下この条において同じ。）に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 34-53-13 (1) The means specified by Cabinet Office Order that are provided for in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 37-3, paragraph (2) of that Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act (including as applied mutatis mutandis pursuant to Article 37-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-45-2 of the Act; hereinafter the same applies in this Article) are the following:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

(i) any of the following means of employing an electronic data processing system:

イ 銀行代理業者（法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第二項において準用する同法第三十四条の二第四項に規定する事項の提供を行う銀行代理業者との契約によりファイルを自己の管理する電子計算機に備え置き、これを当該事項を提供する相手方（以下この条において「顧客」という。）又は当該銀行代理業者の用に供する者を含む。以下この条において同じ。）の使用に係る電子計算機と顧客等（顧客及び顧客との契約により顧客ファイル（専ら顧客の用に供せられるファイルをいう。以下この条において同じ。）を自己の管理する電子計算機に備え置く者をいう。以下この条において同じ。）

の使用に係る電子計算機とを接続する電気通信回線を通じて書面に記載すべき事項（以下この条において「記載事項」という。）を送信し、顧客等の使用に係る電子計算機に備えられた顧客ファイルに記録する方法（同項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあつては、同項に規定する事項の提供を行う銀行代理業者の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(a) a means of transmitting information that is required to be stated in a document (hereinafter referred to as "required information" in this Article) over a telecommunications line that connects a computer used by a bank agent (including a person that prepares a file on a computer under its administration based on a contract with a bank agent which provides persons with the particulars prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 37-3, paragraph (2) of that Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, and makes that file available for use by the persons to which the bank agent provides those particulars (hereinafter each such person is referred to as a "customer" in this Article) or by that bank agent; hereinafter the same applies in this Article) and the computer used by a customer, etc. (meaning a customer or a person that prepares a customer file (meaning a file made available exclusively for use by a customer) on a computer under its administration based on a contract with the customer; hereinafter the same applies in this Article) and to be recorded in a customer file that has been prepared on the computer used by the customers, etc. (for consent indicating that a person is willing, or a notice indicating that a person is not willing, to be provided with information by the means prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, meaning a means of recording that fact in a file that has been prepared on a computer used by a bank agent which provides persons with the particulars prescribed in that paragraph);

ロ 銀行代理業者の使用に係る電子計算機に備えられたファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供し、顧客等の使用に係る電子計算機に備えられた当該顧客の顧客ファイルに当該記載事項を記録する方法（法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第二項において準用する同法第三十四条の二第四項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあつては、銀行代理業者の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(b) a means of using a telecommunications line to make the required information that has been recorded into a file which has been prepared on a computer used by a bank agent available for a customer to inspect and of recording that required information in the customer file for that customer

that has been prepared on a computer used by the customer, etc. (for consent indicating that a person is willing, or a notice indicating that a person is not willing, to be provided with information by the means prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 37-3, paragraph (2) of that Act, as applied mutatis mutandis in Article 52-45-2 of the Act, meaning a means of recording that fact in a file that has been prepared on a computer used by the bank agent);

ハ 銀行代理業者の使用に係る電子計算機に備えられた顧客ファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(c) a means of making the required information recorded into a customer file which has been prepared on a computer used by a bank agent available for a customer to inspect using a telecommunications line; or

ニ 閲覧ファイル（銀行代理業者の使用に係る電子計算機に備えられたファイルであつて、同時に複数の顧客の閲覧に供するため記載事項を記録させるファイルをいう。以下この条において同じ。）に記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(d) a means of making available for a customer to inspect, the required information that has been recorded in an inspection file (meaning a file that has been prepared on a computer used by a bank agent into which required information is recorded to enable them to be made available for multiple customers to inspect simultaneously; hereinafter the same applies in this Article) using a telecommunications line.

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

(ii) a means of delivering to the relevant persons a record of the required information that has been recorded into a file created using a magnetic disk, CD-ROM, or other objects with an equivalent means of reliably storing fixed sets of data.

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

(2) The means set forth in the items of the preceding paragraph must conform to the following standards:

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

(i) it enables the customer to create a document by outputting what has been recorded in the customer file or inspection file;

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

この限りでない。

(ii) if using a means as set forth in item (i), sub-item (a), (c), or (d) of the preceding paragraph (excluding a means of recording the required information in a customer file that has been prepared on a computer used by the customer), the relevant person notifies the customer that the required information will be or has been recorded in the customer file or inspection file; provided, however, that this does not apply if it has confirmed that the customer has inspected the required information;

三 前項第一号ハ又はニに掲げる方法にあつては、記載事項に掲げられた取引を最後に行つた日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があつたときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）次に掲げる事項を消去し又は改変することができないものであること。ただし、閲覧に供している記載事項を書面により交付する場合、顧客の承諾（令第十六条の六の三に規定する方法による承諾をいう。）を得て前項第一号イ若しくはロ若しくは第二号に掲げる方法により提供する場合又は顧客による当該記載事項に係る消去の指図がある場合は、当該記載事項を消去することができる。

(iii) the means set forth in item (i), sub-item (c) and (d) of the preceding paragraph, should be means that the relevant person cannot delete or modify the following information for five years after the final date on which a transaction set forth in the required information is carried out (if a complaint involving that required information is filed by the day on which that period ends, the relevant information cannot be deleted or modified until the date on which that period ends or the date on which that complaint is resolved, whichever occurs later); provided, however, that if the relevant person delivers in writing, the required information that it has made available for inspection; if the relevant person obtains the customer's consent (meaning consent by a means prescribed in Article 16-6-3 of the Order) and provides the relevant information by a means set forth in item (i), sub-item (a) or (b) of the preceding paragraph or item (ii); or if the customer instructs the relevant person to delete the required information; the person may delete that required information:

イ 前項第一号ハに掲げる方法については、顧客ファイルに記録された記載事項
(a) the required information recorded in the customer file, for the means as set forth in item (i), sub-item (c) of the preceding paragraph; or

ロ 前項第一号ニに掲げる方法については、閲覧ファイルに記録された記載事項
(b) the required information recorded in the inspection file, for the means as set forth in item (i), sub-item (d) of the preceding paragraph;

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

(iv) if the relevant person uses the means as set forth in item (i), sub-item (d) of the preceding paragraph, that the means conform to the following

standards:

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

(a) to record in the customer file, the information that a customer needs to have in order to inspect the inspection file; and

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

(b) to maintain the state in which it is possible to connect the customer file that has the information that a customer needs to have in order to inspect the inspection file recorded pursuant to sub-item (a), and the inspection file itself using a telecommunications line until the end of the period prescribed in the preceding item; provided, however, that this does not apply if a customer that has been given access to those files has notified the relevant person that it is not necessary to maintain them in a state that allows the customer to connect to them.

3 第一項第一号の「電子情報処理組織」とは、銀行代理業者の使用に係る電子計算機と、顧客ファイルを備えた顧客等又は銀行代理業者の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The term "electronic data processing system" as used in paragraph (1), item (i) means an electronic data processing system that uses a telecommunications line to connect the computer used by the bank agent and the computer on which the customer file has been prepared that is used by the customer, etc. or the bank agent.

(電磁的方法の種類及び内容)

(Type and Content of Electronic or Magnetic Means)

第三十四条の五十三の十四 令第十六条の六の三第一項の規定により示すべき方法の種類及び内容は、次に掲げる事項とする。

Article 34-53-14 The type and content of the means that the relevant person is required to indicate pursuant to the provisions of Article 16-6-3, paragraph (1) of the Order means the following particulars:

一 前条第一項各号に掲げる方法のうち銀行代理業者が使用するもの

(i) out of the means set forth in the items of paragraph (1) of the preceding Article, those that the bank agent will use; and

二 ファイルへの記録の方式

(ii) the formalities used to record data to the file.

(契約締結時交付書面の記載事項)

(Information to Be Stated in a Document to be Delivered upon the Conclusion of a Contract)

第三十四条の五十三の十五 特定預金等契約が成立したときに作成する法第五十二条の四十五の二において準用する金融商品取引法第三十七条の四第一項に規定する書面（次条において「契約締結時交付書面」という。）には、次に掲げる事項を記載しなければならない。

Article 34-53-15 The following particulars must be stated in a document to be prepared when a contract for specified deposit, etc. is concluded, as the document prescribed in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 (the document is referred to as a "document to be delivered upon the conclusion of a contract" in the following Article):

一 当該銀行代理業者の所属銀行の商号

(i) trade name of the principal bank of the bank agent;

二 預入金額（元本の額が外国通貨で表示される場合にあつては、当該外国通貨で表示される元本の額）

(ii) amount of deposit (when the principal amount is indicated in a foreign currency, the amount of principal indicated in the foreign currency);

三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

(iii) distinction of whether it is subject to payment of insurance money as prescribed in Article 53 of the Deposit Insurance Act;

四 預入日及び満期日（自動継続扱いの有無を含む。）

(iv) date of deposit and expiry (including an indication whether the deposit will be automatically renewed or not);

五 払戻しの方法

(v) method of repayment;

六 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(vi) method of setting the interest rate, its payment method, its calculation method, and other items concerning interest;

七 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(vii) handling of the termination of the contract during the period of deposit (including the calculation methods of interest and fees);

八 当該特定預金等契約の成立の年月日

(viii) the date the contract for specified deposit, etc. is concluded;

九 当該特定預金等契約に係る手数料等に関する事項

(ix) the particulars on fee, etc. pertaining to the contract for specified deposit, etc.;

十 顧客の氏名又は名称

(x) name of the customer; and

十一 顧客が当該銀行代理業者の所属銀行に連絡する方法

(xi) a method to contact the principal bank of the bank agent by the customer.

(契約締結時交付書面の交付を要しない場合)

(When Delivery of a Document to be Delivered upon the Conclusion of a Contract Is Not Required)

第三十四条の五十三の十六 契約締結時交付書面に係る法第五十二条の四十五の二において準用する金融商品取引法第三十七条の四第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 34-53-16 (1) The cases specified by Cabinet Office Order that are provided for in the proviso to Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act as regards a document to be delivered upon the conclusion of a contract are as follows:

一 外貨預金等に係る特定預金等契約外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し外貨預金等書面を交付している場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があつた場合に限る。）

(i) if, within one year before the conclusion of a contract for specified deposit, etc. pertaining to a foreign currency deposit, etc., a document on foreign currency deposit, etc. has been delivered to the customer (limited to the cases in which the customer expressed the intention of not requiring the delivery of the document to be delivered upon the conclusion of a contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結時交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結時交付書面を交付していない場合を含む。）

(ii) if, within one year before the conclusion of a contract for specified deposit, etc., a document to be delivered upon the conclusion of a contract pertaining to a contract for specified deposit, etc. that has the same content as that of the contract for specified deposit, etc. has been delivered to the customer (including the cases in which a document to be delivered upon the conclusion of a contract has not been delivered regarding the contract for specified deposit, etc. that has the same content pursuant to the provisions of the preceding item); and

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約が成立した場合においては、次に掲げるとき。

(iii) in the cases where a contract for specified deposit, etc. to change part of the terms of the contract for specified deposit, etc. already concluded has been concluded, the cases set forth in the following sub-items:

イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがないとき。

(a) when there is nothing to be changed in the particulars stated in the document to be delivered upon the conclusion of a contract for the contract

for specified deposit, etc. already concluded, along with the change to be made;

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがある場合にあつては、当該顧客に対し当該変更すべき記載事項を記載した書面を交付しているとき。

(b) if there are changes to be made in the particulars stated in the document to be delivered upon the conclusion of a contract for a contract for specified deposit, etc. already concluded, along with the change to be made, when a document in which the changes are stated has been delivered to the customer; and

四 一の特定預金等契約の締結について、当該銀行代理業者の所属銀行が法第十三条の四において準用する金融商品取引法第三十七条の四第一項本文の規定により当該顧客に対し同項に規定する書面を交付している場合

(iv) if a principal bank of the bank agent has delivered a document that is provided for in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 13-4 of the Act, with regard to the conclusion of a single contract for specified deposit, etc., pursuant to the provisions of the main clause of that paragraph.

2 第十四条の十一の二十九第二項の規定は、前項第三号ロの規定による書面の交付について準用する。

(2) The provisions of Article 14-11-29, paragraph (2) apply mutatis mutandis to the delivery of documents pursuant to the provisions of item (iii), sub-item (b) of the preceding paragraph.

3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行つた場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があつた場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみなして、第一項第一号の規定を適用する。

(3) If a contract for specified deposit, etc. pertaining to a foreign currency deposit, etc. is concluded within one year from the date when a document of foreign currency deposit, etc. is delivered (including the date when a document of foreign currency deposit, etc. is deemed to be delivered pursuant to the provisions of this paragraph) (limited to the cases in which the customer expressed the intention of not requiring delivery of a document to be delivered upon the conclusion of a contract), it is deemed that a document on foreign currency deposit, etc. is delivered on the date of the conclusion, and the provisions of paragraph (1), item (i) are applied.

4 契約締結時交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結時交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結時交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結時交付書面に係る特定預金等契約と同一の内容の特定預

金等契約の締結を行つた場合には、当該締結の日において契約締結時交付書面を交付したものとみなして、第一項第二号の規定を適用する。

- (4) If, within one year from the date when a document to be delivered upon the conclusion of a contract is delivered (if a document to be delivered upon the conclusion of a contract is not delivered with regard to a contract for specified deposit, etc. pursuant to the provisions of paragraph (1), item (i), including the date of conclusion of the contract for specified deposit, etc. and the date when a document to be delivered upon the conclusion of a contract is deemed to be delivered pursuant to the provisions of this paragraph), a contract for specified deposit, etc. that has the same content as that of the contract for specified deposit, etc. pertaining to the document to be delivered upon the conclusion of a contract is concluded, the document to be delivered upon the conclusion of a contract is deemed to be delivered on the date of the conclusion, and provisions of paragraph (1), item (ii) are applied.

(信用格付業者の登録の意義その他の事項)

(Significance of Registration of a Credit Rating Agency and Other Particulars)

第三十四条の五十三の十七 法第五十二条の四十五の二において準用する金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げるものとする。

Article 34-53-17 (1) The particulars specified by Cabinet Office Order that are provided for in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, are the following particulars:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 信用格付を付与した者に関する次に掲げる事項

(ii) with regard to a person that assigned a credit rating, the particulars set forth in the following sub-items:

イ 商号、名称又は氏名

(a) trade name or name;

ロ 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。）であるときは、役員（法人でない団体で代表者又は管理人の定めのあるものにあつては、その代表者又は管理人）の氏名又は名称

(b) if the person is a corporation (including an organization that is not a corporation and appoints a representative or an administrator), the name of its officers (for an organization that is not a corporation and appoints a representative or an administrator, such representative or administrator);

ハ 本店その他の主たる営業所又は事務所の名称及び所在地

(c) names and locations of the head office and other main business offices or offices;

三 信用格付を付与した者が当該信用格付を付与するために用いる方針及び方法の概要

(iii) the overview of the policy and method that the person that assigned the credit rating uses to assign the credit rating;

四 信用格付の前提、意義及び限界

(iv) the premise, significance, and limitations of credit rating.

2 前項の規定にかかわらず、特定関係法人の付与した信用格付については、法第五十二条の四十五の二において準用する金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げるものとする。

(2) Notwithstanding the provisions of the preceding paragraph, with regard to credit ratings assigned by a specified associated corporation, particulars specified by Cabinet Office Order that are provided for in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act are the following particulars:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 金融庁長官が金融商品取引業等に関する内閣府令第百十六条の三第二項の規定に基づき、その関係法人を当該特定関係法人として指定した信用格付業者の商号又は名称及び登録番号

(ii) trade name, name and registration number of credit rating agency whose associated corporation is designated as the specified associated corporation by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 116-3, paragraph (2) of the Cabinet Office Order on Financial Instruments Business;

三 当該特定関係法人が信用格付業を示すものとして使用する呼称

(iii) the name used by the specified associated corporation that indicate the credit rating business;

四 信用格付を付与した特定関係法人が当該信用格付を付与するために用いる方針及び方法の概要又は当該概要に関する情報を第二号に規定する信用格付業者から入手する方法

(iv) the overview of the policy and method that the specified associated corporation that assigned the credit rating uses to assign the credit rating or the way of obtaining information on the overview from credit rating agency specified in item (ii);

五 信用格付の前提、意義及び限界

(v) the premise, significance, and limitations of credit rating.

(禁止行為)

(Prohibited Acts)

第三十四条の五十三の十七の二 法第五十二条の四十五の二において準用する金融商品

取引法第三十八条第九号に規定する内閣府令で定める行為は、次に掲げる行為とする。
Article 34-53-17-2 The acts specified by Cabinet Office Order that are provided for in Article 38, item (ix) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, are as follows:

一 第三十四条の五十三各号に掲げる行為

(i) acts as set forth in each item of Article 34-53;

二 次に掲げる書面の交付に関し、あらかじめ、顧客（特定投資家（法第五十二条の四十五の二において準用する金融商品取引法第三十四条の二第五項の規定により特定投資家以外の顧客とみなされる者を除き、法第五十二条の四十五の二において準用する金融商品取引法第三十四条の三第四項（法第五十二条の四十五の二において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）の規定により特定投資家とみなされる者を含む。）を除く。以下この号において同じ。）に対して、法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（契約変更書面を交付する場合にあつては、当該契約変更書面に記載されている事項であつて同項第三号から第五号まで及び第七号に掲げる事項に係るもの）について顧客の知識、経験、財産の状況及び特定預金等契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をすることなく、特定預金等契約の締結の代理又は媒介をする行為

(ii) with regard to delivery of the following documents, acting as an agent or intermediary in the conclusion of a contract for specified deposit, etc. without explaining to the customer (excluding a professional investor (excluding a person that is found to be a customer other than a professional investor pursuant to Article 34-2, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, and including a person that is found to be a professional investor pursuant to Article 34-3, paragraph (4) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act)), as applied mutatis mutandis pursuant to Article 52-45-2 of the Act); hereinafter the same applies in this item) in advance, the particulars set forth in Article 37-3, paragraph (1), items (iii) to (v) and item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis to Article 52-45-2 of the Act (when a contract change document is delivered, the particulars that are stated in the contract change document and are pertaining to the particulars set forth in items (iii) to (v) and item (vii) of that paragraph) by a necessary method and level in order to facilitate the customer's understanding in light of the customer's knowledge, experience, financial status, and the purpose of concluding the specified deposit, etc. contract:

イ 契約締結前交付書面

- (a) document to be delivered prior to the conclusion of a contract;
ロ 外貨預金等書面
- (b) document on foreign currency deposit, etc.; and
ハ 契約変更書面
- (c) contract change document;
- 三 特定預金等契約の締結の勧誘に関して、虚偽の表示をし、又は重要な事項につき誤解を生ぜしめるべき表示をする行為
- (iii) with regard to solicitation for conclusion of a contract for specified deposit, etc., an act of making a false indication, or an act of making a indication that may cause misunderstanding of a important particular;
- 四 特定預金等契約につき、顧客若しくはその指定した者に対し、特別の利益の提供を約し、又は顧客若しくは第三者に対し特別の利益を提供する行為（第三者をして特別の利益の提供を約させ、又はこれを提供させる行為を含む。）
- (iv) with regard to a contract for specified deposit, etc., an act of promising the provision of special profit to a customer or a person specified by the customer, or to provide special profit to a customer or a third person (including an act of forcing a third person to promise the provision of special profit or to provide special profit);
- 五 特定預金等契約の締結又は解約に関し、顧客（個人に限る。）に迷惑を覚えさせるような時間に電話又は訪問により勧誘する行為
- (v) with regard to conclusion or termination of a contract for specified deposit, etc., an act to solicit by telephone or visit at a time when a customer (limited to an individual) finds it annoying.

（特定銀行代理行為）

(Specified Activities as a Bank Agent)

第三十四条の五十四 法第五十二条の四十六第一項に規定する内閣府令で定める預金は、当座預金とする。

Article 34-54 The deposits specified by Cabinet Office Order that are provided for in Article 52-46, paragraph (1) of the Act means current deposits.

（特定銀行代理業者の休日の承認の申請等）

(Application for Approval of Non-Business Days for Specified Bank Agents)

第三十四条の五十四の二 特定銀行代理業者（法第五十二条の四十六第一項に規定する特定銀行代理業者をいう。以下同じ。）は、令第十六条の七第二項第二号の規定による休日の承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官等に提出するものとする。

Article 34-54-2 (1) When a specified bank agent (meaning a specified bank agent as prescribed in Article 52-46, paragraph (1) of the Act; the same applies hereinafter) seeks to obtain an approval for non-business days under Article 16-7, paragraph (2), item (ii) of the Order, the specified bank agent is to attach

the following documents to a written application for approval and submit them to the Commissioner of the Financial Services Agency or other competent authorities:

一 理由書

(i) a written statement of reasons; and

二 令第十六条の七第三項の規定による掲示の方法を記載した書面

(ii) a document stating the method of posting a notice under Article 16-7, paragraph (3) of the Order.

2 金融庁長官等は、前項の規定による承認の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether it conforms to the following standards:

一 金融機関相互間の内国為替取引を通信回線を用いて処理する制度の運営に支障を及ぼすおそれがないこと。

(i) that it is not likely to cause problems with a system that uses telecommunication lines to process domestic funds transfer transactions between financial institutions; and

二 当該申請に係る営業所又は事務所の顧客の利便を著しく損なわないこと。

(ii) that it does not greatly inconvenience the customers of the business office or office to which the application pertains.

3 特定銀行代理業者は、令第十六条の七第二項第二号の規定による休日の承認を受けたときは、次に掲げる事項を当該承認に係る営業所又は事務所の店頭に掲示するものとする。

(3) If a specified bank agent obtains an approval for non-business days under Article 16-7, paragraph (2), item (ii) of the Order, the specified bank agent is to display the following particulars at the storefront of the business office or office to which the approval pertains:

一 令第十六条の七第一項に定める日以外の休日の実施期間（実施期間を設定する場合に限る。）

(i) the period during which the non-business days other than the days set forth in the items of Article 16-7, paragraph (1) of the Order will be in effect (but only if it has set such a period); and

二 当該営業所若しくは事務所の最寄りの営業所若しくは事務所又は当該特定銀行代理業者の所属銀行の営業所の名称、所在地及び電話番号その他の連絡先

(ii) the name, location, telephone number, and other such contact information of the business office or office that is closest to the relevant business office or office, or of the business office of the principal bank of the specified bank agent.

(特定銀行代理業者の営業時間等)

(Business Hours of a Specified Bank Agent)

第三十四条の五十五 特定銀行代理業者の営業時間は、午前九時から午後三時までとする。

Article 34-55 (1) The business hours of a specified bank agent are from 9:00 a.m. to 3:00 p.m.

2 前項の営業時間は、営業の都合により延長することができる。

(2) The business hours prescribed in the preceding paragraph may be extended due to the convenience of business.

3 特定銀行代理業者は、その営業所又は事務所が次のいずれにも該当する場合（前項に該当する場合を除く。）は、当該営業所又は事務所について営業時間の変更をすることができる。

(3) If a specified bank agent's business office or office corresponds to all of the following cases (excluding cases corresponding to the preceding paragraph), the specified bank agency may change business hours with regard to the business office or office:

一 当該営業所又は事務所の所在地又は設置場所の特殊事情その他の事情により第一項に規定する営業時間とは異なる営業時間とする必要がある場合

(i) if it needs to set different business hours from the business hours as prescribed in paragraph (1) due to special circumstances in the locality of the business office or office or of the locality where it has been established, or due to other circumstances; and

二 当該営業所又は事務所の顧客の利便を著しく損なわない場合

(ii) if the change of the business hours does not significantly harm the convenience of customers of the business office or office.

4 特定銀行代理業者は、前項の規定による営業時間の変更をするときは、次に掲げる事項を当該営業所又は事務所の店頭に掲示するものとする。

(4) If a specified bank agent changes the business hours pursuant to the provisions of the preceding paragraph, it is to display the following particulars in the storefront of the relevant business office or office:

一 当該営業時間の変更の実施期間（実施期間を設定する場合に限る。）

(i) the period during which the business hours after the change will be in effect (but only if it has set such a period); and

二 当該営業所若しくは事務所の最寄りの営業所若しくは事務所又は当該特定銀行代理業者の所属銀行の営業所の名称、所在地及び電話番号その他の連絡先

(ii) the name, location, telephone number, and other such contact information of the business office or office that is closest to the relevant business office or office, or of the business office of the principal bank of the specified bank agent.

5 特定銀行代理業者の特定銀行代理行為（法第五十二条の四十六第一項に規定する特定銀行代理行為をいう。以下この項及び次条において同じ。）を行わない営業所又は

事務所（特定銀行代理行為を行う営業所又は事務所の当該特定銀行代理行為を行う施設以外の施設を含む。）の営業時間については、第一項、第三項及び前項の規定は適用しない。

(5) The provisions of paragraph (1), paragraph (3) and the preceding paragraph do not apply to the business hours of a business office or an office (including a facility other than a facility where specified acts as a bank agent are performed for a business office or office where specified activities as a bank agent are performed) that does not perform specified activities as a bank agent of a specified bank agent (meaning a specified activities as a bank agent as prescribed in Article 52-46, paragraph (1) of the Act; hereinafter the same applies in this paragraph and the following Article).

6 銀行代理業者は、銀行代理業を営む営業所又は事務所ごとに、公衆の見やすい場所に、休日及び営業時間を掲示するものとする。

(6) A bank agent is to display its non-business days and business hours in a place that is easy to see for the public at each business office or other offices engaging in bank agency services.

（特定銀行代理業者の臨時休業の届出等）

(Notification of Temporary Closure of a Specified Bank Agent)

第三十四条の五十六 法第五十二条の四十七第一項の規定により届出を行う特定銀行代理業者は、次の各号に掲げる事項を記載した届出書を金融庁長官等に提出しなければならない。

Article 34-56 (1) A specified bank agent that submits a written notice pursuant to Article 52-47, paragraph (1) of the Act must submit a notification stating the particulars set forth in each following item to the Commissioner of the Financial Services Agency or other competent authorities:

一 特定銀行代理行為に係る業務（第四号において「業務」という。）の全部又は一部を休止する営業所又は事務所の名称及び所在地

(i) name and location of a business office or office that suspends all or part of business pertaining to specified activities as a bank agent (which is referred to as "business" in item (iv));

二 休止の理由

(ii) reasons of suspension;

三 休止期間

(iii) suspension period;

四 業務再開予定日又は業務再開日

(iv) scheduled restart date of business or restart date of business; and

五 法第五十二条の四十七第一項の規定による掲示の方法

(v) the method of displaying the notice pursuant to the provisions of Article 52-47, paragraph (1) of the Act.

2 法第五十二条の四十七第一項に規定する内閣府令で定める場合は、次に掲げる場合

とする。

(2) The case specified by Cabinet Office Order that is provided for in Article 52-47, paragraph (1) of the Act means:

一 法第二十六条第一項、第二十七条又は第五十二条の三十四第一項若しくは第四項の規定により所属銀行が業務の全部又は一部の停止を命ぜられた場合

(i) when a principal bank is ordered to suspend all or part of business pursuant to the provisions of Article 26, paragraph (1), Article 27, or Article 52-34, paragraph (1) or (4) of the Act;

二 法第五十二条の四十六第一項に規定する特定銀行代理業者の休日に、特定銀行代理行為に係る業務の全部又は一部を営む特定銀行代理業者の営業所又は事務所において、当該休日における現金自動支払機等による業務の全部又は一部を休止する場合

(ii) if, on a non-business day of a specified bank agent as prescribed in Article 52-46, paragraph (1) of the Act, all or part of business by a cash dispenser, etc. is suspended on the non-business day at a business office or other offices of a specified bank agent that carries out all or part of business pertaining to specified activities as a bank agent;

三 特定銀行代理業者の特定銀行代理行為に係る業務を営む無人の営業所又は事務所においてその業務の全部又は一部を休止する場合（前号に該当する場合を除く。）

(iii) when, at an unmanned business office or other offices that carry out business pertaining to specified activities as a bank agent of a specified bank agent, all or a part of its business is suspended (excluding a case that corresponds to the preceding item);

四 台風、地震その他の異常な気象、海象又は地象により営業所又は事務所においてその業務を営むことが当該営業所又は事務所の役員、職員又は利用者の生命又は身体に重大な危険を生じさせるおそれがあることにより当該営業所又は事務所の業務の全部又は一部を休止する場合

(iv) if all or part of business at a business office or office is suspended due to the risk that carrying out business at that business office or office will seriously endanger the life or body of an officer, employee, or user because of a typhoon, earthquake, or any other such abnormal meteorological phenomena, hydrological phenomena, or terrestrial phenomena; and

五 法第五十二条の五十六第一項の規定により特定銀行代理行為に係る業務の全部又は一部の停止を命ぜられた場合

(v) when all or part of business pertaining to specified activities as a bank agent is ordered to suspend, pursuant to the provisions of Article 52-56, paragraph (1) of the Act.

3 法第五十二条の四十七第二項に規定する内閣府令で定める場合は、次に掲げる場合とする。

(3) The case specified by Cabinet Office Order that is provided for in Article 52-47, paragraph (2) of the Act means any of the following cases:

一 特定銀行代理業者の特定銀行代理行為に係る業務を営む無人の営業所又は事務所において臨時にその業務の一部を休止する場合

(i) if a specified bank agent temporarily suspends all or part of its business at an unmanned business office or office that carries out business related to its specified activities as a bank agent;

二 前項第四号に該当する場合

(ii) if item (iv) of the preceding paragraph applies; or

三 休業期間が一営業日以内で、営業が速やかに再開されることが確実に見込まれる場合

(iii) if the suspension period is one business day or less and business is reliably expected to be resumed promptly.

(所属銀行の廃業等の掲示)

(Display of Business Discontinuation of a Principal Bank)

第三十四条の五十七 銀行代理業者は、法第五十二条の四十八の規定による掲示をするときは、所属銀行から通知を受けた内容及び当該所属銀行における預金等その他その営む銀行代理業に係る取引の処理の方針を示すものとする。

Article 34-57 A bank agent, in the case of displaying a notice pursuant to the provisions of Article 52-48 of the Act, is to display the content that has been informed by the principal bank and the policies for handling the deposit, etc. at the principal bank, and other transactions pertaining to the bank agency services carried out by the bank agent.

第三節 経理

Section 3 Accounting

(銀行代理業に関する帳簿書類)

(Books and Documents Concerning Bank Agency Services)

第三十四条の五十八 銀行代理業者は、法第五十二条の四十九の規定により、銀行代理業の処理及び計算を明らかにするため、次の各号に定める帳簿書類（法第二条第十四項各号に規定する契約の締結の代理を行わない場合は、第三号に定めるものに限る。）を所属銀行ごとに作成し、当該各号に定める期間保存しなければならない。

Article 34-58 A bank agent, pursuant to the provisions of Article 52-49 of the Act, must prepare books and documents as prescribed in each following item (when not acting as agency in the conclusion of contract as prescribed in each item of Article 2, paragraph (14) of the Act, limited to those as prescribed in item (iii)) for each principal bank, and preserve them for the period prescribed in the each item, in order to clarify the dispositions and calculations of a bank agency services:

一 総勘定元帳 作成の日から五年間

(i) general ledger: five years from the date of preparation;

二 銀行代理勘定元帳 作成の日から十年間

(ii) bank agency account ledger: ten years from the date of preparation;

三 銀行代理業に係る顧客に対して行つた法第二条第十四項各号に規定する契約の締結の媒介の内容を記録した書面 当該媒介を行つた日から五年間

(iii) a document that recorded the content of intermediation act for the conclusion of a contract as prescribed in any item of Article 2, paragraph (14) of the Act conducted for a customer for bank agency services: five years from the date the intermediary act is conducted.

(銀行代理業に関する報告書の様式等)

(Form of a Written Report on Bank Agency Services)

第三十四条の五十九 法第五十二条の五十第一項の規定による銀行代理業に関する報告書は、銀行代理業者が個人である場合においては別紙様式第十八号により、法人である場合においては別紙様式第十九号により、それぞれ作成し、個人にあつては別紙様式第十六号により作成した財産に関する調書及び収支の状況を記載した書面を、法人にあつては貸借対照表及び損益計算書又はこれらに代わる書面を、それぞれ添付して、事業年度経過後三月以内に金融庁長官等に提出しなければならない。

Article 34-59 (1) A written report concerning bank agency services pursuant to the provisions of Article 52-50, paragraph (1) of the Act must be prepared pursuant to the Appended Form No. 18 when a bank agent is an individual, and pursuant to the Appended Form No. 19 when a bank agent is a corporation, respectively, and must be submitted to the Commissioner of the Financial Services Agency or other competent authorities, accompanied by a written evidence concerning assets and a document stating the condition of income and expenditures prepared pursuant to the Appended Form No. 16 in the case of an individual, and a balance sheet and profit and loss statement or documents in lieu of those documents, in the case of a corporation, within three months after the end of the business year.

2 銀行代理業者は、やむを得ない理由により前項に規定する期間内に銀行代理業に関する報告書の提出をすることができない場合には、あらかじめ金融庁長官（令第十七条の四の規定により当該銀行代理業者の主たる営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）が当該銀行代理業に関する報告書を受理する場合にあつては、その財務局長又は福岡財務支局長）の承認を受けて、当該提出を延期することができる。

(2) A bank agent, if it is unable to submit a written report concerning bank agency services within the period prescribed in the preceding paragraph due to a compelling reason, it may postpone the submission after obtaining prior approval from the Commissioner of the Financial Services Agency (when the Director General of the Local Finance Bureau who has jurisdiction over the locality of the principal business office or offices of the bank agent pursuant to the provisions of Article 17-4 of the Order (when the locality is within the

jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau) accepts reports concerning the bank agency services, the Director General of the Local Finance Bureau or Fukuoka Local Finance Branch Bureau).

3 銀行代理業者は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(3) When seeking approval under the provisions of the preceding paragraph, a bank agent must submit a written application for approval accompanied by a written statement of reasons to the Commissioner of the Financial Services Agency or other competent authorities.

4 金融庁長官等は前項の規定による承認の申請があつたときは、当該申請をした銀行代理業者が第二項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(4) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank agent that filed the application has what is found to be a compelling reason to postpone the submission of a report as under the provisions of paragraph (2).

5 金融庁長官等は、その許可をした銀行代理業者の直前事業年度に係る銀行代理業に関する報告書のうち、顧客の秘密を害するおそれのある事項又は当該銀行代理業者の業務の遂行上不当な不利益を与えるおそれのある事項を除き顧客の保護に必要と認められる部分を、金融庁（令第十七条の四の規定により当該銀行代理業者の主たる営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）が当該報告書を受理する場合にあつては、当該銀行代理業者の主たる営業所又は事務所の所在地を管轄区域とする財務局又は福岡財務支局）に備え置き、公衆の縦覧に供するものとする。

(5) The Commissioner of the Financial Services Agency or other competent authorities are to preserve a part of the written report on bank agency services pertaining to the business year of the bank agent immediately prior to when an approval was provided, excluding particulars which are likely to harm the confidentiality of a customer or those likely to impose unreasonable disadvantages in carrying out the business of a bank agent, that is necessary for the protection of customers, at the Financial Services Agency (when the Director General of the Local Finance Bureau (when the locality is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau) has jurisdiction over the locality of the principal business office or offices of the bank agent pursuant to the provisions of Article 17-4 of the Order that receives the reports, the Local Finance Bureau or Fukuoka Local Finance Branch Bureau for which the jurisdictional district includes the locality of the principal business office or offices of the bank agent) and make it available for

public inspection.

(所属銀行の説明書類等の縦覧)

(Inspection of Explanatory Documents of a Principal Bank)

第三十四条の六十 銀行代理業者は、その所属銀行が法第二十条第一項及び第二項並びに第二十一条第一項及び第二項の規定により作成する書面（当該所属銀行が外国銀行支店である場合にあつては、第十九条の二第三項及び第四項に規定する書面を含む。）又は当該所属銀行を子会社とする銀行持株会社が法第五十二条の二十八及び第五十二条の二十九第一項の規定により作成する書面（当該所属銀行を子会社とする銀行持株会社が外国所在銀行持株会社である場合にあつては、第三十四条の二十六第二項及び第三項に規定する書面）（法第二十条第三項及び第二十一条第三項又は第五十二条の二十八第二項及び第五十二条の二十九第二項の規定により作成された電磁的記録を含む。以下この項及び次項において「縦覧書類」という。）の縦覧を、当該所属銀行又は当該所属銀行を子会社とする銀行持株会社の事業年度経過後四月以内（当該所属銀行が外国銀行支店である場合又は当該所属銀行を子会社とする銀行持株会社が外国所在銀行持株会社である場合にあつては、事業年度経過後六月以内）に開始し、当該事業年度の翌事業年度に係るそれぞれの縦覧書類の縦覧を開始するまでの間、公衆の縦覧に供しなければならない。

Article 34-60 (1) A bank agent must commence to make available to the public, the documents that its principal bank prepares pursuant to the provisions of Article 20, paragraphs (1) and (2) and Article 21, paragraphs (1) and (2) (when the principal bank is a foreign bank branch, including documents as prescribed in Article 19-2, paragraphs (3) and (4)), or the documents that a bank holding company that has the principal bank as its subsidiary company prepares pursuant to the provisions of Article 52-28 and Article 52-29, paragraph (1) (when the bank holding company that has the principal bank as its subsidiary company is a bank holding company located in a foreign state, documents as prescribed in Article 34-26, paragraphs (2) and (3)) (including electronic or magnetic records prepared pursuant to the provisions of Article 20, paragraph (3); Article 21, paragraph (3); Article 52-28, paragraph (2); and Article 52-29, paragraph (2) of the Act; hereinafter referred to as "inspection documents" in this paragraph and the following paragraph) for inspection within four months (if the principal bank is a foreign bank branch, or if a bank holding company that has the principal bank as its subsidiary company is a bank holding company located in a foreign state, within six months after the end of a business year) after each business year of the principal bank or a bank holding company that has the principal bank as its subsidiary company, and keep the documents available for public inspection until the commencement of inspection of each document subject to inspection pertaining to the business year following the business year.

2 銀行代理業者は、やむを得ない理由により前項に規定する期間までに縦覧書類の縦

覧を開始できない場合には、あらかじめ金融庁長官（金融庁長官の指定する銀行代理業者以外の銀行代理業者にあつては、当該銀行代理業者の主たる営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にあつては、福岡財務支局長））の承認を受けて、当該縦覧の開始を延期することができる。

(2) A bank agent, if it cannot commence to make a document subject to inspection available for inspection before the end of the period as prescribed in the preceding paragraph due to a compelling reason, it may obtain prior approval of the Commissioner of the Financial Services Agency (with regard to a bank agent other than a bank agent designated by the Commissioner of the Financial Services Agency, the Director General of the Local Finance Bureau who has jurisdiction over the locality of the principal business office or offices of the bank agent (with regard to the locality within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau)) and postpone the commencement of the inspection.

3 銀行代理業者は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(3) When seeking approval under the provisions of the preceding paragraph, a bank agent must submit a written application for approval accompanied by a written statement of reasons to the Commissioner of the Financial Services Agency or other competent authorities.

4 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行代理業者が第一項の規定による縦覧の開始を延期することについてやむを得ない理由があるかどうかを審査するものとする。

(4) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the bank agent that filed the application has a compelling reason to postpone the commencement of the inspection as under the provisions of paragraph (1).

5 法第五十二条の五十一第二項に規定する内閣府令で定める措置は、電磁的記録に記録された事項又は当該電磁的記録に記録された事項を掲載したウェブサイトのアドレス（二次元コードその他のこれに代わるものを含む。）を紙面又は映像面に表示する方法とする。

(5) The measure specified by Cabinet Office Order that is provided for in Article 52-51, paragraph (2) of the Act is to be means of showing the information that has been recorded in an electronic or magnetic record or the address (or on a two-dimensional barcode or any other such thing used in lieu of this) of the website on which the information recorded in an electronic or magnetic record has been posted, on a sheet of paper or to display it on a screen.

第四節 監督

Section 4 Supervision

(廃業等の届出)

(Notification of Business Discontinuation)

第三十四条の六十一 法第五十二条の五十二の規定により届出を行う者は、別表第三上欄に掲げる区分により、同表中欄に定める事項を記載した届出書及び同表下欄に定める添付書類を、金融庁長官等に提出しなければならない。

Article 34-61 A person that submits a notification pursuant to the provisions of Article 52-52 of the Act, in accordance with the categories set forth in the left-hand column of the Appended Table 3, must submit a written notice stating the particulars provided in the middle column of the same table, and attach the documents as prescribed in the right-hand column of the same table to the Commissioner of the Financial Services Agency or other competent authorities.

(許可の効力に係る承認の申請等)

(Application of Approval Pertaining to the Validity of Permission)

第三十四条の六十二 第五十二条の三十六第一項の許可を受けた者は、法第五十二条の五十七第三号の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

Article 34-62 (1) If a person that has obtained a permission as prescribed in Article 52-36, paragraph (1) of the Act seeks to obtain an approval pursuant to the provisions of Article 52-57, item (iii) of the Act, the person must submit a written application for approval accompanied by a written statement of reasons to the Commissioner of the Financial Services Agency or other competent authorities.

2 金融庁長官等は、前項の規定による承認の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether it conforms to the following standards:

一 法第五十二条の三十六第一項の許可を受けた日から六月以内に銀行代理業を開始することができないことについてやむを得ないと認められる理由があること。

(i) there is what is found to be a compelling reason for not being able to commence bank agency services within six months from the date the permission as prescribed in Article 52-36, paragraph (1) of the Act is obtained;

二 合理的な期間内に銀行代理業を開始することができると見込まれること。

(ii) it is expected that the bank agency services can be commenced within a reasonable period;

三 当該許可の際に審査の基礎となつた事項について銀行代理業の開始が見込まれる

時期までに重大な変更がないと見込まれること。

(iii) at the time of granting the permission , it is expected that there are to be no important changes in the particulars on which the examination has been based by the time that the bank agency services are expected to commence.

第五節 所属銀行等

Section 5 Principal Banks

(所属銀行による銀行代理業者の業務の適切性等を確保するための措置)

(Measures to Ensure Appropriateness of the Bank Agency Services by a Principal Bank)

第三十四条の六十三 所属銀行は、銀行代理業者の銀行代理業に係る業務の健全かつ適切な運営を確保するため、次に掲げる措置を講じなければならない。

Article 34-63 (1) A principal bank must take the following measures in order to ensure sound and appropriate business management in the bank agency services of a bank agent:

一 銀行代理業者及びその銀行代理業の従事者に対し、銀行代理業に係る業務の指導、銀行代理業に関する法令等を遵守させるための研修の実施等の措置

(i) measures on operational guidance of bank agency services, conducting training to have the bank agent and employees of its bank agency services comply with laws and regulations, etc. on bank agency services;

二 銀行代理業者における銀行代理業に係る業務の実施状況を、定期的に又は必要に応じて確認すること等により、銀行代理業者が当該銀行代理業の業務を的確に遂行しているかを検証し、必要に応じ改善させる等、銀行代理業者に対する必要かつ適切な監督等を行うための措置

(ii) measures for conducting necessary and appropriate supervision, etc. of the bank agent, such as inspecting whether the bank agent is carrying out bank agency services appropriately by confirming the implementation status of the bank agency services by the bank agent periodically or as necessary, etc. and having the bank agent make improvements if necessary;

三 銀行代理業の業務の健全かつ適切な運営を確保するため必要があると認めるときには、銀行代理業者との間の委託契約及び銀行代理業再委託者と銀行代理業再受託者との間の再委託契約の内容を変更し、又は解除するための措置

(iii) if it is found to be necessary to do so in order to ensure sound and appropriate business management of the bank agency services, measures to change the content or terminate the outsourcing contract with the bank agent or further outsourcing contract between an entrusting bank agent and a secondary bank agent;

四 銀行代理業者が行う法第二条第十四項第二号に規定する行為について、必要に応じて自らが審査を行うための措置

(iv) with regard to the acts that a bank agent performs and are as prescribed in

the provisions of Article 2, paragraph (14), item (ii) of the Act, measures for the bank agent itself to conduct an examination if necessary;

五 銀行代理業者に所属銀行から顧客に関する情報を不正に取得させない等、顧客情報の適切な管理を確保するための措置

(v) measures to ensure appropriate management of customer information, such as not to permit the bank agent to wrongfully acquire information on a customer from the principal bank;

六 所属銀行の商号、銀行代理業者であることを示す文字及び当該銀行代理業者の商号又は名称を店頭に掲示させるための措置

(vi) measures for having the bank agent display the trade name of the principal bank, characters indicating it as the agent of the bank, and the trade name or name of the bank agent at the storefront of offices;

七 銀行代理業者の営業所又は事務所における銀行代理業に係る業務に関し犯罪を防止するための措置

(vii) measures to prevent crime on business pertaining to bank agency services at the business office or other offices of the bank agent;

八 銀行代理業者の銀行代理業を営む営業所又は事務所の廃止にあつては、当該営業所又は事務所の顧客に係る取引が所属銀行の営業所、他の金融機関、他の銀行代理業者等へ支障なく引き継がれる等、当該営業所又は事務所の顧客に著しい影響を及ぼさないようにするための措置

(viii) with regard to the closure of a business office or office that carries out bank agency services of a bank agent, measures to avoid considerably affecting the customers of the business office or other offices, such as the smooth succession of transactions pertaining to the customers of the business office or other offices by a business office of the principal bank, another financial institution, or other bank agent, etc. without any problems;

九 銀行代理業者の銀行代理業に係る顧客からの苦情を適切かつ迅速に処理するために必要な措置

(ix) measures necessary for the appropriate and prompt disposition of customer complaints pertaining to bank agency services of the bank agent.

2 前項（第四号及び第八号を除く。）の規定は、銀行代理業再委託者が銀行代理業再受託者の業務の健全かつ適切な運営を確保するために講じなければならない措置について準用する。この場合において、同項の規定中「銀行代理業者」とあるのは「銀行代理業再受託者」と、「銀行代理業」とあるのは「再委託を受けて営む銀行代理業」と読み替えるものとする。

(2) The provisions of the preceding paragraph (excluding items (iv) and (viii)) apply mutatis mutandis to measures that a principal bank agent must take in order to ensure sound and appropriate business management of a secondary bank agent. In this case, the term "bank agent" in the provisions of that paragraph is deemed to be replaced with "a secondary bank agent", and the term "bank agency services" is deemed to be replaced with "bank agency

services carried out based on further entrustment"

(銀行代理業者の原簿の記載事項)

(Information to Be Stated in Registry of a Bank Agent)

第三十四条の六十四 所属銀行は、当該所属銀行に係る銀行代理業者に関し、法第五十二条の六十第一項の原簿（以下この条において「原簿」という。）に、次に掲げる事項を記載しなければならない。

Article 34-64 (1) A principal bank must state the following particulars on a bank agent pertaining to the principal bank in a registry as prescribed in Article 52-60, paragraph (1) of the Act (hereinafter referred to as a "registry" in this Article):

一 銀行代理業者の商号、名称又は氏名

(i) the trade name or name of the bank agent;

二 銀行代理業者が法人であるときは、その代表者の氏名又は名称

(ii) if the bank agent is a corporation, the name of its representative;

三 銀行代理業の内容

(iii) the content of bank agency services;

四 銀行代理業を営む営業所又は事務所の名称又は所在地

(iv) the name and location of the business office or office that carries out bank agency services; and

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(v) the date that the permission as prescribed in Article 52-36, paragraph (1) of the Act was obtained.

2 前項各号に掲げるもののほか、当該所属銀行に係る銀行代理業者が次の各号に掲げる区分に該当する場合には、当該各号に掲げる事項を原簿に記載しなければならない。

(2) Beyond as set forth in each item of the preceding paragraph, if a bank agent associated with the relevant principal bank falls under a category set forth in one of the following items, the particulars set forth in the relevant item must be stated in the registry:

一 銀行代理業再委託者 当該銀行代理業再委託者が再委託を行う銀行代理業再委託者に係る前項各号に掲げる事項

(i) an entrusting bank agent: the particulars set forth in each item of the preceding paragraph pertaining to a secondary bank agent that is further entrusted with services by the entrusting bank agent;

二 銀行代理業再受託者 当該銀行代理業再受託者が再委託を受ける銀行代理業再委託者に係る前項各号に掲げる事項

(ii) a secondary bank agent: the particulars set forth in each item of the preceding paragraph pertaining to the secondary bank agent that has been further entrusted with services.

3 法第五十二条の六十第一項に規定する内閣府令で定める営業所は、次に掲げる営業所とする。

- (3) The business offices specified by Cabinet Office Order that are provided for in Article 52-60, paragraph (1) of the Act are any of the following business offices:
- 一 所属銀行の無人の営業所
 - (i) an unmanned business office of a principal bank; and
 - 二 所属銀行の外国に所在する営業所
 - (ii) a business office located in a foreign state of a principal bank.

第八章の三 電子決済等代行業

Chapter VIII-3 Electronic Payment Services

第一節 通則

Section 1 General Rules

(電子決済等代行業の登録申請書の記載事項)

(Information to Be Stated in a Written Application for Registration of Electronic Payment Services)

第三十四条の六十四の二 法第五十二条の六十一の三第一項第四号に規定する内閣府令で定める事項は、次に掲げる事項とする。ただし、第四号に掲げる事項については、登録申請者（同項に規定する登録申請者をいう。以下この条及び第三十四条の六十四の四において同じ。）が法第二条第十七項第一号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合に限る。

Article 34-64-2 (1) The particulars specified by Cabinet Office Order that are provided for in Article 52-61-3, paragraph (1), item (vi) of the Act are the following particulars; provided, however, that the particulars set forth in item (iv) are required to be included only if the registration applicant (meaning the registration applicant prescribed in that paragraph; hereinafter the same applies in this Article and Article 34-64-4) performs the acts set forth in Article 2, paragraph (17), item (i) of the Act (excluding the acts set forth in Article 1-3-3):

一 電子決済等代行業者の利用者からの苦情又は相談に応ずる営業所又は事務所の所在地及び連絡先（登録申請者が外国法人又は外国に住所を有する個人である場合にあっては、国内に当該営業所又は事務所を有するときに限る。）

(i) the location and contact information of the business office or office that handles complaints or inquiries from users of the electronic payment service provider (but only if the corporation or individual has such a business office or office in Japan, for a registration applicant that is a foreign corporation or an individual domiciled in a foreign state);

二 加入する認定電子決済等代行業者協会の名称

(ii) the name of the certified association of electronic payment service providers of which the registration applicant is a member;

三 電子決済等代行業の業務の一部の委託をする場合には、当該委託に係る業務の内容並びにその委託先の商号、名称又は氏名及び住所

(iii) if the registration applicant entrusts part of the business of electronic payment services, the details of the entrusted business, and the trade name, name, and address of the outsourced contractor; and

四 他に業務を営むときは、その業務の種類

(iv) if the registration applicant conducts other businesses, the business type.

2 前項第一号及び第四号に掲げる事項は、銀行等（銀行、農業協同組合、農業協同組合連合会、漁業協同組合、漁業協同組合連合会、水産加工業協同組合、水産加工業協同組合連合会、信用協同組合、中小企業等協同組合法第九条の九第一項第一号の事業を行う協同組合連合会、信用金庫、信用金庫連合会、労働金庫、労働金庫連合会、農林中央金庫及び株式会社商工組合中央金庫をいう。第三十四条の六十四の四及び第三十五条第五項において同じ。）が登録申請者である場合にあっては、登録申請書（法第五十二条の六十一の三第一項の登録申請書をいう。第三十四条の六十四の四において同じ。）に記載することを要しない。

(2) If a bank, etc. (meaning a bank, agricultural cooperative, federation of agricultural cooperatives, fishery cooperative, federation of fishery cooperatives, fishery processing cooperative, federation of fishery processing cooperatives, credit cooperative, federation of credit cooperatives that conducts the business set forth in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act, Shinkin Bank, federation of Shinkin Banks, labor bank, the Rokinren Bank, the Norinchukin Bank, or the Shoko Chukin Bank Limited; the same applies in Article 34-64-4 and Article 35, paragraph (5)) is the registration applicant, the particulars set forth in items (i) through (iv) of the preceding paragraph need not to be stated in the written application for registration (meaning a written application for registration as prescribed in Article 52-61-3, paragraph (1) of the Act; the same applies in Article 34-64-4).

（電子決済等代行業に係る業務の内容及び方法）

(Details and Method of Services Related to Electronic Payment Services)

第三十四条の六十四の三 法第五十二条の六十一の三第二項第三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 34-64-3 (1) The particulars specified by Cabinet Office Order that are provided for in Article 52-61-3, paragraph (2), item (iii) of the Act are as follows:

一 電子決済等代行業に係る行為のうち、法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）のいずれを行うかの別（同項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）のいずれも行う場合は、その旨）

(i) which of the acts related to electronic payment services that constitute acts set forth in the items of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3) the electronic payment service provider performs (if the electronic payment service provider performs all of the acts

set forth in the items of that paragraph (excluding the acts set forth in Article 1-3-3), a statement to that effect);

二 取り扱う電子決済等代行業に係る業務の概要

(ii) an outline of the services related to electronic payment services to be handled; and

三 電子決済等代行業の実施体制

(iii) the systems for carrying out electronic payment services.

2 前項第三号に規定する実施体制には、次に掲げる事項を含むものとする。

(2) The systems for carrying out electronic payment services as prescribed in item (iii) of the preceding paragraph include the following particulars:

一 電子決済等代行業に関して取得した利用者に関する情報の適正な取扱い及び安全管理のための体制

(i) the system for ensuring the proper handling and safe control of the information on users that the electronic payment service provider has acquired in relation to the electronic payment services;

二 電子決済等代行業の業務（法第二条第十七項第二号に掲げる行為のみを行おうとする場合には、電子決済等代行業に関して取得した利用者に関する情報の適正な取扱い及び安全管理に係る業務に限る。）を第三者に委託する場合における当該業務の的確な遂行のための体制

(ii) the system for ensuring the appropriate execution of the business of electronic payment services (if the electronic payment service provider intends to perform only the acts set forth in Article 2, paragraph (17), item (ii) of the Act, this is limited to the business of ensuring the proper handling and safe control of the information on users that the electronic payment service provider has acquired in relation to the electronic payment services) if the electronic payment service provider entrusts the business to a third party; and

三 電子決済等代行業を管理する責任者の氏名及び役職名

(iii) the name and job title of the person responsible for the management of electronic payment services.

(登録申請書のその他の添付書類)

(Other Documents to Be Attached to Written Applications for Registration)

第三十四条の六十四の四 法第五十二条の六十一の三第二項第四号に規定する内閣府令で定める書類は、次に掲げる書類（官公署が証明する書類については、申請の日前三月以内に発行されたものに限る。）とする。ただし、銀行等が法第五十二条の六十一の二の登録の申請をする場合は、この限りでない。

Article 34-64-4 The documents specified by Cabinet Office Order that are provided for in Article 52-61-3, paragraph (2), item (iv) of the Act are the following documents (in the case of documents certified by public agencies, limited to those issued within three months prior to the date of application);

provided, however, that this does not apply if a bank, etc. applies for the registration referred to in Article 52-61-2 of the Act:

一 登録申請者が法人である場合には、次に掲げる書類

(i) if the registration applicant is a corporation, the following documents:

イ 役員（法第五十二条の六十一の三第一項第二号に規定する役員をいい、役員が法人であるときは、その職務を行うべき者を含む。以下この号において同じ。）の履歴書（役員が法人であるときは、当該役員の沿革を記載した書面）

(a) a resume of each officer (meaning an officer as prescribed in Article 52-61-3, paragraph (1), item (ii) of the Act, and if an officer is a corporation, this includes a person responsible for performing the duties thereof; hereinafter the same applies in this item) (if an officer is a corporation, this includes documents stating its history);

ロ 役員の住民票の抄本（役員が法人であるときは、当該役員の登記事項証明書）又はこれに代わる書面

(b) extracts of resident records of officers (if an officer is a corporation, this includes a certificate of registered matters of the officer) or documents in lieu thereof;

ハ 役員の婚姻前の氏名を当該役員の氏名に併せて登録申請書に記載した場合において、ロ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

(c) if the name used before marriage of an officer is stated together with the officer's current name in a written application, and the document set forth in (b) does not certify the officer's name used before marriage, a document proving the name before marriage;

ニ 役員が法第五十二条の六十一の五第一項第二号ロ（１）から（６）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

(d) a document in which an officer pledges that they do not fall under any of the provisions of Article 52-61-5, paragraph (1), item (ii), sub-item (b), 1 through 6 of the Act;

ホ 登録の申請の日を含む事業年度の前事業年度に係る貸借対照表又はこれに代わる書面。ただし、登録の申請の日を含む事業年度に設立された法人にあつては、当該法人の設立の時に於ける貸借対照表又はこれに代わる書面

(e) the balance sheet for the business year preceding the business year that includes the date of application for registration or documents in lieu thereof; provided, however, that if the registration applicant is a corporation that was established in the business year that includes the date of application for registration, this means the balance sheet at the time of incorporation of the corporation or documents in lieu thereof; and

ヘ 登録申請者が会計監査人設置会社であるときは、登録の申請の日を含む事業年度の前事業年度の会社法第三百九十六条第一項に規定する会計監査報告の内容を記載した書面

- (f) if the registration applicant is a company with financial auditors, documents stating the contents of a financial audit report as prescribed in Article 396, paragraph (1) of the Companies Act for the business year preceding the business year that includes the date of application for registration;
- 二 登録申請者が個人である場合には、次に掲げる書類
- (ii) if the registration applicant is an individual, the following documents:
- イ 登録申請者の履歴書
- (a) a resume of the registration applicant;
- ロ 登録申請者（当該登録申請者が外国に住所を有する個人であるときは、その日本における代理人を含む。ハにおいて同じ。）の住民票の抄本（当該日本における代理人が法人であるときは、当該日本における代理人の登記事項証明書）又はこれに代わる書面
- (b) an abstract of the certificate of residence of the registration applicant (if the registration applicant is an individual domiciled in a foreign state, this includes the registration applicant's agent in Japan; the same applies in
- (c) (if the agent in Japan is a corporation, this includes a certificate of registered matters of the agent in Japan) or documents in lieu thereof;
- ハ 登録申請者の婚姻前の氏名を当該登録申請者の氏名に併せて登録申請書に記載した場合において、ロに掲げる書類が当該登録申請者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
- (c) if the name used before marriage of the registration applicant is stated together with the registration applicant's current name in the written application, and the document set forth in (b) does not certify the registration applicant's name used before marriage, a document proving the name before marriage; and
- ニ 登録の申請の日を含む事業年度の前事業年度に係る別紙様式第二十号により作成した財産に関する調書
- (d) a written evidence of the assets prepared pursuant to Appended Form No. 20 for the business year preceding the business year that includes the date of application for registration.

（電子決済等代行業者登録簿の縦覧）

(Public Inspection of Register of Electronic Payment Service Providers)

第三十四条の六十四の五 金融庁長官等は、その登録をした電子決済等代行業者に係る電子決済等代行業者登録簿を当該電子決済等代行業者の主たる営業所又は事務所（外国法人又は外国に住所を有する個人にあつては、国内における主たる営業所又は事務所。第三十七条第八項において「主たる営業所等」という。）の所在地を管轄する財務局（当該所在地が福岡財務支局の管轄区域内にある場合にあつては福岡財務支局、当該電子決済等代行業者が国内に営業所又は事務所を有しない場合にあつては関東財務局）に備え置き、公衆の縦覧に供するものとする。

Article 34-64-5 The Commissioner of the Financial Services Agency or other competent authorities are to keep the register of electronic payment service providers that is associated with an electronic payment service provider the commissioner has registered at the Local Finance Bureau having jurisdiction over the locality of the principal business office or office (or the main business office or office in Japan, for a foreign corporation or an individual domiciled in a foreign state; hereinafter referred to as "main business office, etc." in Article 37, paragraph (8)) of that electronic payment service provider (if the locality is within the jurisdiction of the Fukuoka Local Finance Branch Bureau, at the Fukuoka Local Finance Branch Bureau; if the electronic payment service provider has no business office or office in Japan, at the Kanto Finance Bureau), and make it available for public inspection.

(財産的基礎)

(Financial Basis)

第三十四条の六十四の六 法第五十二条の六十一の五第一項第一号イに規定する内閣府令で定める基準は、純資産額（第三十四条の六十四の四第一号ホに規定する貸借対照表若しくはこれに代わる書面又は同条第二号ニに規定する財産に関する調書に計上された資産の合計額から負債の合計額を控除した額をいう。）が負の値でないこととする。

Article 34-64-6 The criteria specified by Cabinet Office Order that are provided for in Article 52-61-5, paragraph (1), item (i), sub-item (a) of the Act are that the amount of net assets (meaning the amount calculated by deducting the total amount of liabilities from the total amount of assets recorded on the balance sheet as prescribed in Article 34-64-4, item (i), sub-item (e) or documents in lieu thereof or the written evidence of the assets as prescribed in item (ii), sub-item (d) of that Article) is not a negative value.

(心身の故障のため電子決済等代行業に係る職務を適正に執行することができない者等)

(Person Who Is Unable to Properly Perform Their Duties Related to Electronic Payment Services Due to Mental or Physical Disorder)

第三十四条の六十四の六の二 法第五十二条の六十一の五第一項第二号ロ（１）に規定する内閣府令で定める者は、精神の機能の障害のため電子決済等代行業に係る職務を適正に執行するに当たって必要な認知、判断及び意思疎通を適切に行うことができない者とする。

Article 34-64-6-2 (1) The person specified by Cabinet Office Order that is provided for in Article 52-61-5, paragraph (1), item (ii), sub-item (b), 1. of the Act is a person that is unable to adequately carry out the cognition, decision making, and communication necessary for properly performing their duties related to the electronic payment services due to mental impairment.

2 法第五十二条の六十一の五第一項第三号ロに規定する内閣府令で定める者は、精神の機能の障害により電子決済等代行業を適正に行うに当たつて必要な認知、判断及び意思疎通を適切に行うことができない者とする。

(2) The person specified by Cabinet Office Order that is provided for in Article 52-61-5, paragraph (1), item (iii), sub-item (b) of the Act is a person that is unable to adequately carry out the cognition, decision making, and communication necessary for properly engaging in the electronic payment services due to mental impairment.

(変更の届出を要しない場合等)

(When Notification of Change Is Not Required)

第三十四条の六十四の七 法第五十二条の六十一の六第一項に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 34-64-7 (1) The case specified by Cabinet Office Order that is provided for in Article 52-61-6, paragraph (1) of the Act is as follows:

一 増改築その他のやむを得ない理由により営業所又は事務所の所在地の変更をした場合（変更前の所在地に復することが明らかな場合に限る。）

(i) a case in which the location of a business office or office is changed for compelling reasons such as extension or reconstruction (but only if it is clear that the business office or office will be moved back to the location before the change);

二 前号に規定する所在地の変更に係る営業所又は事務所を変更前の所在地に復した場合

(ii) a case in which the location of the business office or office subject to the change of the location as prescribed in the preceding item is moved back to the location before the change; and

三 第三十四条の六十四の二第一項第四号に掲げる事項を変更した場合

(iii) the particular set forth in Article 34-64-2, paragraph (1), item (iv) is changed.

2 法第五十二条の六十一の六第一項の規定により届出を行う電子決済等代行業者は、別表第四上欄に掲げる区分により、同表中欄に定める事項を記載した届出書及び同表下欄に定める添付書類を、金融庁長官等に提出しなければならない。

(2) An electronic payment service provider that submits a notification pursuant to the provisions of Article 52-61-6, paragraph (1) of the Act, must submit to the Commissioner of the Financial Services Agency or other competent authorities, in accordance with the categories set forth in the left-hand column of Appended Table 4, a written notice stating the particulars specified in the middle column of the Table, accompanied by documents as specified in the right-hand column of the Table.

3 電子決済等代行業者は、法第五十二条の六十一の六第三項の規定による変更の届出をしようとするときは、当該変更の内容及び変更年月日を記載した届出書に理由書及

び第三十四条の六十四の二第一項第四号に掲げる事項を記載した書面（法第二条第十七項第一号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行うこととなつた場合に限る。）を添付して金融庁長官等に提出しなければならない。

- (3) When an electronic payment service provider seeks to submit a notification of change pursuant to the provisions of Article 52-61-6, paragraph (3) of the Act, it must attach a written statement of reasons and other documents stating the particulars set forth in Article 34-64-2, paragraph (1), item (iv) (but only if the electronic payment service provider commences performing the acts set forth in Article 2, paragraph (17), item (i) of the Act (excluding the acts set forth in Article 1-3-3)) to the written notification and submit them to the Commissioner of the Financial Services Agency or other competent authorities.

（廃業等の届出）

(Notification of Business Discontinuation)

第三十四条の六十四の八 法第五十二条の六十一の七第一項の規定により届出を行う者は、次に掲げる事項を記載した届出書を、金融庁長官等に提出するものとする。

Article 34-64-8 A person that submits a notification pursuant to the provisions of Article 52-61-7, paragraph (1) of the Act is to submit a written notice stating the following particulars to the Commissioner of the Financial Services Agency or other competent authorities:

一 商号、名称又は氏名

(i) the trade name or name;

二 登録年月日及び登録番号

(ii) the date of registration and registration number;

三 届出事由

(iii) the grounds for notification;

四 法第五十二条の六十一の七第一項各号のいずれかに該当することとなつた年月日

(iv) the date on which the electronic payment service provider came to fall

under any of the items of Article 52-61-7, paragraph (1) of the Act;

五 電子決済等代行業を廃止したときは、その理由

(v) if the electronic payment service provider has discontinued the electronic payment services, the reason therefor; and

六 会社分割により電子決済等代行業の全部の承継をさせたとき又は電子決済等代行業の全部の譲渡をしたときは、その業務の承継又は譲渡の方法及びその承継先又は譲渡先

(vi) if the electronic payment service provider has had all of the electronic payment services succeeded to due to a company split or has transferred all of the electronic payment services, the method of succession or transfer of the services and the successor or transferee.

第二節 業務

Section 2 Services

(利用者に対する説明)

(Explanation to Users)

第三十四条の六十四の九 法第五十二条の六十一の八第一項に規定する内閣府令で定める場合は、電子決済等代行業者が、利用者との間で継続的に法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合において、直前に当該利用者との間で当該行為を行った時以後に法第五十二条の六十一の八第一項各号に掲げる事項に変更がないときとする。

Article 34-64-9 (1) The case specified by Cabinet Office Order that is provided for in Article 52-61-8, paragraph (1) of the Act means the case in which an electronic payment service provider performs the acts set forth in the items of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3) with a user continuously, and there is no change to any of the particulars set forth in the items of Article 52-61-8, paragraph (1) of the Act after the electronic payment service provider performed the relevant act with the relevant user immediately before the performance.

2 電子決済等代行業者は、法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行うときは、インターネットを利用して閲覧に供する方法その他の適切な方法により、利用者に対し、法第五十二条の六十一の八第一項各号に掲げる事項を明らかにしなければならない。ただし、電子決済等代行業再委託者の委託（二以上の段階にわたる委託を含む。次条、第三十四条の六十四の十一及び第三十四条の六十四の十六において同じ。）を受けて、法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合においては、当該電子決済等代行業再委託者又は同項各号の銀行を介して当該事項を明らかにすることができる。

(2) When performing an act set forth in each item of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3), an electronic payment service must clarify the particulars set forth in the items of Article 52-61-8, paragraph (1) of the Act to users by an appropriate method, such as making them available for public inspection via the internet; provided, however, that if an electronic payment service provider performs an act set forth in each item of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3) upon re-entrustment from an entrusted electronic payment service provider (including entrustment at two or more degrees of separation from the original entrustment; the same applies in the following Article, Article 34-64-11, and Article 34-64-16), the electronic payment service provider may clarify the relevant particulars through the entrusted electronic payment service provider or the bank referred to in the relevant item of that paragraph.

3 前項の電子決済等代行業再委託者とは、次のいずれかに該当する者をいう。

(3) The principal electronic payment service provider referred to in the preceding paragraph means a person that falls under any of the following cases:

- 一 預金者の委託（二以上の段階にわたる委託を含む。）を受けて、法第二条第十七項第一号に規定する指図の伝達を受け、電子決済等代行業者に対し、当該指図を同号の銀行に対して伝達することの委託（二以上の段階にわたる委託を含む。）をする者
 - (i) a person that, having been entrusted (including entrustment at two or more degrees of separation from the original entrustment) by a depositor, is provided with information on an instruction as provided in Article 2, paragraph (17), item (i) of the Act, and entrusts (including entrustment at two or more degrees of separation from the original entrustment) an electronic payment service provider with providing information on that instruction to a bank as referred to in that item; or
 - 二 法第二条第十七項第二号に規定する預金者等の委託（二以上の段階にわたる委託を含む。）を受けて、同号に規定する情報を当該預金者等に提供すること（他の者を介する方法により提供すること及び当該情報を加工した情報を提供することを含む。）を目的として、電子決済等代行業者に対し、同号の銀行から当該情報を取得することの委託（二以上の段階にわたる委託を含む。）をする者
 - (ii) a person that, having been entrusted (including entrustment at two or more degrees of separation from the original entrustment) by a depositor, etc. as provided in Article 2, paragraph (17), item (ii) of the Act, entrusts (including entrustment at two or more degrees of separation from the original entrustment) an electronic payment service provider with acquiring the information prescribed in that item from the bank referred to in that item, for the purpose of providing that information to that depositor, etc. (this includes providing that information through another person and provision of information created by processing that information).
- 4 法第五十二条の六十一の八第一項第五号に規定する内閣府令で定める事項は、次に掲げる事項とする。
- (4) The particulars specified by Cabinet Office Order that are provided for in Article 52-61-8, paragraph (1), item (v) of the Act are the following particulars:
- 一 登録番号
 - (i) the registration number;
 - 二 利用者が支払うべき手数料、報酬若しくは費用の金額若しくはその上限額又はこれらの計算方法
 - (ii) the amount or the maximum amount of the fees, consideration, or expenses to be paid by the user or the calculation method thereof;
 - 三 法第二条第十七項第一号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合において、同号に規定する指図に係る為替取引の額の上限を設定している場合には、その額
 - (iii) if the electronic payment service provider performs the acts set forth in Article 2, paragraph (17), item (i) of the Act (excluding the acts set forth in Article 1-3-3), and sets the maximum amount of exchange transactions

- related to the instruction prescribed in that item, that maximum amount;
- 四 利用者との間で継続的に法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合には、契約期間及びその中途での解約時の取扱い（手数料、報酬又は費用の計算方法を含む。）
- (iv) if the electronic payment service provider performs the acts set forth in the items of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3) with a user continuously, the contract period and the handling in the case of cancellation of the contract before maturity (including the calculation method of fees, consideration or expenses);
- 五 利用者から当該利用者に係る識別符号等を取得して法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合には、その旨
- (v) if the electronic payment service provider performs the acts set forth in the items of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3) by acquiring a user's identification code or other such information from that user, a statement to that effect; and
- 六 その他当該電子決済等代行業者の行う電子決済等代行業に関し参考となると認められる事項
- (vi) other information found to be of reference for the electronic payment services carried out by the electronic payment service providers.

（銀行が営む業務との誤認を防止するための情報の利用者への提供）

(Providing Users with Information to Prevent Them from Misunderstanding Electronic Payment Services for Services Carried Out by Banks)

第三十四条の六十四の十 電子決済等代行業者は、電子決済等代行業の利用者との間で法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合には、あらかじめ、当該利用者に対し、インターネットを利用して当該利用者が使用する電子機器の映像面に表示させる方法その他の適切な方法により、電子決済等代行業者の業務を銀行が営むものではないことの説明を行わなければならない。ただし、電子決済等代行業再委託者（前条第三項に規定する電子決済等代行業再委託者をいう。以下同じ。）の委託を受けて、法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合においては、当該電子決済等代行業再委託者又は同項各号の銀行を介して当該説明を行うことができる。

Article 34-64-10 Before performing the acts set forth in the items of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3) with a user of electronic payment services, an electronic payment service provider must explain to the user that the services of an electronic payment service provider is not carried out by a bank, by an appropriate method such as displaying this explanation on the screen of the electronic device used by that user via the internet; provided, however, that if an electronic payment service provider performs the acts set forth in the items of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3) after having been

entrusted by an entrusting electronic payment service provider (meaning an entrusting electronic payment service provider as prescribed in paragraph (3) of the preceding Article; the same applies hereinafter), the electronic payment service provider may display that explanation through the principal electronic payment service provider or the bank referred to in the items of that paragraph.

(為替取引の結果の通知)

(Notice on Results of Exchange Transactions)

第三十四条の六十四の十一 電子決済等代行業者は、法第二条第十七項第一号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行つたときは、遅滞なく、当該行為を委託した預金者に対し、当該行為に基づき銀行が行つた預金者が当該銀行に開設している口座に係る資金を移動させる為替取引の結果の通知をしなければならない。ただし、電子決済等代行業者は、当該通知を、同号の銀行又は電子決済等代行業再委託者（電子決済等代行業再委託者にあつては、電子決済等代行業者が電子決済等代行業再委託者の委託を受けて、同号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合に限る。）を介して行うことができる。

Article 34-64-11 If an electronic payment service provider performs the acts set forth in Article 2, paragraph (17), item (i) of the Act (excluding the acts set forth in Article 1-3-3), the electronic payment service provider must, without delay, notify the depositor that has entrusted the relevant act of the result of the exchange transaction, which was conducted by a bank based on that act, for transferring funds in the account opened by the depositor at that bank; provided, however, that an electronic payment service provider may make that notification through the bank referred to in that item or an entrusting electronic payment service provider (but, for an entrusting electronic payment service provider, only if an electronic payment service provider performs the acts set forth in that item (excluding the acts set forth in Article 1-3-3) upon entrustment from a entrusting electronic payment service provider).

(電子決済等代行業に係る情報の安全管理措置)

(Measures to Manage the Security of Information Associated with Electronic Payment Services)

第三十四条の六十四の十二 電子決済等代行業者は、その業務の内容及び方法に応じ、電子決済等代行業に係る電子情報処理組織の管理を十分に行うための措置を講じなければならない。

Article 34-64-12 An electronic payment service provider must take measures to ensure sufficient control of the electronic data processing systems associated the electronic payment services, in accordance with the contents and methods of its business.

(個人利用者情報の安全管理措置等)

(Measures to Manage the Security of Individual Users' Personal Information)

第三十四条の六十四の十三 電子決済等代行業者は、その取り扱う個人である電子決済等代行業の利用者に関する情報の安全管理、従業者の監督及び当該情報の取扱いを委託する場合にはその委託先の監督について、当該情報の漏えい、滅失又は毀損の防止を図るために必要かつ適切な措置を講じなければならない。

Article 34-64-13 If an electronic payment service provider entrusts another entity with managing the security of the information it handles regarding users of the electronic payment services who are individuals, the supervision of its employees, and the handling of the information on the individuals, the electronic payment service provider must take necessary and appropriate measures for preventing divulging, loss, or damage of the information.

(特別の非公開情報の取扱い)

(Handling of Specified Non-Public Information)

第三十四条の六十四の十四 電子決済等代行業者は、その取り扱う個人である電子決済等代行業の利用者に関する人種、信条、門地、本籍地、保健医療又は犯罪経歴についての情報その他の特別の非公開情報（その業務上知り得た公表されていない情報をいう。）を取り扱うときは、適切な業務の運営の確保その他必要と認められる目的以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 34-64-14 When handling personal information that it handles regarding race, creed, family origin, registered domicile, healthcare, or criminal background of the users of the electronic payment services who are individuals and other specified non-public information (meaning information learned in the course of business that has not yet been publicly disclosed), an electronic payment service provider must take measures to ensure that the information is not used for purposes other than for ensuring the appropriate operation of the business that are found to be necessary.

(委託業務の的確な遂行を確保するための措置)

(Measures to Ensure Appropriate Execution of Entrusted Business)

第三十四条の六十四の十五 電子決済等代行業者は、その業務（法第二条第十七項第二号に掲げる行為のみを行う場合には、電子決済等代行業に関して取得した利用者に関する情報の適正な取扱い及び安全管理に係る業務に限る。）を第三者に委託する場合には、当該業務の内容に応じ、当該業務の的確な遂行を確保するための措置を講じなければならない。

Article 34-64-15 If an electronic payment service provider entrusts a third party with its business (if the electronic payment service provider only performs the acts set forth in Article 2, paragraph (17), item (ii) of the Act, this is limited to the business involving the proper handling and safe control of the information on users that the electronic payment service provider has acquired in relation to the electronic payment services), it must take measures to ensure the

appropriate execution of the business.

(銀行との間の契約に定めなければならない事項)

(Particulars That Must Be Provided for in a Contract with a Bank)

第三十四条の六十四の十六 法第五十二条の六十一の十第二項第三号に規定する内閣府令で定める事項は、当該電子決済等代行業者が電子決済等代行業再委託者の委託を受けて法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う場合において、当該電子決済等代行業再委託者の業務（当該電子決済等代行業者に委託した業務に関するものに限る。）に関して当該電子決済等代行業再委託者が取得した利用者に関する情報の適正な取扱い及び安全管理のために当該電子決済等代行業者が行う措置並びに当該電子決済等代行業者が当該措置を行わないときに当該銀行が行うことができる措置に関する事項とする。

Article 34-64-16 The particulars specified by Cabinet Office Order that are provided for in Article 52-61-10, paragraph (2), item (iii) of the Act are particulars on the measures to be taken by the electronic payment service provider to ensure the proper handling and safe control of the information on users that the principal electronic payment service provider has acquired in relation to its business (limited to business that is related to the business entrusted to the electronic payment service provider), and the measures that may be taken by the bank if the electronic payment service provider does not take those measures in the case in which the electronic payment service provider performs the acts set forth in the items of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3) upon entrustment from the entrusting electronic payment service provider.

(契約の公表方法)

(Method of Publication of Contracts)

第三十四条の六十四の十七 銀行及び電子決済等代行業者は、法第五十二条の六十一の十第二項各号に掲げる事項を、インターネットの利用その他の適切な方法により、電子決済等代行業者の利用者が常に容易に閲覧することができるよう公表しなければならない。

Article 34-64-17 A bank and an electronic payment service provider must publicize the particulars set forth in the items of Article 52-61-10, paragraph (2) of the Act by appropriate methods, such as the use of the internet, in a way that allows easy access by users of the electronic payment service provider.

(銀行による基準の公表方法)

(Method of Publication of Standards by a Bank)

第三十四条の六十四の十八 銀行は、法第五十二条の六十一の十一第一項に規定する基準を、インターネットの利用その他の適切な方法により、電子決済等代行業者及び電子決済等代行業者の利用者が常に容易に閲覧することができるよう公表しなければならない。

らない。

Article 34-64-18 A bank must publicize the standards prescribed in Article 52-61-11, paragraph (1) of the Act by appropriate methods, such as the use of the internet, in a way that allows easy access by an electronic payment service provider and users of the electronic payment service provider.

(銀行による基準に含まれる事項)

(Particulars Included in the Standards by a Bank)

第三十四条の六十四の十九 法第五十二条の六十一の十一第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-64-19 The particulars specified by Cabinet Office Order that are provided for in Article 52-61-11, paragraph (2) of the Act are the following particulars:

一 法第五十二条の六十一の十第一項の契約の相手方となる電子決済等代行業者が電子決済等代行業の業務に関して取得する利用者に関する情報の適正な取扱い及び安全管理のために行うべき措置

(i) measures to be taken by the electronic payment service provider that will be the counterparty to the contract referred to in Article 52-61-10, paragraph (1) of Act, to ensure the proper handling and safe control of the information on users that the electronic payment service provider acquires in relation to the business of electronic payment services; and

二 法第五十二条の六十一の十第一項の契約の相手方となる電子決済等代行業者が電子決済等代行業の業務の執行が法令に適合することを確保するために整備すべき体制

(ii) systems to be developed by the electronic payment service provider that will be the counterparty to the contract referred to in Article 52-61-10, paragraph (1) of the Act, to ensure that the execution of the business of electronic payment services complies with laws and regulations.

第三節 監督

Section 3 Supervision

(電子決済等代行業に関する帳簿書類)

(Books and Documents Concerning Electronic Payment Services)

第三十四条の六十四の二十 電子決済等代行業者は、法第五十二条の六十一の十二の規定により、総勘定元帳を作成し、その作成の日から十年間保存しなければならない。

Article 34-64-20 An electronic payment service provider must prepare a general ledger and preserve it for ten years from the date of preparation pursuant to the provisions of Article 52-61-12 of the Act.

(電子決済等代行業に関する報告書の様式等)

(Form of a Written Report on Electronic Payment Services)

第三十四条の六十四の二十一 法第五十二条の六十一の十三の規定による電子決済等代行業に関する報告書は、電子決済等代行業者が個人である場合においては別紙様式第二十一号により、法人である場合においては別紙様式第二十二号により、それぞれ作成し、個人にあつては別紙様式第二十三号により作成した財産に関する調書及び収支の状況を記載した書面を、法人にあつては貸借対照表及び損益計算書又はこれらに代わる書面を、それぞれ添付して、事業年度経過後三月以内に金融庁長官等に提出しなければならない。

Article 34-64-21 (1) A written report concerning electronic payment services under Article 52-61-13 of the Act must be prepared based Appended Form No. 21 if an electronic payment service provider is an individual, and based on Appended Form No. 22 if an electronic payment service provider is a corporation, and must be submitted to the Commissioner of the Financial Services Agency or other competent authorities, accompanied by a written evidence on the assets and a document stating the condition of income and expenditures prepared pursuant to Appended Form No. 23 in the case of an individual, and a balance sheet and profit and loss statement or documents in lieu of those documents in the case of a corporation, within three months after the end of the business year.

2 電子決済等代行業者は、やむを得ない理由により前項に規定する期間内に電子決済等代行業に関する報告書の提出をすることができない場合には、あらかじめ金融庁長官（令第十七条の五第一項に規定する財務局長又は福岡財務支局長が当該電子決済等代行業に関する報告書を受理する場合にあつては、その財務局長又は福岡財務支局長）の承認を受けて、当該提出を延期することができる。

(2) If an electronic payment service provider is unable to submit a written report on electronic payment services within the period prescribed in the preceding paragraph for compelling reasons, it may postpone the submission with the prior approval of the Commissioner of the Financial Services Agency (when the Director the Local Finance Bureau or the Director of the Fukuoka Local Finance Branch Bureau prescribed in Article 17-5, paragraph (1) of the Order receives the report on electronic payment services, the Director of the Local Finance Bureau or the Director of Fukuoka Local Finance Branch Bureau).

3 電子決済等代行業者は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(3) When seeking the approval under the preceding paragraph, an electronic payment service provider must submit a written statement of reasons attached to a written application for approval to the Commissioner of the Financial Services Agency or other competent authorities.

4 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした電子決済等代行業者が第二項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(4) When an application for approval under the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether the electronic payment service provider that filed the application has what is found to be a compelling reason to postpone the submission as under paragraph (2).

(公告の方法)

(Method of Public Notice)

第三十四条の六十四の二十二 法第五十二条の六十一の十七第二項の規定による公告は、官報によるものとする。

Article 34-64-22 The public notice under Article 52-61-17, paragraph (2) of the Act is to be issued in the official gazette.

第四節 認定電子決済等代行事業者協会

Section 4 Certified Associations of Electronic Payment Service Providers

(認定の申請書の添付書類)

(Documents to Be Attached to Written Application for Certification)

第三十四条の六十四の二十三 令第十六条の十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 34-64-23 The documents specified by Cabinet Office Order that are provided in Article 16-10, paragraph (2) of the Order are the following documents:

一 認定業務（法第五十二条の六十一の十九に規定する認定業務をいう。次号及び第三十四条の六十四の二十六第六号において同じ。）の実施の方法を記載した書類

(i) a document stating the method of carrying out the certified services

(meaning the certified services prescribed in Article 52-61-19 of the Act; the same applies in the following item and Article 34-64-26, item (vi));

二 認定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 demonstrating that the applicant has the knowledge and ability sufficient to carry out the certified services properly and reliably;

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つては、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) documents demonstrating that the applicant has an asset base, such as an inventory of assets in the latest business year (in the case of a corporation established in the business year that includes the date of application, at the time of its incorporation);

四 役員の履歴書及び住民票の抄本又はこれに代わる書面

(iv) resumes and abstracts of certificates of residency of officers or documents in lieu thereof;

五 役員の婚姻前の氏名を当該役員の氏名に併せて令第十六条の十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

(v) if the name used before marriage of an officer is stated together with the officer's current name in a written application referred to in Article 16-10, 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 proving the name before marriage;

六 その他参考となるべき事項を記載した書類

(vi) any other document stating information that should serve as a reference.

(会員名簿の縦覧)

(Making a Membership List Available for Public Inspection)

第三十四条の六十四の二十四 認定電子決済等代行業者協会は、その会員名簿を当該認定電子決済等代行業者協会の事務所に備え置き、公衆の縦覧に供するものとする。

Article 34-64-24 A certified association of electronic payment service providers is to keep its membership list at an office of the certificate association of electronic payment service providers and make it available for public inspection.

(利用者の利益を保護するために必要な会員に係る情報)

(Information on Members That Is Necessary for Protecting the Interests of Users)

第三十四条の六十四の二十五 法第五十二条の六十一の二十四第一項に規定する内閣府令で定めるものは、次に掲げる情報とする。

Article 34-64-25 The information specified by Cabinet Office Order that is provided in Article 52-61-24, paragraph (1) of the Act is the following information:

一 法第五十二条の六十一の二の登録を受けないで電子決済等代行業を営んでいる者を知ったときは、当該者の氏名、住所及び電話番号（法人にあつては、商号又は名称、住所、電話番号及び代表者の氏名）その他の当該者に関する情報並びに当該者が行う電子決済等代行業に係る業務に関する情報

(i) if a member comes to know of any person that is engaging in electronic payment services without obtaining the registration referred to in Article 52-61-2 of the Act: the information on that person, including the person's name, address and telephone number (if the person is a corporation, its trade name or name, address, telephone number, and the name of its representative), and the information concerning the business of electronic payment services carried out by that person;

二 法第二条第十七項各号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行う前に、それぞれ当該各号の銀行との間で、法第五十二条の六十一の十第一項に

規定する契約を締結せずに電子決済等代行業を営んでいる電子決済等代行業者を知ったときは、その者に関する前号に掲げる情報

(ii) if a member comes to know of any electronic payment service provider that is engaging in electronic payment services without concluding the contract prescribed in Article 52-61-10, paragraph (1) of the Act with the bank referred to in each item, before performing the acts set forth in the items of Article 2, paragraph (17) of the Act (excluding the acts set forth in Article 1-3-3): the information set forth in the preceding item which pertains to that electronic payment service provider; and

三 その他利用者の利益を保護するために認定電子決済等代行業者協会が必要と認める情報

(iii) other information that the certified association of electronic payment service providers finds to be necessary in order to protect the interests of users.

(認定電子決済等代行業者協会への情報提供)

(Provision of Information to the Certified Association of Electronic Payment Service Providers)

第三十四条の六十四の二十六 法第五十二条の六十一の二十九に規定する内閣府令で定める情報は、次に掲げる情報とする。

Article 34-64-26 The information specified by Cabinet Office Order that is provided in Article 52-61-29 of the Act is the following information:

一 法の解釈に関する情報

(i) information on the interpretation of the Act;

二 法に基づく報告若しくは資料の提出の求め又は質問若しくは立入検査の結果及びその内容に関する情報

(ii) information on the request for making reports or submitting materials or the results and details of the questioning or on-site inspection based on the Act;

三 法若しくは法に基づく命令又はこれらに基づく処分に関する情報

(iii) information on the content of the Act, orders based on the Act, or dispositions made based thereon;

四 電子決済等代行業者の業務又は電子決済等代行業に関する利用者からの苦情の内容及び処理内容に関する情報

(iv) information on the content of complaints from users about the services of electronic payment service providers or the electronic payment services and the details on processing of these complaints;

五 電子決済等代行業者の業務及び電子決済等代行業に関する統計情報並びにその基礎となる情報

(v) statistical information on the services of electronic payment service providers and the electronic payment services, and the underlying

information; and

- 六 その他認定業務を適正に行うために金融庁長官が必要と認める情報
(vi) other information that the Commissioner of the Financial Services Agency finds to be necessary in order to perform certified services properly.

第八章の四 指定紛争解決機関

Chapter VIII-4 Designated Dispute Resolution Organization

第一節 通則

Section 1 General Rules

(心身の故障のため紛争解決等業務に係る職務を適正に執行することができない者)
(Person Who Is Unable to Properly Perform Their Duties Related to Dispute Resolution Services Due to Mental or Physical Disorder)

第三十四条の六十五 法第五十二条の六十二第一項第四号イに規定する内閣府令で定める者は、精神の機能の障害のため紛争解決等業務に係る職務を適正に執行するに当たって必要な認知、判断及び意思疎通を適切に行うことができない者とする。

Article 34-65 The person specified by Cabinet Office Order that is provided for in Article 52-62, paragraph (1), item (iv), sub-item (a) of the Act is a person that is unable to appropriately carry out the cognition, decision making, and communication necessary for properly performing their duties related to the dispute resolution services due to mental impairment.

(割合の算定)

(Calculation of Percentage)

第三十四条の六十五の二 法第五十二条の六十二第一項第八号の割合の算定は、同項の申請をしようとする者に対して業務規程（同項第七号に規定する業務規程をいう。以下この条、次条第一項及び第三十四条の七十七第二項において同じ。）の内容についての異議の有無並びに異議がある場合にはその内容及び理由を記載した書面（次条において「意見書」という。）を提出して手続実施基本契約の解除に関する事項その他の手続実施基本契約の内容（法第五十二条の六十七第二項各号に掲げる事項を除く。）その他の業務規程の内容（法第五十二条の六十七第三項の規定によりその内容とするものでなければならないこととされる事項並びに同条第四項各号及び第五項第一号に掲げる基準に適合するために必要な事項を除く。）について異議（合理的な理由が付されたものに限る。）を述べた銀行の数を当該申請をしようとする者が次条第一項第二号に規定する業務規程等を交付し、又は送付した日（二以上の日にわたって交付し、又は送付した場合には、最も遅い日。第三十四条の六十七において同じ。）に金融庁長官により公表されている銀行（次条及び第三十四条の六十八第二項において「全ての銀行」という。）の数で除して行うものとする。

Article 34-65-2 The calculation of the percentage prescribed in Article 52-62, paragraph (1), item (viii) of the Act is to be performed by dividing the number of banks that have raised objection (limited to objection based on reasonable

grounds) about the terms of termination of the basic contract for the implementation of dispute resolution procedures, other terms of the basic contract for the implementation of dispute resolution procedures (excluding the particulars set forth in the items of Article 52-67, paragraph (2) of the Act), and other content of the operational rules (excluding the particulars that must be contained therein pursuant to the provisions of Article 52-67, paragraph (3) of the Act and particulars necessary for their compliance with the standards set forth in the items of paragraph (4) and item (i) of paragraph (5) of that Article) by submitting, to the person intending to file an application pursuant to Article 52-62, paragraph (1) of the Act, a document (which is referred to as a "written opinion" in the following Article) stating whether or not the banks have any objection about the details of the operational rules (meaning the operational rules prescribed in item (vii) of Article 52-62, paragraph (1) of the Act; hereinafter the same applies in this Article, paragraph (1) of the following Article, and Article 34-77, paragraph (2)) and, if any, the content of and reasons for such objection, by the number of banks publicly disclosed by the Commissioner of the Financial Services Agency (which are referred to as "all banks" in the following Article and Article 34-68, paragraph (2)) on the date the person seeking to file the application delivered or has sent the operational rules prescribed in paragraph (1), item (ii) of the following Article (if such rules have been delivered or sent for over two or more dates, the latest date; the same applies in Article 34-67).

(銀行に対する意見聴取等)

(Hearing of Opinions from Banks)

第三十四条の六十六 法第五十二条の六十二第一項の申請をしようとする者は、同条第二項の規定により、銀行に対し、業務規程の内容を説明し、これについて異議がないかどうかの意見（異議がある場合には、その理由を含む。）を聴取する場合には、次に定めるところにより、説明会を開催してしなければならない。

Article 34-66 (1) When, pursuant to the provisions of paragraph (2) of that Article, a person seeking to file an application as referred to in Article 52-62, paragraph (1) of the Act explains to the relevant banks the details of its operational rules and hears their opinions on whether they have any objections (if any, including reasons therefor), it must hold an explanatory meeting as follows:

一 説明会を開催する日時及び場所は、全ての銀行の参集の便を考慮して定めること。

(i) The date and place of the explanatory meeting are determined in consideration of the convenience of all banks that will attend.

二 当該申請をしようとする者は、全ての銀行に対し、説明会の開催日（二以上の説明会を開催する場合には、その最初の説明会の開催日）の二週間前までに、次に掲げる事項を記載した書面及び業務規程（次条及び第三十四条の六十八第二項におい

て「業務規程等」という。)を交付し、又は送付すること。

(ii) The person that seeks to file the application delivers or sends documents and operational rules (which are referred to as "operational rules, etc." in the following Article and Article 34-68, paragraph (2)) stating the following particulars to all banks, no later than two weeks before the date of the explanatory meeting (the date of the first meeting when holding two or more meetings):

イ 当該申請をしようとする者の商号又は名称、主たる営業所又は事務所の所在地及び電話番号その他の連絡先

(a) trade name or name, location of the main business office or other offices, telephone number or other contact information of the person that seeks to file the application;

ロ 説明会の開催年月日時及び場所

(b) date and place of the explanatory meeting.

ハ 銀行は当該申請をしようとする者に対し説明会の開催日（二以上の説明会を開催する場合には、その最後の説明会の開催日）から一定の期間内に意見書を提出しなければならない旨

(c) a statement to the effect that banks must submit written opinions to a person seeking to file the application within a fixed period following the date of the explanatory meeting (the date of the last meeting when two or more meetings are held);

三 前号ハの一定の期間が、二週間を下らないものであること。

(iii) that the fixed period referred to in sub-item (c) of the preceding item is not shorter than two weeks.

2 法第五十二条の六十二第二項に規定する結果を記載した書類には、次に掲げる事項の全てを記載しなければならない。

(2) The document stating the results prescribed in Article 52-62, paragraph (2) of the Act must state all of the following particulars:

一 全ての説明会の開催年月日時及び場所

(i) dates and places of all the explanatory meetings;

二 全ての銀行の説明会への出席の有無

(ii) whether or not all banks attended the explanatory meeting;

三 全ての銀行の意見書の提出の有無

(iii) whether or not all banks submitted written opinions;

四 提出を受けた意見書における異議の記載の有無

(iv) whether or not written opinions submitted contained any objection;

五 提出を受けた意見書に法第五十二条の六十二第一項第八号に規定する異議に該当しない異議の記載がある場合には、その旨及び同号に規定する異議に該当しないと判断した理由

(v) when the written opinions submitted contains any objection that does not fall under the objection prescribed in Article 52-62, paragraph (1), item (viii)

of the Act, a statement to that effect and the reason that it was deemed not to fall under the objection prescribed in that item.

3 前項の書類には、銀行から提出を受けた全ての意見書を添付するものとする。

(3) The document prescribed in the preceding paragraph is to be accompanied by all of the written opinions submitted by the banks.

(指定申請書の提出)

(Submission of Written Application for Designation)

第三十四条の六十七 法第五十二条の六十三第一項の指定申請書は、業務規程等を交付し、又は送付した日から起算して三月以内に提出しなければならない。

Article 34-67 The written application for designation prescribed in Article 52-63, paragraph (1) of the Act must be submitted within three months from the date the operational rules were delivered or sent.

(指定申請書の添付書類)

(Documents Attached to Written Application for Designation)

第三十四条の六十八 法第五十二条の六十三第二項第五号に規定する内閣府令で定めるものは、次に掲げる書類とする。

Article 34-68 (1) The documents specified by Cabinet Office Order that are provided for in Article 52-63, paragraph (2), item (v) of the Act means the following documents:

一 法第五十二条の六十二第一項の申請の日の属する事業年度の直前の事業年度の貸借対照表、収支計算書若しくは損益計算書及び当該事業年度末の財産目録又はこれらに準ずるもの（同項の規定による指定を受けようとする者（第三項において「申請者」という。）が当該申請の日の属する事業年度に設立された法人（同条第一項第一号に規定する法人をいう。第三十四条の七十四第三項第三号において同じ。）である場合には、その設立時における財産目録又はこれに準ずるもの）

(i) the balance sheet, the income and expenditure statement or the profit and loss statement for the business year immediately preceding the business year that includes the date of application prescribed in Article 52-62, paragraph (1) of the Act and an inventory of assets as of the end of such immediately preceding business year or any documents equivalent thereto (when the person seeking to apply for the designation pursuant to the provisions of that paragraph (which is referred to as an "applicant" in paragraph (3)) is a corporation (meaning a corporation prescribed in paragraph (1), item (i) of that Article; the same applies in Article 34-74, paragraph (3), item (iii)) established during the business year that includes the date of application, an inventory of assets as of the date of the establishment or any document equivalent thereto).

二 法第五十二条の六十二第一項の規定による指定後における収支の見込みを記載した書類

- (ii) a document giving an estimate of income and expenditure after the designation is assigned pursuant to Article 52-62, paragraph (1) of the Act.
- 2 法第五十二条の六十三第二項第六号に規定する内閣府令で定めるものは、次に掲げる書類とする。
- (2) The documents specified by Cabinet Office Order that are provided for in Article 52-63, paragraph (2), item (vi) of the Act are the following documents:
- 一 第三十四条の六十六第一項第二号の規定により全ての銀行に対して交付し、又は送付した業務規程等
- (i) the operational rules, etc. delivered or sent to all banks pursuant to the provisions of Article 34-66, paragraph (1), item (ii);
- 二 全ての銀行に対して業務規程等を交付し、又は送付した年月日及び方法を証する書類
- (ii) documents certifying the dates and the methods on or by which the operational rules, etc. were delivered or sent to all banks;
- 三 銀行に対して業務規程等を送付した場合には、当該銀行に対する業務規程等の到達の有無及び到達に係る事実として、次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項を証する書類
- (iii) if operational rules, etc. have been sent to a bank, documents certifying the particulars in the following sub-item (a) or (b) in accordance with the categories set forth respectively therein to indicate whether or not the operational rules, etc. reached the bank and fact that the documents reached the bank;
- イ 到達した場合 到達した年月日
- (a) if they reached the bank, the arrival date;
- ロ 到達しなかつた場合 通常の送付方法によつて到達しなかつた原因
- (b) if they did not reach the bank, reason that they did not reach the bank by normal sending method.
- 3 法第五十二条の六十三第二項第七号に規定する内閣府令で定める書類は、次に掲げる書類とする。
- (3) The documents specified by Cabinet Office Order that are provided for in Article 52-63, paragraph (2), item (vii) of the Act are the following documents:
- 一 申請者の総株主等の議決権（総株主、総社員、総会員、総組合員又は総出資者の議決権をいう。次号及び第三十四条の七十七第二項において同じ。）の百分の五以上の議決権を保有している者の氏名又は商号若しくは名称、住所又は主たる営業所若しくは事務所の所在地及びその保有する議決権の数を記載した書面
- (i) a document stating the trade name or name, address, or location of the main business office or offices of any person holding voting rights that account for over five percent of the total shareholder or equivalent voting rights (meaning the total shareholder, member, partner, or investor voting rights; the same applies in the following item and Article 34-77, paragraph (2)) of the applicant and the number of voting rights held;

二 申請者の親法人（申請者の総株主等の議決権の過半数を保有している法人その他の団体をいう。）及び子法人（申請者が総株主等の議決権の過半数を保有している法人その他の団体をいう。）の商号又は名称、主たる営業所又は事務所の所在地及び事業の内容を記載した書面

(ii) a document stating the trade name or name, location of the main business office or offices, and line of business of the parent corporation (meaning a corporation or any other organization holding the majority of the total shareholder or equivalent voting rights in the applicant) and the subsidiary corporation (meaning a corporation and other organizations of which the majority of the total shareholder or equivalent voting rights is held by the applicant) of the applicant;

三 役員（役員が法人であるときは、その職務を行うべき者を含む。以下この項、第三十四条の七十一及び第三十四条の七十二において同じ。）の住民票の抄本（役員が法人であるときは、当該役員の登記事項証明書）又はこれに代わる書面

(iii) abstracts of the certificates of residency of the officers (if the officer is a corporation, including persons responsible for performing the duties thereof; hereinafter the same applies in this paragraph and Article 34-71 and Article 34-72) (if the officer is a corporation, a certificate of registered matters of that officer) or any document in lieu thereof;

四 役員の婚姻前の氏名を当該役員の氏名に併せて法第五十二条の六十三第一項の指定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

(iv) when an officer's name used before marriage is stated together with the officer's current name in the written application for designation referred to in Article 52-63, 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 proving the name used before marriage;

五 役員が法第五十二条の六十二第一項第四号ロに該当しない旨の官公署の証明書（役員が日本の国籍を有しない場合には、同号ロに該当しない者であることを当該役員が誓約する書面）

(v) a certificate of authorities that an officer does not fall under Article 52-62, paragraph (1), item (iv), sub-item (b) (when an officer does not have Japanese nationality, a document in which the officer pledges not to fall under (b) of that item);

六 役員の履歴書（役員が法人である場合には、当該役員の沿革を記載した書面）

(vi) resume of the officers (when the officer is a corporation, a document stating the history of the officer);

七 紛争解決委員（法第五十二条の六十四第一項に規定する紛争解決委員をいう。第三十四条の七十五第二項第三号において同じ。）の候補者並びに紛争解決等業務に関する知識及び経験を有する役員及び職員（以下この号及び次号並びに第三十四条の七十七において「役員等」という。）の確保の状況並びに当該役員等の配置の状

況を記載した書面

(vii) a document stating the candidates for dispute resolution mediators (meaning a dispute resolution mediator prescribed in Article 52-64, paragraph (1) of the Act; the same applies in Article 34-75, paragraph (2), item (iii)) and the progress in recruiting officers and employees (hereinafter referred to as "Officers, etc." in this item, following item, and Article 34-77) that have knowledge and experience in dispute resolution services, and the stationing of the officers;

八 役員等が、暴力団員等（法第五十二条の六十九に規定する暴力団員等をいう。第三十四条の七十七第一項第二号において同じ。）でないことを当該役員等が誓約する書面

(viii) a document in which each officer, etc. pledges that that officer, etc. is not a member of an organized crime group, etc. (meaning a member of an organized crime group, etc. prescribed in Article 52-69 of the Act; the same applies in Article 34-77, paragraph (1), item (ii));

九 その他参考となるべき事項を記載した書類

(ix) documents stating other particulars that serve as reference.

第二節 業務

Section 2 Services

（業務規程で定めるべき事項）

(Particulars to Be Prescribed in Operational Rules)

第三十四条の六十九 法第五十二条の六十七第一項第八号に規定する内閣府令で定めるものは、次に掲げる事項とする。

Article 34-69 The particulars specified by Cabinet Office Order that are provided for in Article 52-67, paragraph (1), item (viii) of the Act means the following particulars:

一 紛争解決等業務を行う時間及び休日に関する事項

(i) the particulars on the time to conduct dispute resolution services and non-business days;

二 営業所又は事務所の名称及び所在地並びにその営業所又は事務所が紛争解決等業務を行う区域に関する事項

(ii) the name and location of business offices or offices, and the particulars on the areas covered by dispute resolution services of the business offices or offices;

三 紛争解決等業務を行う職員の監督体制に関する事項

(iii) the particulars on the supervision of employees that provide dispute resolution services;

四 苦情処理手続又は紛争解決手続の業務を委託する場合には、その委託に関する事項

(iv) when complaint processing procedures or dispute resolution procedures are outsourced, the particulars on the outsourcing;

五 その他紛争解決等業務に関し必要な事項

(v) other particulars necessary for dispute resolution services.

(手続実施基本契約の内容)

(Content of the Basic Contract for Implementation of Dispute Resolution Procedures)

第三十四条の七十 法第五十二条の六十七第二項第十一号に規定する内閣府令で定める事項は、指定紛争解決機関は、当事者である加入銀行（法第五十二条の六十五第二項に規定する加入銀行をいう。以下同じ。）の顧客の申出があるときは、紛争解決手続における和解で定められた義務の履行状況を調査し、当該加入銀行に対して、その義務の履行を勧告することができることとする。

Article 34-70 The particulars specified by Cabinet Office Order that are provided for in Article 52-67, paragraph (2), item (xi) of the Act are that, if a customer of a member bank (meaning a member bank prescribed in Article 52-65, paragraph (2) of the Act; the same applies hereinafter) which is a party to the dispute so requests, a designated dispute resolution organization may investigate the progress of fulfillment of obligations prescribed in settlement agreement of the dispute resolution procedures and may recommend that the member bank fulfill the obligations.

(実質的支配者等)

(Substantial Controllers)

第三十四条の七十一 法第五十二条の六十七第四項第三号に規定する指定紛争解決機関の株式の所有、指定紛争解決機関に対する融資その他の事由を通じて指定紛争解決機関の事業を実質的に支配し、又はその事業に重要な影響を与える関係にあるものとして内閣府令で定める者は、次に掲げる者であつて、事業上の関係に照らして指定紛争解決機関の事業の方針の決定を支配すること及びその事業に重要な影響を与えることができないことが明らかでない認められる者とする。

Article 34-71 The person specified by Cabinet Office Order as one that substantially controls the business of the designated dispute resolution organization or has a relationship of having a significant influence on its business due to its holding of shares in the designated dispute resolution organization, its financing of the designated dispute resolution organization, or any other grounds, as provided in Article 52-67, paragraph (4), item (iii) of the Act, means a person as set forth in the following sub-items that is found not obvious as to be unable to control the business policy decisions or to significantly influence the business of the designated dispute resolution organization in light of their business relationship:

一 特定の者が自己の計算において所有している議決権と当該特定の者と出資、人事、

資金、技術、取引等において緊密な関係があることにより当該特定の者の意思と同一の内容の議決権を行使すると認められる者及び当該特定の者の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、指定紛争解決機関の議決権の三分の一以上を占めている場合（当該特定の者が自己の計算において議決権を所有していない場合を含む。）における当該特定の者

(i) if the combined voting rights held by a particular person on the person's own account, voting rights held by persons who are found to exercise their voting rights in the manner intended by the particular person due to a close relationship with the particular person in terms of contribution, personnel affairs, funds, technical skills, transactions, or other matters, and persons who agree to exercise their voting rights in the manner intended by the particular person account for one third or more of the voting rights in the designated dispute resolution organization (including the cases in which the particular person does not hold any voting rights on the person's own account), the particular person;

二 指定紛争解決機関の役員又は役員であつた者

(ii) a person that is or has been an officer of the designated dispute resolution organization;

三 指定紛争解決機関の役員の三親等以内の親族

(iii) a relative within the third degree of kinship of an officer of the designated dispute resolution organization;

四 前二号に掲げる者を代表者（法人でない団体で代表者又は管理人の定めのあるものの代表者又は管理人を含む。次条第四号において同じ。）とする者

(iv) a person that has any of the persons set forth in the preceding two items as its representative (including a representative or administrator of an organization that is not a corporation and appoints a representative or an administrator; the same applies in item (iv) of the following Article);

五 指定紛争解決機関の役員の三分の一以上が役員若しくは使用人である者又は役員若しくは使用人であつた者

(v) a person for whom one third or more of the officers of the designated dispute resolution organization are or have been its own officers or employees;

六 指定紛争解決機関との間で指定紛争解決機関の事業の方針の決定を支配する契約を締結している者

(vi) a person that has concluded a contract with the designated dispute resolution organization for controlling decisions on the business policy of the organization;

七 指定紛争解決機関の資金調達額（貸借対照表の負債の部に計上されているものに限る。以下この号及び次条第七号において同じ。）の総額の三分の一以上について特定の者が融資（債務の保証及び担保の提供を含む。以下この号及び同条第七号において同じ。）を行つている場合（当該特定の者と出資、人事、資金、技術、取引

等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の三分の一以上となる場合を含む。)における当該特定の者

(vii) when a particular person provides a loan (including a guarantee of liabilities and provision of collateral; the same applies in this item and item (vii) of the following Article) for one-third or more of the total amount of the procured funds (limited to those included in the liabilities on the balance sheet; the same applies in this item and item (vii) of the following Article) of the designated dispute resolution organization (including cases in which the amount of such loan exceeds one-third of the total amount of the procured funds when combined with the amount of a loan provided by a person with a close relationship with the particular person in terms of contribution, personnel affairs, funds, technical skills, transactions or other matters), the particular person;

八 前各号に掲げる者のほか、指定紛争解決機関の事業の方針の決定を支配していることが推測される事実が存在する者

(viii) in addition to the persons set forth in the preceding items, a particular person who is presumed to have control over the business policy decisions of the designated dispute resolution organization;

九 特定の者が前各号に掲げる者に対して、前各号（第二号から第四号までを除く。以下この号において同じ。）に規定する前各号に掲げる者の指定紛争解決機関に対する関係と同様の関係を有する場合における当該特定の者

(ix) when a particular person has, with any of the persons set forth in the preceding items, a relationship similar to the relationship between any of the persons set forth in the preceding items (excluding items (ii) to (iv); hereinafter the same in this item) and the designated dispute resolution organization as prescribed respectively in the preceding items, the particular person;

十 第一号から第八号までに掲げる者が特定の者に対して、次条第一号又は第五号から第八号までに規定する指定紛争解決機関の同条第一号又は第五号から第八号までに掲げる者に対する関係と同様の関係を有する場合における当該特定の者

(x) when any of the persons set forth in items (i) to (viii) has, with a particular person, a relationship similar to the relationship between the designated dispute resolution organization set forth in item (i) or items (v) to (viii) of the following Article and the persons set forth in the respective items, the particular person.

(子会社等)

(Subsidiary Companies)

第三十四条の七十二 法第五十二条の六十七第四項第三号に規定する指定紛争解決機関が株式の所有その他の事由を通じてその事業を実質的に支配する関係にあるものとして内閣府令で定める者は、次の各号に掲げる者であつて、事業上の関係に照らして指

定紛争解決機関が当該各号に掲げる者の事業の方針の決定を支配することができないことが明らかでない認められる者とする。

Article 34-72 The person specified by Cabinet Office Order as one that has a relationship with a designated dispute resolution organization in which the organization substantially controls its business due to holding of shares or other grounds as prescribed in Article 52-67, paragraph (4), item (iii) of the Act means a person as set forth in the following items who is found that the designated dispute resolution organization is not obvious to be unable to control their business policy decisions, in light of their business relationship.

一 指定紛争解決機関が自己の計算において所有している議決権と指定紛争解決機関と出資、人事、資金、技術、取引等において緊密な関係があることにより指定紛争解決機関の意思と同一の内容の議決権を行使すると認められる者及び指定紛争解決機関の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、他の法人又は法人でない団体で代表者又は管理人の定めのあるもの（以下この号及び第五号において「法人等」という。）の議決権の三分の一以上を占めている場合（指定紛争解決機関が自己の計算において議決権を所有していない場合を含む。）における当該他の法人等

(i) when the combined voting rights held by a designated dispute resolution organization on its own account, voting rights held by persons who are found to exercise their voting rights in the manner intended by the designated dispute resolution organization due to a close relationship with the organization in terms of contribution, personnel affairs, funds, technical skills, transactions, or other matters, and persons who agree to exercise their voting rights in the manner intended by the designated dispute resolution organization accounts for one third or more of voting rights in another corporation, or an organization that is not a corporation and appoints a representative or an administrator (hereinafter referred to as a "corporation, etc." in this item and item (v)) (including the cases in which the dispute resolution organization does not hold any voting rights on its own account), the other corporation, etc.;

二 指定紛争解決機関の役員若しくは指定紛争解決機関の使用人又はこれらであつた者

(ii) a person that is or has been an officer or an employee of the designated dispute resolution organization;

三 指定紛争解決機関の役員の三親等以内の親族

(iii) a relative within the third degree of kinship of an officer of the designated dispute resolution organization;

四 前二号に掲げる者を代表者とする者

(iv) a person that has any of the persons set forth in the preceding two items as its representative;

五 第二号に掲げる者が他の法人等の役員である者の三分の一以上を占めている場合

における当該他の法人等

- (v) when those set forth in the preceding two items account for one third or more of the officers of another corporation, etc., the other corporation, etc.;
- 六 指定紛争解決機関が特定の者との間に当該特定の者の事業の方針の決定を支配する契約を締結している場合における当該特定の者
- (vi) if the designated dispute resolution organization has concluded a contract with a particular person for controlling business policy decisions of the particular person, the particular person;
- 七 特定の者の資金調達額の総額の三分の一以上について指定紛争解決機関が融資を行っている場合（指定紛争解決機関と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の三分の一以上となる場合を含む。）における当該特定の者
- (vii) when a designated dispute resolution organization provides a loan for one third or more of the total amount of the procured funds of a particular person (including cases in which the amount of such loan exceeds one-third of the total amount of the procured funds when combined with the amount of a loan provided by a person with a close relationship with the designated dispute resolution organization in terms of contribution, personnel affairs, funds, technical skills, transactions or other matters), the particular person;
- 八 前各号に掲げる者のほか、指定紛争解決機関が特定の者の事業の方針の決定を支配していることが推測される事実が存在する場合における当該特定の者
- (viii) in addition to the persons otherwise set forth in the preceding items, any particular person over whose business policy decisions there are factual circumstances to infer that a designated dispute resolution organization has control;
- 九 前各号に掲げる者が特定の者に対して、前各号（第二号から第四号までを除く。以下この号において同じ。）に規定する指定紛争解決機関の前各号に掲げる者に対する関係と同様の関係を有する場合における当該特定の者
- (ix) when any of the persons set forth in the preceding items has, with a particular person, a relationship similar to the relationship between the designated dispute resolution organization in the preceding items (excluding items (ii) to (iv); hereinafter the same applies in this item) and any of the persons set forth therein respectively, the particular person.

（苦情処理手続に関する記録の記載事項等）

(Particulars to Be Stated in the Record of Complaint Processing Procedures)

第三十四条の七十三 法第五十二条の七十一の規定により、指定紛争解決機関は、その実施した苦情処理手続に関し、次に掲げる事項を記載した記録を作成しなければならない。

Article 34-73 (1) Pursuant to the provisions of Article 52-71 of the Act, the designated dispute resolution organization must, with regard to complaint

processing procedures it performed, prepare a record stating the following particulars:

一 加入銀行の顧客が銀行業務関連苦情（法第二条第二十二項に規定する銀行業務関連苦情をいう。次条第三項第三号において同じ。）の解決の申立てをした年月日及びその内容

(i) date and content of the application filed by a customer of a member bank for resolution of a complaint related to banking services (meaning a complaint related to banking services prescribed in Article 2, paragraph (22) of the Act; the same applies in paragraph (3), item (iii) of the following Article);

二 前号の申立てをした加入銀行の顧客及びその代理人の氏名、商号又は名称並びに当該加入銀行の商号

(ii) name and trade name of the customer of a member bank who filed the application in the preceding item, of the customer's agent, and trade name of the member bank;

三 苦情処理手続の実施の経緯

(iii) history of the complaint processing procedures performed;

四 苦情処理手続の結果（苦情処理手続の終了の理由及びその年月日を含む。）

(iv) results of the complaint processing procedures (including the reasons and date of the termination of the complaint processing procedures).

2 指定紛争解決機関は、前項に規定する事項を記載した記録を、その実施した苦情処理手続が終了した日から少なくとも五年間保存しなければならない。

(2) The designated dispute resolution organization must preserve the records of the particulars prescribed in the preceding paragraph for a minimum of five years from the date it completed the complaint processing procedures.

（紛争解決委員の利害関係等）

(Interests of Dispute Resolution Mediators)

第三十四条の七十四 法第五十二条の七十三第三項に規定する同条第一項の申立てに係る法第五十二条の六十五第二項に規定する当事者（以下この項において単に「当事者」という。）と利害関係を有する者とは、次に掲げる者のいずれかに該当する者とする。

Article 34-74 (1) A person that has interests in a party to the dispute (hereinafter referred to simply as "party to the dispute") prescribed in Article 52-65, paragraph (2) of the Act pertaining to the application in Article 52-73, paragraph (1) of the Act as prescribed in paragraph (3) of that Article, is a person that falls under any of the following items:

一 当事者の配偶者又は配偶者であつた者

(i) a person that is or had been the spouse of a party to the dispute;

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又はこれらであつた者

(ii) a person that is or had been a relative by blood within the fourth degree of

- kinship of a party to the dispute; or a relative by marriage within the third degree of kinship or a relative living together with a party to the dispute;
- 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
(iii) guardians, supervisors of guardians, curators, supervisors of curators, assistants or supervisors of assistants of a party to the dispute;
- 四 当該申立てに係る銀行業務関連紛争（法第二条第二十三項に規定する銀行業務関連紛争をいう。次条において同じ。）について当事者の代理人若しくは補佐人又はこれらであつた者
(iv) a person that is or had been the agent or assistant of a party to the dispute related to banking services pertaining to the application (meaning a dispute related to banking services prescribed in Article 2, paragraph (23) of the Act; the same applies in the following Article);
- 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つた日から三年を経過しない者
(v) a person that earns an income from a party to the dispute for provision of services or for whom three years have not passed from the date it stopped earning the income.
- 2 法第五十二条の七十三第三項第三号に規定する内閣府令で定める者は、次に掲げるいずれかの資格を有し、かつ、消費生活相談（消費者契約法（平成十二年法律第六十一号）第十三条第三項第五号イに規定する消費生活相談をいう。）に依ずる業務に従事した期間が通算して五年以上である者とする。
- (2) The person specified by Cabinet Office Order that is provided for in Article 52-73, paragraph (3), item (iii) of the Act means a person that holds any of the following qualifications and has been engaged in a service providing consumer affairs consultation (meaning the Consumer Affairs Consultation prescribed in Article 13, paragraph (3), item (v), sub-item (a) of the Consumer Contract Act (Act No. 61 of 2000)) for at least five years in total:
- 一 独立行政法人国民生活センターが付与する消費生活専門相談員の資格
(i) qualification of a specialized consumer affairs consultant granted by the Incorporated Administrative Agency National Consumer Affairs Center of Japan;
- 二 一般財団法人日本産業協会が付与する消費生活アドバイザーの資格
(ii) qualification of a consumer affairs advisor granted by the Japan Industrial Association;
- 三 一般財団法人日本消費者協会が付与する消費生活コンサルタントの資格
(iii) qualification of a consumer affairs consultant granted by the Japan Consumers' Association.
- 3 法第五十二条の七十三第三項第五号に規定する内閣府令で定める者は、次に掲げる者とする。
- (3) The persons specified by Cabinet Office Order that are provided for in Article 52-73, paragraph (3), item (v) of the Act are the following persons:

- 一 次に掲げる職の一又は二以上にあつてその年数が通算して五年以上である者
- (i) a person that has been in one or more of the following occupations for at least five years in total:
- イ 判事
 - (a) judge;
 - ロ 判事補
 - (b) assistant judge;
 - ハ 検事
 - (c) public prosecutor;
 - ニ 弁護士
 - (d) attorney at law;
 - ホ 学校教育法（昭和二十二年法律第二十六号）による大学の学部、専攻科又は大学院の法律学に属する科目の教授又は准教授
 - (e) professor or associate professor at a department, major course, or graduate school for the study of law at a university as prescribed by the School Education Act (Act No. 26 of 1947);
- 二 次に掲げる職の一又は二以上にあつてその年数が通算して五年以上である者
- (ii) person that has been in one or more of the following occupations for at least five years in total:
- イ 公認会計士
 - (a) public accountant;
 - ロ 税理士
 - (b) licensed tax accountant;
 - ハ 学校教育法による大学の学部、専攻科又は大学院の経済学又は商学に属する科目の教授又は准教授
 - (c) professor or associate professor at a department, major course, or graduate school for the study of economics or commercial science at a university as prescribed by the School Education Act.;
- 三 銀行業務関連苦情を処理する業務又は銀行業務関連苦情の処理に関する業務を行う法人において、顧客の保護を図るため必要な調査、指導、勧告、規則の制定その他の業務に従事した期間が通算して十年以上である者
- (iii) a person that, at a corporation providing services of handling complaints related to banking services or services pertaining to the handling of complaints related to banking services, has engaged in such services as investigation, guidance, advice, rulemaking, etc. necessary to ensure the protection of clients;
- 四 金融庁長官が前三号に掲げる者のいずれかに該当する者と同等以上の知識及び経験を有すると認められた者
- (iv) a person recognized by the Commissioner of the Financial Services Agency as having knowledge and experience equal to or greater than a person set forth in any of the preceding three items.

(銀行業務関連紛争の当事者である加入銀行の顧客に対する説明)

(Explanation to a Customer of a Member Bank Who Is a Party to the Dispute Related to Banking Services)

第三十四条の七十五 指定紛争解決機関は、法第五十二条の七十三第八項に規定する説明をするに当たり銀行業務関連紛争の当事者である加入銀行の顧客から書面の交付を求められたときは、書面を交付して説明をしなければならない。

Article 34-75 (1) A designated dispute resolution organization, in giving explanation prescribed in Article 52-73, paragraph (8) of the Act and when requested by a customer of a member bank, who is a party to the dispute related to banking services, to deliver a written document, must deliver a written document and give the explanation.

2 法第五十二条の七十三第八項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 52-73, paragraph (8), item (iii) of the Act are the following particulars:

一 紛争解決手続において陳述される意見若しくは提出され、若しくは提示される資料に含まれ、又は法第五十二条の七十三第九項に規定する手続実施記録（次条第一項において「手続実施記録」という。）に記載されている銀行業務関連紛争の当事者及び第三者の秘密の取扱いの方法

(i) method of handling secrets of the parties and third parties to the dispute related to banking services contained in opinions stated or materials submitted or presented in the course of dispute resolution procedures or recorded in the dispute resolution record prescribed in Article 52-73, paragraph (9) of the Act (referred to as the "dispute resolution record" in paragraph (1) of the following Article);

二 銀行業務関連紛争の当事者が紛争解決手続を終了させるための要件及び方式

(ii) requirements to be fulfilled for the parties to a dispute related to banking services to complete such dispute resolution procedures and method of completion;

三 紛争解決委員が紛争解決手続によつては銀行業務関連紛争の当事者間に和解が成立する見込みがないと判断したときは、速やかに当該紛争解決手続を終了し、その旨を当該銀行業務関連紛争の当事者に通知すること。

(iii) that if the dispute resolution mediator finds the parties to a dispute related to banking services unlikely to reach a settlement through dispute resolution procedures, the mediator will promptly terminate the dispute resolution procedures and notify the parties to the dispute related to banking services to that effect;

四 銀行業務関連紛争の当事者間に和解が成立した場合に作成される書面の有無及び書面が作成される場合には作成者、通数その他当該書面の作成に係る概要

(iv) whether or not there are written documents to be prepared when the

parties to a dispute related to banking services reached a settlement and, if they are prepared, the name of the person who prepared the documents, the number of copies, and the outline pertaining to preparation of the documents.

(手続実施記録の保存及び作成)

(Preservation and Preparation of Dispute Resolution Record)

第三十四条の七十六 指定紛争解決機関は、手続実施記録を、その実施した紛争解決手続が終了した日から少なくとも十年間保存しなければならない。

Article 34-76 (1) A designated dispute resolution organization must preserve the dispute resolution record for at least ten years from the date it completed the dispute resolution procedures.

2 法第五十二条の七十三第九項第六号に規定する内閣府令で定めるものは、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 52-73, paragraph (9), item (vi) of the Act are the following particulars:

一 紛争解決手続の申立ての内容

(i) content of the application for dispute resolution procedures;

二 紛争解決手続において特別調停案（法第五十二条の六十七第六項に規定する特別調停案をいう。以下この号において同じ。）が提示された場合には、当該特別調停案の内容及びその提示の年月日

(ii) when a special mediation (meaning the special mediation prescribed in Article 52-67, paragraph (6) of the Act; hereinafter the same applies in this item) is proposed in the dispute resolution procedures, the content of the mediation and the date it was proposed;

三 紛争解決手続の結果が和解の成立である場合には、当該和解の内容

(iii) when the dispute resolution procedures resulted in a settlement, the content of the settlement.

第三節 監督

Section 3 Supervision

(届出事項)

(Matters to Be Notified)

第三十四条の七十七 指定紛争解決機関は、法第五十二条の七十九の規定による届出をしようとするときは、届出書に理由書その他参考となるべき事項（次の各号に掲げる場合にあつては、当該各号に定める事項を含む。）を記載した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 34-77 (1) When seeking to file a notification under Article 52-79 of the Act, a designated dispute resolution organization must submit a written notification with the Commissioner of the Financial Services Agency, with a statement of reasons and documents stating other particulars that will serve

as reference attached thereto (in the cases set forth in the following items, including particulars set forth in the respective items):

一 法第五十二条の七十九第一号に掲げる場合 手続実施基本契約を締結し、又は終了した年月日及び銀行の商号

(i) the cases set forth in Article 52-79, item (i) of the Act: the date of conclusion or termination of the basic contract for the implementation of dispute resolution procedures and the trade name of the bank;

二 次項第六号に掲げる場合 指定紛争解決機関の役員等となつた者が暴力団員等でないことの当該役員等となつた者による誓約

(ii) the cases set forth in item (vi) of the following paragraph: a written pledge by persons appointed officer, etc. of the designated dispute resolution organization that they are not members of any organized crime group;

三 次項第七号に掲げる場合 銀行が手続実施基本契約に係る債務その他の紛争解決等業務の実施に関する義務を履行することが確実でないと思込まれる理由及び当該銀行の商号

(iii) the cases set forth in item (vii) of the following paragraph: the reasons that the organization suspects that the bank may fail to fulfill obligations under basic contract for the implementation of dispute resolution procedures and other obligations pertaining to dispute resolution services and the trade name of the bank;

四 次項第八号又は第九号に掲げる場合 次に掲げる事項

(iv) the cases set forth in item (viii) and (ix) of the following paragraph: the following particulars:

イ 行為が発生した営業所又は事務所の名称

(a) name of the business office or office where the act occurred;

ロ 行為をした役員等の氏名又は商号若しくは名称及び役職名

(b) name or trade name and title of the officer who committed the act;

ハ 行為の概要

(c) outline of the act;

ニ 改善策

(d) improvement plan.

2 法第五十二条の七十九第二号に規定する内閣府令で定めるときは、次に掲げるときとする。

(2) The occasions specified by Cabinet Office Order that are provided for in Article 52-79, item (ii) of the Act are the following occasions:

一 定款又はこれに準ずる定めを変更したとき。

(i) when the organization changed the articles of incorporation or other regulations equivalent thereto;

二 親法人（指定紛争解決機関の総株主等の議決権の過半数を保有している法人その他の団体をいう。次号において同じ。）又は子法人（指定紛争解決機関が総株主等の議決権の過半数を保有している法人その他の団体をいう。第四号において同

じ。)が商号若しくは名称、主たる営業所若しくは事務所の所在地又は事業の内容を変更したとき。

(ii) when a parent corporation (meaning a corporation or other organizations holding the majority of the total shareholder or equivalent voting rights in the designated dispute resolution organization; the same applies in the following item) or a subsidiary corporation (meaning a corporation or other organizations of which the majority of the total shareholder or equivalent voting rights is held by the designated dispute resolution organization; the same applies in item (iv)) changed their trade name or name, the location of the main business office or office, or the line of business;

三 親法人が親法人でなくなつたとき。

(iii) when the parent corporation ceased to be the parent corporation;

四 子法人が子法人でなくなつたとき、又は子法人の議決権を取得し、若しくは保有したとき。

(iv) when a subsidiary corporation ceases to be a subsidiary corporation or when the designated dispute resolution organization acquired or held voting rights in a subsidiary corporation;

五 総株主等の議決権の百分の五を超える議決権が一の者により取得され、又は保有されることとなつたとき。

(v) when a single person acquired or held voting right exceeding five percent of the total shareholder or investor voting rights in the designated dispute resolution organization;

六 法第五十二条の六十三第一項の指定申請書を提出後、新たに指定紛争解決機関の役員等となつた者がいるとき。

(vi) when, after a written application for designation prescribed in Article 52-63, paragraph (1) of the Act was filed, there was a person newly appointed an officer, etc. of the designated dispute resolution organization;

七 銀行から手続実施基本契約の締結の申込みがあつた場合であつて、当該申込みを拒否したとき。

(vii) when a bank offered to conclude a basic contract for the implementation of dispute resolution procedures and the designated dispute resolution organization refused the offer;

八 指定紛争解決機関又はその業務の委託先の役員等が紛争解決等業務（業務の委託先にあつては、当該指定紛争解決機関が委託する業務に係るものに限る。）を遂行するに際して法令又は当該指定紛争解決機関の業務規程に反する行為が発生した事実を知つたとき。

(viii) when an officer, etc. of the designated dispute resolution organization or its outsourced contractor learned that an act violating laws and regulations or violating operational rules of the designated dispute resolution organization in providing dispute resolution services (for the outsourced contractor, limited to services outsourced by the designated dispute

resolution organization);

九 加入銀行又はその役員等が指定紛争解決機関の業務規程に反する行為を行った事実を知ったとき。

(ix) when the designated dispute resolution organization learned that a member bank or its officer, etc. committed an act violating the operational rules of the designated dispute resolution organization.

3 前項第八号又は第九号に該当するときの届出は、これらの規定に規定する事実を指定紛争解決機関が知った日から一月以内に行わなければならない。

(3) Notifications to be submitted when the designated dispute resolution organization falls under items (viii) or (ix) of the preceding paragraph must be submitted within one month from the date the designated dispute resolution organization learned the facts prescribed in those provisions.

(紛争解決等業務に関する報告書の提出)

(Submission of Written Reports on Dispute Resolution)

第三十四条の七十八 法第五十二条の八十第一項の規定による指定紛争解決機関が作成すべき紛争解決等業務に関する報告書は、別紙様式第二十四号により作成し、事業年度経過後三月以内に金融庁長官に提出しなければならない。

Article 34-78 (1) A written report on dispute resolution services, that should be prepared by a designated dispute resolution organization pursuant to Article 52-80, paragraph (1) of the Act must be prepared pursuant to the Appended Form No. 24 and submitted to the Commissioner of the Financial Services Agency within three months of the end of the business year.

2 前項の報告書には、最終事業年度に係る財産目録、貸借対照表及び収支計算書若しくは損益計算書又はこれらに準ずるものを添付しなければならない。

(2) The written report submitted pursuant to the preceding paragraph must be accompanied with the inventory of property, balance sheet, income and expenditure statement or profit and loss statement, or any documents equivalent thereto, for the latest business year.

3 指定紛争解決機関は、やむを得ない理由により第一項に規定する期間内に同項の報告書の提出をすることができない場合には、あらかじめ金融庁長官の承認を受けて、当該提出を延期することができる。

(3) A designated dispute resolution organization, if it is unable to submit the written report prescribed in paragraph (1) within the period prescribed in that paragraph for compelling reasons, may postpone the submission with the prior approval of the Commissioner of the Financial Services Agency.

4 指定紛争解決機関は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官に提出しなければならない。

(4) When seeking the approval under the preceding paragraph, a designated dispute resolution organization must submit a written statement of reasons attached to a written application for approval to the Commissioner of the

Financial Services Agency.

5 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした指定紛争解決機関が第三項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(5) When the application for approval under the preceding paragraph is filed, the Commissioner of the Financial Services Agency is to examine whether the designated dispute resolution organization that filed the application has what is found to be a compelling reason to postpone the submission as under paragraph (3).

第九章 雑則

Chapter IX Miscellaneous Provisions

(届出事項)

(Matters to Be Notified)

第三十五条 法第五十三条第一項第八号に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 35 (1) The cases specified by Cabinet Office Order that are provided for in Article 53, paragraph (1), item (viii) of the Act are as follows:

一 定款を変更した場合

(i) if the articles of incorporation are changed;

二 新株予約権又は新株予約権付社債を発行しようとする場合

(ii) if share options or bonds with share options are to be issued;

二の二 新株予約権付社債について期限前償還をしようとする場合（期限のないものについて償還をしようとする場合を含む。）

(ii)-2 if an early redemption is to be made for corporate bonds with share options (including a case of seeking to make a redemption of bonds without a term);

三 銀行を代表する取締役、銀行の常務に従事する取締役又は監査役（監査等委員会設置会社にあつては銀行を代表する取締役、銀行の常務に従事する取締役又は監査等委員（銀行の常務に従事する取締役を除く。）、指名委員会等設置会社にあつては銀行の常務に従事する取締役、代表執行役、執行役又は監査委員（銀行の常務に従事する取締役を除く。）。以下この号及び次号において「役員等」という。）を選任しようとする場合又は役員等が退任しようとする場合（次号に該当する場合を除く。）

(iii) when seeking to appoint a director representing a bank, a director engaging in ordinary business of a bank or an auditor (in the case of a company with audit and supervisory committee, a director representing a bank, a director engaging in ordinary business of a bank or an audit and supervisory committee member (excluding a director engaging in ordinary business of a bank); in the case of a company with nominating committee,

etc., a director engaging in ordinary business of a bank, a representative executive officer, an executive officer or an audit committee member (excluding a director engaging in ordinary business of a bank); hereinafter referred to as "officer, etc." in this item and the following item), or when officer, etc. seeks to resign (excluding the case that falls under the following item);

三の二 役員等の選任又は退任（以下この条において「選退任」という。）があつた場合（役員等の選退任の前に、役員等を選任しようとする旨又は役員等が退任しようとする旨の届出をすることができないことについて、やむを得ない事情がある場合に限る。）

(iii)-2 when appointment or resignation of the officer, etc. (hereinafter referred to as "appointment or resignation" in this Article) has taken place (but only if there is a compelling reason for being unable to file, before the appointment or resignation of an officer, etc., a notification to the effect that an officer, etc. is to be appointed or that an officer, etc. is to resign);

三の三 会計参与を選任しようとする場合又は会計参与が退任しようとする場合（次号に該当する場合を除く。）

(iii)-3 when the appointment or resignation of an accounting advisor is sought (excluding the case that falls under the following item);

三の四 会計参与の選退任があつた場合（会計参与の選退任の前に、会計参与を選任しようとする旨又は会計参与が退任しようとする旨の届出をすることができないことについて、やむを得ない事情がある場合に限る。）

(iii)-4 when the appointment or resignation of an accounting advisor has taken place (but only if there is a compelling reason for being unable to file, before the appointment or resignation of an accounting advisor, a notification to the effect that an accounting advisor is to be appointed or that an accounting advisor is to resign)

三の五 会計監査人を選任しようとする場合又は会計監査人が退任しようとする場合（次号に該当する場合を除く。）

(iii)-5 when the appointment or resignation of a financial auditor is sought (excluding the case that falls under the following item); and

三の六 会計監査人の選退任があつた場合（会社法第三百三十八条第二項の規定により再任されたものとみなされた場合を除き、会計監査人の選退任の前に、会計監査人を選任しようとする旨又は会計監査人が退任しようとする旨の届出をすることができないことについて、やむを得ない事情がある場合に限る。）

(iii)-6 when the appointment or resignation of a financial auditor has taken place (excluding the case in which the financial auditor is deemed to have been re-appointed pursuant to the provisions of Article 338, paragraph (2) of the Companies Act; and only if there is a compelling reason for being unable to submit, before the appointment or resignation of a financial auditor, a notification to the effect that a financial auditor is to be appointed or that a

financial auditor is to resign);

四 第九条第一項第一号に規定する出張所（臨時若しくは巡回型の施設又は無人の設備を除く。）の設置、位置の変更若しくは廃止又は第九条の二第三項第一号に規定する出張所の設置をした場合

(iv) if a sub-office as prescribed in Article 9, paragraph (1), item (i) (excluding a temporary or circuit-type facility or an unmanned facility) has been opened, relocated, or closed or a sub-office as prescribed in Article 9-2, paragraph (3), item (i) is established;

五 第九条の二第三項第二号に規定する出張所の廃止又は外国に所在する営業所の位置の変更（次号又は第九条第一項第二号若しくは第三号に該当する場合を除く。）をしようとする場合

(v) when the relevant person seeks to close a sub-office or to change the location of a business office in a foreign state as prescribed in Article 9-2, paragraph (3), item (ii) (excluding cases corresponding to the following item, or Article 9, paragraph (1), item (ii) or item (iii));

五の二 外国に所在する出張所（臨時若しくは巡回型の施設又は無人の設備に限る。）の廃止又は位置の変更（第九条第一項第二号又は第三号に掲げる場合を除く。）をした場合

(v)-2 when a sub-office located in a foreign state (limited to a temporary or circuit-type facility or an unmanned facility) has been closed or its location has been changed (excluding cases as set forth in Article 9, paragraph (1), item (ii) or (iii));

六 法第十条第二項に規定する業務（金融庁長官が別に定めるものを除く。）の全部若しくは一部のみを営む施設若しくは設備の設置、位置の変更若しくは廃止又は当該施設若しくは設備において営む業務の内容の変更をした場合

(vi) when a facility or equipment that the relevant person uses only to carry out all or part of the services prescribed in Article 10, paragraph (2) of the Act (excluding cases specified separately by the Commissioner of the Financial Services Agency) has been established or installed, relocated, or closed, or if the content of the services the person carries out using that facility or equipment has changed;

六の二 外国において法第十条第二項に規定する業務の全部若しくは一部のみを営む施設若しくは設備の設置、位置の変更若しくは廃止又は当該施設若しくは設備において営む業務の内容の変更をしようとする場合

(vi)-2 when a facility or equipment that the relevant person uses only to carry out all or part of the services prescribed in Article 10, paragraph (2) of the Act in a foreign state has been established or installed, relocated, or closed, or if the content of services the person carries out using that facility or equipment has changed;

六の三 銀行代理業を委託する旨の契約を締結し、当該契約を変更し、又は当該契約を終了した場合（委託した銀行代理業を再委託することについて許諾を行った場合

を含む。)

(vi)-3 when a contract to entrust a person with bank agency services is concluded, changed, or terminated (including if further entrustment of entrusted bank agency services is authorized);

六の四 法第十条第二項に規定する業務に係る契約の締結の代理若しくは媒介を委託する旨の契約を締結し、当該契約を変更し、又は当該契約を終了した場合

(vi)-4 when a contract to entrust a person to act as an agent or intermediary in the conclusion of a contract involving the business as prescribed in Article 10, paragraph (2) of the Act is concluded, changed, or terminated;

六の五 特定取引勘定を設けようとする場合

(vi)-5 in the cases of seeking to establish a specified transaction account;

六の六 特定取引勘定を廃止しようとする場合

(vi)-6 in the cases of seeking to close a specified transaction account;

七 銀行の営業所（臨時若しくは巡回型の施設又は無人の設備を除く。）の全部又は一部において、第十六条第三項の規定による営業時間の変更をしようとする場合（同条第一項に規定する営業時間が確保されている場合を除く。）

(vii) in the cases of seeking to change business hours as prescribed in Article 16, paragraph (3) at all or some of business offices (excluding a temporary or circuit-type facility or an unmanned facility) of a bank (excluding cases in which business hours as prescribed in paragraph (1) of that Article are ensured);

八 銀行若しくはその子会社の担保権の実行による株式等の取得又は第十七条の四第一項各号に掲げる事由により他の会社（法第五十三条第一項第二号の規定により子会社とすることについて同号の届出をしなければならないとされるものを除く。）を子会社とした場合

(viii) when another company (excluding a company required to submit a notification as prescribed in that item in making the company as a subsidiary company pursuant to the provisions of Article 53, paragraph (1), item (ii) of the Act) is made as a subsidiary company due to the acquisition of shares, etc. through the exercise of the security right by a bank or its subsidiary company or the grounds set forth in the items of Article 17-4, paragraph (1);

八の二 法第十六条の二第四項本文に規定する場合に該当して子会社対象会社（同条第一項に規定する子会社対象会社をいう。第十二号において同じ。）以外の外国の会社を子会社としようとする場合

(viii)-2 in the cases of falling under the case prescribed in the main clause of Article 16-2, paragraph (4) of the Act and seeking to make a foreign company not constituting a company eligible to be a subsidiary company (meaning the company eligible to be a subsidiary company prescribed in paragraph (1) of that Article; the same applies in item (xii)) a subsidiary company;

九 その子会社の議決権を取得し、又は保有した場合

- (ix) when voting rights in its subsidiary company are acquired or held;
- 十 その子会社が名称、本店若しくは主たる営業所若しくは事務所の位置を変更し、合併し、又は業務の全部を廃止した場合（法第五十三条第一項第三号の場合を除く。）
- (x) when a subsidiary company changes its name or the location of the head office or the main business office or other offices, undergoes a merger, or discontinues all services (excluding cases as prescribed in Article 53, paragraph (1), item (iii) of the Act);
- 十の二 法第十六条の二第七項の認可を受けた銀行が当該銀行又はその子会社が合算してその基準議決権数（法第十六条の四第一項に規定する基準議決権数をいう。以下この項において同じ。）を超えて保有する銀行業高度化等会社の議決権のうちその基準議決権数を超える部分の議決権を保有しなくなった場合
- (x)-2 when a bank that has obtained authorization as referred to in Article 16-2, paragraph (7) of the Act has ceased to hold the part of the combined voting rights in an advanced banking service company that the bank or its subsidiary companies hold in excess of the maximum threshold for voting rights held (meaning the maximum threshold for voting rights held as prescribed in Article 16-4, paragraph (1) of the Act; the same applies in this paragraph);
- 十の三 法第十六条の二第七項の認可を受けた銀行又はその子会社が合算してその基準議決権数を超えて議決権を保有する銀行業高度化等会社が名称、本店若しくは主たる営業所若しくは事務所の位置を変更し、合併し、又は業務の全部を廃止した場合（前二号の場合を除く。）
- (x)-3 when a bank that has obtained authorization as referred to in Article 16-2, paragraph (7) of the Act or its subsidiary companies have held voting rights in an advanced banking service company in excess of the maximum threshold for voting rights held, and that advanced banking service company changes its name or the location of the head office or the main business office or other offices, undergoes a merger, or discontinues all services (excluding the cases referred to in the preceding two items);
- 十一 銀行又はその子会社が、第十七条の六第一項各号に掲げる事由により、国内の会社（法第十六条の四第一項に規定する国内の会社をいう。第十三号において同じ。）の議決権を合算してその基準議決権数を超えて取得し、又は保有した場合
- (xi) when a bank or its subsidiary company acquires or holds voting rights in a domestic company (meaning a domestic company as prescribed in Article 16-4, paragraph (1) of the Act; the same applies in item (xiii)) that, when combined, exceed the maximum threshold for voting rights held due to the grounds set forth in each item of Article 17-16, paragraph (1);
- 十二 銀行又はその子会社が国内の子会社対象会社（銀行業高度化等会社を除く。）の議決権を合算してその基準議決権数を超えて取得し、又は保有することとなった場合

(xii) when a bank or its subsidiary company acquires or comes to hold voting rights in a company eligible to be a subsidiary company (excluding an advanced banking service company) that, when combined, exceeds the maximum threshold for voting rights held;

十三 銀行又はその子会社が合算してその基準議決権数を超えて保有することとなつた国内の会社及び事業再生会社の議決権のうちその基準議決権数を超える部分の議決権を保有しなくなつた場合

(xiii) when a bank or its subsidiary companies no longer hold the portion of voting rights that, when combined, exceeds the maximum threshold for voting rights held of a domestic company and a company in business revitalization process;

十四 第十四条の四に規定する子法人等又は第十四条の十二各号に掲げる者のいずれかに該当する者（子会社を除く。次号及び第十六号において「特殊関係者」という。）を新たに有することとなつた場合

(xiv) in the case of newly holding a corporation corresponding to a subsidiary company, etc. as prescribed in Article 14-4 or any of the companies as set forth in each item of Article 14-12 (excluding a subsidiary company; referred to as "person that has a unique relationship" in the following item and item (xvi));

十五 その特殊関係者が特殊関係者でなくなつた場合

(xv) if a person that has a unique relationship is no longer such a person;

十六 銀行又はその子会社が合算してその基準議決権数を超えて議決権を保有する会社（当該銀行の子会社及び外国の会社を除く。）又は銀行の特殊関係者がその業務の内容を変更することとなつたことを知つた場合

(xvi) upon learning of the decision that a company in which a bank and its subsidiary companies hold voting rights which, in total, exceed the maximum threshold for voting rights held (excluding a subsidiary company of that bank or a foreign company), or a person that has a unique relationship with a bank will change the content of its business;

十六の二 法第五十二条の二第二項の認可を受けた銀行が、外国銀行グループに属する外国銀行との間で外国銀行代理業務に係る委託契約を締結しようとする場合

(xvi)-2 when a bank that has obtained authorization as referred to in Article 52-2, paragraph (2) of the Act seeks to conclude an outsourcing contract for foreign bank agency services with a foreign bank that belongs to a foreign bank group;

十六の三 法第五十二条の二第二項の認可を受けた銀行が、所属外国銀行との間で外国銀行代理業務に係る委託契約を終了しようとする場合

(xvi)-3 when a bank that has obtained authorization as referred to in Article 52-2, paragraph (2) of the Act intends to terminate an outsourcing contract for foreign bank agency services concluded with the principal foreign bank;

十六の四 外国において設置した駐在員事務所の廃止又は位置の変更をした場合

(xvi)-4 when a liaison office that is established in a foreign state is closed or its location is changed;

十七 外国において銀行の業務に関連を有する業務を行う施設（駐在員事務所を除く。）を設置しようとする場合又は当該施設の廃止若しくは位置の変更をした場合

(xvii) when a facility is to be established in a foreign state for business that is related to the services of a bank (excluding a liaison office), or when the facility is closed or its location is changed;

十七の二 外国において行う外国銀行代理業務に係る所属外国銀行が次のいずれかに該当する場合

(xvii)-2 when the principal foreign bank pertaining to foreign bank agency services conducted in a foreign state falls under any of the following:

イ 資本金又は出資の額を変更した場合

(a) it changes the amount of stated capital or contribution;

ロ 商号若しくは名称又は主たる営業所の所在地を変更した場合

(b) it changes its trade name or name or the location of its main business office;

ハ 合併をし、会社分割により事業を承継させ、若しくは承継し、又は事業の全部若しくは重要な一部の譲渡若しくは譲受けをした場合

(c) it merges, has its business succeeded to in a company split, succeeds to a business in a company split, or transfers or acquires all or an important part of a business;

ニ 解散（合併によるものを除く。）をし、又は銀行業の廃止をした場合

(d) it is dissolved (other than a dissolution resulting from a merger) or discontinues banking;

ホ 銀行業に係る免許（当該免許に類する許可、登録その他の行政処分を含む。）を取り消された場合

(e) its banking license (including any permission, registration, or other administrative disposition similar to such a license) is revoked; or

ヘ 破産手続開始の決定があつた場合

(f) it becomes subject to an order commencing bankruptcy proceedings;

十八 特定取引勘定設置銀行又は特定取引勘定届出外国銀行支店において、特定取引として経理しようとする取引の種類その他第五項第一号に定める書面に係る事項を変更しようとする場合（軽微な変更をしようとする場合を除く。）

(xviii) when a bank with a specified transaction account or a foreign bank branch that submitted notification of a specified transaction account seeks to change the type of transactions which are intended to be transacted as specified transactions, or any other particulars of the documents as prescribed in paragraph (5), item (i) (excluding when seeking to make minor changes);

十九 外国銀行支店が特定取引勘定に類する勘定を設けようとする場合

(xix) when a foreign bank branch seeks to establish an account equivalent to a

specified transaction account;

二十 銀行及びその子会社等の連結自己資本比率を算出する際に、金融庁長官の定めるところにより、会社の資産、負債、収益及び費用のうち当該会社に投資している銀行及び連結子法人等（当該銀行の子法人等であつて連結の範囲に含まれるものをいう。第三十号及び第三十一号において同じ。）に帰属する部分を連結の範囲に含める方法を用いようとする場合

(xx) when calculating consolidated capital adequacy ratio of a bank and its subsidiary company, etc., as prescribed by the Commissioner of the Financial Services Agency, in the cases of seeking to use a method of including the part of the company's assets, liabilities, profit, and expenditures that belongs to a bank and a consolidated subsidiary corporation, etc. (meaning a subsidiary corporation, etc. of the bank that is included within the scope of consolidation; the same applies in items (xxx) and (xxxi)) into the scope of consolidation;

二十一 前号に規定する方法の使用を中断しようとする場合

(xxi) in the cases of seeking to suspend the use of the method as prescribed in the preceding item;

二十二 劣後特約付金銭消費貸借（金融庁長官が別に定めるものを除く。次号並びに第三項第十七号及び第十八号において同じ。）による借入れをしようとする場合又は劣後特約付社債（金融庁長官が別に定めるものを除く。次号並びに第三項第十七号及び第十八号において同じ。）を発行しようとする場合

(xxii) in the case of seeking to borrow money by a subordinated loan (excluding one specified separately by the Commissioner of the Financial Services Agency; the same applies in the following item and paragraph (3), items (xvii) and (xviii)) or in the case of seeking to issue a subordinated bond (excluding one specified separately by the Commissioner of the Financial Services Agency; the same applies in the following item and paragraph (3), items (xvii) and (xviii));

二十三 劣後特約付金銭消費貸借に係る債務について期限前弁済をしようとする場合又は劣後特約付社債について期限前償還をしようとする場合（期限のないものについて弁済又は償還をしようとする場合を含む。）

(xxiii) in the case of seeking to make an early repayment of a debt pertaining to a subordinated loan or in the case of seeking to make an early redemption of a subordinated bond (including a case of seeking to make a repayment or redemption for a debt or bond without a term);

二十四 会社法第百五十六条第一項（同法第百六十五条第三項の規定により読み替えて適用する場合を含む。）の規定による株主総会又は取締役会の決議によりその株式を取得しようとする場合

(xxiv) in the cases of seeking to acquire a company's shares according to the resolution at a shareholders meeting or the board of directors meeting pursuant to the provisions of Article 156, paragraph (1) of the Companies Act

(including when the provisions are applied by replacing terms pursuant to Article 165, paragraph (3) of that Act);

二十四の二 会社法第百六十八条第一項の規定により取得する日を定めたその取得条項付株式（同法第二条第十九号に規定する取得条項付株式をいう。第三項第十八号の三において同じ。）を取得しようとする場合

(xxiv)-2 in the cases of seeking to acquire a company's shares subject to call (meaning the shares subject to call prescribed in Article 2, item (xix) of the Companies Act; the same applies in paragraph (3), item (xviii)-3) for which the day of acquisition has been specified pursuant to the provisions of Article 168, paragraph (1) of that Act;

二十四の三 会社法第百七十一条第一項前段の規定による株主総会の決議によりその全部取得条項付種類株式（同項前段に規定する全部取得条項付種類株式をいう。第三項第十八号の四において同じ。）の全部を取得しようとする場合

(xxiv)-3 in the cases of seeking to acquire all of the company's class shares subject to wholly call (meaning the class shares subject to wholly call prescribed in the first sentence of Article 171, paragraph (1) of the Companies Act; the same applies in paragraph (3), item (xviii)-4) according to the resolution at a shareholders meeting under the provisions of the first sentence of Article 171, paragraph (1) of that Act;

二十四の四 会社法第百九十九条第一項の規定によりその処分する自己株式（同法第百十三条第四項に規定する自己株式をいう。第三項第十八号の五において同じ。）を引き受ける者の募集をしようとする場合

(xxiv)-4 in the cases of seeking to solicit persons to subscribe to treasury shares (meaning the treasury shares prescribed in Article 113, paragraph (4) of the Companies Act; the same applies in paragraph (3), item (xviii)-5) it will dispose pursuant to the provisions of Article 199, paragraph (1) of that Act;

二十五 銀行、その子会社又は業務の委託先（第七項において「銀行等」という。）において不祥事件（業務の委託先にあつては、当該銀行が委託する業務に係るものに限る。）が発生したことを知つた場合

(xxv) in the case of having learned that a disgraceful incident (with regard to the outsourced contractor, limited to those pertaining to business entrusted by the bank) occurred in a bank, its subsidiary company, or an outsourced contractor (which is referred to as a "bank, etc." in paragraph (7));

二十六 準備金の額を減少しようとする場合

(xxvi) in the case of seeking to decrease the amount of reserve;

二十七 会社法第四百五十三条の規定により剰余金の配当をした場合

(xxvii) if a dividend of surplus is paid pursuant to the provisions of Article 453 of the Companies Act;

二十八 削除

(xxviii) Deleted;

二十九 銀行が会社法第四百三十五条第二項の規定により作成する事業報告及び附属

- 明細書を定時株主総会に提出し、又は提供した場合
- (xxix) when a bank has submitted or provided a business report and annexed detailed statement, prepared pursuant to the provisions of Article 435, paragraph (2) of the Companies Act, to an annual shareholders meeting;
- 三十 専ら銀行の自己資本の充実に資する資金の調達（以下この号及び次号において「資本調達」という。）を行うことを目的として設立された連結子法人等が当該銀行以外の者から資本調達を行おうとする場合
- (xxx) when a consolidated subsidiary corporation, etc. established exclusively for the purpose of capital raising that contribute to the adequacy of equity capital of a bank (referred to as "capital raising" in this item and the following item) seeks to raise capital from persons other than the bank; or
- 三十一 前号の連結子法人等が資本調達に係る期限前弁済又は期限前償還をしようとする場合（期限のないものについて弁済又は償還をしようとする場合を含む。）
- (xxxi) when the consolidated subsidiary corporation, etc. referred to in the preceding item seeks to make an early payment or early redemption pertaining to capital raising (including a case of seeking to make a payment or redemption for a debt or bond without a term).
- 2 法第五十三条第二項第七号に規定する内閣府令で定める場合は、次に掲げる場合とする。ただし、銀行主要株主が銀行又は銀行持株会社である場合は、この限りでない。
- (2) The case specified by Cabinet Office Order that is provided for in Article 53, paragraph (2), item (vii) of the Act means any of the following cases; provided, however, that this does not apply when the bank's major shareholder is a bank or a bank holding company:
- 一 定款又はこれに準ずる定めを変更した場合
- (i) when articles of incorporation or any other rules equivalent thereto are changed;
- 二 氏名若しくは名称を変更し、又は住所、居所、主たる営業所若しくは事務所の設置、位置の変更若しくは廃止をした場合
- (ii) when the name is changed, or when the domicile, residence, or the main business office or an office is established, its location is changed, or is abolished.
- 3 法第五十三条第三項第九号に規定する内閣府令で定める場合は、次に掲げる場合とする。
- (3) The cases specified by Cabinet Office Order that are provided for in Article 53, paragraph (3), item (ix) of the Act are as follows:
- 一 定款（外国所在銀行持株会社にあつては定款又はこれに準ずる定め）を変更した場合
- (i) when articles of incorporation (for a bank holding company located in a foreign state, articles of incorporation or any other rules equivalent thereto) is changed;
- 二 新株予約権又は新株予約権付社債を発行しようとする場合

(ii) when share warrants or corporate bonds with share options are sought to be issued;

二の二 新株予約権付社債について期限前償還をしようとする場合（期限のないものについて償還をしようとする場合を含む。）

(ii)-2 when an early redemption is sought for corporate bonds with share options (including a case of intending to make a redemption of bonds without a term);

三 銀行持株会社を代表する取締役、銀行持株会社の常務に従事する取締役又は監査役（監査等委員会設置会社にあつては銀行持株会社を代表する取締役、銀行持株会社の常務に従事する取締役又は監査等委員（銀行持株会社の常務に従事する取締役を除く。）、指名委員会等設置会社にあつては銀行持株会社の常務に従事する取締役、代表執行役、執行役又は監査委員（銀行持株会社の常務に従事する取締役を除く。）。以下この号及び次号において「役員等」という。）を選任しようとする場合又は役員等が退任しようとする場合（次号に該当する場合を除く。）

(iii) when the appointment of a director representing a bank holding company, a director engaging in ordinary business of a bank holding company or an auditor (in the case of a company with audit and supervisory committee, a director representing a bank holding company, a director engaging in ordinary business of a bank holding company or audit and supervisory committee member (excluding a director engaging in ordinary business of a bank holding company); in the case of a company with nominating committee, etc., a director engaging in ordinary business of a bank holding company, a representative executive officer, an executive officer or audit committee member (excluding a director engaging in ordinary business of a bank holding company); hereinafter referred to as "officer, etc." in this item and the following item) is sought, or when officer, etc. seeks to resign (excluding the case that falls under the following item);

三の二 役員等の選退任があつた場合（役員等の選退任の前に、役員等を選任しようとする旨又は役員等が退任しようとする旨の届出をすることができないことについて、やむを得ない事情がある場合に限る。）

(iii)-2 when the appointment or resignation of an officer, etc. has taken place (but only if there is a compelling reason for being unable to submit, before the appointment or resignation of an officer, etc., a notification to the effect that an officer, etc. is to be appointed or that an officer, etc. is to resign);

三の三 外国所在銀行持株会社を代表する取締役若しくは執行役若しくはこれらに類する職にある者若しくは当該外国所在銀行持株会社の常務に従事する取締役若しくは執行役若しくはこれらに類する職にある者（以下この号及び次号において「外国所在銀行持株会社の役員等」という。）を選任しようとする場合又は外国所在銀行持株会社の役員等が退任しようとする場合（次号に該当する場合を除く。）

(iii)-3 when the appointment of a director or executive officer representing a bank holding company located in a foreign state or a person assigned to a

position similar thereto or a director or executive officer engaging in ordinary business of the bank holding company located in a foreign state or a person assigned to a position similar thereto (hereinafter referred to as "officer, etc. of a bank holding company located in a foreign state" in this item and the following item) is sought, or when officer, etc. of a bank holding company located in a foreign state seeks to resign (excluding the case that falls under the following item);

三の四 外国所在銀行持株会社の役員等の選退任があつた場合（外国所在銀行持株会社の役員等の選退任の前に、外国所在銀行持株会社の役員等を選任しようとする旨又は外国所在銀行持株会社の役員等が退任しようとする旨の届出をすることができないことについて、やむを得ない事情がある場合に限る。）

(iii)-4 when the appointment or resignation of an officer, etc. of a bank holding company located in a foreign state has taken place (but only if there is a compelling reason for being unable to submit, before the appointment or resignation of an officer, etc., a notification to the effect that an officer, etc. of a bank holding company located in a foreign state is to be appointed or that an officer, etc. of a bank holding company located in a foreign state is to resign);

三の五 会計参与を選任しようとする場合又は会計参与が退任しようとする場合（次号に該当する場合を除く。）

(iii)-5 when the appointment or resignation of an accounting advisor is sought (excluding the case that falls under the following item);

三の六 会計参与の選退任があつた場合（会計参与の選退任の前に、会計参与を選任しようとする旨又は会計参与が退任しようとする旨の届出をすることができないことについて、やむを得ない事情がある場合に限る。）

(iii)-6 when the appointment or resignation of an accounting advisor has taken place (but only if there is a compelling reason for being unable to submit, before the appointment or resignation of an accounting advisor, a notification to the effect that an accounting advisor is to be appointed or that an accounting advisor is to resign);

三の七 会計監査人を選任しようとする場合又は会計監査人が退任しようとする場合（次号に該当する場合を除く。）

(iii)-7 when the appointment or resignation of a financial auditor is sought (excluding the case that falls under the following item); and

三の八 会計監査人の選退任があつた場合（会社法第三百三十八条第二項の規定により再任されたものとみなされた場合を除き、会計監査人の選退任の前に、会計監査人を選任しようとする旨又は会計監査人が退任しようとする旨の届出をすることができないことについて、やむを得ない事情がある場合に限る。）

(iii)-8 when the appointment or resignation of a financial auditor has taken place (excluding the case in which the financial auditor is deemed to have been re-appointed pursuant to the provisions of Article 338, paragraph (2) of

the Companies Act; and only if there is a compelling reason for being unable to submit, before the appointment or resignation of a financial auditor, a notification to the effect that a financial auditor is to be appointed or that a financial auditor is to resign);

四 事務所の設置、位置の変更又は廃止をしようとする場合

(iv) when seeking to establish an office, to change its location, or to close an office;

五 銀行持株会社若しくはその子会社の担保権の実行による株式等の取得又は第三十四条の十七第一項各号に掲げる事由により他の会社（法第五十三条第三項第三号の規定により子会社とすることについて同号の届出をしなければならないとされるものを除く。）を子会社とした場合

(v) when another company (excluding a case in which it is required to submit a notification as prescribed in that item in making a company as a subsidiary company pursuant to the provisions of Article 53, paragraph (3), item (ii) of the Act) is made into a subsidiary company due to the acquisition of shares, etc. through the exercise of the security right by a bank holding company or its subsidiary company or the grounds set forth in the items of Article 34-17, paragraph (1);

五の二 法第五十二条の二十三第三項本文に規定する場合に該当して子会社対象会社（同条第一項に規定する子会社対象会社をいう。第八号において同じ。）以外の外国の会社を子会社としようとする場合

(v)-2 in the cases falling under the case prescribed in the main clause of Article 52-23, paragraph (3) of the Act and when seeking to make a foreign company not constituting a company eligible to be a subsidiary company (meaning the company eligible to be a subsidiary company prescribed in paragraph (1) of that Article; the same applies in item (viii)) a subsidiary company;

六 その子会社が名称、本店若しくは主たる営業所若しくは事務所の位置を変更し、合併し、又は業務の全部を廃止した場合（法第五十三条第三項第二号及び第四号の場合を除く。）

(vi) if a subsidiary company has changed its name or the location of its head office, main business office or other offices, or has merged, has discontinued all of its services (excluding cases as prescribed in Article 53, paragraph (3), items (ii) and (iv) of the Act);

六の二 法第五十二条の二十三第六項の認可を受けた銀行持株会社が当該銀行持株会社又はその子会社が合算してその基準議決権数（法第五十二条の二十四第一項に規定する基準議決権数をいう。以下この項において同じ。）を超えて保有する銀行業高度化等会社の議決権のうちその基準議決権数を超える部分の議決権を保有しなくなった場合

(vi)-2 when a bank holding company that has obtained authorization as referred to in Article 52-23, paragraph (6) of the Act or its subsidiary companies have held voting rights in an advanced banking service company

in excess of the maximum threshold for voting rights held (meaning the maximum threshold for voting rights held as prescribed in Article 52-24, paragraph (1) of the Act; the same applies in this paragraph) if their voting rights are combined, and that bank holding company no longer holds the portion of voting rights that exceeds the maximum threshold for voting rights held;

六の三 法第五十二条の二十三第六項の認可を受けた銀行持株会社又はその子会社が合算してその基準議決権数を超えて議決権を保有する銀行業高度化等会社が名称、本店若しくは主たる営業所若しくは事務所の位置を変更し、合併し、又は業務の全部を廃止した場合（前二号の場合を除く。）

(vi)-3 when a bank holding company that has obtained authorization as referred to in Article 52-23, paragraph (6) of the Act or its subsidiary companies have held voting rights in an advanced banking service company in excess of the maximum threshold for voting rights held, and that advanced banking service company changes its name or the location of the head office or the main business office or other offices, and undergoes a merger, or discontinues all of its services (excluding the cases referred to in the preceding two items);

七 銀行持株会社又はその子会社が、第三十四条の二十第一項各号に掲げる事由により、国内の会社（法第五十二条の二十四第一項に規定する国内の会社をいう。第九号において同じ。）の議決権を合算してその基準議決権数を超えて取得又は保有した場合

(vii) when a bank holding company or its subsidiary company acquired or held voting rights in a domestic company (meaning a domestic company as prescribed in Article 52-24, paragraph (1) of the Act; the same applies in item (ix)) that, when combined, exceeds the maximum threshold for voting rights held due to a ground set forth in each item of Article 34-20, paragraph (1);

八 銀行持株会社又はその子会社が国内の子会社対象会社（銀行業高度化等会社を除く。）の議決権を合算してその基準議決権数を超えて取得し、又は保有することとなつた場合

(viii) when a bank holding company or its subsidiary company acquires or comes to hold voting rights in a company eligible to be a subsidiary company (excluding an advanced banking service company) that, when combined, exceed the maximum threshold for voting rights held;

九 銀行持株会社又はその子会社が合算してその基準議決権数を超えて保有することとなつた国内の会社及び事業再生会社の議決権のうちその基準議決権数を超える部分の議決権を保有しなくなつた場合

(ix) when a bank holding company or its subsidiary company no longer holds the portion of voting rights that exceed the maximum threshold for voting rights held of a domestic company and a company in the business

revitalization process;

十 第三十四条の十五第一項において準用する第十四条の四に規定する子法人等又は第三十四条の二十三各号に掲げる者のいずれかに該当する者（子会社を除く。次号及び第十二号において「特殊関係者」という。）を新たに有することとなつた場合

(x) in the case of newly holding a corporation corresponding to a subsidiary corporation, etc. as prescribed in Article 14-4 as applied mutatis mutandis pursuant to Article 34-15, paragraph (1) or any person as set forth in each item of Article 34-23 (excluding a subsidiary company; referred to as "person that has a unique relationship" in the following item and item (xii));

十一 その特殊関係者が特殊関係者でなくなつた場合

(xi) if the person that has a unique relationship is no longer such a person;

十二 銀行持株会社又はその子会社が合算してその基準議決権数を超えて議決権を保有する会社（当該銀行持株会社の子会社及び外国の会社を除く。）又は銀行持株会社の特殊関係者がその業務の内容を変更することとなつたことを知つた場合

(xii) upon learning that a company in which a bank holding company and its subsidiary companies hold voting rights which in total, exceed the maximum threshold for voting rights held (excluding a subsidiary company of the bank holding company or a foreign company), or a person that has a unique relationship with a bank holding company will change the content of its business;

十三 削除

(xiii) Deleted

十四 削除

(xiv) Deleted

十五 銀行持株会社及びその子会社等の連結自己資本比率を算出する際に、金融庁長官の定めるところにより、会社の資産、負債、収益及び費用のうち当該会社に投資している銀行持株会社及び連結子法人等（当該銀行持株会社の子法人等であつて連結の範囲に含まれるものをいう。第二十三号及び第二十四号において同じ。）に帰属する部分を連結の範囲に含める方法を用いようとする場合

(xv) in calculating the consolidated capital adequacy ratio of a bank holding company and its subsidiary company, etc., as prescribed by the Commissioner of the Financial Services Agency, a method of including a part of the company's assets, liabilities, profit, and expensed that pertains to a bank holding company and consolidated subsidiary corporation, etc. (meaning a subsidiary corporation, etc. of the bank holding company that is included in the scope of consolidation; the same applies in items (xxiii) and (xxiv)) into the scope of consolidation is sought to be used ;

十六 前号に規定する方法の使用を中断しようとする場合

(xvi) in the case of seeking to suspend the use of the method as prescribed in the preceding item;

十七 劣後特約付金銭消費貸借による借入れをしようとする場合又は劣後特約付社債

- を発行しようとする場合
- (xvii) in the case of seeking to borrow money through a subordinated loan or seeking to issue a subordinated bond;
- 十八 劣後特約付金銭消費貸借に係る債務について期限前弁済をしようとする場合又は劣後特約付社債について期限前償還をしようとする場合（期限のないものについて弁済又は償還をしようとする場合を含む。）
- (xviii) in the case of seeking to make an early payment of a debt pertaining to a subordinated loan or seeking to make an early redemption of a subordinated bond (including the cases of seeking to make payment or redemption for a debt or bond without a term);
- 十八の二 会社法第百五十六条第一項（同法第百六十五条第三項の規定により読み替えて適用する場合を含む。）の規定による株主総会又は取締役会の決議によりその株式を取得しようとする場合
- (xviii)-2 in the cases of seeking to acquire a company's shares in accordance with the resolution at a shareholders meeting or the board of directors meeting pursuant to the provisions of Article 156, paragraph (1) of the Companies Act (including as applied pursuant to the provisions of Article 165, paragraph (3) of that Act by replacing terms);
- 十八の三 会社法第百六十八条第一項の規定により取得する日を定めたその取得条項付株式を取得しようとする場合
- (xviii)-3 in the cases of seeking to acquire a company's shares subject to call for which the day of acquisition has been specified pursuant to the provisions of Article 168, paragraph (1) of the Companies Act;
- 十八の四 会社法第百七十一条第一項前段の規定による株主総会の決議によりその全部取得条項付種類株式の全部を取得しようとする場合
- (xviii)-4 in the cases of seeking to acquire all of a company's class shares subject to wholly call in accordance with the resolution at a shareholders meeting under the provisions of the first sentence of Article 171, paragraph (1) of the Companies Act;
- 十八の五 会社法第百九十九条第一項の規定によりその処分する自己株式を引き受ける者の募集をしようとする場合
- (xviii)-5 in the cases of seeking to solicit persons to subscribe to treasury shares it will dispose pursuant to the provisions of Article 199, paragraph (1) of the Companies Act;
- 十九 準備金の額を減少しようとする場合
- (xix) in the cases of seeking to decrease the amount of reserve;
- 二十 会社法第四百五十三条の規定により剰余金の配当をした場合
- (xx) if a dividend from surplus is paid pursuant to the provisions of Article 453 of the Companies Act;
- 二十一 削除
- (xxi) Deleted;

二十二 銀行持株会社が会社法第四百三十五条第二項の規定により作成する事業報告及び附属明細書を定時株主総会に提出し、又は提供した場合

(xxii) if a bank holding company submits or has provided a business report and annexed detailed statement prepared pursuant to the provisions of Article 435, paragraph (2) of the Companies Act to an annual shareholders meeting.

二十三 専ら銀行持株会社の自己資本の充実に資する資金の調達（以下この号及び次号において「資本調達」という。）を行うことを目的として設立された連結子法人等が当該銀行持株会社以外の者から資本調達を行おうとする場合

(xxiii) if a consolidated subsidiary corporation, etc. established exclusively for the purpose of capital raising that contribute to the adequacy of equity capital of a bank holding company (referred to as "capital raising" in this item and the following item) seeks to raise capital from persons other than the bank holding company; or

二十四 前号の連結子法人等が資本調達に係る期限前弁済又は期限前償還をしようとする場合（期限のないものについて弁済又は償還をしようとする場合を含む。）

(xxiv) if the consolidated subsidiary corporation, etc. referred to in the preceding item seeks to make an early payment or early redemption pertaining to capital raising (including a case of seeking to make a payment or redemption for a debt or bond without a term).

4 法第五十三条第四項に規定する内閣府令で定める場合は、次に掲げる場合とする。

(4) The cases specified by Cabinet Office Order that are provided for in Article 53, paragraph (4) of the Act are as follows:

一 定款又はこれに準ずる定めを変更した場合（銀行である銀行代理業者が変更した場合を除く。）

(i) when articles of incorporation or any other rules equivalent thereto are changed (excluding the cases in which the change is made by the bank agent which is a bank);

二 銀行代理業に係る委託契約書又は再委託契約書を変更した場合

(ii) when a written outsourcing contract or written contract for further outsourcing agreement pertaining to bank agency services is changed;

三 削除

(iii) Deleted;

四 銀行代理業に関する不祥事件が発生したことを知った場合

(iv) in the case of learning that a disgraceful incident concerning bank agency services occurred;

五 特定銀行代理業者の営業所又は事務所の全部又は一部において、第三十四条の五十五第三項の規定による営業時間の変更をしようとする場合（同条第一項に規定する営業時間が確保されている場合を除く。）

(v) in the case of seeking to change business hours pursuant to the provisions of Article 34-53, paragraph (3) at all or some of the business offices or offices of a specified bank agent (excluding cases in which business hours as

- prescribed in paragraph (1) of that Article are ensured); or
- 六 銀行代理業を再委託した場合（銀行である銀行代理業再委託者が再委託した場合に限る。）であつて、当該再委託を受けた銀行代理業再受託者の商号、名称又は氏名及び主たる営業所又は事務所の所在地を変更した場合
- (vi) if the relevant person has further entrusted bank agency services (limited to cases in which an entrusting bank agent that is itself a bank has further entrusted a person with the services), and changed the trade name or name and the location of the main business office or office of the secondary bank agent to which the services have been further entrusted.
- 5 法第五十三条第五項に規定する内閣府令で定める場合は、次に掲げる場合とする。ただし、第三号に掲げる場合にあつては、銀行等でない電子決済等代行業者が法第二条第十七項第一号に掲げる行為（第一条の三の三に掲げる行為を除く。）を行つているときに限る。
- (5) The case specified by Cabinet Office Order that is provided for in Article 53, paragraph (5) of the Act is as follows; provided, however, that for a case as set forth in item (iii), this is limited to when an electronic payment service provider that is not a bank, etc. performs an act as set forth in Article 2, paragraph (17), item (i) of the Act (other than an act as set forth in Article 1-3-3):
- 一 定款又はこれに準ずる定めを変更した場合
- (i) if the electronic payment service provider changes the articles of incorporation or other provisions equivalent thereto;
- 二 法第五十二条の六十一の十第一項に規定する契約の内容を変更した場合
- (ii) if the electronic payment service provider changes the content of the contract prescribed in Article 52-61-10, paragraph (1) of the Act; or
- 三 第三十四条の六十四の二第一項第四号に掲げる事項を変更した場合
- (iii) if the electronic payment service provider changes the particular set forth in Article 34-64-2, paragraph (1), item (iv).
- 6 銀行、銀行主要株主（銀行主要株主であつた者を含む。）、銀行持株会社（銀行持株会社であつた会社を含む。）、銀行代理業者又は電子決済等代行業者は、法第五十三条第一項から第五項までの規定による届出をしようとするときは、届出書に理由書その他参考となるべき事項を記載した書面（次の各号に掲げる場合にあつては、当該各号に定める書面）を添付して金融庁長官等に提出しなければならない。
- (6) When seeking to submit a notification under the provisions of Article 53, paragraphs (1) to (5) of the Act, a bank, bank's major shareholder (including a person that was a bank's major shareholder), a bank holding company (including a company that was a bank holding company), a bank agent or an electronic payment service provider must submit to the Commissioner of the Financial Services Agency or other competent authorities a written notice accompanied by a written statement of reasons and other documents stating information that should serve as a reference (in the cases as set forth in each of

the following items, the documents as prescribed in each item):

一 第一項第六号の五又は第十九号に掲げる場合 次に掲げる書面

(i) in the case as set forth in paragraph (1), item (vi)-5 or item (xix): the following documents:

イ 特定取引として経理しようとする取引の種類及び当該取引を行う部署の名称を記載した書面

(a) a document stating the type of transaction that is sought to be handled as a specified transaction and the name of the department that handles the transactions;

ロ 時価等の算定（特定取引に係る利益若しくは損失又は当該取引の対象となる財産の価格を算定することをいう。）を行う部署の名称を記載した書面

(b) a document stating the name of the department that calculates current value, etc. (meaning calculating the income or loss pertaining to a specified transaction, or the value of assets subject to the transaction);

ハ 特定取引及びその対象となる財産とその他の取引及び財産との区別に関する経理の方針（特定取引勘定を設ける前に行つた取引及びその対象となる財産についての区別に関する経理の方針を含む。）を記載した書面

(c) a document stating the accounting policy concerning the distinction between a specified transaction and assets subject to the transactions, and other transactions and assets (including the accounting policy concerning the distinction of transactions performed before establishing a specified transaction account and assets subject to the transactions);

ニ 内部取引（一の銀行において、特定取引勘定とその他の勘定との間で行う第十三条の六の三第二項第五号から第十四号までに掲げる取引（当該取引に類似し、又は密接に関連する取引として同項第十七号の規定により特定取引とされる取引を含む。）をいう。）を行う場合（当該内部取引を解約する場合を含む。）の取扱いに関する事項を記載した書面

(d) a document stating the particulars on handling when implementing an internal transaction (meaning the transactions that are set forth in Article 13-6-3, paragraph (2), items (v) to (xiv), and handled between a specified transaction account and other accounts (including transactions which are deemed to be a specified transaction pursuant to the provisions of item (xvii) of that paragraph as a transaction similar to or having a close relationship with the transaction) in a single bank) (including the case of terminating the internal transaction);

ホ 勘定間振替（第十三条の六の三第三項各号に掲げる行為（同条第四項に規定する取引を含む。）をいう。）を行う場合の取扱いに関する事項を記載した書面

(e) a document stating the particulars on handling an intra-account transfer (meaning an act as set forth in each of the items of Article 13-6-3, paragraph (3) (including a transaction as prescribed in paragraph (4) of that Article));

二 第一項第十六号の二に掲げる場合 第三十四条の二第五項第二号から第五号まで及び第七号に掲げる書面

(ii) the cases as set forth in paragraph (1), item (xvi)-2: the documents as prescribed in Article 34-2, paragraph (5), items (ii) to (v), and (vii);

三 第一項第二十九号に掲げる場合 同号に規定する事業報告及び附属明細書

(iii) the case as set forth in paragraph (1), item (xxix): the business report and annexed detailed statement as prescribed in that item;

四 第三項第二十二号に掲げる場合 同号に規定する事業報告及び附属明細書

(iv) the cases as set forth in paragraph (3), item (xxii): the business report and annexed detailed statement as prescribed in that item;

五 第四項第二号に掲げる場合 変更後の委託契約書又は再委託契約書の写し

(v) the cases as set forth in item (ii) of paragraph (4): a copy of the written outsourcing contract or written contract on further outsourcing after the change.

7 次に掲げる届出は、半期ごとに一括して行うことができる。

(7) The following notifications may be made collectively as a single notification on a semiannual basis:

一 法第五十三条第一項第五号又は第三項第七号に該当するときの届出

(i) a notification for a situation falling under Article 53, paragraph (1), item (v) or paragraph (3), item (vii) of the Act;

二 第一項第四号、第五号の二又は第六号に該当するときの届出

(ii) a notification for a situation falling under paragraph (1), item (iv), (v)-2 or (vi); and

三 法第五十三条第五項に該当するときの届出（電子決済等代行業を開始したときの届出を除く。）

(iii) a notification for a situation falling under Article 53, paragraph (5) of the Act (excluding a notification for the commencement of electronic payment services).

8 第一項第二十五号及び第四項第四号に規定する不祥事件とは、銀行等の取締役、執行役、会計参与（会計参与が法人であるときは、その職務を行うべき社員を含む。）、監査役若しくは従業員又は銀行代理業者若しくはその役員（役員が法人であるときは、その職務を行うべき者を含む。）若しくは従業員が次の各号のいずれかに該当する行為を行つたことをいう。

(8) A disgraceful incident as prescribed in paragraph (1), item (xxv) and paragraph (4), item (iv) means the case in which a director, executive officer, accounting auditor (if the accounting auditor is a corporation, including the member responsible for performing the duties thereof), auditor or an employee of a bank, etc., or a bank agent or its officer (if an officer is a corporation, including the person responsible for performing the duties thereof) or employee has committed any of the acts as set forth in the following items:

一 銀行の業務又は銀行代理業者の銀行代理業の業務を遂行するに際しての詐欺、横

領、背任その他の犯罪行為

(i) fraud, embezzlement, breach of trust or any other criminal act committed in the course of performing the services of a bank or bank agency service of a bank agent;

二 出資の受入れ、預り金及び金利等の取締りに関する法律又は預金等に係る不当契約の取締りに関する法律（昭和三十二年法律第百三十六号）に違反する行為

(ii) an act violating the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates or the Act on Controlling Unjust Contract Pertaining to Deposit, etc. (Act No. 136 of 1957);

三 現金、手形、小切手又は有価証券その他有価物の紛失（盗難に遭うこと及び過不足を生じさせることを含む。以下この号において同じ。）のうち、銀行の業務又は銀行代理業者の銀行代理業の業務の特性、規模その他の事情を勘案し、これらの業務の管理上重大な紛失と認められるもの

(iii) among the loss of cash, bills, checks, securities or other valuables (including the case of theft and excess or deficiency caused; hereinafter the same applies in this item), a loss that is found to be a heavy loss for the management of the services of a bank or bank agency service of a bank agent, in taking account the characteristics, scale and other situations of the services;

四 海外で発生した前三号に掲げる行為又はこれに準ずるもので、発生地 of 監督当局に報告したもの

(iv) an act set forth in any of the preceding three items or any other act similar thereto, which took place overseas and which was reported to the supervisory authority of the place where the act took place; and

五 その他銀行の業務又は銀行代理業者の銀行代理業の業務の健全かつ適切な運営に支障を来す行為又はそのおそれがある行為であつて前各号に掲げる行為に準ずるもの

(v) any other act similar to those set forth in the preceding items, which would have actual or potential negative impact on the sound and appropriate management of the services of a bank or bank agency services of a bank agent.

9 次の各号に掲げる場合の届出は、当該各号に定める日から三十日以内に行わなければならない。

(9) A notification to be submitted in the case set forth in the following items must be submitted within thirty days from the day specified in each item:

一 第一項第二十五号及び第四項第四号に該当する場合 不祥事件の発生を銀行又は銀行代理業者が知つた日

(i) when paragraph (1), item (xxv) or paragraph (4), item (iv) is applicable: the day on which the bank or bank agent learned the occurrence of a disgraceful incident; or

二 第四項第六号に該当する場合 同号の規定による変更があつた日

(ii) when paragraph (4), item (vi) is applicable: the day on which the change under the provisions of that item was made.

1 0 第一項第十一号又は第十三号に掲げる場合において、法第十六条の二第一項第十二号又は第十二号の二に掲げる会社の議決権の取得又は保有については、同項第十二号に規定する特定子会社は、銀行の子会社に該当しないものとみなし、第三項第七号又は第九号に掲げる場合において、法第五十二条の二十三第一項第十一号又は第十一号の二に掲げる会社の議決権の取得又は保有については、同項第十一号に規定する特定子会社は、銀行持株会社の子会社に該当しないものとみなす。

(10) In the case set forth in paragraph (1), item (xi) or (xiii), with regard to the acquisition or holding of voting rights in a company set forth in Article 16-2, paragraph (1), item (xii) or (xii)-2 of the Act, a specified subsidiary company prescribed in item (xii) of that paragraph is deemed not to be a subsidiary company of a bank; in the case set forth in paragraph (3), item (vii) or (ix), with regard to the acquisition or holding of voting rights in a company set forth in Article 52-23, paragraph (1), item (xi) or (xi)-2 of the Act, a specified subsidiary company prescribed in item (xi) of that paragraph is deemed not to be a subsidiary company of a bank holding company.

1 1 法第二条第十一項の規定は、第一項第十号の二から第十三号まで及び第十六号に規定する議決権並びに第三項第六号の二から第九号まで及び第十二号に規定する議決権について準用する。

(11) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights prescribed in paragraph (1), items (xi) to (xiii) and (xvi), and to the voting rights prescribed in paragraph (3), items (vi)-2 to (ix) and (xii).

(認可の効力に係る承認の申請)

(Application for Approval Pertaining to Validity of Authorization)

第三十六条 銀行、銀行主要株主（法第五十二条の九第一項の認可のうち設立に係るものを受けた者を含む。）又は銀行持株会社（法第五十二条の十七第一項の認可を受けた者を含む。）は、法第五十五条第一項ただし書の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

Article 36 (1) When seeking to submit a notification under the provisions of the proviso to Article 55, paragraph (1) of the Act, a bank, bank's major shareholder (including a person that obtained an authorization pertaining to establishment among those as prescribed in Article 52-9, paragraph (1) of the Act), or a bank holding company (including a person that obtained an authorization as prescribed in Article 52-17, paragraph (1) of the Act) must submit a written application for approval accompanied by a written statement of reasons to the Commissioner of the Financial Services Agency or other competent authorities.

2 金融庁長官等は、前項の規定による承認の申請があつたときは、次に掲げる基準に

適合するかどうかを審査するものとする。

(2) When an application for approval under the provisions of the preceding paragraph is filed, the Commissioner of the Financial Services Agency or other competent authorities are to examine whether it conforms to the following standards:

一 法の規定による認可を受けた日から六月以内に当該認可を受けた事項を実行することができないことについてやむを得ないと認められる理由があること。

(i) there is what is found to be a compelling reason that the particular for which the relevant person has been authorized as under the provisions of the Act cannot be implemented within six months from the date of receiving that authorization;

二 合理的な期間内に当該認可を受けた事項を実行することができると思込まれること。

(ii) it is expected that the implementation of the matter authorized within a reasonable period is possible;

三 当該認可の際に審査の基礎となつた事項について当該認可を受けた事項の実行が思込まれる時期までに重大な変更がないと思込まれること。

(iii) it is expected that at the time of the authorization, there will be no significant changes to the particulars on which the examination was based until the time that the matter authorized is expected to be implemented.

(登記)

(Registration)

第三十六条の二 法第五十七条の四第一号及び第二号に規定する内閣府令で定めるものは、銀行又は銀行持株会社が法第二十条第六項又は第五十二条の二十八第五項の規定による措置をするために使用する自動公衆送信装置のうち当該行為をするための用に供する部分をインターネットにおいて識別するための文字、記号その他の符号又はこれらの結合であつて、情報の提供を受ける者がその使用に係る電子計算機に入力することによつて当該情報の内容を開覧し、当該電子計算機に備えられたファイルに当該情報を記録することができるものとする。

Article 36-2 (1) The particulars specified by Cabinet Office Order that are provided for in Article 57-4, items (i) and (ii) of the Act are the letters, symbols, other codes, or their combination used by a bank or a bank holding company to identify via the internet, the part used for conducting the act out of the automatic public transmission servers used for taking measures pursuant to the provisions of Article 20, paragraph (6) or Article 52-28, paragraph (5); and when a person that receives provision of information inputs the characters, symbols, other codes, or their combination into a computer used by the person, it makes it possible for the person to inspect the content of the information and record the information in a file kept on the computer.

2 その公告方法（会社法第二条第三十三号に規定する公告方法をいう。）が法第五十

七条第二号に掲げる方法である銀行及び銀行持株会社は、会社法第九百十一条第三項第二十八号イに掲げる事項であつて、中間決算公告等（法第二十条第四項の規定により銀行が行う公告（同条第一項の事業年度に係る貸借対照表及び損益計算書に関する公告を除く。）又は第五十二条の二十八第三項の規定により銀行持株会社が行う公告をいう。以下この項において同じ。）の内容である情報の提供を受けるためのものを、当該事項であつて中間決算公告等以外の公告の内容である情報の提供を受けるためのものと別に登記することができる。

(2) A bank or a bank holding company, for which the method of issuing public notice (meaning a public notice as prescribed in Article 2, item (xxxiii) of the Companies Act) is a method as set forth in Article 57, item (ii) of the Act, may register a particular as set forth in Article 911, paragraph (3), item (xxviii), sub-item (a) of the Companies Act for receiving provision of information which is the content of a public notice, etc. of an interim settlement of accounts (meaning a public notice that a bank announces pursuant to the provisions of Article 20, paragraph (4) of the Act (excluding public notice concerning a balance sheet and profit and loss statement pertaining to a business year as prescribed in paragraph (1) of that Article) or public notice that a bank holding company announces pursuant to the provisions of Article 52-28, paragraph (3); hereinafter the same applies in this paragraph) separately from those particulars for receiving provision of information of which is the content of a public notice other than the public notice, etc. of an interim settlement of accounts.

（電磁的記録に記録された事項を表示する措置）

(Measures to Show Information Recorded in an Electronic or Magnetic Record)

第三十六条の三 法第六十三条第一号の二及び第一号の三に規定する内閣府令で定める措置は、電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

Article 36-3 The measure specified by Cabinet Office Order that is provided for in Article 63, item (i)-2 and item (i)-3 of the Act means the measure that is taken to show the information that has been recorded in an electronic or magnetic record on a sheet of paper or to display it on a screen.

（経由官庁）

(Government Agency Through Which Submission is Made)

第三十七条 銀行（外国銀行支店を除く。以下この条において同じ。）は、申請書、業務報告書その他この府令に規定する書面（第六項及び第七項を除き、以下この条において「申請書等」という。）を金融庁長官に提出するときは、当該銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所、小樽出張所又は北見出張所（以下この条において「財務事務所等」という。）の管轄区域内にある場合にあつては当該財務事務所長又は出張所長（以下この条において

「財務事務所長等」という。)とする。)を経由して提出しなければならない。ただし、令第十七条の二第四項の規定により金融庁長官が指定するものその他の金融庁長官が別に定めるものに係る申請書等については、この限りでない。

Article 37 (1) When submitting to the Commissioner of the Financial Services Agency a written application, business report, or other document as prescribed in this Cabinet Office Order (hereinafter referred to as an "application or other such document" in this Article, except in paragraphs (6) and (7)), a bank (excluding a foreign bank branch; hereinafter the same applies in this Article) must submit them to the Director General of the Local Finance Bureau with jurisdiction over the locality of the head office of the bank (when the locality is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau, and when the locality is within the jurisdictional district of the Otaru Sub-Office or Kitami Sub-Office (hereinafter referred to as the "Local Finance Office, etc." in this Article), the Director of the Local Finance Office or the Director of the Sub-Office (hereinafter referred to as the "Director, etc. of the Local Finance Office" in this Article)); provided, however, that this does not apply to an application or other such document pertaining to banks specified by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 17-2, paragraph (4) of the Order and others specified separately by the Commissioner of the Financial Services Agency.

2 銀行は、申請書等を財務局長又は福岡財務支局長に提出する場合において、当該銀行の本店の所在地を管轄する財務事務所長等があるときは、当該財務事務所長等を経由して提出しなければならない。

(2) If a bank submits an application or other such document to the Director General of the Local Finance Bureau or Fukuoka Local Finance Branch Bureau, and there is a Director, etc. of the Local Finance Office with jurisdiction over the locality of the head office of the bank, the bank must submit the application or other such document to the Director, etc. of the Local Finance Office.

3 外国銀行支店は、第十八条第一項に規定する中間業務報告書又は同条第二項に規定する業務報告書を金融庁長官に提出するときは、主たる外国銀行支店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所等の管轄区域内にある場合にあつては当該財務事務所長等とする。）を経由して提出しなければならない。ただし、金融庁長官の指定する外国銀行支店については、この限りでない。

(3) When submitting an interim business report as prescribed in Article 18, paragraph (1) or a business report as prescribed in paragraph (2) of that Article to the Commissioner of the Financial Services Agency, a foreign bank

branch must submit these through the Director General of the Local Finance Bureau with jurisdiction over the locality of the principal foreign bank branch (when the locality is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau; when the locality is within the jurisdictional district of a Local Finance Office, etc., the Director, etc. of the Local Finance Office); provided, however, that this does not apply to the foreign bank branch specified by the Commissioner of the Financial Services Agency.

- 4 銀行の主要株主基準値以上の数の議決権の保有者になろうとする者又は銀行の主要株主基準値以上の数の議決権の保有者である会社その他の法人を設立しようとする者若しくは銀行の主要株主基準値以上の数の議決権の保有者は、申請書等を金融庁長官に提出するときは、主要株主基準値以上の数の議決権を保有しようとする銀行又は保有している銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所等の管轄区域内にある場合にあつては当該財務事務所長等とする。）を経由して提出しなければならない。ただし、金融庁長官が別に定める銀行に係る申請書等については、この限りでない。

- (4) When submitting an application or other such document to the Commissioner of the Financial Services Agency, a person that seeks to become a holder of a number of voting rights in a bank which is equal to or greater than the major shareholder threshold, a person that seeks to establish a company or other corporation that is a holder of a number of voting rights in a bank which is equal to or greater than the major shareholder threshold, or a holder of a number of voting rights in a bank which is equal to or greater than the major shareholder threshold must submit this through the Director General of the Local Finance Bureau with jurisdiction over the locality of the head office of the bank that intends to hold or holds a number of voting rights in a bank which is equal to or greater than the major shareholder threshold (when the locality is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau, and when the locality is within the jurisdictional district of a Local Finance Office, etc., the Director, etc. of the Local Finance Office); provided, however, that this does not apply to an application or other such document pertaining to a bank specified separately by the Commissioner of the Financial Services Agency.

- 5 銀行を子会社とする持株会社（銀行を子会社とする持株会社であつた会社を含む。次項において同じ。）は、申請書等を金融庁長官に提出するときは、当該銀行を子会社とする持株会社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（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所等の管轄区域内にある場合にあつては当該財

務事務所長等とする。)を經由して提出しなければならない。ただし、令第十七条の三第四項の規定により金融庁長官が指定するものその他の金融庁長官が別に定めるものに係る申請書等については、この限りでない。

(5) When submitting an application or other such document to the Commissioner of the Financial Services Agency, a holding company that has a bank as a subsidiary company (including a company that was a holding company that has a bank as a subsidiary company; the same applies in the following paragraph) must submit this through the Director General of the Local Finance Bureau with jurisdiction over the locality of the principal office of the holding company of which a subsidiary company is the bank (when the locality is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau, and when the locality is within the jurisdictional district of a Local Finance Office, etc., the Director, etc. of the Local Finance Office); provided, however, that this does not apply to an application or other such document pertaining to companies specified by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 17-3, paragraph (4) of the Order and others specified separately by the Commissioner of the Financial Services Agency.

6 銀行代理業者（外国に主たる営業所又は事務所を有するものを除く。以下この項及び次項において同じ。）は、法第五十二条の三十七第一項の規定による申請書、銀行代理業に関する報告書その他この府令に規定する書面（以下この項及び次項において「申請書等」という。）を金融庁長官に提出するときは、当該銀行代理業者の主たる営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所等の管轄区域内にある場合にあつては当該財務事務所長等とする。）を經由して提出しなければならない。ただし、令第十七条の四第四項の規定により金融庁長官が指定するものその他の金融庁長官が別に定めるものに係る申請書等については、この限りでない。

(6) When submitting a written application pursuant to the provisions of Article 52-37, paragraph (1) of the Act, a report concerning bank agency services, or other documents as prescribed in this Cabinet Office Order (hereinafter referred to as an "application or other such document" in this paragraph and the following paragraph) to the Commissioner of the Financial Services Agency, a bank agent (excluding a bank agent that has its main business office or other offices in a foreign state; hereinafter the same applies in this paragraph and the following paragraph) must submit this through the Director General of the Local Finance Bureau with jurisdiction over the locality of the principal business office or other office of the bank agent (when the locality is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of

the Fukuoka Local Finance Branch Bureau, and when the locality is within the jurisdictional district of a Local Finance Office, etc., the Director, etc. of the Local Finance Office); provided, however, that this does not apply to an application or other such document pertaining to a bank agent specified by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 17-4, paragraph (4) of the Order or others specified separately by the Commissioner of the Financial Services Agency.

7 銀行代理業者は、申請書等を財務局長又は福岡財務支局長に提出する場合において、当該銀行代理業者の主たる営業所又は事務所の所在地を管轄する財務事務所長等があるときは、当該財務事務所長等を経由して提出しなければならない。

(7) If a bank agent submits an application or other such document to the Director General of the Local Finance Bureau or Fukuoka Local Finance Branch Bureau, and the Director, etc. of the Local Finance Office has jurisdiction over the locality of the principal business office or other office of the bank agent, the bank agent must submit it to the Director, etc. of the Local Finance Office.

8 電子決済等代行業者（外国法人又は外国に住所を有する個人であつて国内に営業所又は事務所を有しない者を除く。）は、法第五十二条の六十一の三第一項の規定による申請書、電子決済等代行業に関する報告書その他この府令に規定する書面を財務局長又は福岡財務支局長に提出する場合において、当該電子決済等代行業者の主たる営業所等の所在地を管轄する財務事務所長等があるときは、当該財務事務所長等を経由して提出しなければならない。

(8) If an electronic payment service provider (excluding a foreign corporation or individual domiciled in a foreign state that has no business office or office in Japan) submits a written application under Article 52-61-3, paragraph (1) of the Act, a report on electronic payment services, or any other document as prescribed in this Cabinet Office Order to the Director General of the Local Finance Bureau or Fukuoka Local Finance Branch Bureau, and the Director, etc. of the Local Finance Office has jurisdiction over the locality of the principal business office, etc. of the electronic payment service provider, the electronic payment service provider must submit them through the Director, etc. of the Local Finance Office.

9 第二項の規定は、銀行を子会社とする持株会社について準用する。この場合において「本店」とあるのは、「主たる事務所」と読み替えるものとする。

(9) The provisions of paragraph (2) apply mutatis mutandis pursuant to a holding company that has a bank as a subsidiary company. In this case, the term "head office" is deemed to be replaced with "main office."

（銀行を子会社とする外国の持株会社に係る特例）

(Special Provisions on a Foreign Holding Company of Which a Subsidiary Company Is a Bank)

第三十八条 銀行を子会社とする外国の持株会社（銀行を子会社とする外国の持株会社

になろうとする会社、銀行を子会社とする外国の持株会社の設立をしようとする者及び銀行を子会社とする外国の持株会社であつた会社を含む。以下この条において同じ。)は、当該銀行を子会社とする外国の持株会社がこの府令の規定により申請書又は届出書に添付して内閣総理大臣又は金融庁長官等に提出することとされる書類(以下この項及び次項において「添付書類」という。)については、当該添付書類に代えてこれに準ずるものを内閣総理大臣又は金融庁長官等に提出することができる。

Article 38 (1) A foreign holding company that has a bank as a subsidiary company (including a company that seeks to become a foreign holding company that has a bank as a subsidiary company, a person that seeks to establish a foreign holding company that has a bank as a subsidiary company, and a company that was a foreign holding company that has a bank as a subsidiary company; hereinafter the same applies in this Article), with regard to a document that is prescribed to be attached to a written application or written notification and submitted to the Prime Minister or the Commissioner of the Financial Services Agency by a foreign holding company that has a bank as a subsidiary company, pursuant to this Cabinet Office Order (hereinafter referred to as "attached documents" in this paragraph and the following paragraph), may submit a document equivalent to the above in lieu of the attached documents to the Prime Minister or the Commissioner of the Financial Services Agency or other competent authorities.

2 銀行を子会社とする外国の持株会社がその本国(当該銀行を子会社とする外国の持株会社の設立に当たって準拠した法令を制定した国をいう。)の法令又は慣行その他の正当な事由により添付書類又は前項に規定するこれに準ずる書類(以下この項において「添付書類等」という。)のいずれをも内閣総理大臣又は金融庁長官等に提出することができない場合には、当該添付書類等は、内閣総理大臣又は金融庁長官等に提出することを要しない。

(2) When a foreign holding company, that has a bank as a subsidiary company, is unable to submit the attached documents or a document equivalent to this as prescribed in the preceding paragraph (hereinafter referred to as "attached documents, etc." in this paragraph) to the Prime Minister or the Commissioner of the Financial Services Agency or other competent authorities, due to national laws and regulations or customs of the foreign holding company's state (meaning a state that has established laws and regulations according to which the foreign holding company of which a subsidiary company is the bank was established) or other legitimate grounds, the attached documents, etc. are not required to be submitted to the Prime Minister or the Commissioner of the Financial Services Agency or other competent authorities.

3 銀行を子会社とする外国の持株会社に対するこの府令の規定の適用については、銀行を子会社とする外国の持株会社で国内に事務所を有するものについては国内における主たる事務所を主たる事務所と、銀行を子会社とする外国の持株会社で国内に事務所を有しないものについては主たる事務所が関東財務局の管轄区域内に所在するもの

とみなす。

- (3) With regard to the application of provisions of this Cabinet Office Order to a foreign holding company that has a bank as a subsidiary company, in the case of a foreign holding company that has a bank as a subsidiary company and that has an office in Japan, its main office in Japan is deemed as its main office, and in the case of a foreign holding company that has a bank as a subsidiary company and that does not have an office in Japan, its main office is deemed to be located within the jurisdictional district of the Kanto Local Finance Bureau.

(銀行代理業を営む外国の法人に係る特例)

(Special Provisions on a Foreign Corporation That Carries out Bank Agency Services)

第三十八条の二 銀行代理業を営む外国の法人（銀行代理業を営もうとする外国の法人又は銀行代理業を営む外国の法人の設立をしようとする者を含む。以下この条において同じ。）は、当該銀行代理業を営む外国の法人が法第五十二条の三十七第二項第三号に規定する書類又はこの府令の規定により申請書又は届出書に添付して金融庁長官等に提出することとされる書面（以下この項及び次項において「添付書類」という。）については、当該添付書類に代えてこれに準ずるものを金融庁長官等に提出することができる。

Article 38-2 (1) A foreign corporation that carries out bank agency services (including a foreign corporation that seeks to carry out bank agency services, or a person that seeks to establish a foreign corporation that carries out bank agency services; hereinafter the same applies in this Article), with regard to a document as prescribed in Article 52-37, paragraph (2), item (iii) of the Act or a document that is required to be attached to a written application or written notification and submitted to the Commissioner of the Financial Services Agency or other competent authorities by the foreign corporation that carries out bank agency services pursuant to the provisions of this Cabinet Office Order (hereinafter referred to as "attached documents" in this paragraph and the following paragraph), may submit documents equivalent to them in lieu of the attached documents to the Commissioner of the Financial Services Agency or other competent authorities.

2 銀行代理業を営む外国の法人がその本国（当該銀行代理業を営む外国の法人の設立に当たって準拠した法令を制定した国をいう。）の法令又は慣行その他の正当な事由により添付書類又は前項に規定するこれに準ずる書面（以下この項において「添付書類等」という。）のいずれをも金融庁長官等に提出することができない場合には、当該添付書類等は、金融庁長官等に提出することを要しない。

(2) When a foreign corporation that carries out bank agency services is unable to submit an attached document, or a document equivalent to this as prescribed in the preceding paragraph (hereinafter referred to as "attached documents, etc." in this paragraph) to the Commissioner of the Financial Services Agency

or other competent authorities, due to national laws and regulations or customs of the foreign holding company's state (meaning a state that has established laws and regulations according to which the foreign corporation that carries out the bank agency services was established) or other legitimate grounds, the attached documents, etc. are not required to be submitted to the Commissioner of the Financial Services Agency or other competent authorities.

3 銀行代理業を営む外国の法人に対するこの府令の規定の適用については、銀行代理業を営む外国の法人の国内における主たる営業所又は事務所を主たる営業所又は事務所とみなす。

(3) With regard to the application of provisions of this Cabinet Office Order to a foreign corporation that carries out bank agency services, the main office or other offices in Japan of a foreign corporation that carries out bank agency services is deemed as its main office or other offices.

(電子決済等代行業を営む外国法人又は外国に住所を有する個人等に係る特例)
(Special Provisions on a Foreign Corporation or Individual Domiciled in a Foreign State That Carries Out Electronic Payment Services)

第三十八条の三 法（第七章の五及び第五十三条第五項に限る。）又はこの府令の規定により電子決済等代行業を営む外国法人又は外国に住所を有する個人（電子決済等代行業を営もうとする外国法人又は外国に住所を有する個人を含む。以下この条において同じ。）その他の者が金融庁長官等に提出する書類で、特別の事情により日本語をもつて記載することができないものがあるときは、英語で記載することができる。

Article 38-3 (1) If, due to special circumstances, a foreign corporation or individual domiciled in a foreign state that carries out electronic payment services (including a foreign corporation or individual domiciled in a foreign state that seeks to carry out electronic payment services; hereinafter the same applies in this Article) or any other person is unable to use Japanese for a document to be submitted to the Commissioner of the Financial Services Agency or other competent authorities pursuant to the provisions of this Act (limited to Chapter VII-5 and Article 53, paragraph (5)) or this Cabinet Office Order, they may use English.

2 電子決済等代行業を営む外国法人又は外国に住所を有する個人は、法第五十二条の六十一の三第二項に規定する書類又はこの府令の規定により申請書若しくは届出書に添付して金融庁長官等に提出することとされる書面（以下この項及び次項において「添付書類」という。）については、当該添付書類に代えてこれに準ずるものを金融庁長官等に提出することができる。

(2) In lieu of documents that are provided for in Article 52-61-3, paragraph (2) of the Act or documents that are required to be attached to a written application or written notification and submitted to the Commissioner of the Financial Services Agency or other competent authorities pursuant to the provisions of this Cabinet Office Order (hereinafter referred to as "attached documents" in

this paragraph and the following paragraph), a foreign corporation or individual domiciled in a foreign state that carries out electronic payment services may submit documents equivalent to these to the Commissioner of the Financial Services Agency or other competent authorities.

3 電子決済等代行業を営む外国法人又は外国に住所を有する個人がその本国の法令又は慣行その他の正当な事由により添付書類又は前項に規定するこれに準ずるもの（以下この項において「添付書類等」という。）のいずれをも金融庁長官等に提出することができない場合には、当該添付書類等は、金融庁長官等に提出することを要しない。

(3) If a foreign corporation or individual domiciled in a foreign state that carries out electronic payment services is unable to submit the attached documents or documents equivalent thereto as prescribed in the preceding paragraph (hereinafter referred to as "attached documents or their equivalent" in this paragraph) to the Commissioner of the Financial Services Agency or other competent authorities due to national laws and regulations or customs of the foreign state or any other such legitimate reason, the attached documents or their equivalent are not required to be submitted to the Commissioner of the Financial Services Agency or other competent authorities.

（予備審査）

(Preliminary Examination)

第三十九条 銀行、銀行の主要株主基準値以上の数の議決権の保有者、銀行を子会社とする持株会社又は銀行代理業者は、法の規定による認可又は法第五十二条の四十二第一項の承認を受けようとするときは、当該認可又は承認の申請をする際に金融庁長官等に提出すべき書面に準じた書面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 39 When seeking permission under the provisions of the Act or an approval under the provisions of Article 52-42, paragraph (1) of the Act, a bank, a holder of a number of voting rights in a bank which is equal to or greater than the major shareholder threshold, a holding company that has a bank as a subsidiary company, or a bank agent, may request a preliminary examination by submitting to the Commissioner of the Financial Services Agency or other competent authorities documents equivalent to the documents to be submitted to the Commissioner of the Financial Services Agency or other competent authorities at the time the person files the application for permission or approval.

（標準処理期間）

(Standard Processing Period)

第四十条 内閣総理大臣又は金融庁長官等は、法、令又はこの府令の規定による免許、許可、認可、承認、登録、認定又は指定（以下「認可等」という。）に関する申請（予備審査に係るものを除く。）がその事務所に到着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。ただし、次に掲げる認可等に関する申請に対する処分は、二月以内にするよう努めるものとする。

Article 40 (1) The Prime Minister or the Commissioner of the Financial Services Agency or other competent authority is to endeavor to provide the disposition of an application (excluding an application related to a preliminary examination) concerning a license, permission, authorization, approval, registration, certification, or designation pursuant to the provisions of the Act, the Order, or this Cabinet Office Order (hereinafter referred to as "authorization or other such recognition") within one month after the application is received at the office, respectively; provided, however, that the Prime Minister or the Commissioner of the Financial Services Agency or other competent authorities are to endeavor to provide disposition of an application concerning the following authorization or other such recognition within two months:

一 金融庁長官が別に定める銀行が金融庁長官に対してする申請に対する認可等

(i) an authorization or other such recognition for an application of a bank specified separately by the Commissioner of the Financial Services Agency that is filed to the Commissioner of the Financial Services Agency;

一の二 法第五十二条の六十二第一項の規定による指定

(i)-2 Designation pursuant to the provisions of Article 52-62, paragraph (1) of the Act;

二 令第十七条の二第一項の規定により財務局長又は福岡財務支局長が行う認可等のうち、他の財務局（福岡財務支局を含む。）の管轄区域に影響を及ぼすと認められる認可等

(ii) an authorization or other such recognition that the Director General of the Local Finance Bureau or the Fukuoka Local Finance Branch Bureau grants pursuant to the provisions of Article 17-2, paragraph (1) of the Order and that is found to have an impact in the jurisdictional district of another Local Finance Bureau (or the Fukuoka Local Finance Branch Bureau);

二の二 金融庁長官が別に定める銀行の主要株主基準値以上の数の議決権の保有者になろうとする者又は銀行の主要株主基準値以上の数の議決権の保有者である会社その他の法人を設立しようとする者若しくは銀行の主要株主基準値以上の数の議決権の保有者が金融庁長官に対してする申請に対する認可等

(ii)-2 an authorization or other such recognition for an application filed with the Commissioner of the Financial Services Agency by a person that seeks to become a holder of a number of voting rights in a bank specified separately by the Commissioner of the Financial Services Agency which is equal to or greater than the major shareholder threshold, a person that seeks to establish a company or other corporation that is a holder of a number of voting rights in a bank which is equal to or greater than the major shareholder threshold, or a holder of a number of voting rights in a bank

- which is equal to or greater than the major shareholder threshold;
- 三 金融庁長官が別に定める銀行を子会社とする持株会社が金融庁長官に対してする申請に対する認可等
- (iii) an authorization or other such recognition for an application filed to the Commissioner of the Financial Services Agency by a holding company that has a bank as a subsidiary company, specified separately by the Commissioner of the Financial Services Agency;
- 四 令第十七条の三第一項の規定により財務局長又は福岡財務支局長が行う認可等のうち、他の財務局（福岡財務支局を含む。）の管轄区域に影響を及ぼすと認められる認可等
- (iv) an authorization or other such recognition that the Director General of a Local Finance Bureau or the Fukuoka Local Finance Branch Bureau grants pursuant to the provisions of Article 17-3, paragraph (1) of the Order and that is found to have an impact in the jurisdictional district of another Local Finance Bureau (or the Fukuoka Local Finance Branch Bureau);
- 五 令第十七条の四第一項の規定により財務局長又は福岡財務支局長が行う認可等のうち、他の財務局（福岡財務支局を含む。）の管轄区域に影響を及ぼすと認められる認可等
- (v) an authorization or other such recognition that the Director General of Local Finance Bureau or the Fukuoka Local Finance Branch Bureau grants pursuant to the provisions of Article 17-4, paragraph (1) of the Order and that is found to have an impact in the jurisdictional district of another Local Finance Bureau (or the Fukuoka Local Finance Branch Bureau); and
- 六 令第十七条の五第一項の規定により財務局長又は福岡財務支局長が行う認可等のうち、他の財務局（福岡財務支局を含む。）の管轄区域に影響を及ぼすと認められる認可等
- (vi) an authorization or other such recognition that the Director General of Local Finance Bureau or the Fukuoka Local Finance Branch Bureau grants pursuant to the provisions of Article 17-4, paragraph (1) of the Order and that is found to have an impact in the jurisdictional district of another Local Finance Bureau (or the Fukuoka Local Finance Branch Bureau);
- 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 as 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) the period required for the amendment of 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) the period required for a person that filed the application to change the content of the application;
- 三 当該申請をした者が当該申請に係る審査に必要と認められる資料を追加するために要する期間

(iii) the period required for a person that filed the application to add materials that are found to be necessary for the examination to which the application pertains.