

# 中小企業等協同組合法

## Small and Medium-Sized Enterprise Cooperatives Act

(昭和二十四年六月一日法律第百八十一号)

(Act No. 181 of June 1, 1949)

### 第一章 総則

#### Chapter I General Provisions

(法律の目的)

(Purpose of the Act)

第一条 この法律は、中小規模の商業、工業、鉱業、運送業、サービス業その他の事業を行う者、勤労者その他の者が相互扶助の精神に基づき協同して事業を行うために必要な組織について定め、これらの者の公正な経済活動の機会を確保し、もってその自主的な経済活動を促進し、且つ、その経済的地位の向上を図ることを目的とする。

Article 1 The purpose of this Act is to provide for the organizations necessary for persons engaged in a small and medium-sized commercial business, industrial business, mining business, transport business, service business or any other business and other persons, such as workers, to engage in business in a cooperative manner based on the spirit of mutual support, and to secure the opportunity for these people to conduct fair economic activities, thereby promoting their voluntary economic activities and achieving an improvement in their economic status.

第二条 削除

Article 2 Deleted

### 第二章 中小企業等協同組合

#### Chapter II Small and Medium-Sized Enterprise Cooperatives

##### 第一節 通則

##### Section 1 General Rules

(種類)

(Types)

第三条 中小企業等協同組合（以下「組合」という。）は、左の各号に掲げるものとする。

Article 3 A small and medium-sized enterprise cooperative (hereinafter referred to as "cooperative") is any of the following:

一 事業協同組合

- (i) a business cooperative
  - 一の二 事業協同小組合
- (i)-2 a small business cooperative
  - 一の三 火災共済協同組合
- (i)-3 a fire mutual aid cooperative
  - 二 信用協同組合
- (ii) a credit cooperative
  - 三 協同組合連合会
- (iii) a federation of cooperatives
  - 四 企業組合
- (iv) a joint enterprise cooperative

(人格及び住所)

(Personality and Domicile)

第四条 組合は、法人とする。

Article 4 (1) A cooperative is a juridical person.

2 組合の住所は、その主たる事務所の所在地にあるものとする。

(2) The address of a cooperative is at the location of its principal office.

(基準及び原則)

(Standards and Fundamental Principles)

第五条 組合は、この法律に別段の定めがある場合のほか、次の各号に掲げる要件を備えなければならない。

Article 5 (1) A cooperative must satisfy the following requirements, except as otherwise provided by this Act:

一 組合員又は会員（以下「組合員」と総称する。）の相互扶助を目的とすること。

(i) the purpose of the cooperative is mutual support among partner of the cooperative or partner of the federation (hereinafter collectively referred to as a "partner").

二 組合員が任意に加入し、又は脱退することができること。

(ii) partner is able to join or withdraw from the cooperative voluntarily.

三 組合員の議決権及び選挙権は、出資口数にかかわらず、平等であること。

(iii) partner has equal voting rights and rights to elect, irrespective of the number of units of contribution they have offered.

四 組合の剰余金の配当は、主として組合事業の利用分量に応じてするものとし、出資額に応じて配当をするときは、その限度が定められていること。

(iv) the cooperative is to distribute the dividends of surplus mainly in accordance with the amount of use of the cooperative's businesses, and in the case of distributing the surplus in accordance with the amount of contribution; it has rules on the limits of the distribution.

2 組合は、その行う事業によつてその組合員に直接の奉仕をすることを目的とし、特

定の組合員の利益のみを目的としてその事業を行ってはならない。

(2) A cooperative has the purpose to directly serve its partner through its activities, and it must not conduct any activities for the purpose of only benefiting specific partner.

3 組合は、特定の政党のために利用してはならない。

(3) A cooperative must not be utilized for any specific political party.

(名称)

(Name)

第六条 組合は、その名称中に、次の文字を用いなければならない。

Article 6 (1) A cooperative must use the following words in its name:

一 事業協同組合にあつては、協同組合（第九条の二第七項に規定する特定共済組合に該当するものにあつては、共済協同組合）

(i) in the case of a business cooperative, a "cooperative" (if the cooperative is a provided mutual aid association provided in Article 9-2, paragraph (7), "mutual aid cooperative")

一の二 事業協同小組合にあつては、協同小組合（第九条の二第七項に規定する特定共済組合に該当するものにあつては、共済協同小組合）

(i)-2 in the case of a small business cooperative, "small cooperative" (if the cooperative is a provided mutual aid association provided in Article 9-2, paragraph (7), "small mutual aid cooperative")

一の三 火災共済協同組合にあつては、火災共済協同組合

(i)-3 in the case of a fire mutual aid cooperative, a "fire mutual aid cooperative"

二 信用協同組合にあつては、信用協同組合又は信用組合

(ii) in the case of a credit cooperative, a "credit cooperative" or "credit association"

三 協同組合連合会にあつては、その種類に従い、協同組合、協同小組合、火災共済協同組合又は信用協同組合のうちのいずれかを冠する連合会（第九条の九第四項に規定する特定共済組合連合会に該当するものにあつては、その種類に従い、共済協同組合又は共済協同小組合のうちのいずれかを冠する連合会）

(iii) in the case of a federation of cooperatives, a "federation" in combination with any one of "cooperatives," "small cooperatives," "fire mutual aid cooperative," or "credit cooperative" according to its type (if the federation is a provided federation of mutual aid associations provided in Article 9-9, paragraph (4), "federation" in combination with either "mutual aid cooperatives" or "minor mutual aid cooperative" according to its type)

四 企業組合にあつては、企業組合

(iv) in the case of a joint enterprise cooperative, a "joint enterprise cooperative"

2 この法律によつて設立された組合又は他の特別の法律によつて設立された協同組合若しくはその連合会以外の者は、その名称中に、事業協同組合、事業協同小組合、火災共済協同組合、信用協同組合、協同組合連合会又は企業組合であることを示す文字

を用いてはならない。

(2) No person other than a cooperative established pursuant to this Act or a cooperative or federation established pursuant to other special law may use in its name a word indicating that the person is a business cooperative, small business cooperative, fire mutual aid cooperative, credit cooperative, federation of cooperatives, or joint enterprise cooperative.

3 組合の名称については、会社法（平成十七年法律第八十六号）第八条（会社と誤認させる名称等の使用の禁止）の規定を準用する。

(3) With regard to the name of a cooperative, the provisions of Article 8 (Prohibition of Using Name, etc. which is Likely to be Mistaken for a Company) of the Companies Act (Act No. 86 of 2005) apply mutatis mutandis.

（私的独占の禁止及び公正取引の確保に関する法律との関係）

(Relationship with the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade)

第七条 次の組合は、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。以下「私的独占禁止法」という。）の適用については、同法第二十二條第一号の要件を備える組合とみなす。

Article 7 (1) With regard to the application of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947; hereinafter referred to as "Antimonopoly Act"), each of the following cooperatives is deemed to be a cooperative which satisfies the requirement set forth in Article 22, item (i) of that Act:

一 事業協同組合、火災共済協同組合又は信用協同組合であつて、その組合員たる事業者が次のいずれかに掲げる者であるもの

(i) a business cooperative, fire mutual aid cooperative or credit cooperative, whose partner consist only of enterprises falling under any of the following categories:

イ 資本金の額又は出資の総額が三億円（小売業又はサービス業を主たる事業とする事業者については五千万円、卸売業を主たる事業とする事業者については一億円）を超えない法人たる事業者

(a) An enterprise that is a juridical person doing business as a corporation and whose amount of stated capital or total amount of contribution is not more than three hundred million yen (or fifty million yen in the case of an entrepreneur who operates, as its principal business, a retail business or service business, or one hundred million yen in the case of an enterprise that operates, as its principal business, a wholesale business)

ロ 常時使用する従業員の数が三百人（小売業を主たる事業とする事業者については五十人、卸売業又はサービス業を主たる事業とする事業者については百人）を超えない事業者

(b) an enterprise whose number of regular hired employees is not more than

three hundred (or fifty in the case of an entrepreneur who operates, as its principal business, a retail business, or one hundred in the case of an enterprise that operates, as its principal business, a wholesale business or service business)

二 事業協同小組合

(ii) a small business cooperative

三 前二号に掲げる組合をもつて組織する協同組合連合会

(iii) a federation of cooperatives composed of cooperatives prescribed in any of the preceding two items

2 事業協同組合又は信用協同組合であつて、前項第一号イ又はロに掲げる者以外の事業者を組合員に含むものがあるときは、その組合が私的独占禁止法第二十二条第一号の要件を備える組合に該当するかどうかの判断は、公正取引委員の権限に属する。

(2) With respect to a business cooperative or a credit cooperative which has a member who falls outside of the categories of enterprise prescribed in item (i) (a) and (b) of the preceding paragraph, the Fair Trade Board Member has the authority to determine whether or not the cooperative falls under the category of cooperative that satisfies the requirement set forth in Article 22, item (i) of the Act on Prohibition of Private Monopolization.

3 前項に掲げる組合は、第一項第一号イ又はロに掲げる者以外の事業者が組合に加入した日又は事業者たる組合員が同号イ又はロに掲げる者でなくなつた日から三十日以内に、その旨を公正取引委員に届け出なければならない。

(3) A cooperative referred to in the preceding paragraph must, where an enterprise outside of the categories of enterprise prescribed in paragraph (1), item (i), (a) or (b) has joined therein or where any of its partner has come to fall outside of the categories of enterprise prescribed in paragraph (1), item (i), (a) or (b), notify the Fair Trade Board Member of this within thirty days.

(組合員の資格等)

(Qualifications of Partners)

第八条 事業協同組合の組合員たる資格を有する者は、組合の地区内において商業、工業、鉱業、運送業、サービス業その他の事業を行う前条第一項若しくは第二項に規定する小規模の事業者又は事業協同小組合で定款で定めるものとする。

Article 8 (1) A person who is qualified to be a member of a business cooperative is a small sized enterprise or a small business cooperative provided in paragraph (1) or paragraph (2) of the preceding Article who is engaged in commerce, industrial business, mining business, transport business, service business or any other business within the district of the cooperative and who is provided by the articles of corporation.

2 事業協同小組合の組合員たる資格を有する者は、組合の地区内において主として自己の勤労によつて商業、工業、鉱業、運送業、サービス業その他の事業を行う事業者であつて、おおむね常時使用する従業員の数が五人（商業又はサービス業を主たる事

業とする事業者については二人) を超えないもので定款で定めるものとする。

(2) A person who is qualified to be a member of a small business cooperative is an enterprise that is engaged in commerce, industrial business, mining business, transport business, business providing services or any other business within the district of the cooperative mainly through its own work and whose number of regular hired employees is not more than five or so (in the case of an enterprise whose principal business is commerce or business providing services, two), and who is specified by the articles of corporation.

3 火災共済協同組合の組合員たる資格を有する者は、組合の地区内において商業、工業、鉱業、運送業、サービス業その他主務省令で定める事業を行う前条第一項又は第二項に規定するすべての小規模の事業者（その地区が全国にわたる組合にあつては、これらの事業者のうち、定款で定める一の業種に属する事業を行うもの）とする。

(3) A person who is qualified to be a member of a fire mutual aid cooperative is any small sized enterprise provided in paragraph (1) or paragraph (2) of the preceding Article that is engaged in commerce, industrial business, mining business, transport business, business providing services or other business provided by an order of the competent ministry within the district of the cooperative (in the case of a cooperative whose district is nationwide, any enterprise that is engaged in a business that belongs to one of the business types provided by the articles of corporation).

4 信用協同組合の組合員たる資格を有する者は、組合の地区内において商業、工業、鉱業、運送業、サービス業その他の事業を行う前条第一項若しくは第二項に規定する小規模の事業者、組合の地区内に住所若しくは居所を有する者又は組合の地区内において勤労に従事する者その他これらに準ずる者として内閣府令で定める者で定款で定めるものとする。

(4) A person who is qualified to be a member of a credit cooperative is a small sized enterprise provided in paragraph (1) or paragraph (2) of the preceding Article that is engaged in commerce, industrial business, mining business, transport business, service business or any other business within the district of the cooperative, a person who has their address or residence within the district of the cooperative, a person who is engaged in work within the district of the cooperative, or a person who is provided by a Cabinet Order as a person equivalent thereto, and who is provided by the articles of corporation.

5 協同組合連合会の会員たる資格を有する者は、次に掲げる者であつて定款で定めるものとする。

(5) A person who is qualified to be a member of a federation of cooperatives is either of the following persons and one who is specified by the articles of corporation:

一 連合会の地区の全部又は一部を地区とする組合（企業組合を除く。）

(i) a cooperative whose district coincides with all or part of the district of the federation (excluding a joint enterprise cooperative)

二 連合会の地区の全部又は一部を地区として他の法律に基づいて設立された協同組合

(ii) a cooperative established under another Act and whose district coincides with all or part of the district of the federation

6 企業組合の組合員たる資格を有する者は、次に掲げる者であつて定款で定めるものとする。

(6) a person who is qualified to be a member of a joint enterprise cooperative is any of the following persons and one who is specified by the articles of corporation:

一 個人

(i) an individual

二 次のいずれかに該当する者（前号に掲げる者を除く。）であつて政令で定めるもの

(ii) any of the following persons (excluding the person set forth in the preceding item) and who is specified by Cabinet Order:

イ 当該企業組合に対し、その事業活動に必要な物資の供給若しくは役務の提供又は施設、設備若しくは技術の提供を行う者

(a) a person who provides the joint enterprise cooperative with the goods, services, facilities, equipment or technology necessary for the business activities of the joint enterprise cooperative

ロ 当該企業組合からその事業に係る物資の供給若しくは役務の提供又は技術の提供を受ける者

(b) a person who receives the goods, services, or technology pertaining to its business provided by the joint enterprise cooperative

ハ イ又はロに掲げるもののほか、当該企業組合の事業の円滑化に寄与する者

(c) beyond what is set forth in (a) and (b), a person who contributes to facilitating the business of the joint enterprise cooperative

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であつて中小企業者（中小企業基本法（昭和三十八年法律第百五十四号）第二条第一項各号に掲げるものをいう。）の自己資本の充実に寄与するものとして政令で定めるもの

(iii) an investment limited partnership provided in Article 2, paragraph (2) of the Limited Partnership Act for Investment (Act No. 90 of 1998) that is provided by Cabinet Order as one that contributes to enhancing the equity capital of small and medium-sized enterprises (meaning those prescribed in the items of Article 2, paragraph (1) of the Small and Medium-sized Enterprise Basic Act [Act No. 154 of 1963])

第八条の二 前条第六項第二号又は第三号の組合員（以下「特定組合員」という。）は、企業組合の総組合員の四分の一を超えてはならない。

Article 8-2 The member set forth in item (ii) or (iii) of paragraph (6) of the

preceding Article (hereinafter referred to as "specified member") must not exceed one-quarter of all partner of a joint enterprise cooperative.

(事業利用分量配当の課税の特例)

(Exception to Taxation on the Surplus Distributed in Accordance with the Amount of Use of Businesses)

第九条 組合が組合事業の利用分量に応じて配当した剰余金の額に相当する金額は、法人税法（昭和四十年法律第三十四号）の定めるところにより、当該組合の同法に規定する各事業年度の所得の金額又は各連結事業年度の連結所得の金額の計算上、損金の額に算入する。

Article 9 The amount equivalent to the amount of surplus that a cooperative has distributed in accordance with the amount of use of the cooperative's businesses is, pursuant to the provisions of the Corporation Tax Act (Act No. 34 of 1965), to be included in the amount of deductions when calculating the amount of income for each business year or the amount of consolidated income for each consolidated business year under the provisions of that Act with regard to the cooperative.

## 第二節 事業

### Section 2 Business Activities

(事業協同組合及び事業協同小組合)

(Business Cooperatives and Small Business Cooperatives)

第九条の二 事業協同組合及び事業協同小組合は、次の事業の全部又は一部を行うことができる。

Article 9-2 (1) A business cooperative or a small business cooperative may conduct all or part of the following activities:

一 生産、加工、販売、購買、保管、運送、検査その他組合員の事業に関する共同事業

(i) production, processing, sales, purchasing, storage, transport, inspection and other joint activities related to the business of partners

二 組合員に対する事業資金の貸付け（手形の割引を含む。）及び組合員のためにするその借入れ

(ii) loaning of business funds (including discounting of negotiable instruments) to partner and borrowing of such funds for partner

三 組合員の福利厚生に関する事業

(iii) activities related to the welfare of partners

四 組合員の事業に関する経営及び技術の改善向上又は組合事業に関する知識の普及を図るための教育及び情報の提供に関する事業

(iv) activities related to the education and provision of information to improve the management and technology concerning the business of partners and the



dissemination of knowledge concerning the cooperative's activities

五 組合員の新たな事業の分野への進出の円滑化を図るための新商品若しくは新技術の研究開発又は需要の開拓に関する事業

(v) activities related to research and development with regard to new goods or new technology or the cultivation of a demand for facilitating partner to advance into new business fields

六 組合員の経済的地位の改善のためにする団体協約の締結

(vi) conclusion of collective agreements to improve the economic status of partners

七 前各号の事業に附帯する事業

(vii) activities incidental to the activities set forth in the preceding items

2 事業協同組合及び事業協同小組合は、前項第三号の規定により締結する共済契約であつて、火災により又は火災及び第九条の七の二第一項第一号の主務省令で定める偶然な事故の全部若しくは一部を一括して共済事故としこれらのもののいずれかにより財産に生ずることのある損害をうめるためのものにおいては、共済契約者一人につきこれらの共済契約に係る共済金額の総額を主務省令で定める金額を超えるものと定めなければならない。

(2) In mutual aid contracts concluded pursuant to the provisions of item (iii) of the preceding paragraph for covering damages that may be caused to property by a fire or by any of the mutual aid incidents when collectively deeming a fire and all or part of the accidental incidents specified by order of the competent ministry under Article 9-7-2, paragraph (1), item (i) to be mutual aid incidents, a business cooperative or a small business cooperative must not set the total amount of mutual aid money pertaining to the mutual aid contracts per mutual aid contractor to be in excess of the amount specified by order of the competent ministry.

3 事業協同組合及び事業協同小組合は、組合員の利用に支障がない場合に限り、組合員以外の者にその事業を利用させることができる。ただし、一事業年度における組合員以外の者の事業の利用分量の総額は、その事業年度における組合員の利用分量の総額の百分の二十を超えてはならない。

(3) A business cooperative or a small business cooperative may have non-partner utilize its businesses, so long as it does not hinder the use by its partner; provided, however, that the total value of the amount of the use of businesses by non-partner during a single business year must not exceed twenty percent of the total value of the amount of the use by its partner during the business year.

4 前項ただし書の規定にかかわらず、事業協同組合及び事業協同小組合は、次の各号に掲げる事業については、当該各号に定める期間に限り、一事業年度における組合員以外の者の事業の利用分量の総額の当該事業年度における組合員の利用分量の総額に対する割合が当該各号ごとに百分の百を超えない範囲内において政令で定める割合を超えない範囲内において、組合員以外の者に利用させることができる。

(4) Notwithstanding the provisions of the proviso to the preceding paragraph, a business cooperative or a small business cooperative may have non-partner utilize the businesses prescribed in the following items, only during the periods respectively prescribed in those items, to the extent that the percentage of the total value of the amount of businesses used by non-partner during a single business year to the total value of the volume of the use by its partner during the business year does not exceed the percentage specified by Cabinet Order not exceeding one hundred percent for each of those items:

一 事業協同組合又は事業協同小組合の作成する計画に基づき工場又は事業場（以下「工場等」という。）を集団して設置する組合員の利用に供する当該事業協同組合又は事業協同小組合の事業をその工場等の設置に相当の期間を要する一部の組合員がその間に利用することが困難であるため、当該事業の運営に支障が生ずる場合における当該事業 当該計画に基づく工場等の設置が完了した日のうち最も早いものを含む事業年度終了の日から起算して三年を超えない範囲内において政令で定める期間

(i) businesses of the business cooperative or the small business cooperative to be provided for the use of partner who will collectively establish factories or workplaces (hereinafter referred to as "factories, etc.") based on a plan prepared by the business cooperative or the small business cooperative, in the case where the operation of the businesses will be hindered due to some partner who require a considerable period of time for establishing the factories, etc. finding it difficult to utilize the businesses during that time: the period specified by Cabinet Order not exceeding three years from the last day of the business year containing the earliest date on which the establishment of factories, etc. is completed based on the plan

二 組合員が脱退したため、当該組合員の利用に係る事業協同組合又は事業協同小組合の事業の運営に支障が生ずる場合における当該事業 当該組合員が脱退した日を含む事業年度終了の日から起算して二年を超えない範囲内において政令で定める期間

(ii) businesses of the business cooperative or the small business cooperative pertaining to the use by a member in the case where the operation of the businesses will be hindered due to withdrawal of the member: the period specified by Cabinet Order not exceeding two years from the last day of the business year containing the date of withdrawal of the member

5 第三項ただし書の規定は、事業協同組合及び事業協同小組合がその所有する施設のうち体育施設その他の施設で組合員の利用に供することのほか併せて一般公衆の利用に供することが適当であるものとして政令で定めるものに該当するものを一般公衆に利用させる場合には、適用しない。

(5) The provisions of the proviso to paragraph (3) do not apply when a business cooperative or a small business cooperative has the general public utilize a facility for physical exercise or any other facility, among the facilities it owns,

that falls into the category of facilities specified by Cabinet Order as those that are appropriate to be provided for the use by the general public in addition to being provided for the use of partner.

- 6 事業協同組合及び事業協同小組合は、組合員のために、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う。以下同じ。）その他これに準ずる者として主務省令で定めるものの業務の代理又は事務の代行（保険募集（同条第二十六項に規定する保険募集をいう。以下同じ。）及びこれに関連する事務として主務省令で定めるものに限る。）を行うことができる。

(6) A business cooperative or a small business cooperative may, on behalf of its partner, act as an agent in carrying out businesses or processing businesses (limited to insurance sales [meaning insurance sales provided in Article 2, paragraph (26) of the Insurance Business Act (Act No. 105 of 1995); the same applies hereinafter] and businesses that are provided by an order of the competent ministry as those relevant to the business) of an insurance company (meaning an insurance company provided in paragraph (2) of that Article; the same applies hereinafter) or any person provided by order of the competent ministry as the one esquivaleent thereto.

- 7 第一項第三号の規定により共済事業（組合員その他の共済契約者から共済掛金の支払を受け、共済事故の発生に関し、共済金を交付する事業であつて、共済金額その他の事項に照らして組合員その他の共済契約者の保護を確保することが必要なものとして主務省令で定めるものをいう。以下同じ。）を行う事業協同組合若しくは事業協同小組合であつてその組合員の総数が政令で定める基準を超えるもの又は組合員たる組合が共済事業を行うことによつて負う共済責任の再共済若しくは再共済責任の再再共済の事業を行う事業協同組合（以下「特定共済組合」という。）は、同項の規定にかかわらず、共済事業及びこれに附帯する事業並びに前項に規定する事業のほか、他の事業を行うことができない。ただし、主務省令で定めるところにより、行政庁の承認を受けたときは、この限りでない。

(7) A business cooperative or a small business cooperative engaged in mutual aid activities (meaning activities where the cooperative receives a payment for mutual aid premiums from its partners and any other mutual aid contractors, and pay mutual aid money when the mutual aid incidents arise, which are specified by order of the competent ministry as those, in order to protect the partners and any other mutual aid contractors, need to be secured in light of the amount of mutual aid money and other matters; the same applies hereinafter) pursuant to the provisions of paragraph (1), item (iii) whose total number of partners exceeds the standards specified by Cabinet Order, or a business cooperative engaged in the activities of the reinsurance of mutual aid liabilities or the retrocession of reinsurance liabilities borne by member cooperatives in the course of mutual aid activities (hereinafter referred to as "specified mutual aid association") may not engage in activities other than mutual aid activities and activities incidental thereto and the activities

prescribed in the preceding paragraph, notwithstanding the provisions of paragraph (1); provided, however, that this does not apply when the cooperative has obtained the approval of an administrative authority pursuant to the provisions of order of the competent ministry.

8 行政庁は、前項ただし書の承認の申請があつたときは、当該申請に係る事業が当該特定共済組合の業務の健全かつ適正な運営を妨げるおそれがないと認める場合でなければ、これを承認してはならない。

(8) When a request for approval under the proviso to the preceding paragraph is filed with the administrative authority, it must not approve the request unless it is obvious that the activities pertaining to the request poses no risk of harming the sound and appropriate operations of the specified mutual aid association.

9 共済事業及び第六項に規定する事業における事業協同組合についての第三項の規定の適用については、同項ただし書中「組合員」とあるのは「組合員並びに組合員と生計を一にする親族及び組合員たる組合を直接又は間接に構成する者であつて小規模の事業者であるもの」とし、事業協同小組合についての同項の規定の適用については、同項ただし書中「組合員」とあるのは「組合員及び組合員と生計を一にする親族」とする。

(9) With regard to the application of the provisions of paragraph (3) to a business cooperative in mutual aid activities and activities provided in paragraph (6), the term "partner" in the proviso to that paragraph is deemed to be replaced with "partner, relatives who share the same livelihood with the partner, and small-scale enterprise that directly or indirectly constitute member cooperatives"; and with regard to the application of the provisions of that paragraph to a small business cooperative, the term "partner" in the proviso to that paragraph is deemed to be replaced with "partner and relatives who share the same livelihood with the partner."

10 事業協同組合及び事業協同小組合は、定款で定める金融機関に対して組合員の負担する債務を保証し、又はその金融機関の委任を受けてその債権を取り立てることができる。

(10) A business cooperative or a small business cooperative may guarantee obligations borne by its members to a financial institution prescribed in the articles of incorporation or collect the claim entrusted to the business cooperative by the financial institution.

11 事業協同組合及び事業協同小組合は、前項の規定によるほか、定款の定めるところにより、組合員が金融機関以外の者に対して負担する当該組合員の事業に関する債務を保証することができる。

(11) A business cooperative or a small business cooperative may, pursuant to the provisions of the preceding paragraph and the provisions of the articles of incorporation, guarantee obligations concerning the business of its member that are borne by the member to a person other than a financial institution.

1 2 事業協同組合又は事業協同小組合の組合員と取引関係がある事業者（小規模の事業者を除く。）は、その取引条件について事業協同組合又は事業協同小組合の代表者（これらの組合が会員となつている協同組合連合会の代表者を含む。）が政令の定めるところにより団体協約を締結するため交渉をしたい旨を申し出たときは、誠意をもつてその交渉に応ずるものとする。

(12) An enterprise (excluding small-scale enterprises) that has a business relationship with a business cooperative or a small business cooperative is to start negotiation with sincerity when the representative person of the business cooperative or small business cooperative (including the representative person of a federation of cooperatives who is a member of these cooperatives) states an intention to start negotiations to conclude a collective agreement on the trade terms and conditions pursuant to the provisions of Cabinet Order.

1 3 第一項第六号の団体協約は、あらかじめ総会の承認を得て、同号の団体協約であることを明記した書面をもつてすることによつて、その効力を生ずる。

(13) A collective agreement referred to in paragraph (1), item (vi), which needs to be approved by the general assembly in advance, becomes effective by signing a written document clearly stating that it is a collective agreement referred to in that item.

1 4 第一項第六号の団体協約は、直接に組合員に対してその効力を生ずる。

(14) A collective agreement referred to in paragraph (1), item (vi) becomes effective directly between the business cooperative and partners.

1 5 組合員の締結する契約であつて、その内容が第一項第六号の団体協約に定める基準に違反するものについては、その基準に違反する契約の部分は、その基準によつて契約したものとみなす。

(15) With regard to a contract concluded by a member of which the contents violate the standards prescribed in a collective contract referred to in paragraph (1), item (vi), the part of the contract that violates the standards is deemed to have been concluded according to the relevant standards.

（あつせん又は調停）

(Mediation or Conciliation)

第九条の二の二 前条第十二項の交渉の当事者の双方又は一方は、当該交渉ができないとき又は団体協約の内容につき協議が調わないときは、行政庁に対し、そのあつせん又は調停を申請することができる。

Article 9-2-2 (1) Both of or either of the negotiating parties referred to in paragraph (12) of the preceding Article may, when the negotiation cannot be held or when agreement is not reached on the contents of the collective agreement, file a request for mediation or conciliation with an administrative authority.

2 行政庁は、前項の申請があつた場合において経済取引の公正を確保するため必要があると認めるときは、すみやかにあつせん又は調停を行うものとする。

(2) When a request referred to in the preceding paragraph is filed with an administrative agency and if it finds it necessary to secure the fairness of economic transactions, it is to carry out mediation or conciliation promptly.

3 行政庁は、前項の規定により調停を行う場合においては、調停案を作成してこれを関係当事者に示しその受諾を勧告するとともに、その調停案を理由を付して公表することができる。

(3) In the case where an administrative authority carries out a conciliation pursuant to the provisions of the preceding paragraph, it may prepare a conciliation proposal and, by presenting it to the parties concerned, recommends that the parties concerned accept it, and publicize the conciliation proposal together with the reason.

4 行政庁は、前二項のあつせん又は調停については、中小企業政策審議会又は都道府県中小企業調停審議会に諮問しなければならない。

(4) With regard to mediation or conciliation referred to in the preceding two paragraphs, an administrative authority must consult with the Small and Medium Enterprise Policy Making Council or the Prefectural Small and Medium Enterprise Conciliation Council.

(組合員以外の者の事業の利用の特例)

(Special Provisions for the Use of Services by Non-Partners)

第九条の二の三 事業協同組合及び事業協同小组合は、その所有する施設を用いて行っている事業について、組合員の脱退その他のやむを得ない事由により組合員の利用が減少し、当該事業の運営に著しい支障が生ずる場合において、主務省令で定めるところにより、第九条の二第三項ただし書に規定する限度を超えて組合員以外の者に当該事業を利用させることが当該事業の運営の適正化を図るために必要かつ適切なものとして、期間を定めて行政庁の認可を受けたときは、同項ただし書の規定にかかわらず、一事業年度における組合員以外の者の事業の利用分量の総額の当該事業年度における組合員の利用分量の総額に対する割合が百分の二百を超えない範囲内において、組合員以外の者に当該事業を利用させることができる。

Article 9-2-3 (1) A business cooperative or a small business cooperative may, when the usage of services by its partners decreases due to the withdrawal of partners or due to other unavoidable circumstances, and administration of services that are provided using its own facility is greatly hit, have non-partners use the services to the extent that the total amount of service usage by non-partners during a business year does not exceed two hundred percent of the total amount of service usage by its partners during the relevant business year, notwithstanding the provisions of the proviso to Article 9-2, paragraph (3), if it has obtained the approval of an administrative authority that it is necessary and appropriate for the cooperative to have non-partners use the services exceeding the limit prescribed in the proviso to that paragraph for a specified period, so as to maintain proper administration of the services,

pursuant to the provisions of order of the competent ministry.

2 行政庁は、前項の認可に係る事業について、第九条の二第三項ただし書に規定する限度を超えて組合員以外の者に当該事業を利用させることが当該事業の運営の適正化を図るために必要かつ適切なものでなくなつたと認めるときは、当該認可を取り消すことができる。

(2) With regard to services pertaining to the approval referred to in the preceding paragraph, when an administrative authority finds that it is no longer necessary and appropriate for the authority to have non-partners use the services exceeding the limit prescribed in the proviso to Article 9-2, paragraph (3) so as to maintain proper administration of the services, it may revoke the approval.

(倉荷証券の発行)

(Issuance of Warehouse Receipts)

第九条の三 保管事業を行う事業協同組合は、国土交通大臣の許可を受けて、組合員の寄託物について倉荷証券を発行することができる。

Article 9-3 (1) A business cooperative engaged in a storage business may, by obtaining the permission from the Minister of Land, Infrastructure and Transport, issue warehouse receipts for the bailed goods owned by its partners.

2 前項の許可を受けた事業協同組合は、組合員たる寄託者の請求により、寄託物の倉荷証券を交付しなければならない。

(2) A business cooperative which obtains the permission set forth in the preceding paragraph must issue a warehouse receipt for bailed goods, at the request of a bailor who is a member.

3 第一項の倉荷証券については、商法（明治三十二年法律第四十八号）第六百二十七条第二項（預証券の規定の準用）及び第六百二十八条（倉荷証券による質入）の規定を準用する。

(3) With regard to warehouse receipts under paragraph (1), the provisions of Article 627, paragraph (2) (Mutatis Mutandis Application of the Provisions on Deposit Receipts) and Article 628 (Pledge of Warehouse Receipts) of the Commercial Code (Act No. 48 of 1899) apply mutatis mutandis.

4 第一項の場合については、倉庫業法（昭和三十一年法律第百二十一号）第八条第二項、第十二条、第二十二條及び第二十七條（監督）の規定を準用する。この場合において、同法第十二条中「第六条第一項第四号の基準」とあるのは、「国土交通省令で定める基準」と読み替えるものとする。

(4) With regard to the case referred to in paragraph (1), the provisions of Article 8, paragraph (2), Article 12, Article 22 and Article 27 (Supervision) of the Warehousing Business Act (Act No. 121 of 1956) apply mutatis mutandis. In this case, the term "standards set forth in Article 6, paragraph (1), item (iv)" in Article 12 of that Act is deemed to be replaced with "standards specified by Order of the Ministry of Land, Infrastructure and Transport."

第九條の四 前條第一項の許可を受けた事業協同組合の作成する倉荷証券には、その事業協同組合の名称を冠する倉庫証券という文字を記載しなければならない。

Article 9-4 A warehouse receipt prepared by a business cooperative, which obtains permission referred to in paragraph (1) of the preceding Article, must include the Japanese characters for "warehouse receipt" bearing the name of the business cooperative.

第九條の五 事業協同組合が倉荷証券を発行した寄託物の保管期間は、寄託の日から六月以内とする。

Article 9-5 (1) The storage period of bailed goods for which a business cooperative issues a warehouse receipt is within six months from the date on which the goods are bailed.

2 前項の寄託物の保管期間は、六月を限度として更新することができる。ただし、更新の際の証券の所持人が組合員でないときは、組合員の利用に支障がない場合に限る。

(2) The storage period of bailed goods referred to in the preceding paragraph may be renewed for up to six months; provided, however, that this is limited to the case where the renewal does not hinder the use by partners, if the holder of the receipt on the renewal date is not a member.

第九條の六 事業協同組合が倉荷証券を発行した場合については、商法第六百十六條から第六百十九條まで及び第六百二十四條から第六百二十六條まで（寄託者又は証券の所持人の権利及び倉庫業者の責任）の規定を準用する。

Article 9-6 With regard to the case where a business cooperative issues a warehouse receipt, the provisions of Articles 616 through 619 and Articles 624 through 626 (Rights of the Bailors or the Holders of Securities and the Responsibilities of the Warehouse Business Operators) of the Commercial Code apply mutatis mutandis.

(共済規程)

(Mutual Aid Rules)

第九條の六の二 事業協同組合及び事業協同小組合が、共済事業を行おうとするときは、主務省令で定めるところにより、共済規程を定め、行政庁の認可を受けなければならない。

Article 9-6-2 (1) When a business cooperative or a small business cooperative intends to engage in mutual aid activities, it must establish mutual aid rules and obtain the approval of an administrative authority, pursuant to the provisions of order of the competent ministry.

2 共済規程には、共済事業の種類その他事業の実施方法、共済契約、共済掛金及び責任準備金の額の算出方法に関して主務省令で定める事項を記載しなければならない。

(2) Mutual aid rules must contain particulars on the types of mutual aid



activities and other particulars specified by order of the competent ministry concerning the implementation method of the activities, mutual aid contracts, mutual aid premiums, and the calculation method of the amount of policy reserve.

- 3 事業協同組合が自動車損害賠償保障法（昭和三十年法律第九十七号）第五条（責任共済等の契約の締結強制）に規定する自動車損害賠償責任共済（以下「責任共済」という。）、責任共済の契約によつて負う共済責任の再共済（以下「責任再共済」という。）又は責任再共済の契約によつて負う再共済責任の再再共済（以下「責任共済等」という。）の事業を行おうとする場合における前項の規定の適用については、同項中「共済事業の種類その他事業の実施方法、共済契約、共済掛金及び責任準備金の額の算出方法に関して主務省令で定める事項」とあるのは、「責任共済等の事業の実施方法、共済契約及び共済掛金に関して主務省令で定める事項」とする。

(3) With regard to the application of the provisions of the preceding paragraph in the case where a business cooperative intends to engage in activities of compulsory automobile liability mutual aid (hereinafter referred to as "liability mutual aid") provided in Article 5 (compulsory Conclusion of Contracts for liability mutual aid, etc.) of the Act on Securing Compensation for Automobile Accidents (Act No. 97 of 1955), the reinsurance of mutual aid liabilities borne through a liability mutual aid contract (hereinafter referred to as "liability reinsurance") or the retrocession of reinsurance liabilities borne through a liability reinsurance contract (hereinafter collectively referred to as "liability mutual aid, etc."), the phrase "the types of mutual aid activities and other particulars specified by order of the competent ministry concerning the implementation method of the activities, mutual aid contracts, mutual aid premiums, and the calculation method of the amount of policy reserve" in the preceding paragraph is deemed to be replaced with "particulars specified by order of the competent ministry concerning the implementation method of the activities of liability mutual aid, etc., mutual aid contracts, and mutual aid premiums."

- 4 共済規程の変更又は廃止は、行政庁の認可を受けなければ、その効力を生じない。

(4) Changes to or the abolition of mutual aid rules do not take effect without the approval of an administrative authority.

（共済の目的の譲渡等）

(Transfer of the Interest Insured)

第九条の六の三 共済契約の共済の目的が譲渡された場合においては、譲受人は、共済事業を行う事業協同組合又は事業協同小組合の承諾を得て、その目的に関し譲渡人が有する共済契約上の権利義務を承継することができる。この場合において、当該目的がその譲渡により第九条の二第九項において読み替えて適用する同条第三項ただし書に規定する組合員（以下この条において「組合員等」という。）の財産でなくなつたときは、当該目的は、当該共済契約の期間内は、組合員等の財産とみなし、同条第一

項第三号、第三項及び第九項の規定を適用する。

Article 9-6-3 (1) In the case where the interest insured under a mutual aid contract has been transferred, the transferee may succeed to the rights and obligations under the mutual aid contract which the transferor holds with regard to the interest insured, by gaining the consent of the business cooperative or small business cooperative conducting the mutual aid activities. In this case, if the interest insured is no longer the property of a member as provided in the proviso to Article 9-2, paragraph (3) as applied mutatis mutandis pursuant to the provisions of paragraph (9) of the same Article following the deemed replacement of terms (hereinafter referred to as a "member, etc." in this Article) due to its transfer, the interest insured is deemed to be the property of the member, etc. during the period of the mutual aid contract, and the provisions of Article 9-2, paragraph (1), item (iii), paragraph (3) and paragraph (9) apply.

2 前項の規定は、死亡、合併又は分割により共済の目的が承継された場合について準用する。

(2) The provisions of the preceding paragraph apply mutatis mutandis to the case where the interest insured has been succeeded to due to death, a merger or a split.

3 組合員等が組合員等でなくなつた場合（前項に規定する場合を除く。）において、その際締結されていた共済契約の目的のうち、その組合員等でなくなつたことにより組合員等の財産でなくなつた財産があるときは、当該財産は、当該財産に係る共済契約の期間内は、組合員等の財産とみなし、第九条の二第一項第三号、第三項及び第九項の規定を適用する。

(3) In the case where a member, etc. has ceased to be a member, etc. (excluding the case prescribed in the preceding paragraph), if any property among the interest insured under the mutual aid contract that has been concluded at that time ceases to be the property of the member, etc. due to the member, etc. ceasing to be a member, etc., the property is deemed to be the property of the member, etc. during the period of the mutual aid contract pertaining to the property, and the provisions of Article 9-2, paragraph (1), item (iii), paragraph (3) and paragraph (9) apply.

（商品券の発行）

(Issuance of Gift Vouchers)

第九条の七 事業協同組合は、法令の定めるところにより、組合員の取扱商品について商品券を発行することができる。

Article 9-7 (1) A business cooperative may, pursuant to the provisions of laws and regulations, issue gift vouchers for the goods handled by its partner.

2 事業協同組合が商品券を発行したときは、組合員は、これに対してその取扱商品につき引換の義務を負う。

- (2) When a business cooperative has issued a gift voucher, its partner has an obligation to exchange it with goods they handle.
- 3 事業協同組合が商品券を発行した場合において、その組合員が商品券の引換をすることができないとき、又はその引換を停止したときは、その事業協同組合は、商品券の所有者に対し、券面に表示した金額を限度として、弁済の責を負う。
- (3) In the case where a business cooperative has issued a gift voucher, if its partner is unable to exchange the gift voucher or have suspended the exchange, the business cooperative is liable to pay the owner of the gift voucher up to the total face value of the gift voucher.
- 4 商品券を発行した事業協同組合がみずから商品を販売する場合には、前三項中「組合員」とあるのは「事業協同組合及び組合員」と読み替えるものとする。
- (4) In the case where a business cooperative that has issued a gift voucher sells its own goods, the term "partner" in the preceding three paragraphs is deemed to be replaced with "the business cooperative and the partner."

(火災共済協同組合)

(Fire Mutual Aid Cooperatives)

第九条の七の二 火災共済協同組合は、次の事業を行うものとする。

Article 9-7-2 (1) A fire mutual aid cooperative is to conduct the following activities:

一 組合員のためにする火災共済事業（火災により又は火災及び破裂、爆発、落雷その他の主務省令で定める偶然な事故の全部若しくは一部を一括して共済事故としこれらのもののいずれかにより財産に生ずることのある損害をうめるための共済事業をいう。以下同じ。）

(i) fire mutual aid (meaning mutual aid activities to cover damages that may be caused to property by a fire or by any of the mutual aid incidents when collectively deeming that a fire and all or part of a rupture, explosion, lightning strike, and other accidental incidents specified by order of the competent ministry to be mutual aid incidents; the same applies hereinafter) for its partner

二 前号の事業に附帯する事業

(ii) activities incidental to the activities set forth in the preceding item

2 前項各号に掲げるもののほか、火災共済協同組合は、保険会社その他これに準ずる者として第九条の二第六項の主務省令で定めるものの業務の代理又は事務の代行（保険募集及びこれに関連する事務として同項の主務省令で定めるものに限る。）の事業を行うことができる。

(2) Beyond what is set forth in the items of the preceding paragraph, a fire mutual aid cooperative may act as an agent in carrying out the operations or processing the affairs (limited to insurance sales and affairs that are specified by order of the competent ministry set forth in Article 9-2, paragraph (6) as those relevant to the insurance sales) of an insurance company or any person

specified by order of the competent ministry set forth in that paragraph as one equivalent thereto.

- 3 火災共済協同組合については、第九条の二第三項及び第九条の六の三の規定を準用する。この場合において、同項ただし書中「組合員」とあるのは「組合員並びに組合員と生計を一にする親族及び組合員たる組合を直接又は間接に構成する者であつて第八条第三項に規定する小規模の事業者であるもの」と、同条第一項中「第九条の二第九項において読み替えて適用する同条第三項ただし書」とあるのは「第九条の七の二第三項において読み替えて準用する第九条の二第三項ただし書」と、同項中「同条第一項第三号、第三項及び第九項」とあり、及び同条第三項中「第九条の二第一項第三号、第三項及び第九項」とあるのは「第九条の七の二」と読み替えるものとする。

- (3) With regard to a fire mutual aid cooperative, the provisions of Article 9-2, paragraph (3) and Article 9-6-3 apply mutatis mutandis. In this case, the term "partner" in the proviso to that paragraph is deemed to be replaced with "partner, relatives who share the same livelihood with the partner, and small-sized enterprise provided in Article 8, paragraph (3) that directly or indirectly constitutes member cooperatives"; the phrase "the proviso to Article 9-2, paragraph (3) as applied mutatis mutandis pursuant to the provisions of paragraph (9) of that Article following the deemed replacement of terms" in Article 9-6-3, paragraph (1) is deemed to be replaced with "the proviso to Article 9-2, paragraph (3) as applied mutatis mutandis pursuant to Article 9-7-2, paragraph (3) following the deemed replacement of terms; and the term "Article 9-2, paragraph (1), item (iii), paragraph (3) and paragraph (9)" in the Article 9-6-3, paragraph (1) and the term "Article 9-2, paragraph (1), item (iii), paragraph (3) and paragraph (9)" in Article 9-6-3, paragraph (3) is deemed to be replaced with "Article 9-7-2."

第九条の七の三 削除  
Article 9-7-3 Deleted.

第九条の七の四 削除  
Article 9-7-4 Deleted.

(商法等の準用)

(Application Mutatis Mutandis of the Commercial Code)

第九条の七の五 商法第二編第十章第一節第一款（第六百五十条第一項及び第六百六十四条を除く。）（損害保険の総則）の規定は共済事業を行う事業協同組合若しくは事業協同小組合又は火災共済協同組合（以下この条において「共済事業を行う協同組合」という。）が締結する一定の偶然の事故によつて生ずることのある損害をてん補することを約し共済掛金を収受する共済契約について、同節第二款（火災保険）の規定は火災共済協同組合が締結する火災共済契約について、同節第三款（運送保険）の規定は共済事業を行う協同組合（火災共済協同組合を除く。）が締結する一定の偶然

の事故によつて生ずることのある運送品の損害をてん補することを約し共済掛金を収受する共済契約について、同章第二節（第六百八十三条第一項に掲げる準用規定のうち第六百六十四条に係る規定を除く。）（生命保険）の規定は共済事業を行う協同組合（火災共済協同組合を除く。）が締結する人の生存又は死亡（当該人の余命が一定の期間以内であると医師により診断された身体の状態を含む。）に関し一定の金額を支払うことを約し共済掛金を収受する共済契約について、それぞれ準用する。

Article 9-7-5 (1) The provisions of Part II, Chapter X, Section 1, Subsection 1 (excluding Article 650, paragraph (1) and Article 664) (General Provisions on Non-life Insurance) of the Commercial Code apply mutatis mutandis to mutual aid contracts concluded by a business cooperative or a small business cooperative engaged in mutual aid activities or a fire mutual aid cooperative (hereinafter referred to as "a cooperative engaged in mutual aid activities" in this Article) whereby mutual aid premiums are received by promising to compensate for damages that may be caused by certain accidental incidents; the provisions of Subsection 2 (Fire Insurance) of that Section apply mutatis mutandis to fire mutual aid contracts concluded by a fire mutual aid cooperative; the provisions of Subsection 3 (Cargo Insurance) of that Section apply mutatis mutandis to mutual aid contracts concluded by a cooperative engaged in mutual aid activities (excluding a fire mutual aid cooperative) whereby mutual aid premiums are received by promising to compensate for damages to cargos that may be caused by certain accidental incidents; and the provisions of Section 2 (excluding the provisions pertaining to Article 664 among the provisions on application mutatis mutandis set forth in Article 683, paragraph (1)) (Life Insurance) of that Chapter apply mutatis mutandis to mutual aid contracts concluded by a cooperative engaged in mutual aid activities (excluding a fire mutual aid cooperative) whereby mutual aid premiums are received by promising to pay a certain amount of money with regard to the survival or death of a person (including a physical condition where the person has been diagnosed by a doctor as having only a certain period of time to live).

2 保険業法第二百七十五条第一項第二号及び第二項（保険募集の制限）の規定は共済事業を行う協同組合の共済契約の募集について、同法第二百八十三条（所属保険会社等の賠償責任）の規定は共済事業を行う協同組合の役員及び使用人並びに当該共済事業を行う協同組合の共済代理店（組合の委託を受けて、当該組合のために共済契約の締結の代理又は媒介を行う者であつて、当該組合の役員又は使用人でないものをいう。以下同じ。）並びにその役員及び使用人が行う当該共済事業を行う協同組合の共済契約の募集について、同法第二百九十四条（顧客に対する説明）の規定は共済契約の募集を行う共済事業を行う協同組合の役員及び使用人並びに当該共済事業を行う協同組合の共済代理店並びにその役員及び使用人について、同法第二百九十五条（自己契約の禁止）の規定は共済代理店について、同法第三百条（禁止行為）の規定は共済事業を行う協同組合及びその共済代理店（これらの者の役員及び使用人を含む。）について

て、同法第三百五条（立入検査等）、第三百六条（業務改善命令）及び第三百七条第一項第三号（登録の取消し等）の規定は共済代理店について、同法第三百九条（保険契約の申込みの撤回等）の規定は共済事業を行う協同組合に対し共済契約の申込みをした者又は共済契約者が行う共済契約の申込みの撤回又は解除について、同法第三百十一条（検査職員の証票の携帯及び提示等）の規定はこの項において準用する同法第三百五条の規定による立入り、質問又は検査をする職員について、それぞれ準用する。この場合において、同法第二百七十五条第一項第二号、第二百九十四条第三号、第二百九十五条第二項、第三百条第一項第七号及び第九号並びに第三百九条第一項第一号、第二項、第三項、第五項及び第六項中「内閣府令」とあるのは「主務省令」と、同法第二百七十五条第一項第二号及び第二項中「損害保険会社（外国損害保険会社等を含む。以下この編において同じ。）」とあるのは「共済事業を行う協同組合」と、「次条の登録を受けた損害保険代理店」とあるのは「中小企業等協同組合法第百六条の三第一号の届出がなされた共済代理店」と、「損害保険代理店である」とあるのは「共済代理店である」と、同条第二項中「次条又は第二百八十六条の登録を受けて」とあるのは「中小企業等協同組合法第百六条の三第一号の届出を行って」と、同法第三百条第一項中「次条に規定する特定保険契約」とあるのは「中小企業等協同組合法第九条の七の五第三項に規定する特定共済契約」と、同項第八号中「特定関係者（第百条の三（第二百七十二条の十三第二項において準用する場合を含む。次条において同じ。）に規定する特定関係者及び第百九十四条に規定する特殊関係者のうち、当該保険会社等又は外国保険会社等を子会社とする保険持株会社及び少額短期保険持株会社（以下この条及び第三百一条の二において「保険持株会社等」という。）、「当該保険持株会社等の子会社（保険会社等及び外国保険会社等を除く。）並びに保険業を行う者以外の者をいう。）」とあるのは「子会社等（中小企業等協同組合法第六十一条の二第二項に規定する子会社等をいう。）」と、同条第二項中「第四条第二項各号、第百八十七条第三項各号又は第二百七十二条の二第二項各号に掲げる書類」とあるのは「定款又は中小企業等協同組合法第九条の六の二第一項に規定する共済規程若しくは同法第二十七条の二第三項に規定する火災共済規程」と、同法第三百五条及び第三百六条中「内閣総理大臣」とあるのは「行政庁」と、同法第三百七条第一項中「内閣総理大臣」とあるのは「行政庁」と、「次の各号のいずれかに該当するときは、第二百七十六条若しくは第二百八十六条の登録を取り消し、又は」とあるのは「第三号に該当するときは、」と、「業務の全部若しくは一部」とあるのは「共済契約の募集」と読み替えるものとする。

- (2) The provisions of Article 275, paragraph (1), item (ii) and paragraph (2) (restriction on insurance sales) of the Insurance Business Act apply mutatis mutandis to the solicitation of mutual aid contracts of a cooperative engaged in mutual aid activities; the provisions of Article 283 (Liability for Compensation of the Insurance Company Concerned, etc.) of that Act apply mutatis mutandis to the solicitation of mutual aid contracts of a cooperative engaged in mutual aid activities carried out by officers or employees of the cooperative engaged in mutual aid activities, and by any mutual aid agent (meaning a person who acts as an agent or intermediary in concluding mutual aid contracts for a

cooperative under entrustment by the cooperative, and who is not an officer nor an employee of the cooperative; the same applies hereinafter) of the cooperative engaged in mutual aid activities and officers or employees of the mutual aid agent; the provisions of Article 294 (Explanations to Customers) of that Act apply mutatis mutandis to officers and employees of a cooperative engaged in mutual aid activities, any mutual aid agent of the cooperative engaged in mutual aid activities, and officers and employees of the mutual aid agent, carrying out solicitation of mutual aid contracts; the provisions of Article 295 (Prohibition of Self-Contract) of that Act apply mutatis mutandis to a mutual aid agent; the provisions of Article 300 (Prohibited Acts) of that Act apply mutatis mutandis to a cooperative engaged in mutual aid activities and any mutual aid agent thereof (including their officers and employees) carrying out mutual aid activities; the provisions of Article 305 (on-site inspections, etc.), Article 306 (order to improve business operations), and Article 307, paragraph (1), item (iii) (revocation of registration, etc.) of that Act apply mutatis mutandis to a mutual aid agent; the provisions of Article 309 (revocation of applications for insurance contracts, etc.) of that Act apply mutatis mutandis to the revocation or cancellation of an offer for a mutual aid contract by a person who has filed an offer with a cooperative engaged in mutual aid activities or by a mutual aid contractor; and the provisions of Article 311 (carrying and presenting of identification cards by inspection officials) of that Act apply mutatis mutandis to officials who enter, question, and inspect pursuant to the provisions of Article 305 of that Act as applied mutatis mutandis pursuant to the provisions of this paragraph. In this case, the term "Cabinet Order" in Article 275, paragraph (1), item (ii), Article 294, item (iii), Article 295, paragraph (2), Article 300, paragraph (1), item (vii) and item (ix), and Article 309, paragraph (1), item (i), paragraph (2), paragraph (3), paragraph (5) and paragraph (6) of that Act is deemed to be replaced with "order of the competent ministry"; the phrase "a casualty insurance company (including a foreign casualty insurance company, etc.; hereinafter the same applies in this Part)" in Article 275, paragraph (1), item (ii), and paragraph (2) of that Act is deemed to be replaced with "a cooperative engaged in mutual aid activities"; the phrase "a casualty insurance agent registered under the following Article" in these provisions is deemed to be replaced with "a mutual aid agent notified under Article 106-3, item (i) of the Small and Medium-Sized Enterprise Cooperatives Act"; the phrase "which is a casualty insurance agent" in these provisions is deemed to be replaced with "which is a mutual aid agent"; the phrase "by obtaining registration under the following Article or Article 286" in paragraph (2) of that Article is deemed to be replaced with "by giving the notification under Article 106-3, item (i) of the Small and Medium-Sized Enterprise Cooperatives Act"; the phrase "provided insurance contract prescribed in the

following Article" in Article 300, paragraph (1) of that Act is deemed to be replaced with "specified mutual aid contract prescribed in Article 9-7-5, paragraph (3) of the Small and Medium-Sized Enterprise Cooperatives Act"; the phrase "person having a specified relationship (meaning any person having a specified relationship as prescribed in Article 103 [including the cases where it is applied mutatis mutandis pursuant to the provisions of Article 272-13, paragraph (2); the same applies in the following Article] or any person having a special relationship as prescribed in Article 194, who is not an insurance holding company or a small-sum, short term insurance holding company (hereinafter referred to as an 'insurance holding company, etc.' in this Article and Article 301-2) for which the insurance company, etc. or foreign insurance company, etc. is a subsidiary company, nor a subsidiary company (excluding an insurance company, etc. or foreign insurance company, etc.) of the insurance holding company, etc., nor a person engaged in insurance business)" in Article 300, paragraph (1), item (viii) of that Act is deemed to be replaced with "subsidiary company, etc. (meaning a subsidiary company, etc. prescribed in Article 61-2, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act)"; the phrase "documents specified in the items of Article 4, paragraph (2), items of Article 187, paragraph (3) or items of Article 272-2, paragraph (2)" in Article 300, paragraph (2) of that Act is deemed to be replaced with "the articles of corporation, or mutual aid rules prescribed in Article 9-6-2, paragraph (1) of the Small and Medium-Sized Enterprise Cooperatives Act, or fire mutual aid rules prescribed in Article 27-2, paragraph (3) of that Act"; the term "Prime Minister" in Article 305 and Article 306 of that Act is deemed to be replaced with "administrative authority"; the term "Prime Minister" in Article 307, paragraph (1) of that Act is deemed to be replaced with "administrative agency"; the phrase "when a specified insurance solicitor or an insurance broker falls under any of the following items, may revoke the registration set forth in Article 276 or Article 286, or may" in these provisions is deemed to be replaced with "when a specified insurance solicitor or an insurance broker falls under item (iii), may"; and the phrase "all or part of the operations" in that provisions is deemed to be replaced with "solicitation of mutual aid contracts."

- 3 金融商品取引法（昭和二十三年法律第二十五号）第三章第一節第五款（第三十四条の二第六項から第八項まで並びに第三十四条の三第五項及び第六項を除く。）（特定投資家）及び第四十五条（第三号及び第四号を除く。）（雑則）の規定は共済事業を行う協同組合が行う特定共済契約（金利、通貨の価格、同法第二条第十四項に規定する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損失が生ずるおそれ（当該共済契約が締結されることにより利用者の支払うこととなる共済掛金の合計額が、当該共済契約が締結されることにより当該利用者の取得することとなる第五十八条第六項に規定する共済金等の合計額を上回ることとなるおそれをいう。）がある共済契



約として主務省令で定めるものをいう。以下この項において同じ。)の締結について、同章第二節第一款(第三十五条から第三十六条の四まで、第三十七条第一項第二号、第三十七条の二、第三十七条の三第一項第二号及び第六号並びに第三項、第三十七条の五、第三十七条の六、第三十八条第一号及び第二号、第三十八条の二、第三十九条第三項ただし書及び第五項、第四十条の二並びに第四十条の三を除く。)(通則)の規定は共済事業を行う協同組合又は共済代理店が行う特定共済契約の締結又はその代理若しくは媒介について、それぞれ準用する。この場合において、これらの規定中「金融商品取引契約」とあるのは「特定共済契約」と、「金融商品取引業」とあるのは「特定共済契約の締結又はその代理若しくは媒介の事業」と、これらの規定(同法第三十九条第三項本文の規定を除く。)中「内閣府令」とあるのは「主務省令」と、これらの規定(同法第三十四条の規定を除く。)中「金融商品取引行為」とあるのは「特定共済契約の締結」と、同法第三十四条中「顧客を相手方とし、又は顧客のために金融商品取引行為(第二条第八項各号に掲げる行為をいう。以下同じ。)を行うことを内容とする契約」とあるのは「中小企業等協同組合法第九条の七の五第三項に規定する特定共済契約」と、同法第三十七条の三第一項中「締結しようとするとき」とあるのは「締結しようとするとき、又はその締結の代理若しくは媒介を行うとき」と、「次に掲げる事項」とあるのは「次に掲げる事項その他中小企業等協同組合法第九条の七の五第二項において読み替えて準用する保険業法第三百条第一項第一号に規定する共済契約の契約条項のうち重要な事項」と、同項第一号中「金融商品取引業者等」とあるのは「共済事業を行う協同組合(中小企業等協同組合法第九条の七の五第一項に規定する共済事業を行う協同組合をいう。以下この号において同じ。)又は当該共済代理店(同条第二項に規定する共済代理店をいう。)がその委託を受けた共済事業を行う協同組合」と、同法第三十九条第一項第一号中「有価証券の売買その他の取引(買戻価格があらかじめ定められている買戻条件付売買その他の政令で定める取引を除く。)又はデリバティブ取引(以下この条において「有価証券売買取引等」という。)」とあるのは「特定共済契約の締結」と、「有価証券又はデリバティブ取引(以下この条において「有価証券等」という。)」とあるのは「特定共済契約」と、「顧客(信託会社等(信託会社又は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の認可を受けた金融機関をいう。以下同じ。))が、信託契約に基づいて信託をする者の計算において、有価証券の売買又はデリバティブ取引を行う場合にあっては、当該信託をする者を含む。以下この条において同じ。)」とあるのは「利用者」と、「損失」とあるのは「損失(当該特定共済契約が締結されることにより利用者の支払う共済掛金の合計額が当該特定共済契約が締結されることにより当該利用者の取得する共済金等(中小企業等協同組合法第五十八条第六項に規定する共済金等をいう。以下この号において同じ。))の合計額を上回る場合における当該共済掛金の合計額から当該共済金等の合計額を控除した金額をいう。以下この条において同じ。)」と、「補足するため」とあるのは「補足するため、当該特定共済契約によらないで」と、同項第二号及び第三号中「有価証券売買取引等」とあるのは「特定共済契約の締結」と、「有価証券等」とあるのは「特定共済契約」と、同項第二号中「追加するため」とあるのは「追加するため、当該特定共済契約によらないで」と、同項第三号中「追加するため、」とあるのは「追加するため、当該特定共済契約によらないで」と、同

条第二項中「有価証券売買取引等」とあるのは「特定共済契約の締結」と、同条第三項中「原因となるものとして内閣府令で定めるもの」とあるのは「原因となるもの」と、同法第四十五条第二号中「第三十七条の二から第三十七条の六まで、第四十条の二第四項及び第四十三条の四」とあるのは「第三十七条の三（第一項各号に掲げる事項に係る部分に限り、同項第二号及び第六号並びに第三項を除く。）及び第三十七条の四」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

- (3) The provisions of Chapter III, Section 1, Subsection 5 (excluding Article 34-2, paragraphs (6) to (8) and Article 34-3, paragraph (5) and paragraph (6)) (professional investors) and Article 45 (excluding item (iii) and item (iv)) (Miscellaneous Provisions) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) apply *mutatis mutandis* to the conclusion of a specified mutual aid contract (meaning a mutual aid contract specified by order of the competent ministry as the one which poses the risk of incurring a loss [meaning the risk that the total amount of mutual aid premiums to be paid by the user as a result of the conclusion of the mutual aid contract would exceed the total amount of mutual aid money, etc. prescribed in Article 58, paragraph (6) to be acquired by the user as a result of the conclusion of the mutual aid contract] due to fluctuations in the money rate, value of currencies, quotations on the financial instruments market prescribed in Article 2, paragraph (14) of that Act, and other indicators; hereinafter the same applies in the following paragraph) by a cooperative engaged in mutual aid activities; and the provisions of Section 1, Subsection 1 of that Chapter (excluding Articles 35 to 36-4, Article 37, paragraph (1), item (ii), Article 37-2, Article 37-3, paragraph (1), item (ii) and item (vi) and paragraph (3), Article 37-5, Article 37-6, Article 38, item (i) and item (ii), Article 38-2, the proviso to Article 39, paragraph (3), Article 39, paragraph (5), Article 40-2, and Article 40-3) (General Rules) apply *mutatis mutandis* to the conclusion of a specified mutual aid contract by a cooperative engaged in mutual aid activities or a mutual aid agent or to acting as an agent or intermediary therefor. In this case, the term "contract for a financial instruments transaction" in these provisions is deemed to be replaced with "specified mutual aid contract"; the term "financial instruments business" in these provisions is deemed to be replaced with "conclusion of a specified mutual aid contract or acting as an agent or intermediary therefor"; the term "Cabinet Order" in these provisions (excluding the provisions of the main clause of Article 39, paragraph (3) of that Act) is deemed to be replaced with "order of the competent ministry"; the term "financial instruments business act" in these provisions (excluding the provisions of Article 34 of that Act) is deemed to be replaced with "conclusion of a specified mutual aid contract"; the phrase "contract to conduct financial instruments business acts (meaning acts prescribed in each item of Article 2, paragraph (8); the same applies hereinafter) with a customer as the other party or on behalf of a customer" in

Article 34 of that Act is deemed to be replaced with "specified mutual aid contract prescribed in Article 9-7-5, paragraph (3) of the Small and Medium-Sized Enterprise Cooperatives Act"; the phrase "intends to conclude a contract for a financial instruments transaction" in Article 37-3, paragraph (1) of that Act is deemed to be replaced with "intends to conclude a contract for a financial instruments transaction, or acts as an agent or intermediary for the conclusion"; the term "the following matters" in that paragraph is be deemed to be replaced with "the following matters and other important matters out of the provisions of the mutual aid contract prescribed in Article 300, paragraph (1), item (i) of the Insurance Business Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act following the deemed replacement of terms"; the term "financial instruments business operator, etc." in item (i) of that paragraph is deemed to be replaced with "cooperative engaged in mutual aid business (meaning a cooperative engaged in mutual aid activities prescribed in Article 9-7-5, paragraph (1) of the Small and Medium-Sized Enterprise Cooperatives Act; the same applies hereinafter) or the cooperative for which the mutual aid agent (meaning a mutual aid agent prescribed in paragraph (2) of that Article) carries out mutual aid activities under entrustment"; the phrase "sales and purchase or any other transaction of securities (excluding sales and purchase on condition of repurchase for which the repurchase price is set in advance or other transactions designated by Cabinet Order) or transaction of derivatives (hereinafter referred to as 'sales and purchase or transaction of securities, etc.' in this Article)" in Article 39, paragraph (1), item (i) of that Act is deemed to be replaced with "conclusion of a specified mutual aid contract"; the phrase "securities or transaction of derivatives (hereinafter referred to as 'securities, etc.' in this Article)" in that item is deemed to be replaced with "specified mutual aid contract"; the phrase "customer (in the case where a trust company, etc. [meaning a trust company or financial institution that has obtained approval under the provisions of Article 1, paragraph (1) of the Act on Engagemetn in Trust Business Activities by Financial Institutions; the same applies hereinafter] conducts the sales and purchase of securities or transaction of derivatives for the account of the person who sets up a trust under a trust contract, including the person who sets up the trust; hereinafter the same applies in this Article)" in that item is deemed to be replaced with "user"; the term "loss" in that item is deemed to be replaced with "loss (meaning, in the case where the total amount of mutual aid premiums to be paid by the user as a result of the conclusion of the specified mutual aid contract exceeds the total amount of mutual aid money, etc. [meaning mutual aid money, etc. prescribed in Article 58, paragraph (6) of the Small and Medium-Sized Enterprise Cooperatives Act; hereinafter the same applies in

this item] to be acquired by the user as a result of the conclusion of the specified mutual aid contract, the amount obtained by deducting the total amount of the mutual aid money, etc. from the total amount of the mutual aid premiums; hereinafter the same applies in this Article)"; the phrase "property benefit will be provided to the customer or the third party in order for the financial instruments business operator, etc. or the third party to compensate or make up for" in that item is deemed to be replaced with "property benefit will be provided to the customer or the third party, separately from the specified mutual aid contract, in order for the financial instruments business operator, etc. or the third party to compensate or make up for"; the term "sales and purchase or transaction of securities, etc." in item (ii) and item (iii) of that paragraph is deemed to be replaced with "conclusion of a specified mutual aid contract"; the term "securities, etc." in these provisions is deemed to be replaced with "specified mutual aid contract"; the phrase "property benefit will be provided to the customer in order for the financial instruments business operator, etc. or the third party to compensate for the whole or part of a loss incurred by the customer from the relevant securities, etc. or make an addition to" in item (ii) of that paragraph is deemed to be replaced with "property benefit will be provided to the customer, separately from the specified mutual aid contract, in order for the financial instruments business operator, etc. or the third party to compensate for the whole or part of a loss incurred by the customer from the relevant securities, etc. or make an addition to"; the phrase "providing property benefit to a customer or a third party or having a third party provide it to a customer, with regard to the sales and purchase or transaction of securities, etc., in order to compensate for the whole or part of a loss incurred by the customer from the relevant securities, etc. or make an addition to" in item (iii) of that paragraph is deemed to be replaced with "providing property benefit to a customer or a third party, separately from the specified mutual aid contract, or having a third party provide it to a customer, with regard to the sales and purchase or transaction of securities, etc., in order to compensate for the whole or part of a loss incurred by the customer from the relevant securities, etc. or make an addition to"; the term "sales and purchase or transaction of securities, etc." in paragraph (2) of that Article is deemed to be replaced with "conclusion of a specified mutual aid contract"; the phrase "that is designated by Cabinet Order as a potential cause" in paragraph (3) of that Article is deemed to be replaced with "that is a potential cause"; the phrase "Articles 37-2 to 37-6, Article 40-2, paragraph (4), and Article 43-4" in Article 45, item (ii) of that Act is deemed to be replaced with "Article 37-3 (limited to the part pertaining to the matters prescribed in the items of paragraph (1), and excluding item (ii) and item (vi) of that paragraph and paragraph (3)) and Article 37-4"; and any other necessary technical

replacement of terms is specified by Cabinet Order.

(信用協同組合)

(Credit Cooperatives)

第九条の八 信用協同組合は、次の事業を行うものとする。

Article 9-8 (1) A credit cooperative is to conduct the following businesses:

一 組合員に対する資金の貸付け

(i) loaning of funds to partners

二 組合員のためにする手形の割引

(ii) discounting of negotiable instruments for partners

三 組合員の預金又は定期積金の受入れ

(iii) acceptance of deposits or installment savings of partners

四 前三号の事業に附帯する事業

(iv) business incidental to the business set forth in the preceding three items

2 信用協同組合は、前項の事業のほか、次の事業を併せ行うことができる。

(2) Other than the businesses set forth in the preceding paragraph, a credit cooperative may concurrently conduct the following activities:

一 為替取引

(i) foreign exchange transactions

二 国、地方公共団体その他営利を目的としない法人（以下この項において「国等」という。）の預金の受入れ

(ii) acceptance of deposits from the State, local governments and other not-for-profit juridical persons (hereinafter referred to as "the State, etc." in this paragraph)

三 組合員と生計を一にする配偶者その他の親族（以下この項において「配偶者等」という。）の預金又は定期積金の受入れ

(iii) acceptance of deposits or installment savings from the spouse or other relatives who share the same livelihood with their partners (hereinafter referred to as "the spouse, etc." in this paragraph)

四 組合員以外の者（国等及び配偶者等を除く。）の預金又は定期積金の受入れ

(iv) acceptance of deposits or installment savings from non-partners (excluding the State, etc. or the spouse, etc.)

五 組合員以外の者に対する資金の貸付け（手形の割引を含む。次条第一項第二号において同じ。）

(v) loaning of funds (including discounting of negotiable instruments; the same applies in paragraph (1), item (ii) of the following Article) to non-partners

六 債務の保証又は手形の引受け（組合員のためにするものその他の内閣府令で定めるものに限る。）

(vi) guarantee of obligations or acceptance of negotiable instruments (limited to those accepted for partners and those specified by Cabinet Order)

七 有価証券（第十号に規定する証書をもって表示される金銭債権に該当するもの及

び短期社債等を除く。第十号の二及び第十一号において同じ。)の売買(有価証券関連デリバティブ取引に該当するものを除く。)又は有価証券関連デリバティブ取引(投資の目的をもつてするもの又は書面取次ぎ行為に限る。)

(vii) sale and purchase of securities (excluding those that are monetary claims that are indicated in the form of certificates as provided in item (x) and short term company bonds, etc.; hereinafter the same applies in item (x)-2 and item (xi)) (excluding the sale and purchase of securities that falls under the category of transactions of securities-related derivatives) or transactions of securities-related derivatives (limited to those carried out for the purpose of investment or brokerage with written orders)

八 有価証券の貸付け(組合員のためにするものその他の内閣府令で定めるものに限る。)

(viii) loaning of securities (limited to those provided for partners and those specified by Cabinet Order)

九 国債、地方債若しくは政府保証債(以下この号において「国債等」という。)の引受け(売出しの目的をもつてするものを除く。)又は当該引受けに係る国債等の募集の取扱い

(ix) Underwriting (excluding that for the purpose of secondary distribution) of Japanese government bonds, local government bonds, or government guaranteed bonds (hereinafter referred to as "Japanese government bonds, etc.") or handling of offering of the Japanese government bonds pertaining to the underwriting

十 金銭債権(譲渡性預金証書その他の内閣府令で定める証書をもつて表示されるものを含む。)の取得又は譲渡

(x) acquisition or transfer of monetary claims (including negotiable certificates of deposit and other monetary claims indicated in the form of certificates which are specified by Cabinet Order)

十の二 特定目的会社が発行する特定社債(特定短期社債を除き、資産流動化計画において当該特定社債の発行により得られる金銭をもつて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のみを取得するものに限る。)その他これに準ずる有価証券として内閣府令で定めるもの(以下この号において「特定社債等」という。)の引受け(売出しの目的をもつてするものを除く。)又は当該引受けに係る特定社債等の募集の取扱い

(x)-2 underwriting (excluding that for the purpose of secondary distribution) of specified company bonds issued by a special purpose company (excluding specified short term company bonds, and limited to those for acquiring only nominative monetary claims or the beneficial interest in trust in which nominative monetary claims are entrusted by using the money gained through issuance of the specified company bonds under an asset liquidation plan) and other securities that are specified by Cabinet Order as those equivalent thereto (hereinafter referred to as "specified company bonds, etc.")

- in this item) or handling of an offering of the specified company bonds, etc. pertaining to the underwriting
- 十の三 短期社債等の取得又は譲渡  
(x)-3 acquisition or transfer of short term company bonds
- 十一 有価証券の私募の取扱い  
(xi) handling of private placement of securities
- 十二 信用協同組合、次条第一項第一号の事業を行う協同組合連合会、国民生活金融公庫その他内閣総理大臣の定める者の業務の代理又は媒介（内閣総理大臣の定めるものに限る。）  
(xii) acting as an agent or intermediary in carrying out the operations of a credit cooperative, a federation of cooperatives engaged in the business set forth in paragraph (1), item (i) of the following Article, the National Life Finance Corporation, or any other person specified by the Prime Minister (limited to the businesses specified by the Prime Minister)
- 十三 国、地方公共団体、会社等の金銭の収納その他金銭に係る事務の取扱い  
(xiii) receipt of money and handling of other monetary affairs for the State, local governments and companies, etc.
- 十四 有価証券、貴金属その他の物品の保護預り  
(xiv) safekeeping of securities, precious metals and any other articles
- 十四の二 振替業  
(xiv)-2 Book-entry transfer business
- 十五 両替  
(xv) exchange of money
- 十五の二 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。次号において同じ。）であつて内閣府令で定めるもの（第十号に掲げる事業に該当するものを除く。）  
(xv)-2 transactions of derivatives (excluding those that fall under the category of securities-related derivatives transaction; the same applies in the following item) which are specified by Cabinet Order (excluding those that fall under the business set forth in item (x))
- 十六 デリバティブ取引（内閣府令で定めるものに限る。）の媒介、取次ぎ又は代理  
(xvi) intermediation, brokerage or agency for derivative transactions (limited to those specified by Cabinet Order)
- 十七 金利、通貨の価格、商品の価格その他の指標の数値としてあらかじめ当事者間で約定された数値と将来の一定の時期における現実の当該指標の数値の差に基づいて算出される金銭の授受を約する取引又はこれに類似する取引であつて、内閣府令で定めるもの（次号において「金融等デリバティブ取引」という。）（第十号及び第十五号の二に掲げる事業に該当するものを除く。）  
(xvii) transactions promising the payment or receipt of the amount of money calculated based on the difference between the numeric value, which has been agreed upon between the parties in advance as the interest rate, price

of currency, price of goods or numeric value of another index, and the actual numeric value of the index at a certain time in the future, or transactions similar thereto, which are specified by Cabinet Order (referred to as "financial derivative transactions" in the following item) (excluding those that fall under the business set forth in item (x) and item (xv)-2)

十八 金融等デリバティブ取引の媒介、取次ぎ又は代理（第十六号に掲げる事業に該当するもの及び内閣府令で定めるものを除く。）

(xviii) intermediation, brokerage or agency for financial derivative transactions (excluding those that fall under the business set forth in item (xvi) and those specified by Cabinet Order)

十九 有価証券関連店頭デリバティブ取引（当該有価証券関連店頭デリバティブ取引に係る有価証券が第十号に規定する証書をもつて表示される金銭債権に該当するもの及び短期社債等以外のものである場合には、差金の授受によつて決済されるものに限る。次号において同じ。）（第七号に掲げる事業に該当するものを除く。）

(xix) over-the-counter derivative transactions related to securities (limited to those that are settled by paying or receiving the differences, in the case where the securities subject to the over-the-counter derivative transactions related to securities fall under the category of monetary claims indicated in the form of certificates as prescribed in item (x) and those that are not short term company bonds, etc.; the same applies in the following item) (excluding those that fall under the business set forth in item (vii))

二十 有価証券関連店頭デリバティブ取引の媒介、取次ぎ又は代理

(xx) intermediation, brokerage or agency for the over-the-counter derivative transactions related to securities

二十一 前各号の事業に附帯する事業

(xxi) business incidental to the business set forth in the preceding items

3 信用協同組合の前項第四号の事業に係る預金及び定期積金の合計額は、当該信用協同組合の預金及び定期積金の総額の百分の二十に相当する金額を超えてはならない。

(3) The total amount of deposits and installment savings pertaining to the business set forth in item (iv) of the preceding paragraph of a credit cooperative must not exceed an amount equivalent to twenty percent of the total amount of the deposits and installment savings of the credit cooperative.

4 信用協同組合は、第二項第五号の事業については、政令で定めるところにより、第一項第一号及び第二号の事業の遂行を妨げない限度において行わなければならない。

(4) A credit cooperative must carry out the business set forth in paragraph (2), item (v) only to the extent that it does not prevent the execution of the business set forth in paragraph (1), item (i) and item (ii), pursuant to the provisions of Cabinet Order.

5 第二項第十号の事業には同号に規定する証書をもつて表示される金銭債権のうち有価証券に該当するものについて、同項第十号の三の事業には短期社債等について、金融商品取引法第二条第八項第一号から第六号まで及び第八号から第十号まで（定義）



に掲げる行為を行う事業を含むものとする。

(5) The business set forth in paragraph (2), item (x) is to include the business performing the acts prescribed in Article 2, paragraph (8), items (i) through (vi) and items (viii) through (x) (Definitions) of the Financial Instruments and Exchange Act for those monetary claims indicated in the form of certificates as prescribed in that item that fall under the category of securities, and the business set forth in item (x)-3 of that paragraph is to include the business for short term company bonds, etc.

6 第二項及び前項において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

(6) In paragraph (2) and the preceding paragraph, the meanings of the terms prescribed in the following items are as prescribed in the relevant items:

一 短期社債等 次に掲げるものをいう。

(i) short term company bonds, etc. are prescribed below:

イ 社債等の振替に関する法律（平成十三年法律第七十五号）第六十六条第一号（権利の帰属）に規定する短期社債

(a) short-term company bonds prescribed in Article 66, item (i) (Attribution of Rights) of the Act on Book-entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001)

ロ 商工組合中央金庫法（昭和十一年法律第十四号）第三十三条ノ二（短期商工債の発行）に規定する短期商工債

(b) short-term commercial and industrial bonds prescribed in Article 33-2 (Issuance of Short-term Commercial and Industrial Bonds) of the Shoko Chukin Bank Limited Act (Act No. 14 of 1999)

ハ 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）第百三十九条の十二第一項（短期投資法人債に係る特例）に規定する短期投資法人債

(c) short-term securities investment corporation bonds prescribed in Article 139-12, paragraph (1) (Special Provisions on Short-term Securities Investment Corporation Bonds) of the Act on Investment Trust and Investment Corporations (Act No. 198 of 1951)

ニ 信用金庫法（昭和二十六年法律第二百三十八号）第五十四条の四第一項（全国連合会の短期債の発行）に規定する短期債

(d) short-term bonds prescribed in Article 54-4, paragraph (1) (Issuance of Short-term Bonds of the National Federation) of the Shinkin Bank Act (Act No. 238 of 1951)

ホ 保険業法第六十一条の十第一項（短期社債に係る特例）に規定する短期社債

(e) Short Term company bonds prescribed in Article 61-10, paragraph (1) (Exceptions Concerning Short Term Company Bonds) of the Insurance Business Act

ヘ 資産の流動化に関する法律（平成十年法律第百五号）第二条第八項（定義）に規定する特定短期社債

(f) specified short-term company bonds prescribed in Article 2, paragraph (8) (Definitions) of the Act on the Securitization of Assets (Act No. 105 of 1998)

ト 農林中央金庫法（平成十三年法律第九十三号）第六十二条の二第一項（短期農林債の発行）に規定する短期農林債券

(g) short-term agriculture and forestry bonds prescribed in Article 62-2, paragraph (1) (Issuance of Short-term Agriculture and Forestry Bonds) of the Norinchukin Bank Act (Act No. 93 of 2001)

チ その権利の帰属が社債等の振替に関する法律の規定により振替口座簿の記載又は記録により定まるものとされる外国法人の発行する債券（新株予約権付社債券の性質を有するものを除く。）に表示されるべき権利のうち、次に掲げる要件のすべてに該当するもの

(h) among the rights to be indicated on securities (excluding those that have the characteristics of bonds with share options) issued by a foreign corporation whose attribution of rights is to be decided by the statement or record in the transfer account book pursuant to the provisions of the Act on Book-entry Transfer of Corporate Bonds and Shares, those that satisfy all of the following requirements:

（１） 各権利の金額が一億円を下回らないこと。

1. The amount of each right must not be less than one hundred million yen.

（２） 元本の償還について、権利の総額の払込みのあつた日から一年未満の日とする確定期限の定めがあり、かつ、分割払の定めがないこと。

2. The principal must be redeemed by a fixed due date within one year from the date of payment of the total amount of the rights, and must not be redeemed in installment payments.

（３） 利息の支払期限を、（２）の元本の償還期限と同じ日とする旨の定めがあること。

3. The due date for the payment of interest must be the same date as the due date for the redemption of the principal set forth in 2 above.

一の二 有価証券関連デリバティブ取引又は書面取次ぎ行為 それぞれ金融商品取引法第二十八条第八項第六号（定義）に規定する有価証券関連デリバティブ取引又は同法第三十三条第二項（金融機関の有価証券関連業の禁止等）に規定する書面取次ぎ行為をいう。

(i)-2 over-the-counter derivative transactions related to securities and intermediation or brokerage with written orders; are over-the-counter derivative transactions related to securities prescribed in Article 28, paragraph (8), item (vi) (Definitions) of the Financial Instruments and Exchange Act and brokerage with written orders prescribed in Article 33, paragraph (2) (Prohibition on Engagement in Securities Services by Financial Institutions) of that Act respectively

二 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。

(ii) government guaranteed bonds; are company bonds and any other bonds for which the government guarantees the redemption of the principal and the payment of interest

二の二 特定目的会社、資産流動化計画、特定社債又は特定短期社債 それぞれ資産の流動化に関する法律第二条第三項、第四項、第七項又は第八項（定義）に規定する特定目的会社、資産流動化計画、特定社債又は特定短期社債をいう。

(ii)-2 special purpose company, asset liquidation plan, specified company bonds, and specified short-term company bonds; are special purpose company, asset liquidation plan, specified company bonds, and specified short-term company bonds prescribed in Article 2, paragraph (3), paragraph (4), paragraph (7) and paragraph (8) (Definitions) of the Act on the Securitization of Assets

三 有価証券の私募の取扱い 有価証券の私募（金融商品取引法第二条第三項（定義）に規定する有価証券の私募をいう。）の取扱いをいう。

(iii) handling of private placement of securities; are handling of private placement of securities (meaning private placement of securities prescribed in Article 2, paragraph (3) (Definitions) of the Financial Instruments and Exchange Act)

三の二 振替業 社債等の振替に関する法律第二条第四項（定義）の口座管理機関として行う振替業をいう。

(iii)-2 book-entry transfer business; is book-entry transfer business conducted as an account management institution set forth in Article 2, paragraph (4) (Definitions) of the Act on Book-entry Transfer of Corporate Bonds and Shares

三の三 デリバティブ取引 金融商品取引法第二条第二十項（定義）に規定するデリバティブ取引をいう。

(iii)-3 derivative transactions; are derivative transactions prescribed in Article 2, paragraph (20) (Definitions) of the Financial Instruments and Exchange Act

四 有価証券関連店頭デリバティブ取引 金融商品取引法第二十八条第八項第四号（定義）に掲げる行為をいう。

(iv) over-the-counter derivative transactions related to securities; are derivative transactions related to securities prescribed in Article 28, paragraph (8), item (iv) (Definitions) of the Financial Instruments and Exchange Act.

7 信用協同組合は、第一項及び第二項の規定により行う事業のほか、第一項第一号から第三号までの事業の遂行を妨げない限度において、金融商品取引法第三十三条第二項各号（金融機関の有価証券関連業の禁止等）に掲げる有価証券又は取引について、同項各号に定める行為を行う事業（第二項の規定により行う事業を除く。）を行うことができる。

(7) In addition to the businesses conducted pursuant to the provisions of paragraph (1) and paragraph (2), a credit cooperative may carry out the

business conducting the acts specified in the items of Article 33, paragraph (2) (Prohibition on Engagement in Securities Services by Financial Institutions) of the Financial Instruments and Exchange Act (excluding the business conducted pursuant to the provisions of paragraph (2)) with regard to securities and transactions prescribed in the items of that paragraph, only to the extent not preventing the execution of the business set forth in paragraph (1), items (i) through (iii).

8 信用協同組合は、第一項及び第二項の規定により行う事業のほか、第一項第一号から第三号までの事業の遂行を妨げない限度において、次に掲げる事業を行うことができる。

(8) In addition to the business conducted pursuant to the provisions of paragraph (1) and paragraph (2), a credit cooperative may carry out the following businesses, only to the extent not preventing the execution of the business set forth in paragraph (1), items (i) through (iii):

一 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）により行う同法第一条第一項（兼営の認可）に規定する信託業務に係る事業

(i) business pertaining to trust business prescribed in Article 1, paragraph (1) (Approval of Engagement in Trust Business Activities) of the Act on Engagement in Trust Business Activities by Financial Institutions (Act No. 43 of 1943) pursuant to that Act

二 信託法（平成十八年法律第八号）第三条第三号（信託の方法）に掲げる方法によつてする信託に係る事務に関する事業

(ii) business related to the affairs pertaining to a trust created by a method set forth in Article 3, item (iii) (Methods of Trust) of the Trust Act (Act No. 108 of 2006)

9 信用協同組合は、第一項及び第二項の規定により行う事業のほか、第一項第一号から第三号までの事業の遂行を妨げない限度において、組合員、地方公共団体その他内閣府令で定める者のために、次の事業を行うことができる。

(9) In addition to the business conducted pursuant to the provisions of paragraph (1) and paragraph (2), a credit cooperative may carry out the following businesses for partners, local governments, and other persons specified by Cabinet Order, only to the extent not preventing the execution of the business set forth in paragraph (1), items (i) through (iii).

一 地方債又は社債その他の債券の募集又は管理の受託

(i) acceptance of entrustment with the offer or management of local government bonds, company bonds or any other bonds

二 担保付社債信託法（明治三十八年法律第五十二号）により行う担保付社債に関する信託事業

(ii) trust business concerning secured bonds conducted pursuant to the Secured Bond Trust Act (Act No. 52 of 1905)

10 信用協同組合は、第八項第二号に掲げる事業及び前項に規定する事業に関しては、

信託業法（平成十六年法律第百五十四号）、担保付社債信託法その他の政令で定める法令の適用については、政令で定めるところにより、会社又は銀行とみなす。この場合においては、信託業法第十四条第二項ただし書（商号）の規定は、適用しない。

(10) With regard to the application of the Trust Business Act (Act No. 154 of 2004), the Secured Bond Trust Act and any other laws and ordinances specified by Cabinet Order regarding the business set forth in paragraph (8), item (ii) and the business prescribed in the preceding paragraph, a credit cooperative is deemed as a company or a bank, pursuant to the provisions of Cabinet Order. In this case, the provisions of the proviso to Article 14, paragraph (2) (Trade Name) of the Trust Business Act do not apply.

（協同組合連合会）

(Federation of Cooperatives)

第九条の九 協同組合連合会は、次の事業の一部を行うことができる。

Article 9-9 (1) A federation of cooperatives may conduct a part of the following businesses:

一 会員の預金又は定期積金の受入れ

(i) acceptance of deposits or installment savings of members

二 会員に対する資金の貸付け及び会員のためにするその借入れ

(ii) loaning of funds to members and borrowing of the funds for members

三 会員が火災共済事業を行うことによつて負う共済責任の再共済

(iii) reinsurance of mutual aid liabilities borne by a member in the course of fire mutual aid business

四 生産、加工、販売、購買、保管、運送、検査その他協同組合連合会を直接又は間接に構成する者（以下「所属員」という。）の事業に関する共同事業

(iv) production, processing, sales, purchase, storage, transport, inspection and other joint business related to the business of persons directly or indirectly constituting the federation of cooperatives (hereinafter referred to as "affiliates")

五 所属員の福利厚生に関する事業

(v) business related to the welfare of affiliates

六 所属員の事業に関する経営及び技術の改善向上又は組合事業に関する知識の普及を図るための教育及び情報の提供に関する事業

(vi) business related to the education and provision of information for achieving an improvement of the management and technology concerning the business of affiliates and the dissemination of knowledge concerning the cooperatives' business

七 所属員の新たな事業の分野への進出の円滑化を図るための新商品若しくは新技術の研究開発又は需要の開拓に関する事業

(vii) business related to research and development with regard to new goods or new technology or the cultivation of demand for facilitating affiliates to

advance into new business fields

八 所属員の経済的地位の改善のためにする団体協約の締結

(viii) conclusion of collective agreements for improving the economic status of affiliates

九 前各号の事業に附帯する事業

(ix) business incidental to the business set forth in the preceding items

2 前項第一号の事業を行う協同組合連合会は、同項の規定にかかわらず、同項第一号及び第二号の事業並びにこれに附帯する事業並びに第六項に規定する事業のほか、他の事業を行うことができない。

(2) A federation of cooperatives engaged in the business set forth in item (i) of the preceding paragraph may not conduct business other than those set forth in item (i) and item (ii) of that paragraph and business incidental thereto and the business prescribed in paragraph (6), notwithstanding the provisions of the preceding paragraph.

3 第一項第三号の事業を行う協同組合連合会は、同項の規定にかかわらず、同項第二号及び第三号の事業並びに会員たる火災共済協同組合と連帯して行う火災共済契約に係る共済責任の負担並びにこれらに附帯する事業のほか、他の事業を行うことができない。

(3) A federation of cooperatives engaged in the business set forth in paragraph (1), item (iii) may not conduct business other than those set forth in item (ii) and item (iii) of that paragraph and the bearing of mutual aid liabilities pertaining to fire mutual aid contracts jointly and severally with fire mutual aid cooperatives, and business incidental thereto, notwithstanding the provisions of that paragraph.

4 第一項第五号の規定により共済事業を行う協同組合連合会であつてその会員たる組合の組合員の総数が政令で定める基準を超えるもの又はその所属員たる組合が共済事業を行うことによつて負う共済責任の再共済又は再共済責任の再再共済の事業を行うもの（以下「特定共済組合連合会」という。）は、同項の規定にかかわらず、共済事業及び同項第二号の事業並びにこれらに附帯する事業並びに次項において準用する第九条の二第六項に規定する事業のほか、他の事業を行うことができない。ただし、主務省令で定めるところにより、行政庁の承認を受けたときは、この限りでない。

(4) A federation of cooperatives engaged in mutual aid business pursuant to the provisions of paragraph (1), item (v) for which the total number of partner of its member cooperatives exceeds the standard specified by Cabinet Order or which is engaged in the business of the reinsurance of mutual aid liabilities or the retrocession of reinsurance liabilities borne by affiliate cooperatives in the course of mutual aid business (hereinafter referred to as "specified federation of mutual aid associations") may not conduct business other than mutual aid business and the business set forth in item (ii) of that paragraph, and business incidental thereto, and the business prescribed in Article 9-2, paragraph (6) as applied mutatis mutandis pursuant to the provisions of following paragraph,

notwithstanding the provisions of paragraph (1); provided, however, that this does not apply when it has obtained the approval of an administrative agency pursuant to the provisions of order of the competent ministry.

5 協同組合連合会（第一項第一号又は第三号の事業を行うものを除く。）については、第九条の二第二項から第十五項まで（第七項及び第九項（事業協同小組合に係る部分に限る。）を除く。）、第九条の二の二から第九条の七まで及び第九条の七の五の規定を準用する。この場合において、第九条の二第九項中「組合員並びに組合員と生計を一にする親族及び組合員たる組合を直接又は間接に構成する者であつて小規模の事業者であるもの」とあるのは、「会員並びに所属員たる小規模の事業者及び所属員たる小規模の事業者と生計を一にする親族」と読み替えるものとする。

(5) With regard to a federation of cooperatives (excluding that engaged in the business set forth in paragraph (1), item (i) or item (iii)), the provisions of Article 9-2, paragraphs (2) through (15) (excluding paragraph (7) and paragraph (9) [limited to the part pertaining to small business cooperatives]), Articles 9-2-2 to 9-7, and Article 9-7-5 apply mutatis mutandis. In this case, the term "partner, relatives who share the same livelihood with partner, and small-sized enterprises that directly or indirectly constitute member cooperatives" in Article 9-2, paragraph (9) is deemed to be replaced with "partner, affiliate small-sized enterprises, and relatives who share the same livelihood with affiliate small-sized enterprises."

6 第一項第一号の事業を行う協同組合連合会は、次の事業を行うことができる。この場合において、第二号から第五号までの事業については、同項第一号及び第二号の事業の遂行を妨げない限度において行わなければならない。

(6) A federation of cooperatives engaged in the business set forth in paragraph (1), item (i) may conduct the following businesses. In this case, the business set forth in items (ii) through (v) must be conducted only to the extent not preventing the execution of the business set forth in item (i) and item (ii) of that paragraph.

一 前条第二項第一号、第二号及び第四号から第二十一号までの事業

(i) businesses set forth in paragraph (2), item (i), item (ii), and items (iv) through (xxi) of the preceding Article

二 金融商品取引法第三十三条第二項各号（金融機関の有価証券関連業の禁止等）に掲げる有価証券又は取引について、同項各号に定める行為を行う事業（前号の事業を除く。）

(ii) businesses conducting the acts specified in the items of Article 33, paragraph (2) (Prohibition on Engagement in Securities Services by Financial Institutions) of the Financial Instruments and Exchange Act (excluding the business set forth in the preceding item) with regard to securities and transactions prescribed in the items of that paragraph

三 金融機関の信託業務の兼営等に関する法律により行う同法第一条第一項（兼営の認可）に規定する信託業務に係る事業

(iii) business pertaining to trust business prescribed in Article 1, paragraph (1) (Approval of Engagement in Trust Business Activities) of the Act on Engagement in Trust Business Activities by Financial Institutions pursuant to that Act

四 信託法第三条第三号（信託の方法）に掲げる方法によつてする信託に係る事務に関する事業

(iv) business related to the affairs pertaining to a trust created by a method set forth in Article 3, item (iii) (Methods of Trust) of the Trust Act

五 前条第九項各号の事業

(v) business set forth in the items of paragraph (9) of the preceding Article

7 第一項第一号の事業を行う協同組合連合会については、前条第三項から第六項まで及び第十項の規定を準用する。この場合において、同条第四項中「第一項第一号及び第二号」とあるのは「次条第一項第二号」と、同条第十項中「第八項第二号に掲げる事業及び前項に規定する」とあるのは「次条第六項第四号及び第五号に掲げる」と読み替えるものとする。

(7) With regard to a federation of cooperatives engaged in the business set forth in paragraph (1), item (i), the provisions of paragraphs (3) through (6) and paragraph (10) of the preceding Article apply mutatis mutandis. In this case, the phrase "paragraph (1), item (i) and item (ii)" in paragraph (4) of that Article is deemed to be replaced with "paragraph (1), item (ii) of the following Article" and the phrase "the business set forth in paragraph (8), item (ii) and the business prescribed in the preceding paragraph" in paragraph (10) of that Article is deemed to be replaced with "the business set forth in paragraph (6), item (iv) and item (v) of the following Article."

8 第一項第三号の事業を行う協同組合連合会については、第九条の六の三第一項前段及び第九条の七の五の規定を準用する。

(8) With regard to a federation of cooperatives engaged in the business set forth in paragraph (1), item (iii), the provisions of the first sentence of Article 9-6-3, paragraph (1) and Article 9-7-5 apply mutatis mutandis.

(企業組合)

(Joint Enterprise Cooperatives)

第九条の十 企業組合は、商業、工業、鉱業、運送業、サービス業その他の事業を行うものとする。

Article 9-10 A joint enterprise cooperative is to engage in commerce, industrial business, mining business, transport business, service business or any other business.

第九条の十一 企業組合の総組合員の二分の一以上の数の組合員（特定組合員を除く。次項から第四項までにおいて同じ。）は、企業組合の行う事業に従事しなければならない。



Article 9-11 (1) Partner (excluding specified partners; the same applies in the following paragraph through paragraph (4)) of or more than one-half of all partners of a joint enterprise cooperative must engage in the business conducted by the joint enterprise cooperative.

2 企業組合の行う事業に従事する者の三分の一以上は、組合員でなければならない。

(2) More than one-third of the persons engaged in the business conducted by a joint enterprise cooperative must be a partner.

3 企業組合の組合員は、総会の承認を得なければ、自己又は第三者のために企業組合の行う事業の部類に属する取引をしてはならない。

(3) Partner of a joint enterprise cooperative must not carry out transactions in the lines of business as that conducted by the joint enterprise cooperative either for themselves or for third parties, without obtaining the approval of the assembly.

4 組合員が前項の規定に違反して自己のために取引をしたときは、企業組合は、総会の議決により、これをもつて企業組合のためにしたものとみなすことができる。

(4) When a member has carried out transactions for the benefit of the member in violation of the provisions set forth in the preceding paragraph, a joint enterprise cooperative may, based on a resolution of the assembly, deem the transactions to have been carried out for the joint enterprise cooperative.

5 前項に定める権利は、他の組合員の一人がその取引を知った時から二月間行使しないときは、消滅する。取引の時から一年を経過したときも同様である。

(5) The right prescribed in the preceding paragraph lapses if it remains unexercised for two months from the date when another member learned about the transactions. The same applies when one year has elapsed from the date of the transactions.

6 企業組合の特定組合員は、総会の承認を得なければ、企業組合の行う事業の部類に属する事業の全部又は一部を行ってはならない。

(6) Specified partner of a joint enterprise cooperative must not carry out all or part of the transactions in the lines of business as that conducted by the joint enterprise cooperative, without obtaining the approval of the assembly.

### 第三節 組合員

#### Section 3 Partners

(出資)

(Contributions)

第十条 組合員は、出資一口以上を有しなければならない。

Article 10 (1) A member must make one or more units of contribution.

2 出資一口の金額は、均一でなければならない。

(2) The unit amount of contribution must be equal.

3 一組合員の出資口数は、出資総口数の百分の二十五（信用協同組合にあつては、百

分の十) を超えてはならない。ただし、次に掲げる組合員（信用協同組合の組合員を除く。）は、総会の議決に基づく組合の承諾を得た場合には、当該組合の出資総口数の百分の三十五に相当する出資口数まで保有することができる。

(3) The number of units of contribution per member must not exceed twenty-five percent (ten percent in the case of a credit cooperative) of the total number of units of contribution; provided, however, that any of the following partner (excluding partner of a credit cooperative) may offer up to the number of units of contribution equivalent to thirty-five percent of the total number of units of contribution in the cooperative, when the member has gained the approval of the cooperative based on a resolution of the assembly:

一 持分の全部を譲り渡す他の組合員からその持分の全部又は一部を譲り受ける組合員

(i) a member receiving all or part of equity interest from another member who is transferring all of the equity interest thereof

二 法人たる組合員の合併又は共同新設分割（法人が他の法人と共同してする新設分割をいう。以下同じ。）によつて成立した法人たる組合員で、当該合併により解散する法人たる組合員又は当該共同新設分割をする法人たる組合員の出資口数の全部又は一部に相当する出資口数を当該合併又は共同新設分割後一年以内に引き受けて組合に加入したもの

(ii) a member who is a juridical person formed by a merger or a joint incorporation-type company split (meaning a joint incorporation-type company split jointly conducted by a juridical person with another juridical person; the same applies hereinafter) between partner who are juridical persons, which has joined the cooperative by offering the number of units of contribution equivalent to all or part of the number of units of contribution that had been offered by the member who is a juridical person dissolved by the merger or the partner who are juridical persons conducting the joint incorporation-type company split, within one year from the merger or joint corporation-type company split

三 他の法人たる組合員との合併後存続する法人たる組合員又は吸収分割により他の法人たる組合員の事業を承継する法人たる組合員で、当該合併により解散する法人たる組合員又は当該吸収分割をする法人たる組合員の出資口数の全部又は一部に相当する出資口数を当該合併又は吸収分割後一年以内に引き受けるもの

(iii) a member who is a juridical person surviving a merger with another member who is a juridical person or a member who is a juridical person succeeding to the business of another member who is a juridical person through an absorption-type company split, which offers the number of units of contribution equivalent to all or part of the number of units of contribution that had been offered by the member who is a juridical person dissolved by the merger or the partner who are juridical persons conducting the absorption-type company split, within one year from the merger or

absorption-type company split

四 前号に掲げるもののほか、第十九条第一項各号の事由による組合員の脱退後一年以内に当該組合員の出資口数の全部又は一部に相当する出資口数を引き受ける組合員

(iv) beyond what is set forth in the preceding items, a member who, after the withdrawal of a member based on the grounds set forth in any of the items of Article 19, paragraph (1), offers the number of units of contribution equivalent to all or part of the number of units of contribution that had been offered by the member who has withdrawn, within one year from the withdrawal

4 前項の規定は、組合員の数が三人以下の組合の組合員の出資口数については、適用しない。

(4) The provisions set forth in the preceding paragraph do not apply to the number of units of contribution offered by a member of a cooperative having three partners or less.

5 組合員の責任は、その出資額を限度とする。

(5) The liability of a member is limited to the amount of the contribution.

6 組合員は、出資の払込みについて、相殺をもつて組合に対抗することができない。

(6) A member may not duly assert against the cooperative for by offsetting the payment of contribution.

7 企業組合の出資総口数の過半数は、組合の行う事業に従事する組合員（特定組合員を除く。）が保有しなければならない。

(7) A majority of the total number of units of contribution in a joint enterprise cooperative must be offered by partners (excluding specified partners) engaged in the business conducted by the cooperative.

(組合員名簿の作成、備置き及び閲覧等)

(Preparation, Keeping, and Inspection of a Member Registry)

第十条の二 組合は、組合員名簿を作成し、各組合員について次に掲げる事項を記載し、又は記録しなければならない。

Article 10-2 (1) A cooperative must prepare a member registry and state or record the following particulars with respect to each member:

一 氏名又は名称及び住所又は居所

(i) the name and the address or residence

二 加入の年月日

(ii) the date of registration

三 出資口数及び金額並びにその払込みの年月日

(iii) the number of units, the amount, and the payment date of the contribution

2 組合は、組合員名簿を主たる事務所に備え置かなければならない。

(2) A cooperative must keep its member registry at its principal office.

3 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次

に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(3) Partner and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative must not refuse the request without reasonable grounds.

一 組合員名簿が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) if the member registry has been prepared in the form of a paper document, a request for inspection or copies of the document

二 組合員名簿が電磁的記録（電子的方式、磁気的方式その他人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるもので主務省令で定めるものをいう。以下同じ。）をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) if the member registry has been prepared in the form of an electronic or magnetic record (meaning a record created in an electronic form, magnetic form or any other form that may not be recognized by human senses, which is provided for the use in data processing by computers and which is specified by order of the competent ministry; the same applies hereinafter), a request for inspection or copies of the information recorded in the electronic or magnetic record that have been displayed by a method specified by order of the competent ministry

（議決権及び選挙権）

(Voting Right and Right to Elect)

第十一条 組合員は、各々一個の議決権及び役員又は総代の選挙権を有する。

Article 11 (1) Each member has a single voting right and the right to elect officers or representative members.

2 組合員は、定款の定めるところにより、第四十九条第一項の規定によりあらかじめ通知のあつた事項につき、書面又は代理人をもつて、議決権又は選挙権を行うことができる。この場合は、その組合員の親族若しくは使用人又は他の組合員でなければ、代理人となることができない。

(2) A member may, pursuant to the provisions of the articles of incorporation, exercise the voting right thereof or right to elect in writing or by proxy with regard to the particulars that have been notified in advance pursuant to the provisions of Article 49, paragraph (1). In this case, no person other than a relative or an employee of the member or another member may serve as a proxy.

3 組合員は、定款の定めるところにより、前項の規定による書面をもつてする議決権の行使に代えて、議決権を電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて主務省令で定めるものをいう。第三十三条第四

項第三号を除き、以下同じ。)により行うことができる。

(3) A member may, pursuant to the provisions of the articles of incorporation, exercise the voting right thereof by electronic or magnetic means (meaning a method using an electronic data processing system or any other method using information and communications technology, which is specified by order of the competent ministry; the same applies hereinafter, except in Article 33, paragraph (4), item (iii)), in lieu of the exercise of the voting right in writing under the provisions of the preceding paragraph.

4 前二項の規定により議決権又は選挙権を行う者は、出席者とみなす。

(4) A person exercising a voting right or right to elect pursuant to the provisions of the preceding two paragraphs is deemed to be an attendant.

5 代理人は、五人以上の組合員を代理することができない。

(5) A proxy may not serve as a proxy for five or more partners.

6 代理人は、代理権を証する書面を組合に提出しなければならない。この場合において、電磁的方法により議決権を行うことが定款で定められているときは、当該書面の提出に代えて、代理権を当該電磁的方法により証明することができる。

(6) A proxy must submit a document proving the right to represent to the cooperative. In this case, if the exercise of a voting right by electronic or magnetic means is allowed pursuant to the provisions of the articles of incorporation, the proxy may prove the right to represent by electronic or magnetic means, in lieu of the submission of the document.

(経費の賦課)

(Imposition of Allocated Expenses)

第十二条 組合（企業組合を除く。）は、定款の定めるところにより、組合員に経費を賦課することができる。

Article 12 (1) A cooperative (excluding a joint enterprise cooperative) may impose allocated expenses on its partner, pursuant to the provisions of the articles of incorporation.

2 前項の規定にかかわらず、共済事業を行う組合は、当該共済事業（これに附帯する事業を含む。）について、組合員に経費を賦課することができない。

(2) Notwithstanding the provisions of the preceding paragraph, a cooperative engaged in mutual aid business may not impose allocated expenses on its partner with regard to the mutual aid business (including the business incidental thereto).

3 組合員は、第一項の経費の支払について、相殺をもつて組合に対抗することができない。

(3) A member may not duly assert against the cooperative by offsetting the payment of expenses under paragraph (1).

(使用料及び手数料)

(Usage Fees and Handling Fees)

第十三条 組合（企業組合を除く。）は、定款の定めるところにより、使用料及び手数料を徴収することができる。

Article 13 A cooperative (excluding a joint enterprise cooperative) may collect usage fees and handling fees pursuant to the provisions of the articles of incorporation.

(加入の自由)

(Freedom to Join)

第十四条 組合員たる資格を有する者が組合に加入しようとするときは、組合は、正当な理由がないのに、その加入を拒み、又はその加入につき現在の組合員が加入の際に付されたよりも困難な条件を付してはならない。

Article 14 When a person qualified to be a member intends to join a cooperative, the cooperative must not, without reasonable grounds, refuse the person to join or impose more difficult requirements on the person on becoming a member than those imposed on present partners when they joined the cooperative.

(加入)

(Membership)

第十五条 組合に加入しようとする者は、定款の定めるところにより加入につき組合の承諾を得て、引受出資口数に応ずる金額の払込及び組合が加入金を徴収することを定めた場合にはその支払を了した時又は組合員の持分の全部又は一部を承継した時に組合員となる。

Article 15 A person who intends to join a cooperative becomes a member when the person has, after gaining the consent of the cooperative with regard to becoming a member pursuant to the provisions of the articles of incorporation, completed the payment of the amount corresponding to the number of units of contribution the person offers or, if the cooperative has rules for collecting a membership fee, when the payment of the fee is completed, or succeeded to all or part of the equity interest of a member.

第十六条 死亡した組合員の相続人で組合員たる資格を有する者が組合に対し定款で定める期間内に加入の申出をしたときは、前条の規定にかかわらず、相続開始の時に組合員になったものとみなす。この場合は、相続人たる組合員は、被相続人の持分について、死亡した組合員の権利義務を承継する。

Article 16 (1) When the heir of a deceased member who is qualified to be a member has filed an application to join a cooperative within a period specified by the articles of incorporation, the heir is deemed to have become a member at the time of the commencement of succession, notwithstanding the provisions of the preceding Article. In this case, the member who is an heir succeeds to the rights and obligations of the deceased member with regard to the equity

interest of the decedent.

2 死亡した組合員の相続人が数人あるときは、相続人の同意をもって選定された一人の相続人に限り、前項の規定を適用する。

(2) When there are several heirs to a deceased member, the provisions set forth in the preceding paragraph apply only to a single heir who has been selected with the consent of the other heirs.

(持分の譲渡)

(Transfer of Equity Interest)

第十七条 組合員は、組合の承諾を得なければ、その持分を譲り渡すことができない。

Article 17 (1) No member may transfer the equity interest thereof without the approval of the cooperative.

2 組合員でないものが持分を譲り受けようとするときは、加入の例によらなければならない。

(2) When a non-member intends to acquire an equity interest, the transfer must be governed by the same rules as those for membership.

3 持分の譲受人は、その持分について、譲渡人の権利義務を承継する。

(3) The transferee of equity interest succeeds to the rights and obligations of the transferor with regard to the equity interest.

4 組合員は、持分を共有することができない。

(4) No member may jointly own equity interest.

(自由脱退)

(Voluntary Withdraw)

第十八条 組合員は、九十日前までに予告し、事業年度の終において脱退することができる。

Article 18 (1) A member may withdraw at the end of a business year by giving an advance notice at least ninety days before the relevant date.

2 前項の予告期間は、定款で延長することができる。ただし、その期間は、一年を超えてはならない。

(2) The period for advance notice set forth in the preceding paragraph may be extended by the articles of incorporation; provided, however, that the period must not exceed one year.

(法定脱退)

(Statutory Withdrawal)

第十九条 組合員は、次の事由によつて脱退する。

Article 19 (1) A member withdraws based on any of the following grounds:

一 組合員たる資格の喪失

(i) loss of qualification for membership

二 死亡又は解散

(ii) death or dissolution

三 除名

(iii) expulsion

四 第七條から第九條までの規定による公正取引委員会の確定した排除措置命令

(iv) cease and desist order that has become final and binding based on the decision by the Fair Trade Commission under the provisions of Articles 107 through 109

五 持分の全部の喪失（信用協同組合又は第九條の九第一項第一号の事業を行う協同組合連合会の組合員に限る。）

(v) loss of the entire equity interest (limited to a credit cooperative or a member of a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i))

2 除名は、次に掲げる組合員につき、総会の議決によつてすることができる。この場合は、組合は、その総会の会日の十日前までに、その組合員に対しその旨を通知し、かつ、総会において、弁明する機会を与えなければならない。

(2) Any of the following partners may be expelled based on a resolution of the assembly. In this case, the cooperative must notify the member to that effect by ten days prior to the day of the assembly and give the member an opportunity to give an explanation at the assembly.

一 長期間にわたつて組合の事業を利用しない組合員

(i) a member who has not used the services provided by the cooperative for a long time

二 出資の払込み、経費の支払その他組合に対する義務を怠つた組合員又は第九條の十一第六項の規定に違反した特定組合員

(ii) a member who has failed to pay the contribution or expenses or perform any other obligation against the cooperative, or a specified member who has violated the provisions of Article 9-11, paragraph (6)

三 その他定款で定める事由に該当する組合員

(iii) any other member who falls under the grounds prescribed in the articles of incorporation

3 除名は、除名した組合員にその旨を通知しなければ、これをもつてその組合員に対抗することができない。

(3) Expulsion may not be duly asserted against the expelled member unless the member has been notified to that effect.

(脱退者の持分の払戻)

(Refund of Equity Interests of Withdrawn Members)

第二十条 組合員は、第十八條又は前條第一項第一号から第四号までの規定により脱退したときは、定款の定めるところにより、その持分の全部又は一部の払戻を請求することができる。

Article 20 (1) When a member has withdrawn pursuant to the provisions of



Article 18 or paragraph (1), items (i) to (iv) of the preceding Article, the member may claim a refund of all or part of the equity interest, pursuant to the provisions of the articles of incorporation.

2 前項の持分は、脱退した事業年度の終における組合財産によつて定める。

(2) The equity interest set forth in the preceding paragraph is decided based on the partnership property at the end of the business year in which the member withdraws.

3 前項の持分を計算するにあたり、組合の財産をもつてその債務を完済するに足りないときは、組合は、定款の定めるところにより、脱退した組合員に対し、その負担に帰すべき損失額の払込を請求することができる。

(3) When calculating the equity interest set forth in the preceding paragraph, if the partnership property is insufficient for paying the obligation in full, the cooperative may request the withdrawn member to pay the amount of loss that the partner is liable to bear, pursuant to the provisions of the articles of incorporation.

(時効)

(Prescription)

第二十一条 前条第一項又は第三項の規定による請求権は、脱退の時から二年間行わな  
いときは、時効によつて消滅する。

Article 21 The claim under the provisions of paragraph (1) or paragraph (3) of the preceding Article lapses by prescription if it is not exercised for two years from the date of withdrawal.

(払戻の停止)

(Suspension of Refund)

第二十二条 脱退した組合員が組合に対する債務を完済するまでは、組合は、持分の払  
戻を停止することができる。

Article 22 A cooperative may suspend a refund of equity interest until the withdrawn member has completed the obligation to pay in full to the cooperative.

(出資口数の減少)

(Reduction in the Number of Units of Contribution)

第二十三条 組合員は、事業を休止したとき、事業の一部を廃止したとき、その他特に  
やむを得ない事由があると認められるときは、定款の定めるところにより、事業年度  
の終において、その出資口数を減少することができる。

Article 23 (1) When a member has suspended the business or discontinued a part of the business, or when it is obvious that the member has unavoidable grounds, the member may reduce the number of units of contribution at the end of the business year, pursuant to the provisions of the articles of

incorporation.

2 前項の場合については、第二十条及び第二十一条の規定を準用する。

(2) With regard to the case set forth in the preceding paragraph, the provisions of Article 20 and Article 21 apply mutatis mutandis.

(企業組合の組合員の所得に対する課税)

(Tax Imposed on the Income of Partners of a Joint Enterprise Cooperative)

第二十三条の二 企業組合の組合員（特定組合員を除く。）が企業組合の行う事業に従事したことによつて受ける所得のうち、企業組合が組合員以外の者であつて、企業組合の行う事業に従事するものに対して支払う給料、賃金、費用弁償、賞与及び退職給与並びにこれらの性質を有する給与と同一の基準によつて受けるものは、所得税法（昭和四十年法律第三十三号）の適用については、給与所得又は退職所得とする。

Article 23-2 Out of the income received by a member (excluding a specified member) of a joint enterprise cooperative by engaging in the business conducted by the joint enterprise cooperative, the income received based on the same standards as those for the salaries, wages, reimbursement of expenses, bonuses, and retirement payments and remunerations having the same characteristics thereto paid by the joint enterprise cooperative to non-partner that engages in the business conducted by the joint enterprise cooperative is deemed to be employment income or retirement income with regard to the application of the Income Tax Act (Act No. 33 of 1965).

(事業協同小組合の組合員に対する助成)

(Aid to Partners of a Small Business Cooperative)

第二十三条の三 政府は、事業協同小組合の組合員に対し、税制上、金融上特別の措置を講じなければならない。

Article 23-3 The government must take special taxation and financial measures for partners of a small business cooperative.

#### 第四節 設立

##### Section 4 Formation

(発起人)

(Founder)

第二十四条 事業協同組合、事業協同小組合、火災共済協同組合、信用協同組合又は企業組合を設立するには、その組合員（企業組合にあつては、特定組合員以外の組合員）になろうとする四人以上の者が、協同組合連合会を設立するには、その会員になろうとする二以上の組合が発起人となることを要する。

Article 24 (1) In order to incorporate a business cooperative, a small business cooperative, a fire mutual aid cooperative, a credit cooperative or a joint enterprise cooperative, four or more persons who intend to become its partner

(partner other than specified partner in the case of a joint enterprise cooperative) need to become founders, and in order to incorporate a federation of cooperatives, two or more cooperatives that intend to become its partner need to become founders.

2 信用協同組合は、三百人以上の組合員がなければ設立することができない。

(2) A credit cooperative may only be incorporated unless it has more three hundred partners.

3 火災共済協同組合は、千人以上の組合員がなければ設立することができない。

(3) A fire mutual aid cooperative may only be incorporated unless it has more one thousand partners.

(共済事業を行う組合の出資の総額)

(Total Amount of Contribution to a Cooperative Engaged in Mutual Aid Business)

第二十五条 特定共済組合（再共済又は再再共済の事業を行うものを除く。）、火災共済協同組合又は特定共済組合連合会（再共済又は再再共済の事業を行うものを除く。）の出資の総額は、千万円以上でなければならない。

Article 25 (1) The total amount of contribution to a specified mutual aid association (excluding one engaged in the business of reinsurance or retrocession), a fire mutual aid cooperative, or a specified federation of mutual aid associations (excluding one engaged in the business of reinsurance or retrocession) must be ten million yen or more.

2 再共済若しくは再再共済の事業を行う特定共済組合又は特定共済組合連合会の出資の総額は、三千万円以上でなければならない。

(2) The total amount of contribution in a specified mutual aid association or a specified federation of mutual aid associations engaged in the business of reinsurance or retrocession must be thirty million yen or more.

3 第九条の九第一項第三号の事業を行う協同組合連合会の出資の総額は、五千万円以上でなければならない。

(3) The total amount of contribution in a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (iii) must be fifty million yen or more.

(火災共済協同組合の地区)

(District of a Fire Mutual Aid Cooperative)

第二十六条 火災共済協同組合の地区は、第八条第三項の小規模の事業者を組合員の資格とするものにあつては一又は二以上の都道府県の区域の全部とし、定款で定める一の業種に属する事業を行う小規模の事業者を組合員の資格とするものにあつては全国とする。

Article 26 The district of a fire mutual aid cooperative is the entire area of a single or two or more prefectures for one that is qualified for membership for

small-sized enterprises set forth in Article 8, paragraph (3), and is nationwide for one that is qualified for membership for small-sized enterprises that are engaged in a business that belongs to one of the business types specified by the articles of incorporation.

第二十六条の二 都道府県の区域を地区とする火災共済協同組合の地区は、他の都道府県の区域を地区とする火災共済協同組合の地区と重複するものであつてはならない。

Article 26-2 (1) The district of a fire mutual aid cooperative covering the area of a prefecture(s) must not overlap with the district of a fire mutual aid cooperative covering the area of another prefecture(s).

2 第九条の九第一項第三号の事業を行う協同組合連合会は、火災共済協同組合をもつて組織し全国を通じて一個とする。

(2) A federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) consists of fire mutual aid cooperatives and there is only one federation throughout the country.

(創立総会)

(Organizational Meeting)

第二十七条 発起人は、定款を作成し、これを会議の日時及び場所とともに公告して、創立総会を開かなければならない。

Article 27 (1) Founder must hold an organizational meeting after preparing the articles of incorporation, and notifying them together with the date and place of the meeting to the public.

2 前項の公告は、会議開催日の少くとも二週間前までにしなければならない。

(2) The public notice set forth in the preceding paragraph must be given by at least two weeks prior to the date of the meeting.

3 発起人が作成した定款の承認、事業計画の設定その他設立に必要な事項の決定は、創立総会の議決によらなければならない。

(3) The approval of the articles of incorporation prepared by the founders, establishment of business plan and decisions on any other matters necessary for the formation must be based on decisions made at the organizational meeting.

4 創立総会においては、前項の定款を修正することができる。ただし、地区及び組合員たる資格に関する規定については、この限りでない。

(4) The articles of incorporation set forth in the preceding paragraph may be amended at the organizational meeting; provided, however, that this does not apply to provisions concerning the district and the qualifications for membership.

5 創立総会の議事は、組合員たる資格を有する者でその会日までに発起人に対し設立の同意を申し出たものの半数以上が出席して、その議決権の三分の二以上で決する。

(5) A decision at the organizational meeting is made by more two-thirds of the

voting rights, with more than half of those who are qualified to be partner and who have given consent to the formation to the founders present, by the date of the meeting.

6 創立総会においてその延期又は続行の決議があつた場合には、第一項の規定による公告をすることを要しない。

(6) When there has been a resolution for the postponement or continuation of the organizational meeting, the public notice under the provisions of paragraph (1) is not be required.

7 創立総会の議事については、主務省令で定めるところにより、議事録を作成しなければならない。

(7) Minutes must be taken with regard to the proceedings of the organizational meeting, pursuant to the provisions of order of the competent ministry.

8 創立総会については、第十一条の規定を、創立総会の決議の不存在若しくは無効の確認又は取消しの訴えについては、会社法第八百三十条、第八百三十一条、第八百三十四条（第十六号及び第十七号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条第一項及び第三項、第八百三十七条、第八百三十八条並びに第八百四十六条（株主総会の決議の不存在若しくは無効の確認又は取消しの訴え）の規定（第三十六条の三第四項に規定する組合であつて、その監事の監査の範囲を会計に関するものに限定する旨を定款で定めた組合（以下「監査権限限定組合」という。）にあつては、監査役に係る部分を除く。）を準用する。

(8) With regard to the organizational meeting, the provisions of Article 11 apply mutatis mutandis; and with regard to an action for declaratory judgment on the nonexistence or invalidity of or an action for rescission of a resolution of the organizational meeting, Article 830, Article 831, Article 834 (limited to the part pertaining to item (xvi) and item (xvii)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Article 837, Article 838, and Article 846 (Action for Declaratory Judgment on Nonexistence or Invalidity of or Action for Revocation of a Resolution of a Shareholders Meeting) (excluding the part pertaining to company auditors in the case of a cooperative prescribed in Article 36-3, paragraph (4) of this Act whose articles of incorporation provide that the scope of audits conducted by auditors is limited to those concerning accounting [hereinafter referred to as "cooperative limiting the audit authority"]) of the Companies Act apply mutatis mutandis.

（設立の認可）

(Approval for Formation)

第二十七条の二 発起人は、創立総会終了後遅滞なく、定款並びに事業計画、役員の名及び住所その他必要な事項を記載した書面を、主務省令で定めるところにより、行政庁に提出して、設立の認可を受けなければならない。

Article 27-2 (1) The founders must, without delay after the conclusion of the organizational meeting, submit the articles of incorporation, business plan, and

documents stating the names and address of the officers and other necessary matters to an administrative authority, pursuant to the provisions of order of the competent ministry, and obtain approval for the formation.

2 信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会の設立にあつては、発起人は、前項の書類のほか、業務の種類及び方法並びに常務に従事する役員の名を記載した書面その他主務省令で定める書面を提出しなければならない。

(2) With regard to the formation of a credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i), the founders must submit, in addition to the documents set forth in the preceding paragraph, a document stating the type and method of the operations and the names of the officers that engage in daily business and any other documents specified by order of the competent ministry.

3 火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会の設立にあつては、発起人は、第一項の書類のほか、火災共済事業の実施方法、共済契約、共済掛金及び責任準備金の額の算出方法に関して主務省令で定める事項を記載した書面（以下「火災共済規程」という。）、常務に従事する役員の名を記載した書面その他主務省令で定める書面を提出しなければならない。

(3) With regard to the formation of a fire mutual aid cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (iii), the founders must submit, in addition to the documents set forth in paragraph (1), a document stating the matters specified by order of the competent ministry concerning the implementation method of the fire mutual aid business, mutual aid contracts, mutual aid premiums, and the calculation method of the amount of liability reserve (hereinafter referred to as "fire mutual aid rules"), a document stating the names of the officers that engage in daily business, and any other documents specified by order of the competent ministry.

4 行政庁は、前二項に規定する組合以外の組合の設立にあつては、次の各号のいずれかに該当する場合を除き、第一項の認可をしなければならない。

(4) With regard to the formation of a cooperative other than the cooperatives prescribed in the preceding two paragraphs, an administrative authority must grant the approval under paragraph (1), except in either of the following cases:

一 設立の手續又は定款若しくは事業計画の内容が法令に違反するとき。

(i) When the formation procedures or the contents of the articles of incorporation or business plan are in violation of laws or regulations

二 事業を行うために必要な経営的基礎を欠く等その目的を達成することが著しく困難であると認められるとき。

(ii) When it is found to be very difficult for the cooperative to achieve its purpose, such as lacking the managerial basis necessary for conducting the business

5 行政庁は、第二項に規定する組合の設立にあつては、次の各号のいずれかに該当す

る場合を除き、第一項の認可をしなければならない。

(5) With regard to the formation of a cooperative prescribed in paragraph (2), an administrative authority must grant the approval under paragraph (1), except in any of the following cases:

一 設立の手續又は定款、事業計画の内容若しくは業務の種類若しくは方法が法令に違反するとき。

(i) when the formation procedures, the contents of the articles of incorporation or business plan, or the type or method of the operations are in violation of laws or regulations

二 地区内における金融その他の経済の事情が事業を行うのに適切でないと認められるとき。

(ii) when the financial or other economic circumstances in the district are found to be inappropriate for conducting the business

三 常務に従事する役員が金融業務に関して十分な経験及び識見を有する者でないと認められるとき。

(iii) when any of the officers that engage in dialy business are found to lack sufficient experience and knowledge concerning the financial operations

四 業務の種類及び方法並びに事業計画が経営の健全性を確保し、又は預金者その他の債権者の利益を保護するのに適当でないと認められるとき。

(iv) when the type or method of the operations or the business plan is found to be inappropriate for securing sound management or for protecting the interest of depositors and other obligees

6 行政庁は、第三項に規定する組合の設立にあつては、次の各号のいずれかに該当する場合を除き、第一項の認可をしなければならない。

(6) With regard to the formation of a cooperative prescribed in paragraph (3), an administrative authority must grant the approval under paragraph (1), except in any of the following cases:

一 設立の手續又は定款、火災共済規程若しくは事業計画の内容が法令に違反するとき。

(i) when the formation procedures or the contents of the articles of incorporation, fire mutual aid rules, or business plans are in violation of laws or regulations

二 共済の目的につき危険の分散が充分に行われないと認められるとき及び共済契約の締結の見込みが少ないと認められるとき。

(ii) when it is obvious that the distribution of risk concerning the interest insured is insufficient or when it is obvious that there is little prospect for the conclusion of mutual aid contracts

三 常務に従事する役員が共済事業に関して十分な経験及び識見を有する者でないと認められるとき。

(iii) when any of the officers that engage in daily business are found to lack sufficient experience and knowledge concerning mutual aid activities

四 火災共済規程及び事業計画の内容が経営の健全性を確保し、又は組合員その他の共済契約者の利益を保護するのに適当でない認められるとき。

(iv) when the contents of the fire mutual aid rules or business plan are found to be inappropriate for securing sound management or for protecting the interest of partner and other mutual aid contractors

(理事への事務引継)

(Handover of the Functions of the Cooperative to Directors)

第二十八条 発起人は、前条第一項の認可を受けた後遅滞なく、その事務を理事に引き渡さなければならない。

Article 28 The founders must, without delay after obtaining the approval under paragraph (1) of the preceding Article, hand over the functions of the cooperative to the directors.

(出資の第一回の払込み)

(First Payment of Contribution)

第二十九条 理事は、前条の規定による引渡しを受けたときは、遅滞なく、出資の第一回の払込みをさせなければならない。

Article 29 (1) The directors must, without delay after taking over the functions of the cooperative pursuant to the provisions of the preceding Article, have each member make the first payment of the contribution.

2 前項の第一回の払込みの金額は、出資一口につき、その金額の四分の一を下つてはならない。

(2) The amount of the first payment set forth in the preceding paragraph must not be less than one-fourth of the unit amount of contribution.

3 現物出資者は、第一回の払込みの期日に、出資の目的たる財産の全部を給付しなければならない。ただし、登記、登録その他権利の設定又は移転をもって第三者に対抗するため必要な行為は、組合成立の後にすることを妨げない。

(3) A person making a contribution in kind must, on the date of the first payment, provide the whole property to be contributed; provided, however, that this does not preclude the person from completing acts such as registration, establishment or transfer of relevant rights necessary for duly asserting against a third party after the cooperative has been established.

4 第一項及び第二項の規定にかかわらず、信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会にあつては、理事は、前条の規定による引渡しを受けたときは、遅滞なく、出資の全額の払込みをさせなければならない。

(4) Notwithstanding the provisions of paragraph (1) and paragraph (2), in the case of a credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i), the directors must, without delay after taking over the functions of the cooperative pursuant to the provisions of the preceding Article, have each member make a payment of the



full amount of the contribution.

(成立の時期)

**(Time of Establishment)**

第三十条 組合は、主たる事務所の所在地において設立の登記をすることによつて成立する。

**Article 30** A cooperative is established by completing the registration of formation at the location of its principal office.

(成立の届出)

**(Notification of Establishment)**

第三十一条 火災共済協同組合、信用協同組合又は第九条の九第一項第一号若しくは第三号の事業を行う協同組合連合会は、成立の日から二週間以内に、行政庁にその旨を届け出なければならない。

**Article 31** A fire mutual aid cooperative, a credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i) or item (iii) must notify an administrative authority of its incorporation within two weeks from the date of incorporation.

(設立の無効の訴え)

**(Action for Invalidation of Formation)**

第三十二条 組合の設立の無効の訴えについては、会社法第八百二十八条第一項（第一号に係る部分に限る。）及び第二項（第一号に係る部分に限る。）、第八百三十四条（第一号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条第一項及び第三項、第八百三十七条から第八百三十九条まで並びに第八百四十六条（設立の無効の訴え）の規定（監査権限限定組合にあつては、監査役に係る部分を除く。）を準用する。

**Article 32** With regard to an action to invalidate the formation of a cooperative, the provisions of Article 828, paragraph (1) (limited to the part pertaining to item (i)) and paragraph (2) (limited to the part pertaining to item (i)), Article 834 (limited to the part pertaining to item (i)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Articles 837 to 839, and Article 846 (Action to Invalidate Formation) (excluding the part pertaining to company auditors, in the case of a cooperative limiting the audit authority) of the Companies Act apply mutatis mutandis.

## 第五節 管理

### Section 5 Management

(定款)

**(Articles of Incorporation)**

第三十三条 組合の定款には、次の事項（共済事業を行う組合にあつては当該共済事業（これに附帯する事業を含む。）に係る第八号の事項を、企業組合にあつては第三号及び第八号の事項を除く。）を記載し、又は記録しなければならない。

Article 33 (1) The articles of incorporation of a cooperative must state or record therein the following particulars (excluding the particulars set forth in item (viii) pertaining to mutual aid business [including the business incidental thereto] in the case of a cooperative engaged in mutual aid business, and excluding the particulars set forth in item (iii) and item (viii) in the case of a joint enterprise cooperative):

一 事業

(i) the business

二 名称

(ii) the name

三 地区

(iii) the district

四 事務所の所在地

(iv) location of the office

五 組合員たる資格に関する規定

(v) provisions on qualifications for membership

六 組合員の加入及び脱退に関する規定

(vi) provisions on the accession and withdrawal of partners

七 出資一口の金額及びその払込みの方法

(vii) unit amount of contribution and the method of its payment

八 経費の分担に関する規定

(viii) provisions on the sharing of expenses

九 剰余金の処分及び損失の処理に関する規定

(ix) provisions on the appropriation of surplus and disposition of losses

十 準備金の額及びその積立の方法

(x) amount of the reserve fund and its funding method

十一 役員の数及びその選挙又は選任に関する規定

(xi) fixed number of officers and provisions on their election or appointment

十二 事業年度

(xii) business year

十三 公告方法（組合が公告（この法律又は他の法律の規定により官報に掲載する方法によりしなければならないものとされているものを除く。）をする方法をいう。以下同じ。）

(xiii) Method of public notice (meaning the method by which the cooperative gives public notice [excluding the public notice that must be given by way of publication in an official gazette pursuant to the provisions of this Act or any other Act]; the same applies hereinafter)

2 共済事業を行う組合の定款には、前項に掲げる事項のほか、共済金額の削減及び共

済掛金の追徴に関する事項を記載し、又は記録しなければならない。

- (2) In addition to the particulars prescribed in the preceding paragraph, the articles of incorporation of a cooperative engaged in mutual aid business must state or record therein particulars concerning a reduction in the amount of mutual aid money and the additional collection of mutual aid premiums.
- 3 組合の定款には、前二項の事項のほか、組合の存続期間又は解散の事由を定めたときはその期間又はその事由を、現物出資をする者を定めたときはその者の氏名、出資の目的たる財産及びその価格並びにこれに対して与える出資口数を、組合の成立後に譲り受けることを約した財産がある場合にはその財産、その価格及び譲渡人の氏名を記載し、又は記録しなければならない。
- (3) In addition to the particulars set forth in the preceding two paragraphs, the articles of incorporation of a cooperative must state or record therein the duration of the cooperative or the grounds for its dissolution if the cooperative has set the duration or grounds, the name of the person making a contribution in kind, the property to be contributed, the value thereof, and the number of units of contribution deemed to be offered by making the contribution in kind if any person is making a contribution in kind to the cooperative, and the property promised to be received by transfer after the incorporation of the cooperative, the value thereof and the name of the transferor if there is any property.
- 4 組合は、公告方法として、当該組合の事務所の店頭に掲示する方法のほか、次に掲げる方法のいずれかを定款で定めることができる。
- (4) As the method of public notice, a cooperative may, in addition to the method of posting the notice at the office of the cooperative, specify any one of the following methods in its articles of incorporation:
- 一 官報に掲載する方法
  - (i) publication in an official gazette
  - 二 時事に関する事項を掲載する日刊新聞紙に掲載する方法
  - (ii) publication in a daily newspaper which publishes particulars on current events
  - 三 電子公告（公告方法のうち、電磁的方法（会社法第二条第三十四号に規定する電磁的方法をいう。）により不特定多数の者が公告すべき内容である情報の提供を受けることができる状態に置く措置であつて同号に規定するものをとる方法をいう。以下同じ。）
  - (iii) electronic public notice (meaning, among methods of public notice, the method of implementing a measure to provides the information that should be made available to many and unspecified persons by electronic or magnetic means [meaning electronic or magnetic means as prescribed in Article 2, item (xxxiv) of the Companies Act] and which is prescribed in that item; the same applies hereinafter)
- 5 組合が前項第三号に掲げる方法を公告方法とする旨を定款で定める場合には、その

定款には、電子公告を公告方法とすることを定めれば足りる。この場合においては、事故その他やむを得ない事由によつて電子公告による公告をすることができない場合の公告方法として、同項第一号又は第二号に掲げる方法のいずれかを定めることができる。

(5) When a cooperative specifies in its articles of incorporation that it specifies the method set forth in item (iii) of the preceding paragraph as its method of public notice, it is sufficient to specify in the articles of incorporation that electronic public notice will be the method of public notice. In this case, either of the methods set forth in item (i) or item (ii) of that paragraph may be specified as the method of public notice in the case where the public notice may not be given by way of electronic public notice due to an accident or any other unavoidable circumstances.

6 組合が電子公告により公告をする場合には、次の各号に掲げる区分に応じ、それぞれ当該各号に定める日までの間、継続して電子公告による公告をしなければならない。

(6) When a cooperative gives public notice by way of electronic public notice, it must give the public notice by way of electronic public notice on a continuous basis until the dates prescribed in the following items for the categories of public notice set forth in the relevant items:

一 公告に定める期間内に異議を述べることができる旨の公告 当該期間を経過する日

(i) a public notice stating that objections may be stated within the period specified therein: the day on which the period expires

二 前号に掲げる公告以外の公告 当該公告の開始後一月を経過する日

(ii) a public notice other than that set forth in the preceding item: the day on which one month has passed from the first publication of the public notice

7 組合が電子公告によりこの法律その他の法令の規定による公告をする場合については、会社法第九百四十条第三項（電子公告の中断）、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条及び第九百五十五条（電子公告調査等）の規定を準用する。この場合において、同法第九百四十条第三項中「前二項の規定にかかわらず、これらの規定」とあるのは「中小企業等協同組合法第三十三条第六項の規定にかかわらず、同項」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(7) With regard to the case where a cooperative gives public notice under the provisions of this Act or other Acts by way of electronic public notice, the provisions of Article 940, paragraph (3) (Interruption of Electronic Public Notice), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953 and Article 955 (Investigation of Electronic Public Notice, etc.) of the Companies Act apply mutatis mutandis. In this case, the phrase "Notwithstanding the provisions of the preceding two paragraphs, during the period in which public notice must be given by way of electronic public notice pursuant to these provisions" in Article 940, paragraph (3) of the Act is deemed

to be replaced with "Notwithstanding the provisions of Article 33, paragraph (6) of the Small and Medium-Sized Enterprise Cooperatives Act, during the period in which public notice must be given by way of electronic public notice pursuant to that paragraph" and any other necessary technical replacement of terms is specified by Cabinet Order.

8 第一項から第三項までに掲げる事項のほか、組合の定款には、この法律の規定により定款の定めがなければその効力を生じない事項及びその他の事項でこの法律に違反しないものを記載し、又は記録することができる。

(8) In addition to the particulars prescribed in paragraphs (1) through (3), the articles of incorporation of a cooperative may state or record therein the particulars that do not come into effect unless prescribed in its articles of incorporation pursuant to the provisions of this Act or any other particulars that do not violate this Act.

(規約)

(Constitution)

第三十四条 左の事項は、定款で定めなければならない事項を除いて、規約で定めることができる。

Article 34 The following particulars, except for those that must be prescribed by the articles of incorporation, may be prescribed by the constitution of the cooperative:

一 総会又は総代会に関する規定

(i) provisions on the assembly or the member representatives' meeting

二 業務の執行及び会計に関する規定

(ii) provisions on the handling of functions and accounting

三 役員に関する規定

(iii) provisions on officers

四 組合員に関する規定

(iv) provisions on partners

五 その他必要な事項

(v) any other necessary particulars

(定款の備置き及び閲覧等)

(Keeping and Inspection of the Articles of Incorporation)

第三十四条の二 組合は、定款及び規約（共済事業を行う組合にあつては、定款、規約及び共済規程又は火災共済規程）（以下この条において「定款等」という。）を各事務所に備え置かなければならない。

Article 34-2 (1) A cooperative must keep the articles of incorporation and the constitution (the articles of incorporation, the constitution and the mutual aid rules or fire mutual aid rules, in the case of a cooperative engaged in mutual aid business) (hereinafter referred to as "articles of incorporation, etc." in this

Article) at each office.

2 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(2) Partner and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative must not refuse the request without reasonable grounds.

一 定款等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) if the articles of incorporation, etc. have been prepared in the form of a paper document, a request for inspection or copies of the document

二 定款等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) if the articles of incorporation, etc. have been prepared in the form of an electronic or magnetic record, a request for inspection or copies of the information recorded in the electronic or magnetic record that have been displayed by a method specified by order of the competent ministry

3 定款等が電磁的記録をもつて作成されている場合であつて、各事務所（主たる事務所を除く。）における前項第二号に掲げる請求に応じることを可能とするための措置として主務省令で定めるものをつとめている組合についての第一項の規定の適用については、同項中「各事務所」とあるのは、「主たる事務所」とする。

(3) With regard to the application of the provisions of paragraph (1) to a cooperative which has taken a measure specified by order of the competent ministry for enabling each office (excluding the principal office) to respond to the request set forth in item (ii) of the preceding paragraph, in the case where the articles of incorporation, etc. have been prepared in the form of an electronic or magnetic record, the term "each office" in that paragraph is deemed to be replaced with "the principal office."

(役員)

(Officers)

第三十五条 組合に、役員として理事及び監事を置く。

Article 35 (1) A cooperative has directors and auditors as its officers.

2 理事の定数は、三人以上とし、監事の定数は、一人以上とする。

(2) The fixed number of directors is three or more and the fixed number of auditors is one or more.

3 役員は、定款の定めるところにより、総会において選挙する。ただし、設立当時の役員は、創立総会において選挙する。

(3) Officers are elected at the general assembly, pursuant to the provisions of the articles of incorporation; provided, however, that the officers at the time of formation are elected at the organizational meeting.

4 理事（企業組合の理事を除く。以下この項において同じ。）の定数の少なくとも三

分の二は、組合員又は組合員たる法人の役員でなければならない。ただし、設立当時の理事の定数の少なくとも三分の二は、組合員になろうとする者又は組合員になろうとする法人の役員でなければならない。

(4) At least two-thirds of the fixed number of directors (excluding directors of a joint enterprise cooperative; hereinafter the same applies in this paragraph) must be a partner or an officers of the juridical person that is a partner; provided, however, that at least two-thirds of the fixed number of directors at the time of formation must be persons who intend to become a partner or an officer of juridical persons that intend to become a partner.

5 企業組合の理事は、組合員（特定組合員を除く。以下この項において同じ。）でなければならない。ただし、設立当時の理事は、組合員になろうとする者でなければならない。

(5) Directors of a joint enterprise cooperative must be a partner (excluding specified partner; hereinafter the same applies in this paragraph); provided, however, that the directors at the time of formation must be a person who intend to become a partner.

6 組合員（協同組合連合会にあつては、会員たる組合の組合員）の総数が政令で定める基準を超える組合（信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会を除く。）は、監事のうち一人以上は、当該組合の組合員又は当該組合の組合員たる法人の役員若しくは使用人以外の者であつて、その就任の前五年間当該組合の理事若しくは使用人又はその子会社（組合が総株主（総社員を含む。）の議決権（株主総会において決議することができる事項の全部につき議決権を行使することができない株式についての議決権を除き、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含む。）の過半数を有する会社をいう。以下同じ。）の取締役、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）、執行役若しくは使用人でなかつたものでなければならない。

(6) A cooperative (excluding a credit cooperative and a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1)) whose total number of members (members of the member cooperatives in the case of a federation of cooperatives) exceeds the standard specified by Cabinet Order must have at least one auditor who is not a member of the cooperative nor an officer or employee of a member juridical person of the cooperative, and who has not served as a director or employee of the cooperative nor a director, accounting advisor (when the accounting advisor is a juridical person, a member of the company who is in the position of performing the duties), executive officer or employee of a subsidiary company of the cooperative (meaning a company for which the cooperative owns a majority of voting rights [excluding the voting rights pertaining to the shares whose voting rights may not be exercised for all the matters that are subject to resolution at the shareholders meeting, and including the voting rights pertaining to the shares which is deemed to have the voting rights pursuant to the provisions of Article

879, paragraph (3) of the Companies Act] of all shareholders [including all members of the company]; the same applies hereinafter) during the five years preceding the assumption of the office.

7 理事又は監事のうち、その定数の三分の一を超えるものが欠けたときは、三月以内に補充しなければならない。

(7) When the positions of more than one-third of the fixed number of directors or auditors have become vacant, the positions must be supplemented within three months.

8 役員選挙は、無記名投票によつて行ふ。

(8) An officer are elected by way of secret voting.

9 投票は、一人につき一票とする。

(9) Voting is carried out with one vote per person.

10 第八項の規定にかかわらず、役員選挙は、出席者中に異議がないときは、指名推選の方法によつて行うことができる。

(10) Notwithstanding the provisions of paragraph (8), the election of an officer may be carried out by recommending nominees if no attendant of the meeting has an objection.

11 指名推選の方法を用いる場合においては、被指名人をもつて当選人と定めるべきかどうかを総会（設立当時の役員は、創立総会）に諮り、出席者の全員の同意があつた者をもつて当選人とする。

(11) In the case of using nomination method, the assembly (the organizational meeting in the case of electing officers at the time of formation) is consulted as to whether a nominee may be approved as the elected person, and the nominee is elected on gaining the consent of all attendants.

12 一の選挙をもつて二人以上の理事又は監事を選挙する場合においては、被指名人を区分して前項の規定を適用してはならない。

(12) In the case of electing two or more directors or auditors in a single election, the provisions set forth in the preceding paragraph must not be applied by way of dividing the nominees.

13 第三項の規定にかかわらず、役員は、定款の定めるところにより、総会（設立当時の役員は、創立総会）において選任することができる。

(13) Notwithstanding the provisions of paragraph (3), officers may be appointed at the assembly (the organizational meeting in the case of the appointment of officers at the time of formation), pursuant to the provisions of the articles of incorporation.

(役員の変更の届出)

(Notification of Changes to its Officers)

第三十五条の二 組合は、役員の名又は住所に変更があつたときは、その変更の日から二週間以内に、行政庁にその旨を届け出なければならない。

Article 35-2 When changes are made to the name or address of any of its officers,



a cooperative must notify an administrative authority of the changes within two weeks from the date of the change.

(組合と役員との関係)

(Relationship Between the Cooperative and its Officers)

第三十五条の三 組合と役員との関係は、委任に関する規定に従う。

Article 35-3 The relationship between a cooperative and its officers is governed by the provisions on mandate.

(役員の資格等)

(Qualifications of Officers)

第三十五条の四 次に掲げる者は、役員となることができない。

Article 35-4 (1) The following persons may not become an officer:

一 法人

(i) a juridical person

二 成年被後見人若しくは被保佐人又は外国の法令上これらと同様に取り扱われている者

(ii) an adult ward or a person under curatorship or any person who is treated similarly thereto under the laws and regulations of a foreign state

三 この法律、会社法若しくは中間法人法（平成十三年法律第四十九号）の規定に違反し、又は民事再生法（平成十一年法律第二百二十五号）第二百五十五条、第二百五十六条、第二百五十八条から第二百六十条まで若しくは第二百六十二条の罪若しくは破産法（平成十六年法律第七十五号）第二百六十五条、第二百六十六条、第二百六十八条から第二百七十二条まで若しくは第二百七十四条の罪を犯し、刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者

(iii) a person who has been sentenced to punishment for violating the provisions of this Act, the Companies Act, or the Intermediate Juridical Person Act (Act No. 49 of 2001) or for committing a crime set forth in Article 255, Article 256, Articles 258 to 260, or Article 262 of the Civil Rehabilitation Act (Act No. 225 of 1999) or an crime set forth in Article 265, Article 266, Articles 268 to 272 or Article 274 of the Bankruptcy Act (Act No. 75 of 2004) when two years have not yet elapsed since the person completed the sentence or ceased to be subject to the sentence

四 前号に規定する法律の規定以外の法令の規定に違反し、禁錮以上の刑に処せられ、その執行を終わるまで又はその執行を受けることがなくなるまでの者（刑の執行猶予中の者を除く。）

(iv) a person who has been sentenced to imprisonment without work or a severer punishment for violating the provisions of laws or regulations other than the provisions of the Acts prescribed in the preceding item where execution of the sentence has yet to be completed or the sentence has yet to

become inapplicable (excluding a person for whom execution of the sentence is suspended)

2 前項各号に掲げる者のほか、破産手続開始の決定を受けて復権を得ない者は、共済事業を行う組合の役員となることができない。

(2) In addition to the persons set forth in the items of the preceding paragraph, a person who had been ordered to commence bankruptcy proceedings, and whose rights have not been restored may not become an officer of a cooperative engaged in mutual aid business.

(役員任期)

(Term of Office of Officers)

第三十六条 理事の任期は、二年以内において定款で定める期間とする。

Article 36 (1) The term of office of a director is a period specified by the articles of incorporation not exceeding two years.

2 監事の任期は、四年以内において定款で定める期間とする。

(2) The term of office of an auditor is a period specified by the articles of incorporation not exceeding four years.

3 設立当時の役員任期は、前二項の規定にかかわらず、創立総会において定める期間とする。ただし、その期間は、一年を超えてはならない。

(3) Notwithstanding the provisions of the preceding two paragraphs, the term of office of an officer at the time of formation is a period decided at the organizational meeting; provided, however, that the period must not exceed one year.

4 前三項の規定は、定款によつて、前三項の任期を任期中の最終の決算期に関する通常総会の終結の時まで延長することを妨げない。

(4) The provisions of the preceding three paragraphs do not preclude a cooperative from extending the term of office set forth in any of the preceding three paragraphs until the last day of the general assembly relating to the final accounting period during the term of office, based on the articles of incorporation.

5 前三項の規定にかかわらず、監事の監査の範囲を会計に関するものに限定する旨の定款の定めを廃止する定款の変更をした場合には、監事の任期は、当該定款の変更の効力が生じた時に満了する。

(5) Notwithstanding the provisions of the preceding three paragraphs, in the case where the articles of incorporation have been changed so as to abolish the provisions of the articles of incorporation that had limited the scope of audits conducted by auditors to those concerning accounting, the term of office of auditors expires at the time when the changes to the articles of incorporation become effective.

(役員に欠員を生じた場合の措置)

(Measures Taken when Vacancies Arise in Officers)

第三十六条の二 役員が欠けた場合又はこの法律若しくは定款で定めた役員の員数が欠けた場合には、任期の満了又は辞任により退任した役員は、新たに選任された役員が就任するまで、なお役員としての権利義務を有する。

Article 36-2 Where there are no officers in office, or where there is a vacancy which results in a shortfall in the number of officers prescribed in this Act or the association of incorporation, an officer who has retired or resigned from office due to the expiration of the term of office continues to have the rights and obligations of an officer until a newly elected officer assumes the office.

(役員職務及び権限等)

(Duties and Authority of Officers)

第三十六条の三 理事は、法令、定款及び規約並びに総会の決議を遵守し、組合のため忠実にその職務を行わなければならない。

Article 36-3 (1) A director must faithfully perform the duties for the cooperative, observing laws and regulations, the articles of incorporation, the constitution and resolutions of the assembly.

2 監事は、理事の職務の執行を監査する。この場合において、監事は、主務省令で定めるところにより、監査報告を作成しなければならない。

(2) An auditor audits the execution of the duties of the directors. In this case, the auditor must prepare an audit report, pursuant to the provisions of order of the competent ministry.

3 理事については会社法第三百五十七条第一項、同法第三百六十条第三項の規定により読み替えて適用する同条第一項及び同法第三百六十一条の規定を、監事については同法第三百四十三条第一項及び第二項、第三百四十五条第一項から第三項まで、第三百八十一条（第一項を除く。）、第三百八十二条、第三百八十三条第一項本文、第二項及び第三項並びに第三百八十四条から第三百八十八条までの規定をそれぞれ準用する。この場合において、同法第三百四十五条第一項及び第二項中「会計参与」とあるのは「監事」と、同法第三百八十二条中「取締役（取締役会設置会社にあつては、取締役会）」とあるのは「理事会」と、同法第三百八十四条中「法務省令」とあるのは「主務省令」と、同法第三百八十八条中「監査役設置会社（監査役は監査の範囲を会計に関するものに限定する旨の定款の定めがある株式会社を含む。）」とあり、及び「監査役設置会社」とあるのは「組合」と読み替えるものとするほか、必要な技術的読替は、政令で定める。

(3) With regard to directors, the provisions of Article 357, paragraph (1) of the Companies Act, Article 360, paragraph (1) of that Act apply mutatis mutandis pursuant to the provisions of paragraph (3) of that Article, and Article 361 of that Act following the deemed replacement of terms; and with regard to auditors, the provisions of Article 343, paragraph (1) and paragraph (2), Article 345, paragraphs (1) through (3), Article 381 (excluding paragraph (1)), Article 382, the main clause of Article 383, paragraph (1), Article 383, paragraph (2)

and paragraph (3), and Articles 384 through 388 of that Act apply *mutatis mutandis*. In this case, the term "accounting advisors" in Article 345, paragraph (1) and paragraph (2) of that Act is deemed to be replaced with "auditors," the term "the directors (or, for a company with board of directors, to the board of directors)" in Article 382 of that Act is deemed to be replaced with "the council," the term "Order of the Ministry of Justice" in Article 384 of that Act is deemed to be replaced with "order of the competent ministry," the terms "company with auditors (including a stock company whose articles of incorporation provide that the scope of the audit by its company auditors is limited to an audit related to accounting)" and "company with auditors" in Article 388 of that Article is deemed to be replaced with "cooperative," and any other necessary technical replacement of terms is specified by Cabinet Order.

4 組合員（協同組合連合会にあつては、会員たる組合の組合員）の総数が第三十五条第六項の政令で定める基準を超えない組合（第四十条の二第一項に規定する会計監査人の監査を要する組合を除く。）は、第二項の規定にかかわらず、その監事の監査の範囲を会計に関するものに限定する旨を定款で定めることができる。

(4) A cooperative (excluding a cooperative requiring an audit by an accounting auditor prescribed in Article 40-2) whose total number of partners (partners of the member cooperatives in the case of a federation of cooperatives) does not exceed the standard specified by Cabinet Order under Article 35, paragraph (6) may provide in the articles of incorporation that the scope of audits conducted by its auditors is limited to those concerning accounting, notwithstanding the provisions of paragraph (2).

5 前項の規定による定款の定めがある組合においては、理事については会社法第三百五十三条、第三百六十条第一項及び第三百六十四条の規定を、監事については同法第三百八十九条第二項から第七項までの規定をそれぞれ準用する。この場合において、同条第二項、第三項及び第四項第二号中「法務省令」とあるのは「主務省令」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) With regard to a cooperative whose articles of incorporation have the provisions as prescribed in the preceding paragraph, the provisions of Article 353, Article 360, paragraph (1) and Article 364 of the Companies Act apply *mutatis mutandis* to its directors, and the provisions of Article 389, paragraphs (2) through (7) of that Act apply *mutatis mutandis* to its auditors. In this case, the term the "Ministry of Justice Order" in Article 389, paragraph (2), paragraph (3) and paragraph (4), item (ii) is deemed to be replaced with "order of the competent ministry" and any other necessary technical replacement of terms is specified by Cabinet Order.

6 前三項（第三項において準用する会社法第三百六十条第三項の規定により読み替えて適用する同条第一項の規定に係る部分を除く。）の規定は、信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会については、適用しない。

(6) The provisions of the preceding three paragraphs (excluding the part

pertaining to the provisions of Article 360, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of paragraph (3) of that Act following the replacement of terms, as applied mutatis mutandis pursuant to the provisions of paragraph (3) of that Article) do not apply to a credit cooperative and a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i).

#### 第三十六条の四 削除

Article 36-4 Deleted.

(理事会の権限等)

(Authority of the Council)

第三十六条の五 組合は、理事会を置かなければならない。

Article 36-5 (1) A cooperative must set up a council.

2 理事会は、すべての理事で組織する。

(2) A council is formed by all directors.

3 組合の業務の執行は、理事会が決する。

(3) Handling of the functions of a cooperative is decided by its council.

(理事会の決議)

(Resolutions of the Council)

第三十六条の六 理事会の決議は、議決に加わることができる理事の過半数（これを上回る割合を定款又は規約で定めた場合にあつては、その割合以上）が出席し、その過半数（これを上回る割合を定款又は規約で定めた場合にあつては、その割合以上）をもつて行う。

Article 36-6 (1) A resolution of the council is adopted by a majority (in the case where a higher proportion is prescribed by the articles of incorporation or the constitution, the relevant proportion or more) of the directors present where the majority (in the case where a higher proportion is prescribed by the articles of incorporation or the constitution, the relevant proportion or more) of the directors entitled to participate in the vote are present.

2 前項の決議について特別の利害関係を有する理事は、議決に加わることができない。

(2) A director with a special interest in the resolution set forth in the preceding paragraph may not participate in the vote.

3 組合は、定款の定めるところにより、理事が書面又は電磁的方法により理事会の議決に加わることができるものとする事ができる。

(3) A cooperative may allow directors to participate in votes of the council in writing or by electronic or magnetic means, pursuant to the provisions of the articles of incorporation.

4 組合は、理事が理事会の決議の目的である事項について提案をした場合において、当該提案につき理事（当該事項について議決に加わることができるものに限る。）の

全員が書面又は電磁的記録により同意の意思表示をしたとき（監査権限限定組合以外の組合にあつては、監事が当該提案について異議を述べたときを除く。）は、当該提案を可決する旨の理事会の決議があつたものとみなす旨を定款で定めることができる。

(4) A cooperative may prescribe in its articles of incorporation that, in the case where a director has made a proposal regarding a matter that is subject to a resolution of the council, if all directors (limited to those who are able to participate in the vote regarding the matter) have manifested their intention to agree with the proposal in writing or by way of an electronic or magnetic record (except when an auditor has objection to the proposal in the case of a cooperative other than a cooperative limiting the audit authority), the council is deemed to have adopted a resolution approving the proposal.

5 理事が理事の全員に対して理事会に報告すべき事項を通知したときは、当該事項を理事会へ報告することを要しない。

(5) When a director has notified all directors of the particulars to be reported to the council, the particulars are not required to be reported to the council.

6 会社法第三百六十六条（招集権者）、第三百六十七条（株主による招集の請求）及び第三百六十八条（招集手続）の規定は、理事会の招集について準用する。この場合において、必要な技術的読替えは、政令で定める。

(6) The provisions of Article 366 (Convenor), Article 367 (Request for Calling of Meeting by Shareholders) and Article 368 (Calling Procedures) of the Companies Act apply mutatis mutandis to convocation of the council. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

（理事会の議事録）

(Minutes of the Council Meeting)

第三十六条の七 理事会の議事については、主務省令で定めるところにより、議事録を作成し、議事録が書面をもつて作成されているときは、出席した理事及び監事は、これに署名し、又は記名押印しなければならない。

Article 36-7 (1) Minutes are taken with regard to the proceedings of the council meeting, pursuant to the provisions of order of the competent ministry, and if the minutes are prepared in writing, the directors and auditors present at the meeting must affix their seals next to their names.

2 前項の議事録が電磁的記録をもつて作成されている場合における当該電磁的記録に記録された事項については、主務省令で定める署名又は記名押印に代わる措置をとらなければならない。

(2) With regard to the particulars recorded in an electronic or magnetic record in cases where the minutes under the preceding paragraph are prepared in the form of an electronic or magnetic record, a measure in lieu of the signing or affixing seals next to the names that is specified by order of the competent ministry must be taken.

3 組合は、理事会の日（前条第四項の規定により理事会の決議があつたものとみなされた日を含む。次項において同じ。）から十年間、第一項の議事録又は同条第四項の意思表示を記載し、若しくは記録した書面若しくは電磁的記録（以下この条において「議事録等」という。）をその主たる事務所に備え置かなければならない。

(3) A cooperative must, for a period of ten years from the date of the council meeting (including the date on which the council is deemed to have adopted a resolution pursuant to the provisions of paragraph (4) of the preceding Article; the same applies in the following paragraph), keep the document or electronic or magnetic record stating or recording the minutes under paragraph (1) or the manifestation of intention under paragraph (4) of that Article (hereinafter referred to as the "minutes, etc." in this Article) at its principal office.

4 組合は、理事会の日から五年間、議事録等の写しをその従たる事務所に備え置かなければならない。ただし、当該議事録等が電磁的記録をもつて作成されている場合であつて、従たる事務所における次項第二号に掲げる請求に応じることを可能とするための措置として主務省令で定めるものをつとめているときは、この限りでない。

(4) A cooperative must, for a period of five years from the date of the council meeting, keep a copy of the minutes, etc. at its secondary offices; provided, however, that this does not apply when the minutes, etc. have been prepared in the form of an electronic or magnetic record and the cooperative has taken a measure specified by order of the competent ministry for enabling secondary offices to respond to the request set forth in item (ii) of the following paragraph.

5 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(5) Partner and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative must not refuse the request without reasonable grounds.

一 議事録等が書面をもつて作成されているときは、当該書面又は当該書面の写しの閲覧又は謄写の請求

(i) if the minutes, etc. have been prepared in the form of a paper document, a request for inspection of the document or its copy or request for a copy of the document

二 議事録等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) if the minutes, etc. are prepared in the form of an electronic or magnetic record; a request for inspection or copies of the particulars recorded in the electronic or magnetic record that are displayed by a method specified by order of the competent ministry

(代表理事)

(Representative Director)

第三十六条の八 理事会は、理事の中から組合を代表する理事（以下「代表理事」という。）を選定しなければならない。

Article 36-8 (1) The council must select a director representing the cooperative (hereinafter referred to as a "representative director") from among the directors.

2 代表理事は、組合の業務に関する一切の裁判上又は裁判外の行為をする権限を有する。

(2) The representative director has the authority to carry out acts in or out of court concerning the functions of the cooperative.

3 代表理事については、第三十六条の二、民法（明治二十九年法律第八十九号）第四十四条第一項、第五十四条及び第五十五条並びに会社法第三百五十四条の規定を準用する。

(3) With regard to the representative director, the provisions of Article 36-2 of this Act, Article 44, paragraph (1), Article 54, and Article 55 of the Civil Code (Act No. 89 of 1896), and Article 354 of the Companies Act apply mutatis mutandis.

（役員の新職禁止）

(Prohibition of Concurrent Holding of Positions by Officers)

第三十七条 監事は、理事又は組合の使用人と兼ねてはならない。

Article 37 (1) No auditor may concurrently hold the position of a director or an employee of the cooperative.

2 左に掲げる者は、その組合の理事となつてはならない。

(2) None of the following persons may become a director of the cooperative:

一 組合の事業と実質的に競争関係にある事業であつて、組合員の資格として定款に定められる事業以外のものを行う者（法人である場合には、その役員）

(i) a person (in the case of a juridical person, an officer thereof) who engages in business other than those permitted for persons having the status of partner prescribed in the articles of incorporation which competes substantially with the business of the cooperative

二 組合員の資格として定款に定められる事業又はこれと実質的に競争関係にある事業を行う者（第七条第一項又は第二項に掲げる小規模の事業者を除く。）であつて、組合員でない者（法人である場合には、その役員）

(ii) a person (excluding a small-sized enterprise set forth in Article 7, paragraph (1) or paragraph (2)) who engages in business permitted for person having the status of partner prescribed in the articles of incorporation or business which competes substantially therewith and who is a non-member (in the case of a juridical person, an officer thereof)

（理事の自己契約等）

(Self-Contract by Directors)



第三十八条 理事は、次に掲げる場合には、理事会において、当該取引につき重要な事実を開示し、その承認を受けなければならない。

Article 38 (1) In any of the following cases, a director must disclose the significant facts concerning the relevant transaction at the council and obtain its approval:

一 理事が自己又は第三者のために組合と取引をしようとするとき。

(i) when a director intends to carry out a transaction with the cooperative for the director or for a third party

二 組合が理事の債務を保証することその他理事以外の者との間において組合と当該理事との利益が相反する取引をしようとするとき。

(ii) when the cooperative intends to guarantee the obligations of the director or carry out a transaction with a person other than the director and where there is a conflict of interest between the cooperative and the director

2 民法第百八条の規定は、前項の承認を受けた同項第一号の取引については、適用しない。

(2) The provisions of Article 108 of the Civil Code do not apply to a transaction under item (i) of that paragraph that has been approved under the preceding paragraph.

3 第一項各号の取引をした理事は、当該取引後、遅滞なく、当該取引についての重要な事実を理事会に報告しなければならない。

(3) A director who has carried out a transaction under either of items of paragraph (1) must report to the council the significant facts concerning the transaction without delay after the transaction.

(役員組合に対する損害賠償責任)

(Officers' Liability for Damages Against the Cooperative)

第三十八条の二 役員は、その任務を怠つたときは、組合に対し、これによつて生じた損害を賠償する責任を負う。

Article 38-2 (1) When an officer has neglected their duties, the officer is liable to compensate the cooperative for any damages that have been caused.

2 前項の任務を怠つてされた行為が理事会の決議に基づき行われたときは、その決議に賛成した理事は、その行為をしたものとみなす。

(2) When an officer neglects the duties set forth in the preceding paragraph based on a resolution of the council, the directors who agreed to the resolution are deemed to have engaged in the relevant conduct.

3 前項の決議に参加した理事であつて議事録に異議をとどめないものは、その決議に賛成したものと推定する。

(3) A director who has participated in the resolution set forth in the preceding paragraph and whose objection is not kept in the minutes is presumed to have agreed to the resolution.

4 第一項の責任は、総組合員の同意がなければ、免除することができない。

(4) An officer may not be exempted from the liability set forth in paragraph (1) without the consent of all partners.

5 前項の規定にかかわらず、第一項の責任は、当該役員が職務を行うにつき善意でかつ重大な過失がないときは、賠償の責任を負う額から当該役員がその在職中に組合から職務執行の対価として受け、又は受けるべき財産上の利益の一年間当たりの額に相当する額として主務省令で定める方法により算定される額に、次の各号に掲げる役員の区分に応じ、当該各号に定める数を乗じて得た額を控除して得た額を限度として、総会の決議によつて免除することができる。

(5) Notwithstanding the provisions of the preceding paragraph, if an officer performs their duties in good faith and without gross negligence, the officer may be exempted from the liability set forth in paragraph (1), based on a resolution of the assembly, within a limit of the amount obtained by subtracting, from the amount of the liability for damages, an amount obtained by multiplying an amount equivalent to the amount of annual economic benefit that the officer has received or should receive from the cooperative during their office as a consideration for execution of their duties, which has been calculated by the method specified by order of the competent ministry, by one of the numbers prescribed in the following items for the respective categories of officers prescribed therein:

一 代表理事 六

(i) the representative director: six

二 代表理事以外の理事 四

(ii) a director other than the representative director: four

三 監事 二

(iii) an auditor: two

6 前項の場合には、理事は、同項の総会において次に掲げる事項を開示しなければならない。

(6) In the case set forth in the preceding paragraph, a director must disclose the following particulars set forth in that paragraph at the assembly:

一 責任の原因となつた事実及び賠償の責任を負う額

(i) the facts that caused the liability and the amount of the liability for damages

二 前項の規定により免除することができる額の限度及びその算定の根拠

(ii) the exemption limit that can be allowed pursuant to the provisions of the preceding paragraph and the basis of its calculation

三 責任を免除すべき理由及び免除額

(iii) the reason that the officer should be exempted from liability and the amount of exemption

7 監査権限限定組合以外の組合の理事は、第一項の責任の免除（理事の責任の免除に限る。）に関する議案を総会に提出するには、各監事の同意を得なければならない。

(7) In order for a director of a cooperative other than a cooperative limiting the

audit authority to submit a proposal concerning immunity from liability (limited to immunity of a director from liability) under paragraph (1) to the assembly, the director must gain the consent of the respective auditors.

8 第五項の決議があつた場合において、組合が当該決議後に同項の役員に対し退職慰労金その他の主務省令で定める財産上の利益を与えるときは、総会の承認を受けなければならない。

(8) In the case where a resolution under paragraph (5) has been adopted, the cooperative must obtain the approval of the assembly when it provides the officer under that paragraph with a retirement bonus or any other economic benefit specified by order of the competent ministry after the resolution.

9 第四項の規定にかかわらず、第一項の責任については、会社法第四百二十六条（第四項を除く。）及び第四百二十七条の規定を準用する。この場合において、同法第四百二十六条第一項中「取締役（当該責任を負う取締役を除く。）の過半数の同意（取締役会設置会社にあつては、取締役会の決議）」とあるのは「理事会の決議」と、同条第三項中「責任を免除する旨の同意（取締役会設置会社にあつては、取締役会の決議）」とあるのは「責任を免除する旨の理事会の決議」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(9) Notwithstanding the provisions of paragraph (4), with regard to the liability under paragraph (1), the provisions of Article 426 (excluding paragraph (4)) and Article 427 of the Companies Act apply mutatis mutandis. In this case, the phrase "the consent of a majority of the directors (excluding the directors subject to the liability) (or, for companies with board of directors, by resolution of the board of directors)" in Article 426, paragraph (1) of that Act is deemed to be replaced with "a resolution of the council," the phrase "consent to exempt the liability (or, for a company with a board of directors, a resolution of the board of directors) to the effect that" in paragraph (3) of that Article is deemed to be replaced with "a resolution of the council to exempt the liability," and any other necessary technical replacement of terms is specified by Cabinet Order.

（役員 of 第三者に対する損害賠償責任）

(Officers' Liability for Damages Against Third Parties)

第三十八条の三 役員がその職務を行うについて悪意又は重大な過失があつたときは、当該役員は、これによつて第三者に生じた損害を賠償する責任を負う。

Article 38-3 (1) When an officer performs their duties in bad faith and gross negligence, the officer is liable to compensate a third party for any damages that have been caused.

2 次の各号に掲げる者が、当該各号に定める行為をしたときも、前項と同様とする。ただし、その者が当該行為をすることについて注意を怠らなかつたことを証明したときは、この限りでない。

(2) The provisions of the preceding paragraph also apply when the persons prescribed in the following items have committed the acts prescribed in the

respective items; provided, however, that this does not apply if the persons have proved that they did not fail to exercise due care with respect to the performance of their duties:

一 理事 次に掲げる行為（信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会の理事にあつては、イに掲げる行為を除く。）

(i) a director: the following acts (excluding the act set forth in (a) in the case of a director of a credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i)):

イ 第四十条第一項及び第二項の規定により作成すべきものに記載し、又は記録すべき重要な事項についての虚偽の記載又は記録

(a) providing a false statement or recording of any significant particulars to be stated or recorded in the documents to be prepared pursuant to the provisions of Article 40, paragraph (1) or paragraph (2)

ロ 虚偽の登記

(b) registering false information

ハ 虚偽の公告

(c) issuing a false public notice

二 監事 監査報告に記載し、又は記録すべき重要な事項についての虚偽の記載又は記録

(ii) providing a false statement or recording of any significant particulars to be stated or recorded in an audit report

（役員 の 連 帯 責 任）

(Joint and Several Liabilities of Officers)

第三十八条の四 役員が組合又は第三者に生じた損害を賠償する責任を負う場合において、他の役員も当該損害を賠償する責任を負うときは、これらの者は、連帯債務者とする。

Article 38-4 In the case where an officer is liable to compensate the cooperative or a third party for any damages that have been caused, if any other officers are also liable to compensate for the damages, the persons are joint and several obligors.

（役員 の 責 任 を 追 及 す る 訴 え）

(Action to Enforce Liability of an Officer)

第三十九条 役員 の 責 任 を 追 及 す る 訴 え に つ い て は、 会 社 法 第 七 編 第 二 章 第 二 節（ 第 八 百 四 十 七 条 第 二 項、 第 八 百 四 十 九 条 第 二 項 第 二 号 及 び 第 五 項 並 び に 第 八 百 五 十 一 条 を 除 く。）（ 株 式 会 社 に お け る 責 任 追 及 等 の 訴 え ） の 規 定 を 準 用 す る。 この 場 合 に お い て、 同 法 第 八 百 四 十 七 条 第 一 項 及 び 第 四 項 中「 法 務 省 令」とあるのは「 主 務 省 令」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

Article 39 With regard to an action to enforce liability of an officer, the provisions of Part VII, Chapter II, Section 2 (excluding Article 867, paragraph

(2), Article 849, paragraph (2), item (ii) and paragraph (5), and Article 851 (Action to Enforce Liability, etc. at a Stock Company) of the Companies Act apply mutatis mutandis. In this case, the term "Ministry of Justice Order" in Article 847, paragraph (1) and paragraph (4) of that Act is deemed to be replaced with "order of the competent ministry," and any other necessary technical replacement of terms is specified by Cabinet Order.

(決算関係書類等の提出、備置き及び閲覧等)

(Submission, Keeping, and Inspection of Settlement-Related Documents)

第四十条 組合は、主務省令で定めるところにより、その成立の日における貸借対照表を作成しなければならない。

Article 40 (1) A cooperative must prepare a balance sheet as of the date of its formation, pursuant to the provisions of order of the competent ministry.

2 組合は、主務省令で定めるところにより、各事業年度に係る財産目録、貸借対照表、損益計算書、剰余金処分案又は損失処理案（以下「決算関係書類」という。）及び事業報告書を作成しなければならない。

(2) A cooperative must prepare an inventory of assets, a balance sheet, a profit and loss statement, and a proposed appropriation of surplus or a proposed disposition of loss (hereinafter referred to as "settlement-related documents") and a business report pertaining to each business year, pursuant to the provisions of order of the competent ministry.

3 決算関係書類及び事業報告書は、電磁的記録をもつて作成することができる。

(3) Settlement-related documents and a business report may be prepared in the form of electronic or magnetic records.

4 組合は、決算関係書類を作成した時から十年間、当該決算関係書類を保存しなければならない。

(4) A cooperative must, for a period of ten years from the date on which settlement-related documents are prepared, retain the settlement-related documents.

5 第二項の決算関係書類及び事業報告書は、主務省令で定めるところにより、監事の監査を受けなければならない。

(5) Settlement-related documents and a business report under paragraph (2) must be audited by an auditor, pursuant to the provisions of order of the competent ministry.

6 前項の規定により監事の監査を受けた決算関係書類及び事業報告書は、理事会の承認を受けなければならない。

(6) Settlement-related documents and a business report that have been audited by an auditor pursuant to the provisions of the preceding paragraph must be approved by the council.

7 理事は、通常総会の通知に際して、主務省令で定めるところにより、組合員に対し、前項の承認を受けた決算関係書類及び事業報告書（監査報告又は次条第一項の適用が

ある場合にあつては、会計監査報告を含む。)を提供しなければならない。

(7) When giving a notice of the general assembly, the directors must provide partner with settlement-related documents and a business report approved under the preceding paragraph (including an audit report, or in the case paragraph (1) of the following Article is applicable, an accounting audit report), pursuant to the provisions of order of the competent ministry.

8 理事は、監事の意見を記載した書面又はこれに記載すべき事項を記録した電磁的記録を添付して決算関係書類及び事業報告書を通常総会に提出し、又は提供し、その承認を求めなければならない。

(8) The directors must submit or provide settlement-related documents and a business report to the general assembly by attaching a document stating the opinion of the auditor or an electronic or magnetic record including the particulars to be stated in the document, and seek its approval.

9 理事は、前項の規定により提出され、又は提供された事業報告書の内容を通常総会に報告しなければならない。

(9) The directors must report on the contents of the business report submitted or provided to the general assembly pursuant to the provisions of the preceding paragraph.

10 組合は、各事業年度に係る決算関係書類及び事業報告書を通常総会の日から二週間前の日から五年間、主たる事務所に備え置かなければならない。

(10) A cooperative must keep the settlement-related documents and the business report of each business year at its principal office for a period of five years from the day two weeks prior to the date of the relevant general assembly.

11 組合は、決算関係書類及び事業報告書の写しを、通常総会の日から二週間前の日から三年間、従たる事務所に備え置かなければならない。ただし、決算関係書類及び事業報告書が電磁的記録で作成されている場合であつて、従たる事務所における次項第三号及び第四号に掲げる請求に応じることを可能とするための措置として主務省令で定めるものをつとめているときは、この限りでない。

(11) A cooperative must keep copies of the settlement-related documents and the business report at its principal office for a period of three years from the day two weeks prior to the date of the general assembly; provided, however, that this does not apply when the settlement-related documents and the business report have been prepared in the form of electronic or magnetic records and the cooperative has taken a measure specified by order of the competent ministry that enables secondary offices to respond to the requests set forth in item (iii) and item (iv) of the following paragraph:

12 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該組合の定めた費用を支払わなければならない。

(12) Partners and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours; provided, however, that

the partners and obligees must pay a fee specified by the cooperative when making a request set forth in item (ii) or item (iv):

一 決算関係書類及び事業報告書が書面をもつて作成されているときは、当該書面又は当該書面の写しの閲覧の請求

(i) if the settlement-related documents and the business report have been prepared in the form of paper documents; a request for inspection of the documents or copies of the documents

二 前号の書面の謄本又は抄本の交付の請求

(ii) a request for provision of a transcript or an extract of the documents set forth in the preceding item

三 決算関係書類及び事業報告書が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) if the settlement-related documents and the business report have been prepared in the form of electronic or magnetic records, a request for inspection of information recorded in the electronic or magnetic records that have been displayed by a method specified by order of the competent ministry

四 前号の電磁的記録に記録された事項を電磁的方法であつて組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) a request for provision of the information recorded in the electronic or magnetic records set forth in the preceding item by electronic or magnetic means that has been specified by the cooperative or a request for issuance of a document providing the information

1 3 前各項の規定は、信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会については、適用しない。

(13) The provisions of the preceding paragraphs do not apply to a credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i).

第四十条の二 共済事業を行う組合であつてその事業の規模が政令で定める基準を超えるものは、前条第二項の規定により作成した決算関係書類について、監事の監査のほか、主務省令で定めるところにより、会計監査人の監査を受けなければならない。

Article 40-2 (1) A cooperative engaged in mutual aid business whose scale of business exceeds the standards specified by Cabinet Order must be audited, not only by an auditor, but also by a financial auditor with regard to settlement-related documents prepared pursuant to the provisions of paragraph (2) of the preceding Article, pursuant to the provisions of order of the competent ministry.

2 前項に規定する会計監査人の監査を要する組合については、会社法第四百三十九条及び第四百四十四条（第三項を除く。）の規定を準用する。この場合において、同法

第四百三十九条並びに第四百四十四条第一項、第四項及び第六項中「法務省令」とあるのは「主務省令」と、同条第一項中「その子会社」とあるのは「その子会社等（中小企業等協同組合法第六十一条の二第二項に規定する子会社等をいう。）」と、「作成することができる」とあるのは「作成しなければならない」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(2) With regard to a cooperative for which an audit by a financial auditor prescribed in the preceding paragraph is required, the provisions of Article 439 and Article 444 (excluding paragraph (3)) of the Companies Act apply mutatis mutandis. In this case, the term "Ministry of Justice Order" in Article 439 and Article 444, paragraph (1), paragraph (4) and paragraph (6) of that Act is deemed to be replaced with "order of the competent ministry," the term "its subsidiaries" in paragraph (1) of that Article is deemed to be replaced with "its subsidiaries, etc. (meaning subsidiaries, etc. prescribed in Article 61-2, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act)," and the phrase "may, pursuant to" in that paragraph is deemed to be replaced with "must, pursuant to," and any other necessary technical replacement of terms is specified by Cabinet Order.

3 会計監査人については、第三十五条の三並びに会社法第三百二十九条第一項、第三百三十七条、第三百三十八条第一項及び第二項、第三百三十九条、第三百四十条第一項から第三項まで、第三百四十四条第一項及び第二項、第三百四十五条第一項から第三項まで、第三百九十六条第一項から第五項まで、第三百九十七条第一項及び第二項、第三百九十八条第一項及び第二項並びに第三百九十九条第一項の規定を準用する。この場合において、同法第三百四十五条第一項及び第二項中「会計参与」とあるのは「会計監査人」と、同法第三百九十六条第一項及び第二項第二号中「法務省令」とあるのは「主務省令」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(3) With regard to a financial auditor, the provisions of Article 35-3 of this Act and Article 329, paragraph (1), Article 337, Article 338, paragraph (1) and paragraph (2), Article 339, Article 340, paragraphs (1) through (3), Article 344, paragraph (1) and paragraph (2), Article 345, paragraphs (1) through (3), Article 396, paragraphs (1) through (5), Article 397, paragraph (1) and paragraph (2), Article 398, paragraph (1) and paragraph (2), and Article 399, paragraph (1) of the Companies Act apply mutatis mutandis. In this case, the term "accounting advisor" in Article 345, paragraph (1) and paragraph (2) of that Act is deemed to be replaced with "accounting auditor," the term "Ministry of Justice Order" in Article 396, paragraph (1) and paragraph (2), item (ii) of that Act is deemed to be replaced with "order of the competent ministry," and any other necessary technical replacement of terms is specified by Cabinet Order.

4 会計監査人の責任については、第三十八条の二から第三十八条の四までの規定を準用する。この場合において、第三十八条の二第五項第三号中「監事」とあるのは「監



事又は会計監査人」と、第三十八条の三第二項第二号中「監査報告」とあるのは「監査報告又は会計監査報告」と、第三十八条の四中「役員が」とあるのは「会計監査人が」と、「他の役員」とあるのは「役員又は会計監査人」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(4) With regard to the liability of a financial auditor, the provisions of Articles 38-2 through 38-4 apply mutatis mutandis. In this case, the term "auditor" in Article 38-2, paragraph (5), item (iii) is deemed to be replaced with an "auditor or financial auditor," the term "audit report" in Article 38-3, paragraph (2), item (ii) is deemed to be replaced with an "audit report or financial audit report," the term "an officer" in Article 38-4 is deemed to be replaced with "a financial auditor," the term "any other officers" in that Article is deemed to be replaced with "any officer or financial auditor," and any other necessary technical replacement of terms is specified by Cabinet Order.

5 会計監査人の責任を追及する訴えについては、第三十九条の規定を準用する。この場合において必要な技術的読替えは、政令で定める。

(5) With regard to an action to enforce the liability of a financial auditor, the provisions of Article 39 apply mutatis mutandis. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

第四十条の三 会計監査人が欠けた場合又は定款で定めた会計監査人の員数が欠けた場合において、遅滞なく会計監査人が選任されないときは、監事は、一時会計監査人の職務を行うべき者を選任しなければならない。

Article 40-3 (1) Where there is no financial auditors in office, or where there is a vacancy which results in a shortfall in the number of financial auditors prescribed in the articles of incorporation, if a financial auditor is not appointed without delay, an auditor must appoint a person who is to perform the duties of a financial auditor temporarily.

2 前項の一時会計監査人の職務を行うべき者については、会社法第三百三十七条及び第三百四十条第一項から第三項までの規定を準用する。

(2) With regard to a person who is to perform the duties of a financial auditor temporarily under the preceding paragraph, the provisions of Article 337 and Article 340, paragraphs (1) through (3) of the Companies Act apply mutatis mutandis.

(会計帳簿等の作成等)

(Preparation of Accounting Books)

第四十一条 組合は、主務省令で定めるところにより、適時に、正確な会計帳簿を作成しなければならない。

Article 41 (1) A cooperative must prepare accurate accounting books in a timely manner, pursuant to the provisions of order of the competent ministry.

2 組合は、会計帳簿の閉鎖の時から十年間、その会計帳簿及びその事業に関する重要

な資料を保存しなければならない。

(2) A cooperative must retain its accounting books and important materials regarding its business for a period of ten years from the closing date of the account books.

3 組合員は、総組合員の百分の三（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得て、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(3) Partners may, by gaining the consent of three-hundredths or more (in the case where a lesser proportion is prescribed in the articles of incorporation, the relevant proportion) of all partners, make the following requests to the cooperative at any time during its business hours. In this case, the cooperative must not refuse the request without reasonable grounds.

一 会計帳簿又はこれに関する資料が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) if the accounting books or materials related thereto have been prepared in the form of paper documents; a request for inspection of the paper documents or copies thereof

二 会計帳簿又はこれに関する資料が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) if the accounting books or materials related thereto have been prepared in the form of electronic or magnetic records, a request for inspection of information recorded in the electronic or magnetic records that have been displayed by a method specified by order of the competent ministry or for copies thereof

4 第一項の規定は、信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会については、適用しない。

(4) The provisions of paragraph (1) do not apply to a credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i).

5 共済事業を行う組合並びに信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会についての第三項の規定の適用については、同項中「百分の三」とあるのは、「十分の一」とする。

(5) With regard to the application of the provisions of paragraph (3) to a cooperative engaged in mutual aid business and a credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i), the term "three-hundredths" in the paragraph (3) is deemed to be replaced with "one-tenth."

(役員の改選)

(Election of Officers)

第四十二条 組合員は、総組合員の五分之一（これを下回る割合を定款で定めた場合に  
あつては、その割合）以上の連署をもつて、役員の変更を請求することができるもの  
とし、その請求につき総会において出席者の過半数の同意があつたときは、その請求  
に係る役員は、その職を失う。

Article 42 (1) A member may request an election of officers under the joint  
signature of one-fifth or more of all partners (in the case where a lesser  
proportion is prescribed in the articles of incorporation, the relevant  
proportion), and when a majority of the attendants have agreed with the  
request at the assembly, the officers pertaining to the request lose their  
positions.

2 前項の規定による変更の請求は、理事の全員又は監事の全員について、同時にしな  
なければならない。ただし、法令又は定款、規約、共済規程若しくは火災共済規程の違  
反を理由として変更を請求するときは、この限りでない。

(2) A request for an election of officers under the provisions set forth in the  
preceding paragraph must be made concurrently for all directors or all  
auditors; provided, however, that this does not apply when the election of  
officers is requested on the grounds that the officers violate a law or regulation,  
the articles of incorporation, the constitution, the mutual aid rules or the fire  
mutual aid rules.

3 第一項の規定による変更の請求は、変更の理由を記載した書面を組合に提出してし  
なければならない。

(3) A request for a change of officers under the provisions of paragraph (1) must  
be made by submitting a document stating the reason for the election of  
officers to the cooperative.

4 第一項の規定による変更の請求をする者は、前項の書面の提出に代えて、政令で定  
めるところにより、組合の承諾を得て、同項の書面に記載すべき事項を電磁的方法に  
より提供することができる。

(4) A person making a request for election of officers under the provisions of  
paragraph (1) may, in lieu of submitting the document set forth in the  
preceding paragraph, provide the information to be included in the document  
set forth in that paragraph by electronic or magnetic means, by gaining the  
consent of the cooperative, pursuant to the provisions of Cabinet Order.

5 第一項の規定による変更の請求があつた場合（第三項の書面の提出があつた場合に  
限る。）には、理事は、その請求を総会の議に付し、かつ、総会の会日から七日前ま  
でに、その請求に係る役員に第三項の規定による書面を送付し、かつ、総会において  
弁明する機会を与えなければならない。

(5) In the case where a request for election of officers under the provisions of  
paragraph (1) has been made (limited to the case where there has been a  
submission in writing as set forth in paragraph (3)), the directors must submit  
the request for discussion at the assembly, and send the document under the

provisions of paragraph (3) to the officers pertaining to the request by seven days prior to the date of the assembly, and give the officers an opportunity to provide an explanation at the general meeting.

6 第一項の規定による改選の請求があつた場合（第四項の規定による電磁的方法による提供があつた場合に限る。）には、理事は、その請求を総会の議に付し、かつ、総会の会日から七日前までに、その請求に係る役員に第四項の規定により提供された事項を記載した書面を送付し、かつ、総会において弁明する機会を与えなければならない。

(6) In the case where a request for election of officers under the provisions of paragraph (1) has been made (limited to the case where there has been a submission by electronic or magnetic means as set forth in paragraph (4)), the directors must submit the request for discussion at the assembly, and send a document including the information that has been provided pursuant to the provisions of paragraph (4) to the officers pertaining to the request by seven days prior to the date of the assembly, and give the officers an opportunity to provide an explanation at the general meeting.

7 前項に規定する場合には、組合は、同項の書面の送付に代えて、政令で定めるところにより、その請求に係る役員の承諾を得て、第四項の規定により提供された事項を電磁的方法により提供することができる。

(7) In the case prescribed in the preceding paragraph, the cooperative may, in lieu of sending the document set forth in that paragraph, provide the information that have been provided pursuant to the provisions of paragraph (4) by electronic or magnetic means, by gaining the consent of the officers pertaining to the request, pursuant to the provisions of Cabinet Order.

8 第五項又は第六項の場合については、第四十七条第二項及び第四十八条の規定を準用する。この場合において、第四十七条第二項中「組合員が総組合員の五分之一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得て、会議の目的である事項及び招集の理由を記載した書面を理事会に提出して総会の招集を請求したとき」とあり、及び第四十八条後段中「組合員が総組合員の五分之一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得たとき」とあるのは、「第四十二条第一項の規定による役員改選の請求があつたとき」と読み替えるものとする。

(8) With regard to the case set forth in paragraph (5) or paragraph (6), the provisions of Article 74, paragraph (2) and Article 48 apply mutatis mutandis. In this case, the term "When a member has requested a convocation of the assembly by submitting a document including the particulars to be discussed at the meeting and the reason for the convocation to the council, by gaining the consent of one-fifth or more of all partners (in the case where a lesser proportion is prescribed in the articles of incorporation, the relevant proportion)" in Article 47, paragraph (2) and the phrase "when the member has gained the consent of one-fifth or more of all partners (in the case where a

lesser proportion is prescribed in the articles of incorporation, the relevant proportion)" in the second sentence of Article 48 is deemed to be replaced with "when there has been a request for election of officers pursuant to the provisions of Article 42, paragraph (1)."

(顧問)

(Advisor)

第四十三条 組合は、理事会の決議により、学識経験のある者を顧問とし、常時組合の重要事項に関し助言を求めることができる。ただし、顧問は、組合を代表することができない。

Article 43 A cooperative may designate a person with the relevant expertise as an advisor by a resolution of the council, and ask for an advice regarding important matters of the cooperative at any time; provided, however, that the advisor may not represent the cooperative.

(参事及び会計主任)

(Counselor and Chief Accountant)

第四十四条 組合は、理事会の決議により、参事及び会計主任を選任し、その主たる事務所又は従たる事務所において、その業務を行わせることができる。

Article 44 (1) A cooperative may appoint a counselor and a chief accountant by a resolution of the council, and have the persons perform their functions at its principal office or any of its secondary offices.

2 参事については、会社法第十一条第一項及び第三項（支配人の代理権）、第十二条（支配人の競業の禁止）並びに第十三条（表見支配人）の規定を準用する。

(2) With regard to a counselor the provisions of Article 11, paragraph (1) and paragraph (3) (Manager's Authority to Represent), Article 12 (Non-Competition by Managers), and Article 13 (Apparent Managers) of the Companies Act apply mutatis mutandis.

第四十五条 組合員は、総組合員の十分の一（これを下回る割合を定款で定めた場合にあっては、その割合）以上の同意を得て、組合に対し、参事又は会計主任の解任を請求することができる。

Article 45 (1) A member may request the cooperative to dismiss a counselor or a chief accountant, by gaining the consent of one-tenth or more of all partners (in the case where a lesser proportion is prescribed in the articles of incorporation, the relevant proportion).

2 前項の規定による請求は、解任の理由を記載した書面を組合に提出してしなければならない。

(2) A request under the provisions set forth in the preceding paragraph must be made by submitting a document stating the reason for dismissal to the cooperative.

- 3 第一項の規定による解任の請求をする者は、前項の書面の提出に代えて、政令で定めるところにより、組合の承諾を得て、同項の書面に記載すべき事項を電磁的方法により提供することができる。
- (3) A person making a request for dismissal under the provisions of paragraph (1) may, in lieu of the submission of the document set forth in the preceding paragraph, provide the information to be included in the document set forth in that paragraph by electronic or magnetic means, by gaining the consent of the cooperative, pursuant to the provisions of Cabinet Order.
- 4 第一項の規定による請求があつたときは、理事会は、その参事又は会計主任の解任の可否を決しなければならない。
- (4) In the case where a request under the provisions of paragraph (1) has been made, the council must decide whether or not to dismiss the counselor or the chief accountant.
- 5 第二項の書面の提出があつた場合には、理事は、前項の可否の決定の日の七日前までに、その参事又は会計主任に対し、第二項の書面を送付し、かつ、弁明する機会を与えなければならない。
- (5) In the case where the documents set forth in paragraph (2) are submitted, the directors must send the document set forth in paragraph (2) to the counselor or the chief accountant by seven days prior to the date on which the decision concerning dismissal under the preceding paragraph is decided, and give the counselor or the chief accountant an opportunity to provide an explanation.
- 6 第三項の電磁的方法による提供があつた場合には、理事は、第四項の可否の決定の日の七日前までに、その参事又は会計主任に対し、第三項の規定により提供された事項を記載した書面を送付し、かつ、弁明する機会を与えなければならない。
- (6) In the case where there has been a submission by electronic or magnetic means as set forth in paragraph (3), the directors must send a document including the information that has been provided pursuant to the provisions of paragraph (3) to the counselor or the chief accountant by seven days prior to the date on which dismissal under paragraph (4) is decided, and give the counselor or the chief accountant an opportunity to provide an explanation.
- 7 前項に規定する場合には、組合は、同項の書面の送付に代えて、政令で定めるところにより、その請求に係る参事又は会計主任の承諾を得て、第三項の規定により提供された事項を電磁的方法により提供することができる。
- (7) In the case prescribed in the preceding paragraph, the cooperative may, in lieu of sending the document set forth in that paragraph, provide the information that has been provided pursuant to the provisions of paragraph (3) by electronic or magnetic means, by gaining the consent of the counselor or the chief accountant pertaining to the request, pursuant to the provisions of Cabinet Order.

(総会の招集)

(Convocation of the Assembly)

第四十六条 通常総会は、定款の定めるところにより、毎事業年度一回招集しなければならない。

Article 46 The general assembly must be convened once in a business year, pursuant to the provisions of the articles of incorporation.

第四十七条 臨時総会は、必要があるときは、定款の定めるところにより、いつでも招集することができる。

Article 47 (1) The extraordinary general assembly may be convened at any time as needed pursuant to the provisions of the articles of incorporation.

2 組合員が総組合員の五分之一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得て、会議の目的である事項及び招集の理由を記載した書面を理事会に提出して総会の招集を請求したときは、理事会は、その請求のあつた日から二十日以内に臨時総会を招集すべきことを決しなければならない。

(2) When a member has requested the convocation of the general assembly by submitting a document including the particulars to be discussed at the meeting and the reason for the convocation to the council, by gaining the consent of one-fifth or more of all partners (in the case where a lesser proportion is prescribed in the articles of incorporation, the relevant proportion), the council must decide to convene the extraordinary general assembly within twenty days from the request date.

3 前項の場合において、電磁的方法により議決権を行うことが定款で定められているときは、当該書面の提出に代えて、当該書面に記載すべき事項及び理由を当該電磁的方法により提供することができる。この場合において、当該組合員は、当該書面を提出したものとみなす。

(3) In the case set forth in the preceding paragraph, if the exercise of voting rights by electronic or magnetic means is specified pursuant to the provisions of the articles of incorporation, the matters and the reason to be stated in the document may be submitted by electronic or magnetic means, in lieu of the submission of the document. In this case, the member is deemed to have submitted the document.

4 前項前段の電磁的方法（主務省令で定める方法を除く。）により行われた当該書面に記載すべき事項及び理由の提供は、理事会の使用に係る電子計算機に備えられたファイルへの記録がされた時に当該理事会に到達したものとみなす。

(4) The particulars and the reason to be stated in the document provided by electronic or magnetic means (excluding a method specified by order of the competent ministry) as set forth in the first sentence of the preceding paragraph is deemed to have arrived at the council at the time when they have been recorded onto a file in a computer used by the council.

第四十八条 前条第二項の規定による請求をした組合員は、同項の請求をした日から十

日以内に理事が総会招集の手続をしないときは、行政庁の承認を得て総会を招集することができる。理事の職務を行う者が不在の場合において、組合員が総組合員の五分の一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得たときも同様である。

Article 48 A member who has made a request under the provisions of paragraph (2) of the preceding Article may convene the general meeting by obtaining the approval of an administrative authority, when no director has instigated the procedure for calling the assembly within ten days from the day on which the member has made the request under that paragraph. The same applies when there is no person to perform the duties of a director and when the member has gained the consent of or more one-fifth of all partners (in the case where a lesser proportion is prescribed in the articles of incorporation, the relevant proportion).

(総会招集の手続)

(Procedures for Convocation of the General Assembly)

第四十九条 総会の招集は、会日の十日（これを下回る期間を定款で定めた場合にあつては、その期間）前までに、会議の目的である事項を示し、定款で定めた方法に従つてしなければならない。

Article 49 (1) The general assembly must be convened in accordance with the method prescribed in the articles of incorporation, by indicating the particulars to be discussed at the meeting by ten days prior to the date of the meeting (in the case where a lesser period is prescribed in the articles of incorporation, the relevant period).

2 総会の招集は、この法律に別段の定めがある場合を除き、理事会が決定する。

(2) The convocation of the general assembly is decided by the council, unless otherwise provided for in this Act.

3 第一項の規定にかかわらず、総会は、組合員の全員の同意があるときは、招集の手続を経ることなく開催することができる。

(3) Notwithstanding the provisions of paragraph (1), the general assembly may be held without undergoing the procedure for convocation when the consent of all the partners is obtained.

(通知又は催告)

(Notice or Demand)

第五十条 組合の組合員に対してする通知又は催告は、組合員名簿に記載し、又は記録したその者の住所（その者が別に通知又は催告を受ける場所又は連絡先を組合に通知した場合にあつては、その場所又は連絡先）にあてて発すれば足りる。

Article 50 (1) It is sufficient that a notice or demand to be issued to a member by a cooperative is sent to the address of the person stated or recorded in the member registry (in the case where the person has notified the cooperative of a



different place or contact address for the receipt of a notice or demand, to the place or contact address).

2 前項の通知又は催告は、通常到達すべきであつた時に到達したものとみなす。

(2) The notice or demand set forth in the preceding paragraph is deemed to have arrived at the time when the notice or demand should normally have arrived.

(総会の議決事項)

(Particulars to be Decided at the General Assembly)

第五十一条 次の事項は、総会の議決を経なければならない。

Article 51 (1) The following particulars must be decided at the general assembly:

一 定款の変更

(i) a change to the articles of incorporation

二 規約及び共済規程又は火災共済規程の設定、変更又は廃止

(ii) establishment of, a change to, or abolition of the constitution, mutual aid rules or fire mutual aid rules

三 毎事業年度の収支予算及び事業計画の設定又は変更

(iii) establishment of or a change to the income and expenditure budget and the business plan for each business year

四 経費の賦課及び徴収の方法

(iv) method of the imposition and collection of expenses

五 その他定款で定める事項

(v) any other particulars specified by the articles of incorporation

2 定款の変更（信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会の定款の変更にあつては、内閣府令で定める事項の変更を除く。）は、行政庁の認可を受けなければ、その効力を生じない。

(2) A change to the articles of incorporation (excluding a change to the particulars specified by Cabinet Officer Order in the case of a change to the articles of incorporation of a credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i)) does not become effective without the approval of an administrative authority.

3 前項の認可については、第二十七条の二第四項から第六項までの規定を準用する。

(3) With regard to the approval under the preceding paragraph, the provisions of Article 27-2, paragraphs (4) to (6) apply mutatis mutandis.

4 第一項第二号に掲げる事項の変更のうち、軽微な事項その他の主務省令で定める事項に係るものについては、同項の規定にかかわらず、定款で、総会の議決を経ることを要しないものとするができる。この場合においては、総会の議決を経ることを要しない事項の範囲及び当該変更の内容の組合員に対する通知、公告その他の周知の方法を定款で定めなければならない。

(4) Notwithstanding the provisions of paragraph (1), it may be prescribed in the articles of incorporation that it is not necessary for any change to particulars set forth in paragraph (1), item (ii) that relates to a minor particulars or any other

particulars specified by order of the competent ministry to be decided at the assembly. In this case, the scope of the particulars that do not need to be decided at the assembly and the notice, public notice, and any other method for making the changes known to the partners must be prescribed in the articles of incorporation.

(総会の議事)

(Minutes of the General Assemblies)

第五十二条 総会の議事は、この法律又は定款若しくは規約に特別の定めがある場合を除いて、出席者の議決権の過半数で決し、可否同数のときは、議長の決するところによる。

Article 52 (1) Unless otherwise provided for in this Act or the articles of incorporation or the constitution, a decision at the general assembly is made by a majority of the voting rights of those present, and in the case of a tied vote, the decision is made by the chairperson.

2 議長は、総会において選任する。

(2) The chairperson is appointed at the general assembly.

3 議長は、組合員として総会の議決に加わる権利を有しない。

(3) The chairperson does not have the right to votes at the general assembly as a member.

4 総会においては、第四十九条第一項の規定によりあらかじめ通知した事項についてのみ議決することができる。ただし、定款に別段の定めがある場合及び同条第三項に規定する場合は、この限りでない。

(4) The general assembly may only decide the particulars notified in advance pursuant to the provisions of Article 49, paragraph (1); provided, however, that this does not apply in cases where otherwise provided for in the articles of incorporation or in the case prescribed in paragraph (3) of that Article.

(特別の議決)

(Special Resolution)

第五十三条 次の事項は、総組合員の半数以上が出席し、その議決権の三分の二以上の多数による議決を必要とする。

Article 53 The following particulars require a majority vote of two-thirds or more of the voting rights of those present where a half or more of all partners are present:

一 定款の変更

(i) a change to the articles of incorporation

二 組合の解散又は合併

(ii) dissolution or merger of the cooperative

三 組合員の除名

(iii) expulsion of a member

四 事業の全部の譲渡

(iv) transfer of all businesses of the cooperative

五 組合員の出資口数に係る限度の特例

(v) special provisions on the limit of the number of units of contribution from a member

六 第三十八条の二第五項の規定による責任の免除

(vi) immunity of an officer from liability under the provisions of Article 38-2, paragraph (5)

(理事及び監事の説明義務)

(Accountability of Directors and Auditors)

第五十三条の二 理事及び監事は、総会において、組合員から特定の事項について説明を求められた場合には、当該事項について必要な説明をしなければならない。ただし、当該事項が総会の目的である事項に関しないものである場合、その説明をすることにより組合員の共同の利益を著しく害する場合その他正当な理由がある場合として主務省令で定める場合は、この限りでない。

Article 53-2 In the case where the director or the auditor is requested by a partner to provide an explanation on a certain matter at the general assembly, the director or the auditor must provide the necessary explanation with respect to the relevant particulars; provided, however, that this does not apply in the case where the particulars are not relevant to the particulars that are the purpose of the general assembly, or in cases where the explanation seriously detrimentes the common interest of the partners, or in any other case specified by order of the competent ministry as a case where the director or the auditor has reasonable grounds.

(延期又は続行の決議)

(Resolution for Postponement or Continuation)

第五十三条の三 総会においてその延期又は続行について決議があつた場合には、第四十九条の規定は、適用しない。

Article 53-3 In the case where a resolution for the postponement or continuation of the general assembly is adopted, the provisions of Article 49 do not apply.

(総会の議事録)

(Minutes of the Assembly)

第五十三条の四 総会の議事については、主務省令で定めるところにより、議事録を作成しなければならない。

Article 53-4 (1) Minutes must be taken with regard to the proceedings of the general assemblies, pursuant to the provisions of order of the competent ministry.

2 組合は、総会の会日から十年間、前項の議事録をその主たる事務所に備え置かなければ

ればならない。

(2) A cooperative must, for a period of ten years from the date of the general assembly, keep the minutes set forth in the preceding paragraph at its principal office.

3 組合は、総会の会日から五年間、第一項の議事録の写しをその従たる事務所に備え置かなければならない。ただし、当該議事録が電磁的記録をもつて作成されている場合であつて、従たる事務所における次項第二号に掲げる請求に応じることを可能とするための措置として主務省令で定めるものをつとめているときは、この限りでない。

(3) A cooperative must, for a period of five years from the date of the general assembly, keep a copy of the minutes under paragraph (1) at its secondary offices; provided, however, that this does not apply when the minutes have been prepared in the form of an electronic or magnetic record and the cooperative has taken a measure specified by order of the competent ministry that enables its secondary office to respond to the request set forth in item (ii) of the following paragraph.

4 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(4) Partners and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative must not refuse the request without reasonable grounds.

一 第一項の議事録が書面をもつて作成されているときは、当該書面又は当該書面の写しの閲覧又は謄写の請求

(i) If the minutes under paragraph (1) have been prepared in the form of a paper document, a request for the inspection of the document or its copy or request for a copy of the document

二 第一項の議事録が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) If the minutes under paragraph (1) have been prepared in the form of an electronic or magnetic record, a request for the inspection of particulars recorded in the electronic or magnetic record that have been displayed by a method specified by order of the competent ministry or a request for its copy

(総会の決議の不存在若しくは無効の確認又は取消しの訴え)

(Action for Declaratory Judgment on Nonexistence, Invalidity of or Action for Revocation of a Resolution of the Assembly)

第五十四条 総会の決議の不存在若しくは無効の確認又は取消しの訴えについては、会社法第八百三十条、第八百三十一条、第八百三十四条（第十六号及び第十七号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条第一項及び第三項、第八百三十七条、第八百三十八条並びに第八百四十六条（株主総会の決議の不存在若しくは無効の確認又は取消しの訴え）の規定（監査権限限定組合にあつては、監査役に係る

部分を除く。)を準用する。

Article 54 With regard to an action for a declaratory judgment on the nonexistence or invalidity of or an action for revocation of a resolution of the general assembly, Article 830, Article 831, Article 834 (limited to the parts pertaining to item (xvi) and item (xvii)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Article 837, Article 838, and Article 846 (Action for Declaratory Judgment on Nonexistence or Invalidity of or Action for Revocation of a Resolution of a Shareholders Meeting) (excluding the part pertaining to company auditors in the case of a cooperative limiting the audit authority) of the Companies Act apply mutatis mutandis.

(総代会)

(Member Representatives Meeting)

第五十五条 組合員の総数が二百人を超える組合（企業組合を除く。）は、定款の定めるところにより、総会に代わるべき総代会を設けることができる。

Article 55 (1) A cooperative (excluding a joint enterprise cooperative) whose total number of partners exceeds two hundred persons may establish the member representatives meeting in lieu of the general assembly, pursuant to the provisions of the articles of incorporation.

2 総代は、定款の定めるところにより、組合員のうちから、その住所、事業の種類等に応じて公平に選挙されなければならない。

(2) The representatives must be elected fairly and impartially from among partners according to their address, types of businesses, etc. pursuant to the provisions of the articles of incorporation.

3 総代の定数は、その選挙の時における組合員の総数の十分の一（組合員の総数が千人を超える組合にあつては百人）を下つてはならない。

(3) The fixed number of representatives must not be less than one-tenth of the total number of partners (one hundred persons in the case of a cooperative whose total number of partners exceeds one thousand persons) on the date of the election.

4 総代の選挙については、第三十五条第八項及び第九項の規定を準用する。

(4) With regard to the election of representatives, the provisions of Article 35, paragraph (8) and paragraph (9) apply mutatis mutandis.

5 総代の任期は、三年以内において定款で定める期間とする。

(5) The term of office of a representative is a period specified by the articles of incorporation not exceeding three years.

6 総代会については、総会に関する規定を準用する。この場合において、第十一条第二項中「その組合員の親族若しくは使用人又は他の組合員」とあるのは「他の組合員」と、同条第五項中「五人」とあるのは「二人」と読み替えるものとする。

(6) With regard to the member representatives meeting, the provisions concerning the general assembly apply mutatis mutandis. In this case, the

phrase "a relative or an employee of the member or another member" in Article 11, paragraph (2) is deemed to be replaced with "another member," and the term "five" in paragraph (5) of that Article is deemed to be replaced with "two."

7 総代会においては、前項の規定にかかわらず、総代の選挙（補欠の総代の選挙を除く。）をし、又は第五十三条第二号若しくは第四号の事項（次条において「合併等」という。）について議決することができない。

(7) Notwithstanding the provisions of the preceding paragraph, the member representatives meeting may not elect representatives (excluding the election of a representative for filling a vacancy) nor decide the particulars set forth in Article 53, item (ii) or item (iv) (referred to as "a merger, etc." in the following Article).

（総代会の特例）

(Special Provisions on the Member Representatives Meeting)

第五十五条の二 共済事業を行う組合又は信用協同組合若しくは第九条の九第一項第一号の事業を行う協同組合連合会の総代会においては、前条第七項、第五十七条の二の二第一項、第五十七条の三第一項及び第二項、第六十二条第一項並びに第六十三条の規定にかかわらず、合併等について議決することができる。

Article 55-2 (1) The member representatives meeting of a cooperative engaged in mutual aid business or a credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i) may decide on a merger, etc., notwithstanding the provisions of paragraph (7) of the preceding Article, Article 57-2-2, paragraph (1), Article 57-3, paragraph (1) and paragraph (2), Article 62, paragraph (1) and Article 63.

2 前項に規定する組合は、総代会において合併等の議決をしたときは、その議決の日から十日以内に、組合員に議決の内容を通知しなければならない。

(2) When a cooperative prescribed in the preceding paragraph has decided on a merger, etc. at the member representatives meeting, it must notify the partners of the contents of the resolution within ten days from the date of the resolution.

3 前項の通知をした組合にあつては、当該通知に係る事項を会議の目的として、第四十七条第二項又は第四十八条の規定により総会を招集することができる。この場合において、第四十七条第二項の規定による書面の提出又は第四十八条後段の場合における承認の申請は、当該通知に係る事項についての総代会の議決の日から三十日以内にしなければならない。

(3) In the case where a cooperative has given notice under the preceding paragraph, the general assembly may be convened pursuant to the provisions of Article 47, paragraph (2) or Article 48 in order to discuss the particulars pertaining to the notice at the meeting. In this case, the submission of a document under the provisions of Article 47, paragraph (2) or an request for approval in the case set forth in the second sentence of Article 48 must be

completed within thirty days from the date of a resolution on the particulars pertaining to the notice at the member representatives meeting.

4 前項の総会において当該通知に係る事項を承認しなかつた場合には、総代会における当該事項の議決は、その効力を失う。

(4) In the case where the particulars pertaining to the notice were not approved at the general assembly under the preceding paragraph, the resolution concerning the particulars at the member representatives meeting cease to be effective.

(出資一口の金額の減少)

(Reduction in the Unit Amount of Contribution)

第五十六条 組合は、総会において出資一口の金額の減少の議決があつたときは、その議決の日から二週間以内に、財産目録及び貸借対照表を作成し、かつ、これらを主たる事務所に備え置かなければならない。

Article 56 (1) When the general assembly makes a decision to reduce the unit amount of the contribution, the cooperative must, within two weeks from the date of the resolution, prepare an inventory of assets and a balance sheet and keep these at its principal office.

2 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(2) Partners and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative must not refuse the request without reasonable grounds.

一 前項の財産目録及び貸借対照表が書面をもつて作成されているときは、当該書面の閲覧の請求

(i) if the inventory of assets and the balance sheet under the preceding paragraph have been prepared in the form of paper documents, a request for the inspection of the documents

二 前項の財産目録及び貸借対照表が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(ii) if the inventory of assets and the balance sheet under the preceding paragraph have been prepared in the form of electronic or magnetic records, a request for the inspection of the particulars recorded in the electronic or magnetic records that have been displayed by a method specified by order of the competent ministry

(債権者の異議)

(Objections of Obligees)

第五十六条の二 組合が出資一口の金額の減少をする場合には、組合の債権者は、当該

組合に対し、出資一口の金額の減少について異議を述べることができる。

Article 56-2 (1) When a cooperative reduces the unit amount of contribution, an obligee of the cooperative may state an objection to the cooperative regarding the reduction in the unit amount of contribution.

2 前項の場合には、組合は、次に掲げる事項を官報に公告し、かつ、預金者、定期積金の積金者その他政令で定める債権者以外の知れている債権者には、各別にこれを催告しなければならない。ただし、第二号の期間は、一月を下ることができない。

(2) In the case set forth in the preceding paragraph, the cooperative must give a public notice on the following particulars in an official gazette, and notify the particulars separately to each known creditor other than depositors, persons who make installment savings, or any other creditors specified by Cabinet Order; provided, however, that the period set forth in item (ii) may not be less than one month:

一 出資一口の金額を減少する旨

(i) the fact that the unit amount of contribution will be reduced

二 債権者が一定の期間内に異議を述べる旨

(ii) the fact that obligees may state objections within a certain period

3 前項の規定にかかわらず、組合が同項の規定による公告を、官報のほか、第三十三条第四項の規定による定款の定めに従い、同項第二号又は第三号に掲げる公告方法によりするとき、前項の規定による各別の催告は、することを要しない。

(3) Notwithstanding the provisions of the preceding paragraph, when a cooperative gives a public notice under the provisions of that paragraph not only in an official gazette, but also by the method of public notice set forth in item (ii) or item (iii) of Article 33, paragraph (4), in accordance with the provisions of the articles of incorporation under the provisions of that paragraph, the cooperative is not be required to give the separate notice under the provisions of the preceding paragraph.

4 債権者が第二項第二号の期間内に異議を述べなかつたときは、当該債権者は、当該出資一口の金額の減少について承認をしたものとみなす。

(4) If an obligee has not stated an objection within the period set forth in paragraph (2), item (ii), the obligee is deemed to have approved the reduction in the unit amount of contribution.

5 債権者が第二項第二号の期間内に異議を述べたときは、組合は、当該債権者に対し、弁済し、若しくは相当の担保を提供し、又は当該債権者に弁済を受けさせることを目的として信託会社等（信託会社及び信託業務を営む金融機関（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）第一条第一項の認可を受けた金融機関をいう。）をいう。）に相当の財産を信託しなければならない。ただし、当該出資一口の金額の減少をしても当該債権者を害するおそれがないときは、この限りでない。

(5) If an obligee has stated an objection within the period set forth in paragraph (2), item (ii), the cooperative must make a payment or provide equivalent



security to the obligee, or entrust equivalent property to a trust company, etc. (meaning a trust company or a financial institution that engages in trust business [meaning a financial institution approved under Article 1, paragraph (1) of the Act on Provision, etc. of Trust Business by Financial Institutions (Act No. 43 of 1943)]) for the purpose of having the obligee receive the payment; provided, however, that this does not apply if the reduction in the unit amount of contribution poses no risk of harming the obligee.

(出資一口の金額の減少の無効の訴え)

(Action for Invalidation of Reduction in the Unit Amount of Contribution)

第五十七条 組合の出資一口の金額の減少の無効の訴えについては、会社法第八百二十八条第一項（第五号に係る部分に限る。）及び第二項（第五号に係る部分に限る。）、第八百三十四条（第五号に係る部分に限る。）、第八百三十五条第一項、第八百三十六から第八百三十九条まで並びに第八百四十六条の規定（監査権限限定組合にあつては、監査役に係る部分を除く。）を準用する。

Article 57 With regard to an action for the invalidation of a reduction in the unit amount of the contribution of a cooperative, the provisions of Article 828, paragraph (1) (limited to the parts pertaining to item (v)) and paragraph (2) (limited to the part pertaining to item (v)), Article 834 (limited to the part pertaining to item (v)), Article 835, paragraph (1), Articles 836 through 839, and Article 846 (excluding the part pertaining to company auditors, in the case of a cooperative limiting the audit authority) of the Companies Act apply mutatis mutandis.

(火災共済協同組合等の火災共済規程の変更)

(Changes to Fire Mutual Aid Rules of a Fire Mutual Aid Cooperative)

第五十七条の二 火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会は、火災共済規程で定めた事項の変更をするには、行政庁の認可を受けなければならない。

Article 57-2 In order for a fire mutual aid cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (iii) to make a change to any particulars prescribed in the fire mutual aid rules, it must obtain the approval of an administrative authority.

(共済事業の譲渡等)

(Transfer of Mutual Aid Activities)

第五十七条の二の二 共済事業を行う事業協同組合若しくは事業協同小組合又は協同組合連合会（第九条の九第一項第三号の事業を行う協同組合連合会を除く。）が共済事業（この事業に附帯する事業を含む。以下この条において同じ。）の全部又は一部を譲渡するには、総会の議決によらなければならない。

Article 57-2-2 (1) In order for a business cooperative, small business cooperative,

or federation of cooperatives (excluding a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (iii)) engaged in mutual aid business to transfer all or part of its mutual aid business (including business incidental to this business; hereinafter the same applies in this Article), it must do so based on a resolution of the general assembly.

2 前項に規定する組合は、総会の議決により契約をもつて責任準備金の算出の基礎が同じである共済契約の全部を包括して、共済事業を行う他の組合に移転することができる。

(2) A cooperative prescribed in the preceding paragraph may, by concluding a contract, carry out a transfer of all of its mutual aid contracts, which adopt the same basis for the calculation of the liability reserve, to another cooperative engaged in mutual aid business, based on the resolution of the assembly.

3 第一項に規定する組合は、前項に規定する共済契約を移転する契約をもつて共済事業に係る財産を移転することを定めることができる。

(3) A cooperative prescribed in paragraph (1) may determine that assets pertaining to mutual aid business are transferred based on a contract to transfer mutual aid contracts prescribed in the preceding paragraph.

4 前二項の規定にかかわらず、責任共済等の事業の全部又は一部の譲渡及び当該事業に係る財産の移転は、当該事業を行う他の組合に対して行うことができる。

(4) Notwithstanding the provisions of the preceding two paragraphs, all or part of the business concerning liability mutual aid, etc. and assets pertaining to the business may be transferred to another cooperative engaged in the relevant business.

5 第一項に規定する共済事業の全部又は一部の譲渡及び第三項に規定する共済事業に係る財産の移転については、第五十六条から第五十七条までの規定を準用する。

(5) With regard to the transfer of all or part of the mutual aid business provided in paragraph (1) and the transfer of assets pertaining to the mutual aid business provided in paragraph (3), the provisions of Articles 56 to 57 apply mutatis mutandis.

(信用協同組合等の事業等の譲渡又は譲受け)

(Transfer or Acquisition of Business of a Credit Cooperative)

第五十七条の三 信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会（以下この条において「信用協同組合等」という。）は、総会の議決を経て、その事業の全部又は一部を銀行、他の信用協同組合等、信用金庫又は労働金庫（信用金庫又は労働金庫をもつて組織する連合会を含む。次項において同じ。）に譲り渡すことができる。

Article 57-3 (1) A credit cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i) (hereinafter referred to as a "credit cooperative, etc." in this Article) may, following a resolution of the general assembly, transfer all or part of its business to a bank,

another credit cooperative, etc., a Shinkin bank, or a labor bank (including a federation composed of credit unions or worker's credit unions; the same applies in the following paragraph).

2 信用協同組合等は、総会の議決を経て、銀行の事業の一部又は他の信用協同組合等、信用金庫若しくは労働金庫の事業の全部若しくは一部を譲り受けることができる。この場合において、その対価が最終の貸借対照表により当該信用協同組合等に現存する純資産額の五分之一を超えない場合は、総会の決議を要しない。

(2) A credit cooperative, etc. may, following a resolution of the general meeting, acquire a part of the business of a bank or all or part of the business of another credit cooperative, etc., a credit union, or a worker's credit union. In this case, a resolution of the assembly is not required if the acquisition cost does not exceed one-fifth of the amount of net assets that the credit cooperative, etc. actually holds based on the final balance sheet.

3 信用協同組合等が前項後段の規定により総会の議決を経ないで事業の全部又は一部の譲受けをする場合において、信用協同組合等の総組合員又は総会員の六分の一以上の組合員又は会員が次項の規定による公告又は通知の日から二週間以内に事業の全部又は一部の譲受けに反対する旨を信用協同組合等に対し通知したときは、事業の全部又は一部の譲受けをする日の前日までに、総会の決議によつて、当該事業の全部又は一部の譲受けに係る契約の承認を受けなければならない。

(3) In the case where a credit cooperative, etc. acquires all or part of the business without the resolution of the general assembly pursuant to the provisions of the second sentence of the preceding paragraph, if at least one-sixth of all partners of the credit cooperative, etc. have notified the credit cooperative, etc. of their opposition to acquire all or part of the relevant business within two weeks from the date of public notice or notice under the provisions of the following paragraph, then a credit cooperative, etc. must obtain an approval to conclude the contract to acquire all or part of the business by a resolution of the general assembly by the day before it acquires all or part of the business.

4 信用協同組合等が第二項後段の規定により総会の議決を経ないで事業の全部又は一部の譲受けをする場合には、信用協同組合等は、事業の全部又は一部の譲受けをする日の二十日前までに、事業の全部又は一部の譲受けをする旨並びに契約の相手方の名称又は商号及び住所を公告し、又は組合員若しくは会員に通知しなければならない。

(4) In the case where a credit cooperative, etc. acquires all or a part of the business without the resolution of the general assembly pursuant to the provisions of the second sentence of the paragraph (2), the credit cooperative, etc. must give a public notice or give a notice to its partners stating that it will acquire all or a part of the business and the name or trade name and the address of the other party to the contract, by twenty days prior to the day on which it acquires all or a part of the business.

5 第一項の事業の譲渡又は第二項の事業の譲受けについては、政令で定めるものを除き、行政庁の認可を受けなければ、その効力を生じない。

(5) A transfer of the activities under paragraph (1) or the acquisition of the business under paragraph (2) does not become effective without the approval of an administrative authority, except for those specified by Cabinet Order.

6 第一項及び第二項の事業の全部の譲渡又は譲受けについては、第五十七条の規定を準用する。

(6) With regard to a transfer or acquisition of the business as a whole under paragraph (1) and paragraph (2), the provisions of Article 57 apply *mutatis mutandis*.

7 信用協同組合等は、第二項の事業の全部又は一部の譲受けにより契約（その契約に関する業務が銀行法（昭和五十六年法律第五十九号）第二条第二項（定義等）に規定する行為に係るものであるものに限る。以下この項において同じ。）に基づく権利義務を承継した場合において、その契約が、信用協同組合等の事業に関する法令により、当該信用協同組合等の行うことができない業務に属するものであるとき、又は当該信用協同組合等について制限されているものであるときは、その契約で期限の定めのあるものは期限満了まで、期限の定めのないものは承継の日から一年以内の期間に限り、その契約に関する業務を継続することができる。

(7) In the case where a credit cooperative, etc. has succeeded to the rights and obligations based on a contract (limited to one where the operations related to the contract pertain to acts prescribed in Article 2, paragraph (2) [Definitions, etc.] of the Banking Act [Act No. 59 of 1981]; hereinafter the same applies in this paragraph) as a result of the acquisition of all or part of the business under paragraph (2), if the contract falls under the category of operations that cannot be carried out by the credit cooperative, etc. or is restricted for the credit cooperative, etc. due to a law or regulation concerning the business of the credit cooperative, etc., the credit cooperative, etc. may continue the operations related to the contract until the specified period expires if a period is specified by the contract, and for a period not exceeding one year from the date of succession if the period is not specified by the contract.

（火災共済協同組合等の事業の譲渡の禁止）

(Prohibition of Transfer of Business of a Fire Mutual Aid Cooperative)

第五十七条の四 火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会は、その事業を譲渡することができない。

Article 57-4 A fire mutual aid cooperative or a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (iii) may not transfer its business.

（余裕金運用の制限）

(Restrictions on Operations of Surplus Funds)

第五十七条の五 共済事業を行う組合及び共済事業を行う組合以外の組合（信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会を除く。）であつて組合

員（協同組合連合会にあつては、会員たる組合の組合員）の総数が第三十五条第六項の政令で定める基準を超えるものは、その業務上の余裕金を次の方法によるほか運用してはならない。ただし、行政庁の認可を受けた場合は、この限りでない。

**Article 57-5** A cooperative engaged in mutual aid business and a cooperative other than that engaged in mutual aid business (excluding a credit cooperative and a federation of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (i)) whose total number of partners (partners of the member cooperatives in the case of a federation of cooperatives) exceeds the standards specified by Cabinet Order set forth in Article 35, paragraph (6) must not operate the surplus funds that were accumulated in the course of business except in the case of using any of the following methods; provided, however, that this does not apply when it has obtained the approval of an administrative authority:

一 銀行、農林中央金庫、商工組合中央金庫、信用金庫、信用金庫連合会、信用協同組合又は農業協同組合連合会、漁業協同組合連合会、水産加工業協同組合連合会若しくは協同組合連合会で業として預金若しくは貯金の受入れをすることができるものへの預金、貯金又は金銭信託

(i) deposits, savings or money trusts in a bank, the Norinchukin Bank, the Shoko Chukin Bank, a credit union, a federation of credit unions, a credit cooperative, a federation of agricultural cooperatives, a federation of fisheries cooperatives, a federation of fishery processing cooperatives, or a federation of cooperatives that is able to accept deposits or savings as its business

二 国債、地方債又は主務省令で定める有価証券の取得

(ii) acquisition of Japanese government bonds, local government bonds, or securities specified by order of the competent ministry

(会計の原則)

(Accounting Principles)

第五十七条の六 組合の会計は、一般に公正妥当と認められる会計の慣行に従うものとする。

**Article 57-6** The accounting of a cooperative is to comply with accounting practices that are generally accepted as fair and appropriate.

(準備金及び繰越金)

(Reserve Funds and the Balance Carried Forward)

第五十八条 組合は、定款で定める額に達するまでは、毎事業年度の剰余金の十分の一（共済事業を行う組合にあつては、五分の一）以上を準備金として積み立てなければならない。

**Article 58** (1) A cooperative must set aside one-tenth or more (one-fifth in the case of a cooperative engaged in mutual aid business) of its surplus in each

business year as a reserve fund until the surplus reaches the amount specified by the articles of incorporation.

2 前項の定款で定める準備金の額は、出資総額の二分の一（共済事業を行う組合にあつては、出資総額）を下つてはならない。

(2) The amount of the reserve fund specified by the articles of incorporation under the preceding paragraph must not be less than half of the total amount of contribution (not less than the total amount of contribution in the case of a cooperative engaged in mutual aid business).

3 第一項の準備金は、損失のてん補に充てる場合を除いては、取りくずしてはならない。

(3) The reserve fund under paragraph (1) must not be used except when it is used for compensating for losses.

4 第九条の二第一項第四号又は第九条の九第一項第六号の事業を行う組合は、その事業の費用に充てるため、毎事業年度の剰余金の二十分の一以上を翌事業年度に繰り越さなければならない。

(4) A cooperative engaged in the business set forth in Article 9-2, paragraph (1), item (iv) or Article 9-9, paragraph (1), item (vi) must carry forward one-twentieth or more of its surplus in each business year to the following business year as funds to be allocated for the expenses of its business.

5 共済事業を行う組合は、毎事業年度末に、責任準備金及び支払準備金を計算し、これを積み立てなければならない。

(5) A cooperative engaged in mutual aid business must calculate the liability reserve and the payment reserve and set these funds aside at the end of each business year.

6 共済事業を行う組合は、契約者割戻し（共済契約者に対し、共済掛金及び共済掛金として收受する金銭を運用することによつて得られる収益のうち、共済金、返戻金その他の給付金（以下「共済金等」という。）の支払、事業費の支出その他の費用に充てられないものの全部又は一部を分配することを共済規程又は火災共済規程で定めている場合において、その分配をいう。以下同じ。）を行う場合には、公正かつ衡平な分配をするための基準として主務省令で定める基準に従い、行わなければならない。

(6) When a cooperative engaged in mutual aid business offers a contractor rebate (meaning the distribution of all or part of the mutual aid premiums and profits earned from the operation of the money collected as mutual aid premiums that are not allocated to the payment of mutual aid proceeds, refunds, or any other benefits [hereinafter referred to as "mutual aid proceeds, etc."], the operating costs, or any other costs distributed to mutual aid contractors, in the case where the distribution is prescribed by mutual aid rules or fire mutual aid rules; the same applies hereinafter), it must do so in accordance with the standards specified by order of the competent ministry as those ensuring the fair and equitable distribution.

7 第五項の責任準備金及び支払準備金並びに前項の契約者割戻しに充てるための準備

金の積立てその他契約者割戻しに関し必要な事項は、主務省令で定める。

(7) Particulars concerning the accumulation of the liability reserve and the payment reserve set forth in paragraph (5) and the reserve funds to be allocated for contractor rebates set forth in the preceding paragraph, and other particulars necessary for contractor rebates are specified by order of the competent ministry.

(共済事業の会計区分)

(Separate Accounts for Mutual Aid Businesses)

第五十八条の二 共済事業を行う組合は、共済事業に係る会計を他の事業に係る会計と区分して経理しなければならない。

Article 58-2 (1) A cooperative engaged in mutual aid business must separate the accounting for its mutual aid from the accounting for its other businesses.

2 責任共済等の事業を行う組合は、責任共済等の事業に係る会計を他の事業に係る会計と区分して経理しなければならない。

(2) A cooperative engaged in business concerning liability mutual aid, etc. must separate the accounting for its business concerning liability mutual aid, etc. from the accounting for its other businesses.

(共済事業に係る会計の他の会計への資金運用等の禁止)

(Prohibition of Operations of Funds from the Accounts for Mutual Aid Business to Other Accounts)

第五十八条の三 共済事業を行う組合は、共済事業に係る会計からそれ以外の事業に係る会計へ資金を運用し、又は共済事業に係る会計に属する資産を担保に供してそれ以外の事業に係る会計に属する資金を調達してはならない。

Article 58-3 A cooperative engaged in mutual aid business must not operate the funds from the account for its mutual aid business to the account for any of its other businesses nor secure with assets under the account for its mutual aid business to raise funds for the account for any of its other business.

(健全性の基準)

(Standards for Soundness)

第五十八条の四 行政庁は、特定共済組合、火災共済協同組合、第九条の九第一項第三号の事業を行う協同組合連合会及び特定共済組合連合会の共済事業の健全な運営に資するため、次に掲げる額を用いて、当該組合の経営の健全性を判断するための基準として共済金等の支払能力の充実の状況が適当であるかどうかの基準その他の基準を定めることができる。

Article 58-4 In order to contribute to the sound administration of mutual aid business by specified mutual aid associations, fire mutual aid cooperatives, federations of cooperatives engaged in the business set forth in Article 9-9, paragraph (1), item (iii), and specified federations of mutual aid associations,

an administrative authority may, by using the following amounts, establish standards as to whether or not the status of the capacity to pay mutual aid proceeds, etc. is appropriate as the standards for determining the soundness of the management of the cooperatives:

一 出資の総額、利益準備金の額その他の主務省令で定めるものの額の合計額

(i) the grand total of the amount of contribution, the amount of the retained earnings reserve, and any other amounts specified by order of the competent ministry

二 共済契約に係る共済事故の発生その他の理由により発生し得る危険であつて通常  
の予測を超えるものに対応する額として主務省令で定めるところにより計算した額

(ii) the amount calculated pursuant to the provisions of order of the competent ministry as the amount corresponding to the risk that may occur as a result of the occurrence of a mutual aid incident covered by a mutual aid contract or for any other reason, which is beyond normal risk assessment

(重要事項の説明等)

(Explanation of Important Matters)

第五十八条の五 共済事業を行う組合は、この法律及び他の法律に定めるもののほか、主務省令で定めるところにより、当該共済事業に係る重要な事項の利用者への説明その他の健全かつ適切な運営を確保するための措置を講じなければならない。

Article 58-5 A cooperative engaged in mutual aid business must, in addition to what is provided for in this Act and other laws and regulations, explain important matters pertaining to the mutual aid business to its users and take other measures for securing the sound and appropriate management of the mutual aid business, pursuant to the provisions of order of the competent ministry.

(共済計理人の選任等)

(Appointment of a Mutual Aid Actuary)

第五十八条の六 共済事業を行う組合（主務省令で定める要件に該当する組合を除く。）は、理事会において共済計理人を選任し、共済掛金の算出方法その他の事項に係る共済の数理に関する事項として主務省令で定めるものに関与させなければならない。

Article 58-6 (1) A cooperative engaged in mutual aid business (excluding a cooperative that meets the requirements specified by order of the competent ministry) must appoint a mutual aid actuary at the council meeting, and have the mutual aid actuary participate in the calculation method of mutual aid premiums and the matters concerning actuarial calculations pertaining to other matters specified by order of the competent ministry.

2 共済計理人は、共済の数理に関して必要な知識及び経験を有する者として主務省令で定める要件に該当する者でなければならない。



(2) A mutual aid actuary must be a person who meets the requirements specified by order of the competent ministry as a person who has the necessary knowledge and experience of mutual aid actuarial calculation.

第五十八条の七 共済計理人は、毎事業年度末において、次に掲げる事項について、主務省令で定めるところにより確認し、その結果を記載した意見書を理事会に提出しなければならない。

Article 58-7 (1) At the end of each business year, a mutual aid actuary must confirm the following particulars pursuant to the provisions of order of the competent ministry, and submit a written opinion stating the results thereof to the council:

一 主務省令で定める共済契約に係る責任準備金が健全な共済の数理に基づいて積み立てられているかどうか。

(i) whether or not the liability reserve pertaining to mutual aid contracts as specified by order of the competent ministry has been accumulated based on a sound mutual aid actuarial calculation

二 契約者割戻しが公正かつ衡平に行われているかどうか。

(ii) whether or not contractor rebates have been provided in a fair and equitable manner

三 その他主務省令で定める事項

(iii) any other particulars specified by order of the competent ministry

2 共済計理人は、前項の意見書を理事会に提出したときは、遅滞なく、その写しを行政庁に提出しなければならない。

(2) When a mutual aid actuary has submitted a written opinion set forth in the preceding paragraph to the council, the mutual aid actuary must submit a copy thereof to an administrative authority without delay.

3 行政庁は、共済計理人に対し、前項の意見書の写しについて説明を求め、その他その職務に属する事項について意見を求めることができる。

(3) An administrative authority may ask a mutual aid actuary to provide an explanation about the copy of the written opinion under the preceding paragraph or to provide an opinion on any other particulars that fall under the duties of the mutual aid actuary.

4 前三項に定めるもののほか、第一項の意見書に関し必要な事項は、主務省令で定める。

(4) In addition to what is provided for in the preceding three paragraphs, particulars necessary for a written opinion under paragraph (1) are specified by order of the competent ministry.

第五十八条の八 行政庁は、共済計理人が、この法律又はこの法律に基づいてする行政庁の処分に違反したときは、当該組合に対し、その解任を命ずることができる。

Article 58-8 An administrative authority may, when a mutual aid actuary

violates this Act or a disposition given by the administrative authority under this Act, order the relevant cooperative to dismiss the mutual aid actuary.

(剰余金の配当)

(Dividends of Surplus)

第五十九条 組合は、損失をてん補し、第五十八条第一項の準備金及び同条第四項の繰越金を控除した後でなければ、剰余金の配当をしてはならない。

Article 59 (1) A cooperative must not distribute its surplus until it has compensated for the loss and deducted the reserve fund under Article 58, paragraph (1) and the balance carried forward under paragraph (4) of that Article.

2 剰余金の配当は、定款の定めるところにより、組合員（火災共済協同組合にあつては、火災共済事業の利用者）が組合の事業を利用した分量に応じ、又は年一割を超えない範囲内において払込済出資額に応じてしなければならない。

(2) Any surplus must be distributed according to the amount of the cooperative's services used by the partner (users of fire mutual aid business in the case of a fire mutual aid cooperative) or according to the amount of contribution paid by the partner within a limit not exceeding ten percent of its surplus per year, pursuant to the provisions of the articles of incorporation.

3 企業組合にあつては、前項の規定にかかわらず、剰余金の配当は、定款の定めるところにより、年二割を超えない範囲内において払込済出資額に応じてし、なお剰余があるときは、組合員（特定組合員を除く。）が企業組合の事業に従事した程度に応じてしなければならない。

(3) Notwithstanding the provisions set forth in the preceding paragraph, in the case of a joint enterprise cooperative, any surplus must be distributed according to the amount of contribution paid by the partner within a limit not exceeding twenty percent of its surplus per year, and if there is more surplus left, distribute the surplus according to the degree to which the partners (excluding specified partners) engaged in the business of the joint enterprise cooperative, pursuant to the provisions of the articles of incorporation.

第六十条 組合は、定款の定めるところにより、組合員が出資の払込を終るまでは、その組合員に配当する剰余金をその払込に充てることができる。

Article 60 Until the partners complete the payment of their contributions, a cooperative may allocate the surplus to be distributed to its partner for the payment, pursuant to the provisions of the articles of incorporation.

(組合の持分取得の禁止)

(Prohibition of Acquisition of Cooperative's Equity Interest)

第六十一条 組合は、組合員の持分を取得し、又は質権の目的としてこれを受けることができない。

Article 61 A cooperative may not acquire the equity interest held by its members nor receive the equity interest as a pledge.

(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 Status of Operations and Assets)

第六十一条の二 共済事業を行う組合は、毎事業年度、業務及び財産の状況に関する事項として主務省令で定めるものを記載した説明書類を作成し、当該組合の事務所（主として共済事業以外の事業の用に供される事務所その他の主務省令で定める事務所を除く。以下この条において同じ。）に備え置き、公衆の縦覧に供しなければならない。

Article 61-2 (1) In each business year, a cooperative engaged in mutual aid business must prepare explanatory documents stating the particulars specified by order of the competent ministry as those concerning the status of the operations and assets, keep these at the offices of the cooperative (excluding offices that are mainly used for activities other than mutual aid activities and any other offices specified by order of the competent ministry; hereinafter the same applies in this Article) and make these available for public inspection.

2 前項の組合のうち第四十条の二第一項の規定により会計監査人の監査を要するものが子会社その他当該組合と主務省令で定める特殊の関係にある者（以下「子会社等」という。）を有する場合には、当該組合は、毎事業年度、前項の説明書類のほか、当該組合及び当該子会社等の業務及び財産の状況に関する事項として主務省令で定めるものを当該組合及び当該子会社等につき連結して記載した説明書類を作成し、当該組合の事務所に備え置き、公衆の縦覧に供しなければならない。

(2) In the case where a cooperative set forth in the preceding paragraph that requires an audit by a financial auditor pursuant to the provisions of Article 40-2, paragraph (1) is a subsidiary or one having a special relationship specified by order of the competent ministry with the cooperative (hereinafter referred to as "subsidiary company, etc."), the cooperative must, in each business year, prepare, in addition to the explanatory documents set forth in the preceding paragraph, explanatory documents stating the particulars specified by order of the competent ministry as those concerning the status of the operations and assets of the cooperative and the subsidiary company, etc., in a consolidated manner for the cooperative and the subsidiary company, etc., keep these at the offices of the cooperative, and make these available for public inspection.

3 前二項に規定する説明書類は、電磁的記録をもつて作成することができる。

(3) The explanatory documents prescribed in the preceding two paragraphs may be prepared in the form of electronic or magnetic records.

4 第一項又は第二項に規定する説明書類が電磁的記録をもつて作成されているときは、組合の事務所において、当該電磁的記録に記録された情報を電磁的方法により不特定多数の者が提供を受けることができる状態に置く措置として主務省令で定めるものを

とることができる。この場合においては、これらの規定に規定する説明書類を、これらの規定により備え置き、公衆の縦覧に供したものとみなす。

(4) When the explanatory documents prescribed in paragraph (1) or paragraph (2) have been prepared in the form of electronic or magnetic records, a cooperative may take a measure specified by ordinance of the competent ministry as one for making the information contained in the electronic or magnetic records available to unspecified and large number of persons by electronic or magnetic means, at the offices of the cooperative. In this case, the cooperative is deemed to be keeping the explanatory documents prescribed in these provisions and have made the documents available for public inspection pursuant to these provisions.

5 前各項に定めるもののほか、第一項又は第二項の説明書類を公衆の縦覧に供する期間その他これらの規定の適用に関し必要な事項は、主務省令で定める。

(5) In addition to what is provided for in the preceding paragraphs, the period during which the explanatory documents under paragraph (1) or paragraph (2) are made available for public inspection and any other necessary particulars concerning the operation of these provisions are specified by order of the competent ministry.

6 第一項の組合は、同項又は第二項に規定する事項のほか、共済事業の利用者が当該組合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開示に努めなければならない。

(6) A cooperative set forth in paragraph (1) must endeavor to disclose the information that would be useful for users of mutual aid activities to learn about the status of the operations and assets of the cooperative and its subsidiary company, etc., in addition to the particulars prescribed in paragraph (1) and paragraph (2).

## 第六節 解散及び清算並びに合併

### Section 6 Dissolution, Liquidation, and Merger

(解散の事由)

(Grounds for Dissolution)

第六十二条 組合は、次の事由によつて解散する。

Article 62 (1) A cooperative dissolves based on any of the following grounds:

一 総会の決議

(i) a resolution of the assembly

二 組合の合併

(ii) a merger of the cooperatives

三 組合についての破産手続開始の決定

(iii) an order to commence bankruptcy proceedings of the cooperative

四 定款で定める存続期間の満了又は解散事由の発生

(iv) expiration of the duration or occurrence of grounds for dissolution prescribed by the articles of incorporation

五 第百六条第二項の規定による解散の命令

(v) an order to dissolve under the provisions of Article 106, paragraph (2)

2 組合は、前項第一号又は第四号の規定により解散したときは、解散の日から二週間以内に、その旨を行政庁に届け出なければならない。

(2) When a cooperative has been dissolved pursuant to the provisions of item (i) or item (iv) of the preceding paragraph, it must notify an administrative authority of the dissolution within two weeks from the date of dissolution.

3 火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会は、第一項各号に掲げる事由のほか、第百六条の二第四項又は第五項の規定により第二十七条の二第一項の認可を取り消されたときは、これによつて解散する。

(3) A fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) is dissolved when the approval set forth in Article 27-2, paragraph (1) is revoked pursuant to the provisions of Article 106-2, paragraph (4) or paragraph (5), in addition to the grounds prescribed in the items of paragraph (1).

4 責任共済等の事業を行う組合又は火災共済協同組合若しくは第九条の九第一項第三号の事業を行う協同組合連合会の解散の決議は、行政庁の認可を受けなければ、その効力を生じない。

(4) A resolution of the dissolution of a cooperative engaged in the activities concerning liability mutual aid, etc., a fire mutual aid cooperative, or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) does not become effective without the approval of an administrative authority.

(合併契約)

(Merger Agreements)

第六十三条 組合は、総会の議決を経て、他の組合と合併をすることができる。この場合においては、合併をする組合は、合併契約を締結しなければならない。

Article 63 A cooperative may merger with another cooperative, following a resolution of the general assembly. In this case, the cooperatives that merge must conclude a merger agreement.

(吸収合併)

(Absorption-Type Mergers)

第六十三条の二 組合が吸収合併（組合が他の組合とする合併であつて、合併により消滅する組合の権利義務の全部を合併後存続する組合に承継させるものをいう。以下この章において同じ。）をする場合には、吸収合併契約において、次に掲げる事項を定めなければならない。

Article 63-2 In the case where a cooperative carries out an absorption-type

merger (meaning a merger carried out by a cooperative with another cooperative where the cooperative surviving the merger succeeds to all the rights and obligations of the cooperative dissolved as a result of the merger; hereinafter the same applies in this Chapter), the following particulars must be prescribed in the absorption-type merger agreement:

一 吸収合併後存続する組合（以下この章において「吸収合併存続組合」という。）及び吸収合併により消滅する組合（以下この章において「吸収合併消滅組合」という。）の名称及び住所

(i) the names and address of the surviving cooperative in the absorption-type merger (hereinafter referred to as the "surviving cooperative" in this Chapter) and the disappearing cooperative in the absorption-type merger (hereinafter referred to as the "disappearing cooperative in the absorption-type merger" in this Chapter)

二 吸収合併存続組合の地区及び出資一口の金額（吸収合併存続組合が企業組合である場合にあつては、出資一口の金額）

(ii) the district and the unit amount of contribution of the surviving cooperative in the absorption-type merger (the unit amount of contribution, in the case where the surviving cooperative in the absorption-type merger is a joint enterprise cooperative)

三 吸収合併消滅組合の組合員に対する出資の割当てに関する事項

(iii) particulars concerning the allocation of contribution to partner of the disappearing cooperative in the absorption-type merger

四 吸収合併消滅組合の組合員に対して支払をする金額を定めたときは、その定め

(iv) when the amount of money to be paid to partners of the disappearing cooperative in the absorption-type merger is decided, the relevant decision

五 吸収合併がその効力を生ずべき日（以下この章において「効力発生日」という。）

(v) the day on which the absorption-type merger is to become effective (hereinafter referred to as the "effective date" in this Chapter)

六 その他主務省令で定める事項

(vi) any other particulars specified by order of the competent ministry

（新設合併）

(Consolidation-Type Mergers)

第六十三条の三 二以上の組合が新設合併（二以上の組合がする合併であつて、合併により消滅する組合の権利義務の全部を合併により設立する組合に承継させるものをいう。以下この章において同じ。）をする場合には、新設合併契約において、次に掲げる事項を定めなければならない。

Article 63-3 In the case where two or more cooperatives carry out a consolidation-type merger (meaning a merger carried out by two or more cooperatives where the cooperative that is incorporated in the merger succeeds

to all the rights and obligations of the disappearing cooperatives in the merger; hereinafter the same applies in this Chapter), the following particulars must be prescribed in the consolidation-type merger agreement:

一 新設合併により消滅する組合（以下この章において「新設合併消滅組合」という。）の名称及び住所

(i) the names and address of the cooperatives that disappears in the consolidation-type merger (hereinafter referred to as the "disappearing cooperatives in the consolidation-type merger" in this Chapter)

二 新設合併により設立する組合（以下この章において「新設合併設立組合」という。）の事業、名称、地区、主たる事務所の所在地及び出資一口の金額（新設合併設立組合が企業組合である場合にあっては、事業、名称、主たる事務所の所在地及び出資一口の金額）

(ii) the activities, name, district, location of the principal office, and unit amount of contribution of the cooperative formed in the consolidation-type merger (hereinafter referred to as the "newly formed cooperative in the consolidation-type merger" in this Chapter) (the activities, name, location of the principal office, and unit amount of contribution, in the case where the newly formed cooperative is a joint enterprise cooperative)

三 新設合併消滅組合の組合員に対する出資の割当てに関する事項

(iii) particulars concerning the allocation of contribution to partners of the disappearing cooperatives in the consolidation-type merger

四 新設合併消滅組合の組合員に対して支払をする金額を定めたときは、その定め

(iv) when the amount of money to be paid to partners of the disappearing cooperatives in the consolidation-type merger is decided, the relevant decision

五 その他主務省令で定める事項

(v) any other particulars specified by order of the competent ministry

（吸収合併消滅組合の手続）

(Procedures for Disappearing Cooperatives in Consolidation-type Mergers)

第六十三条の四 吸収合併消滅組合は、次に掲げる日のいずれか早い日から吸収合併の効力が生ずる日までの間、吸収合併契約の内容その他主務省令で定める事項を記載し、又は記録した書面又は電磁的記録をその主たる事務所に備え置かなければならない。

Article 63-4 (1) A disappearing cooperative in the consolidation-type merger must, during the period from the following dates, whichever is earlier, to the date on which the absorption-type merger becomes effective, keep a document or electronic or magnetic record stating or recording the details of the absorption-type merger agreement and other particulars specified by order of the competent ministry at its principal office:

一 第三項の総会の会日の二週間前の日

(i) The day two weeks prior to the date of the general assembly set forth in

paragraph (3)

二 第四項において準用する第五十六条の二第二項の規定による公告の日又は第四項において準用する同条第二項の規定による催告の日のいずれか早い日

(ii) The date of the public notice prescribed in Article 54-2, paragraph (2) as applied mutatis mutandis pursuant to the provisions of paragraph (4) or the date of the notice prescribed in paragraph (2) of that Article as applied mutatis mutandis to the provisions of paragraph (4), whichever is earlier

2 吸収合併消滅組合の組合員及び債権者は、当該吸収合併消滅組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併消滅組合の定めた費用を支払わなければならない。

(2) Partners and obligees of a disappearing cooperative in absorption-type merger may make the following requests to the disappearing cooperative in the absorption-type merger at any time during its business hours; provided, however, that the partners and obligees must pay a fee specified by the the disappearing cooperative in the absorption-type merger when making a request set forth in item (ii) or item (iv):

一 前項の書面の閲覧の請求

(i) a request for inspection of the document set forth in the preceding paragraph

二 前項の書面の謄本又は抄本の交付の請求

(ii) a request for provision of a transcript or an extract of the document set forth in the preceding paragraph

三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) a request for inspection of the information recorded in the electronic or magnetic record set forth in the preceding paragraph that are displayed by a method specified by order of the competent ministry

四 前項の電磁的記録に記録された事項を電磁的方法であつて主務省令で定めるものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) a request for provision of the information recorded in the electronic or magnetic record set forth in the preceding paragraph by electronic or magnetic means that has been specified by order of the competent ministry or a request for provision of a document including the relevant information

3 吸収合併消滅組合は、効力発生日の前日までに、総会の決議によつて、合併契約の承認を受けなければならない。

(3) A disappearing cooperative in absorption-type merger must have the merger agreement approved by a resolution of the assembly by the day before the effective date.

4 吸収合併消滅組合については、第五十六条の二の規定を準用する。

(4) With regard to a disappearing cooperative in absorption-type merger, the



provisions of Article 56-2 apply mutatis mutandis.

5 吸収合併消滅組合は、吸収合併存続組合との合意により、効力発生日を変更することができる。

(5) A disappearing cooperative in absorption-type merger may change the effective date by agreement with the surviving cooperative in the absorption-type merger.

6 前項の場合には、吸収合併消滅組合は、変更前の効力発生日（変更後の効力発生日が変更前の効力発生日前の日である場合にあっては、当該変更後の効力発生日）の前日までに、変更後の効力発生日を公告しなければならない。

(6) In the case set forth in the preceding paragraph, the disappearing cooperative in the absorption-type merger must announce the changed effective date to the public by the day prior to the former effective date (the changed effective date in the case where the changed effective date is earlier than the former effective date).

7 第五項の規定により効力発生日を変更したときは、変更後の効力発生日を効力発生日とみなして、この条、次条及び第六十五条の規定を適用する。

(7) When the effective date is changed pursuant to the provisions of paragraph (5), the provisions of this Article, the following Article, and Article 65 apply mutatis mutandis by deeming the changed effective date to be the effective date.

(吸収合併存続組合の手続)

(Procedures for Surviving Cooperatives in Absorption-type Mergers)

第六十三条の五 吸収合併存続組合は、次に掲げる日のいずれか早い日から吸収合併の効力が生じた日後六月を経過する日までの間、吸収合併契約の内容その他主務省令で定める事項を記載し、又は記録した書面又は電磁的記録をその主たる事務所に備え置かなければならない。

Article 63-5 (1) A surviving cooperative in the absorption-type merger must, during the period from the following dates, whichever is earlier, to the date on which six months have elapsed from the date on which the absorption-type merger becomes effective, keep a document or electronic or magnetic record stating or recording the details of the absorption-type merger agreement and other particulars specified by order of the competent ministry at its principal office:

一 吸収合併契約について総会の決議によつてその承認を受けなければならないときは、当該総会の会日の二週間前の日

(i) when it is necessary to obtain the approval for the absorption-type merger agreement by a resolution of the general assembly, the day two weeks before the date of the general assembly

二 第五項の規定による公告又は通知の日のいずれか早い日

(ii) the date of public notice or notice under the provisions of paragraph (5),

whichever is earlier

三 第六項において準用する第五十六条の二第二項の規定による公告の日又は第六項において準用する同条第二項の規定による催告の日のいずれか早い日

(iii) the date of the public notice prescribed in Article 56-2, paragraph (2) as applied mutatis mutandis pursuant to the provisions of paragraph (6) or the date of the notice prescribed in paragraph (2) of that Article as applied mutatis mutandis to the provisions of paragraph (6), whichever is earlier

2 吸収合併存続組合の組合員及び債権者は、当該吸収合併存続組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併存続組合の定めた費用を支払わなければならない。

(2) Partners and obligees of a surviving cooperative in absorption-type merger may make the following requests to the surviving cooperative at any time during its business hours; provided, however, that the partners and obligees must pay a fee specified by the surviving cooperative when making a request set forth in item (ii) or item (iv):

一 前項の書面の閲覧の請求

(i) a request for inspection of the document set forth in the preceding paragraph

二 前項の書面の謄本又は抄本の交付の請求

(ii) a request for provision of a transcript or an extract of the document set forth in the preceding paragraph

三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) a request for inspection of the information recorded in the electronic or magnetic record set forth in the preceding paragraph that are displayed by a method specified by order of the competent ministry

四 前項の電磁的記録に記録された事項を電磁的方法であつて吸収合併存続組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) a request for provision of the information recorded in the electronic or magnetic record set forth in the preceding paragraph by electronic or magnetic means that are specified by the surviving cooperative in the absorption-type merger or a request for provision of a document stating the relevant information

3 吸収合併存続組合は、効力発生日の前日までに、総会の決議によつて、吸収合併契約の承認を受けなければならない。ただし、吸収合併消滅組合の総組合員の数が吸収合併存続組合の総組合員の数の五分の一を超えない場合であつて、かつ、吸収合併消滅組合の最終の貸借対照表により現存する総資産額が吸収合併存続組合の最終の貸借対照表により現存する総資産額の五分の一を超えない場合の合併については、この限りでない。

(3) A surviving cooperative in absorption-type merger must obtain the approval

for the absorption-type merger agreement by a resolution of the general assembly by the day before the effective date; provided, however, that this does not apply to a merger where the total number of partners of the disappearing cooperative in the absorption-type merger does not exceed one-fifth of the total number of the surviving cooperatives, and the total amount of assets actually held by the disappearing cooperative based on the final balance sheet does not exceed one-fifth of the total amount of assets actually held by the surviving cooperative based on the final balance sheet.

4 吸収合併存続組合が前項ただし書の規定により総会の決議を経ないで合併をする場合において、吸収合併存続組合の総組合員の六分の一以上の組合員が次項の規定による公告又は通知の日から二週間以内に合併に反対する旨を吸収合併存続組合に対し通知したときは、効力発生日の前日までに、総会の決議によつて、吸収合併契約の承認を受けなければならない。

(4) In the case where a surviving cooperative in absorption-type merger carries out a merger without a resolution of the general assembly pursuant to the provisions of the proviso to the preceding paragraph, if at least one-sixth of all the partners of the surviving cooperative have notified the surviving cooperative of their opposition to the merger within two weeks from the date of public notice or notice under the provisions of the following paragraph, then the surviving cooperative must obtain the approval for the absorption-type merger agreement by a resolution of the general assembly by the day before the effective date.

5 吸収合併存続組合が第三項ただし書の規定により総会の決議を経ないで合併をする場合には、吸収合併存続組合は、効力発生日の二十日前までに、合併をする旨並びに吸収合併消滅組合の名称及び住所を公告し、又は組合員に通知しなければならない。

(5) In the case where a surviving cooperative in absorption-type merger carries out a merger without a resolution of the general assembly pursuant to the provisions of the proviso to paragraph (3), the surviving cooperative must give a public notice or give notice to its partner stating that it will carry out a merger and the name and the address of the disappearing cooperative, by twenty days prior to the effective date.

6 吸収合併存続組合については、第五十六条の二の規定を準用する。

(6) With regard to a surviving cooperative, the provisions of Article 56-2 apply *mutatis mutandis*.

7 吸収合併存続組合は、吸収合併の効力が生じた日後遅滞なく、吸収合併により吸収合併存続組合が承継した吸収合併消滅組合の権利義務その他の吸収合併に関する事項として主務省令で定める事項を記載し、又は記録した書面又は電磁的記録を作成しなければならない。

(7) A surviving cooperative in absorption-type merger must, without delay after the date on which the absorption-type merger becomes effective, prepare a document or an electronic or magnetic record stating or recording the rights

and obligations of the disappearing cooperative to which the surviving cooperative has succeeded in the absorption-type merger and any other particulars specified by order of the competent ministry as those concerning the absorption-type merger.

8 吸収合併存続組合は、吸収合併の効力が生じた日から六月間、前項の書面又は電磁的記録をその主たる事務所に備え置かなければならない。

(8) A surviving cooperative in absorption-type merger must keep the document or electronic or magnetic record set forth in the preceding paragraph at its principal office for a period of six months from the date on which the absorption-type merger becomes effective.

9 吸収合併存続組合の組合員及び債権者は、当該吸収合併存続組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併存続組合の定めた費用を支払わなければならない。

(9) Partners and obligees of a surviving cooperative in absorption-type merger may make the following requests to the surviving cooperative at any time during its business hours; provided, however, that the partners and obligees must pay a cost specified by the surviving cooperative when making a request set forth in item (ii) or item (iv):

一 前項の書面の閲覧の請求

(i) a request for inspection of the document set forth in the preceding paragraph

二 前項の書面の謄本又は抄本の交付の請求

(ii) a request for provision of a transcript or an extract of the document set forth in the preceding paragraph

三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) a request for inspection of the information recorded in the electronic or magnetic record set forth in the preceding paragraph that are displayed by a method specified by order of the competent ministry

四 前項の電磁的記録に記録された事項を電磁的方法であつて吸収合併存続組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) a request for provision of the information recorded in the electronic or magnetic record set forth in the preceding paragraph by electronic or magnetic means that are specified by the surviving cooperative or a request for provision of a document stating the relevant information

(新設合併消滅組合の手続)

(Procedures for Disappearing Cooperatives in Consolidation-type Mergers)

第六十三条の六 新設合併消滅組合は、次に掲げる日のいずれか早い日から新設合併設立組合の成立の日までの間、新設合併契約の内容その他主務省令で定める事項を記載

し、又は記録した書面又は電磁的記録をその主たる事務所に備え置かなければならない。

Article 63-6 (1) A disappearing cooperative in consolidation-type merger must, during the period from the following dates, whichever is earlier, to the date of the establishment of the newly formed cooperative in the consolidation-type merger, keep a document or electronic or magnetic record stating or recording the details of the consolidation-type merger agreement and other particulars specified by order of the competent ministry at its principal office:

一 第三項の総会の会日の二週間前の日

(i) the day two weeks prior to the date of the general assembly set forth in paragraph (3)

二 第四項において準用する第五十六条の二第二項の規定による公告の日又は第四項において準用する同条第二項の規定による催告の日のいずれか早い日

(ii) the date of the public notice prescribed in Article 56-2, paragraph (2) as applied mutatis mutandis pursuant to the provisions of paragraph (4) or the date of the notice prescribed in paragraph (2) of that Article as applied mutatis mutandis to the provisions of paragraph (4), whichever is earlier

2 新設合併消滅組合の組合員及び債権者は、当該新設合併消滅組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該新設合併消滅組合の定めた費用を支払わなければならない。

(2) Partners and obligees of a disappearing cooperative in consolidation-type merger may make the following requests to the disappearing cooperative at any time during its business hours; provided, however, that the partners and obligees must pay a cost specified by the disappearing cooperative when making a request set forth in item (ii) or item (iv):

一 前項の書面の閲覧の請求

(i) a request for inspection of the document set forth in the preceding paragraph

二 前項の書面の謄本又は抄本の交付の請求

(ii) a request for provision of a transcript or an extract of the document set forth in the preceding paragraph

三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) a request for inspection of the information recorded in the electronic or magnetic record set forth in the preceding paragraph that are displayed by a method specified by order of the competent ministry

四 前項の電磁的記録に記録された事項を電磁的方法であつて新設合併消滅組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) a request for provision of the information recorded in the electronic or magnetic record set forth in the preceding paragraph by electronic or

magnetic means that are specified by the consolidated cooperative or a request for provision of a document stating the information

3 新設合併消滅組合は、総会の決議によつて、新設合併契約の承認を受けなければならない。

(3) A disappearing cooperative in consolidation-type merger must obtain approval for consolidation agreement by a resolution of the general assembly.

4 新設合併消滅組合については、第五十六条の二の規定を準用する。

(4) With regard to a disappearing cooperative in consolidation-type merger, the provisions of Article 56-2 apply mutatis mutandis.

(新設合併設立組合の手続等)

(Procedura for Newly Formed Cooperatives)

第六十四条 第四節（第三十条を除く。）の規定は、新設合併設立組合の設立については、適用しない。

Article 64 (1) The provisions of Section 4 (excluding Article 30) do not apply to the incorporation of a newly formed cooperative.

2 合併によつて組合を設立するには、各組合がそれぞれ総会において組合員のうちから選任した設立委員が共同して定款を作成し、役員を選任し、その他設立に必要な行為をしなければならない。

(2) In order to incorporate a cooperative through a merger, organizing committee members whom the respective cooperatives have appointed from among their partners at the general assembly must jointly prepare the articles of incorporation, appoint officers and carry out any other necessary acts for the incorporation.

3 前項の規定による役員任期は、最初の通常総会の日までとする。

(3) The term of office of an officer under the provisions set forth in the preceding paragraph expires on the date of the general assembly.

4 第二項の規定による設立委員の選任については、第五十三条の規定を準用する。

(4) With regard to the appointment of organizing committee members under the provisions of paragraph (2), the provisions of Article 53 apply mutatis mutandis.

5 第二項の規定による役員選任については、第三十五条第四項本文、第五項本文及び第六項の規定を準用する。

(5) With regard to the appointment of officers under the provisions of paragraph (2), the provisions of the main clause of Article 35, paragraph (4), the main clause of Article 35, paragraph (5), and Article 35, paragraph (6) apply mutatis mutandis.

6 新設合併設立組合は、成立の日後遅滞なく、新設合併により新設合併設立組合が承継した新設合併消滅組合の権利義務その他の新設合併に関する事項として主務省令で定める事項を記載し、又は記録した書面又は電磁的記録を作成しなければならない。

(6) A newly formed cooperative must, without delay after the date of

establishment, prepare a document or an electronic or magnetic record stating or recording the rights and obligations of the disappearing consolidated cooperatives in the consolidated-type merger to which the newly formed cooperative has succeeded by the consolidation-type merger and any other particulars specified by order of the competent ministry as those concerning the consolidation-type merger.

7 新設合併設立組合は、成立の日から六月間、前項の書面又は電磁的記録をその主たる事務所に備え置かなければならない。

(7) A newly formed cooperative must keep the document or electronic or magnetic record set forth in the preceding paragraph at its principal office for a period of six months from the date of incorporation.

8 新設合併設立組合の組合員及び債権者は、当該新設合併設立組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該新設合併設立組合の定めた費用を支払わなければならない。

(8) Partners and obligees of a newly formed cooperative may make the following requests to the newly formed cooperative at any time during its business hours; provided, however, that the partners and obligees must pay a cost specified by the newly formed cooperative when making a request set forth in item (ii) or item (iv):

一 前項の書面の閲覧の請求

(i) a request for inspection of the document set forth in the preceding paragraph

二 前項の書面の謄本又は抄本の交付の請求

(ii) a request for provision of a transcript or an extract of the document set forth in the preceding paragraph

三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) a request for inspection of the information recorded in the electronic or magnetic record set forth in the preceding paragraph that are displayed by a method specified by order of the competent ministry

四 前項の電磁的記録に記録された事項を電磁的方法であつて新設合併設立組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) a request for provision of the information recorded in the electronic or magnetic record set forth in the preceding paragraph by electronic or magnetic means that are specified by the newly formed cooperative in the consolidation-type merger or a request for provision of a document stating the relevant information

(合併の効果)

(Validity of Mergers)

第六十五条 吸収合併存続組合は、効力発生日又は次条第一項の行政庁の認可を受けた日のいずれか遅い日に、吸収合併消滅組合の権利義務（その組合がその行う事業に関し、行政庁の許可、認可その他の処分に基ついて有する権利義務を含む。次項において同じ。）を承継する。

Article 65 (1) A surviving cooperative in absorption-type merger succeeds to the rights and obligations of the disappearing cooperative in the absorption-type merger (including the rights and obligations that the cooperative holds with regard to its activities based on a permission, an approval or any other disposition of an administrative authority; the same applies in the following paragraph) on the effective date or the date on which it obtains the approval of an administrative authority set forth in paragraph (1) of the following Article, whichever is later.

2 新設合併設立組合は、その成立の日に、新設合併消滅組合の権利義務を承継する。

(2) A newly formed cooperative in consolidation-type merger succeeds to the rights and obligations of the disappearing cooperative in the consolidation-type merger on the date of its establishment.

(合併の認可)

(Approval for Mergers)

第六十六条 組合の合併については、行政庁の認可を受けなければ、その効力を生じない。

Article 66 (1) A merger of cooperatives does not become effective without the approval of an administrative authority.

2 前項の認可については、第二十七条の二第四項から第六項までの規定を準用する。

(2) With regard to the approval set forth in the preceding paragraph, the provisions of Article 27, paragraphs (4) to (6) apply mutatis mutandis.

(合併の無効の訴え)

(Action for Invalidation of a Merger)

第六十七条 組合の合併の無効の訴えについては、会社法第八百二十八条第一項（第七号及び第八号に係る部分に限る。）及び第二項（第七号及び第八号に係る部分に限る。）、第八百三十四条（第七号及び第八号に係る部分に限る。）、第八百三十五条第一項、第八百三十六條から第八百三十九條まで、第八百四十三条（第一項第三号及び第四号並びに第二項ただし書を除く。）並びに第八百四十六条（合併の無効の訴え）の規定（監査権限限定組合にあつては、監査役に係る部分を除く。）を、この条において準用する同法第八百四十三条第四項の申立てについては、同法第八百六十八条第五項、第八百七十条（第十五号に係る部分に限る。）、第八百七十一条本文、第八百七十二條（第四号に係る部分に限る。）、第八百七十三條本文、第八百七十五條及び第八百七十六條（非訟）の規定を準用する。

Article 67 With regard to an action for the invalidation of a merger, the provisions of Article 828, paragraph (1) (limited to the parts pertaining to item



(vii) and item (viii)) and paragraph (2) (limited to the parts pertaining to item (vii) and item (viii)), Article 834 (limited to the parts pertaining to item (vii) and item (viii)), Article 835, paragraph (1), Articles 836 to 839, Article 843 (excluding paragraph (1), item (iii) and item (iv) and the proviso to paragraph (2)), and Article 846 (Action for Invalidation of a Merger) (excluding the parts pertaining to company auditors, in the case of a cooperative limiting the audit authority) of the Companies Act apply mutatis mutandis; and with regard to a motion set forth in Article 843, paragraph (4) of that Act as applied mutatis mutandis pursuant to the provisions of this Article, the provisions of Article 868, paragraph (5), Article 870 (limited to the parts pertaining to item (xv)), the main clause of Article 871, Article 872 (limited to the part pertaining to item (iv)), the main clause of Article 873, Article 875, and Article 876 (Non-Contentious Cases) of the Companies Act.

(清算人)

(Liquidators)

第六十八条 組合が解散したときは、合併及び破産手続開始の決定による解散の場合を除いては、理事が、その清算人となる。ただし、総会において他人を選任したときは、この限りでない。

Article 68 (1) When a cooperative has been dissolved, the directors of the cooperative become the liquidators, except in the case of a dissolution based on an order to commence bankruptcy proceedings; provided, however, that this does not apply when another person has been appointed as a liquidator at the general assembly.

2 火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会が第六十六条の二第四項又は第五項の規定による第二十七条の二第一項の認可の取消しにより解散したときは、前項の規定及び第六十九条第一項において準用する会社法第四百七十八条第二項の規定にかかわらず、行政庁が清算人を選任する。

(2) When a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) has been dissolved based on the revocation of the approval set forth in Article 27-2, paragraph (1) under the provisions of Article 106-2, paragraph (4) or paragraph (5), an administrative authority appoints the liquidator, notwithstanding the provisions of the preceding paragraph and the provisions of Article 478, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1).

(解散後の共済金額の支払)

(Payment of Mutual Aid Money After Dissolution)

第六十八条の二 共済事業を行う組合は、総会の決議、第六十六条の二第四項又は第五項の規定による第二十七条の二第一項の認可の取消し又は第六十六条第二項の規定による

解散命令により解散したときは、共済金額を支払うべき事由が解散の日から九十日以内に生じた共済契約については、共済金額を支払わなければならない。

Article 68-2 (1) When a cooperative engaged in mutual aid activities has been dissolved based on a resolution of the general assembly, revocation of the approval set forth in Article 27-2, paragraph (1) under the provisions of Article 106-2, paragraph (4) or paragraph (5), or a dissolution order under the provisions of Article 106, paragraph (2), it must pay mutual aid money with regard to a mutual aid contract for which grounds for the payment of mutual aid money has occurred within ninety days from the date of dissolution.

2 前項の組合は、第六十二条第一項第四号に掲げる事由により解散したときは、その解散の日から共済契約の期間の末日までの期間に対する共済掛金を払い戻さなければならない。

(2) When a cooperative under the preceding paragraph has been dissolved based on the grounds set forth in Article 62, paragraph (1), item (iv), it must refund the mutual aid premium for the period from the date of dissolution to the expiration date of the mutual aid contract.

3 第一項の組合は、同項に掲げる事由により解散したときは、同項の期間が経過した日から共済契約の期間の末日までの期間に対する共済掛金を払い戻さなければならない。

(3) When a cooperative under paragraph (1) has been dissolved based on the grounds set forth in that paragraph, it must refund the mutual aid premium for the period from the day on which the period set forth in that paragraph has elapsed to the expiration date of the mutual aid contract.

(財産処分 of 順序)

(Order of Disposition of Property)

第六十八条の三 火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会の清算人は、次の順序に従つて組合の財産を処分しなければならない。

Article 68-3 The liquidator of a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) must dispose of the property of the cooperative or the federation according to the following order:

一 一般の債務の弁済

(i) payment of general obligations

二 共済金額並びに前条第二項及び第三項に規定する共済掛金の支払

(ii) payment of mutual aid money and the mutual aid premiums prescribed in paragraph (2) and paragraph (3) of the preceding Article

三 残余財産の分配

(iii) distribution of residual assets

(会社法の準用等)

(Mutatis Mutandis Application of the Companies Act)

第六十九条 組合の解散及び清算については、会社法第四百七十五条（第一号及び第三号を除く。）、第四百七十六条、第四百七十八条第二項及び第四項、第四百七十九条第一項及び第二項（各号列記以外の部分に限る。）、第四百八十一条、第四百八十三条第四項及び第五項、第四百八十四条、第四百八十五条、第四百八十九条第四項及び第五項、第四百九十二条第一項から第三項まで、第四百九十九条から第五百三条まで、第五百七条（株式会社の清算）、第八百六十八条第一項、第八百六十九条、第八百七十条（第二号及び第三号に係る部分に限る。）、第八百七十一条、第八百七十二条

（第四号に係る部分に限る。）、第八百七十四条（第一号及び第四号に係る部分に限る。）、第八百七十五条並びに第八百七十六条（非訟）並びに非訟事件手続法（明治三十一年法律第十四号）第四十条（検査をすべき者の選任の裁判）の規定を、組合の清算人については、第三十五条の三、第三十五条の四、第三十六条の二、第三十六条の三第一項及び第二項、第三十六条の五から第三十八条の四まで（第三十六条の七第四項を除く。）、第四十条（第一項、第十一項及び第十三項を除く。）、第四十七条第二項から第四項まで、第四十八条並びに第五十三条の二並びに会社法第三百五十七条第一項、同法第三百六十条第三項の規定により読み替えて適用する同条第一項並びに同法第三百六十一条、第三百八十一条第二項、第三百八十二条、第三百八十三条第一項本文、第二項及び第三項、第三百八十四条から第三百八十六条まで並びに第五百八条の規定を、組合の清算人の責任を追及する訴えについては、同法第七編第二章第二節（第八百四十七条第二項、第八百四十九条第二項第二号及び第五項並びに第八百五十一条を除き、監査権限限定組合にあつては、監査役に係る部分を除く。）（株式会社における責任追及等の訴え）の規定を、監査権限限定組合の清算人については、同法第三百五十三条、第三百六十条第一項及び第三百六十四条の規定を準用する。この場合において、第四十条第二項中「財産目録、貸借対照表、損益計算書、剰余金処分案又は損失処理案」とあるのは「財産目録、貸借対照表」と、「事業報告書」とあるのは「事務報告書」と、同条第三項、第五項から第十項まで並びに第十二項第一号及び第三号中「事業報告書」とあるのは「事務報告書」と、同法第三百八十二条中「取締役（取締役会設置会社にあつては、取締役会）」とあるのは「清算人会」と、同法第四百七十九条第二項各号列記以外の部分中「次に掲げる株主」とあるのは「総組合員の五分の一以上の同意を得た組合員」と、同法第三百八十四条、第四百九十二条第一項、第五百七条第一項並びに第八百四十七条第一項及び第四項中「法務省令」とあるのは「主務省令」と、同法第四百九十九条第一項中「官報に公告し」とあるのは「公告し」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

Article 69 (1) With regard to the dissolution and liquidation of a cooperative, the provisions of Article 475 (excluding item (i) and item (iii)), Article 476, Article 478, paragraph (2) and paragraph (4), Article 479, paragraph (1) and paragraph (2) (limited to the parts other than those prescribed in the respective items), Article 481, Article 483, paragraph (4) and paragraph (5), Article 484, Article 485, Article 489, paragraph (4) and paragraph (5), Article 492, paragraphs (1) through (3), Articles 499 through 503, Article 507 (Liquidation of a Stock Company), Article 868, paragraph (1), Article 869,

Article 870 (limited to the parts pertaining to item (ii) and item (iii)), Article 871, Article 872 (limited to the parts pertaining to item (iv)), Article 874 (limited to the parts pertaining to item (i) and item (iv)), Article 875, and Article 876 (Non-Contentious Cases) of the Companies Act and Article 40 (Judicial Decision for Appointment of a Person to Conduct Inspections) of the Non-Contentious Cases Procedure Act (Act No. 14 of 1898) apply mutatis mutandis; with regard to a liquidator of a cooperative, the provisions of Article 35-3, Article 35-4, Article 36-2, Article 36-3, paragraph (1) and paragraph (2), Articles 36-5 through 38-4 (excluding Article 36-7, paragraph (4)), Article 40 (excluding paragraph (1), paragraph (11), and paragraph (13)), Article 47, paragraphs (2) to (4), Article 48, and Article 53-2 of this Act, the provisions of Article 357, paragraph (1) of the Companies Act, paragraph (1) of that Article as applied mutatis mutandis by replacing the terms pursuant to the provisions of Article 360, paragraph (3) of that Act, and the provisions of Article 361, Article 381, paragraph (2), Article 382, the main clause of Article 383, paragraph (1), Article 383, paragraph (2) and paragraph (3), Articles 384 through 386, and Article 508 of the Companies Act apply mutatis mutandis; with regard to an action to enforce liability of a liquidator of a cooperative, the provisions of Part VII, Chapter II, Section 2 (excluding Article 847, paragraph (2), Article 849, paragraph (2), item (ii) and paragraph (5), and Article 851, and excluding the parts pertaining to the company auditors in the case of a cooperative limiting the audit authority) (Action to Enforce Liability, etc. of a Stock Company) of that Act apply mutatis mutandis; and with regard to a liquidator of a cooperative limiting the audit authority, the provisions of Article 353, Article 360, paragraph (1) and Article 364 of that Act apply mutatis mutandis. In this case, the phrase "an inventory of assets, a balance sheet, a profit and loss statement, and a plan for the appropriation of surplus or a plan for the disposition of losses" in Article 40, paragraph (2) is deemed to be replaced with "an inventory of assets and a balance sheet," the term "a business report" in that paragraph is deemed to be replaced with a "progress report," the term "business report" in paragraph (3), paragraphs (5) to (10), and paragraph (12), item (i) and item (iii) of that Article is deemed to be replaced with a "progress report," the term "the directors (or, for a Company with Board of Directors, to the board of directors)" in Article 382 of the Companies Act is deemed to be replaced with "the board of liquidators," the term "the following shareholders" in the parts of Article 479, paragraph (2) of the Companies Act other than those prescribed in the respective items is deemed to be a "member who has obtained the consent of one-fifth or more of all partners," the term "Ministry of Justice Order" in Article 384, Article 492, paragraph (1), Article 507, paragraph (1), and Article 847, paragraph (1) and paragraph (4) of that Act is deemed to be "order of the competent ministry," the phrase "give public

notice in the official gazette" in Article 499, paragraph (1) of that Act is deemed to be replaced with "give public notice," and any other necessary technical replacement of terms is specified by Cabinet Order.

2 組合の解散及び清算を監督する裁判所は、組合の業務を監督する行政庁に対し、意見を求め、又は調査を囑託することができる。

(2) A court supervising the dissolution and liquidation of a cooperative may seek the opinion of or entrust an investigation with an administrative authority supervising the operations of the cooperative.

3 前項に規定する行政庁は、同項に規定する裁判所に対し、意見を述べることができる。

(3) An administrative authority prescribed in the preceding paragraph may state its opinion to the court prescribed in that paragraph.

### 第三章 中小企業団体中央会

#### Chapter III Federations of Small Business Associations

##### 第一節 通則

##### Section 1 General Rules

(種類)

(Types)

第七十条 中小企業団体中央会（以下「中央会」という。）は、都道府県中小企業団体中央会（以下「都道府県中央会」という。）及び全国中小企業団体中央会（以下「全国中央会」という。）とする。

Article 70 Federations of Small Business Associations (hereinafter referred to as "FSBAs") consist of prefectural federations of small business associations (hereinafter referred to as "prefectural FSBAs") and the national federation of small business associations (hereinafter referred to as "national FSBA").

(人格及び住所)

(Personality and Address)

第七十一条 中央会は、法人とする。

Article 71 (1) the FSBA is a juridical person.

2 中央会の住所は、その主たる事務所の所在地にあるものとする。

(2) The address of the FSBA is the address at which its principal office is located.

(名称)

(Name)

第七十二条 中央会は、その名称中に、次の文字を用いなければならない。

Article 72 (1) The FSBA must use the following words in its name:

一 都道府県中央会にあつては、その地区の都道府県の名称を冠する中小企業団体中央会

(i) in the case of a prefectural FSBA, "federation of small business associations" bearing the name of the prefecture of its district

二 全国中央会にあつては、全国中小企業団体中央会

(ii) in the case of the national FSBA, "national federation of small business associations"

2 中央会以外の者は、その名称中に、都道府県中央会又は全国中央会であることを示す文字を用いてはならない。

(2) No person other than the FSBA may use in its name a word indicating a prefectural FSBA or the national FSBA.

(数)

(Number of FSBA)

第七十三条 都道府県中央会は、都道府県ごとに一個とし、その地区は、都道府県の区域による。

Article 73 (1) There is only one prefectural FSBA in each prefecture, and its district is the district of the prefecture.

2 全国中央会は、全国を通じて一個とする。

(2) There is only one national FSBA throughout the country.

## 第二節 事業

### Section 2 Activities

(都道府県中央会)

(Prefectural FSBA)

第七十四条 都道府県中央会は、次の事業を行うものとする。

Article 74 (1) A prefectural FSBA engage in the following activities:

一 組合、協業組合、商工組合、商工組合連合会、商店街振興組合及び商店街振興組合連合会（以下「組合等」という。）の組織、事業及び経営の指導並びに連絡

(i) providing instructions regarding organization, activities, and management to cooperatives, joint cooperatives, commercial and industrial cooperatives, federations of commercial and industrial cooperatives, shopping district promotion cooperatives, and federations of shopping district promotion cooperatives (hereinafter referred to as "cooperatives, etc."), and liaison between them

二 組合等の監査

(ii) audits of cooperatives, etc.

三 組合等に関する教育及び情報の提供

(iii) education on and provision of information about cooperatives, etc.

四 組合等に関する調査及び研究

(iv) investigations and research on cooperatives, etc.

五 組合等の事業に関する展示会、見本市等の開催又はその開催のあつせん

(v) holding of exhibitions, fairs, etc. concerning the activities of cooperatives, etc. and conducting of mediation thereof

六 前各号の事業のほか、組合等及び中小企業の健全な発達を図るために必要な事業

(vi) in addition to the activities set forth in the preceding items, activities necessary for achieving the sound development of cooperatives, etc. and small and medium-sized enterprises

2 都道府県中央会は、組合等、中央会及び中小企業に関する事項について、国会、地方公共団体の議会又は行政庁に建議することができる。

(2) A prefectural FSBA may make proposal on the particulars concerning cooperatives, etc., FSBA, and small and medium-sized enterprises to the Diet, a council of a local government, or an administrative authority.

(全国中央会)

(National FSBA)

第七十五条 全国中央会は、次の事業を行うものとする。

Article 75 (1) The national FSBA is to engage in the following activities:

一 都道府県中央会の組織及び事業の指導並びに連絡

(i) provision of instructions regarding its organization and activities to prefectural FSBA and liaison between them

一の二 組合等の連絡

(i)-2 liaison between cooperatives, etc.

二 組合等に関する教育及び情報の提供

(ii) education on and provision of information about cooperatives, etc.

三 組合等に関する調査及び研究

(iii) investigation and research on cooperatives, etc.

四 組合等の組織、事業及び経営に関する知識についての検定

(iv) provision of examinations on knowledge concerning the organization, activities and management of cooperatives, etc.

五 組合等の事業に関する展示会、見本市等の開催又はその開催のあつせん

(v) holding of exhibitions, fairs, etc. concerning the activities of cooperatives, etc. and mediation thereof

六 前各号の事業のほか、組合等、都道府県中央会及び中小企業の健全な発達を図るために必要な事業

(vi) in addition to the activities set forth in the preceding items, activities necessary for achieving the sound development of cooperatives, etc., prefectural FSBA, and small and medium-sized enterprises

2 全国中央会は、その事業を行うために必要があるときは、定款の定めるところにより、都道府県中央会に対し、その業務若しくは会計に関する報告を求め、又は事業計画の設定若しくは変更その他業務若しくは会計に関する重要な事項について指示することができる。

(2) The national FSBA may, when it is necessary to carry out its activities,

request a prefectural FSBA to report on the operations or accounting thereof, or provide instructions to a prefectural FSBA regarding the establishment of or a change to the activity plan or any other important matters concerning their operations or accounting, pursuant to the provisions of the articles of incorporation.

3 全国中央会については、前条第二項の規定を準用する。

(3) With regard to the national FSBA, the provisions of paragraph (2) of the preceding Article apply mutatis mutandis.

(私的独占禁止法の適用除外)

(Exclusion from Application of the Act on Prohibition of Private Monopolization)

第七十五条の二 私的独占禁止法第八条第一項第一号及び第四号の規定は、中央会が行う第七十四条第一項各号及び前条第一項各号の事業については、適用しない。ただし、不公正な取引方法を用いる場合又は一定の取引分野における競争を実質的に制限することにより不当に対価を引き上げることとなる場合は、この限りでない。

Article 75-2 The provisions of Article 8, paragraph (1), item (i) and item (iv) of the Act on Prohibition of Private Monopolization do not apply to the activities set forth in the items of Article 47, paragraph (1) and the items of paragraph (1) of the preceding Article carried out by an FSBA; provided, however, that this does not apply to the designation of unfair trade practices or where competition in any particular field of trade is substantially restrained, resulting in unreasonable price increase.

### 第三節 会員

#### Section 3 Members

(会員の資格)

(Qualification of Members)

第七十六条 都道府県中央会の会員たる資格を有する者は、次の者とする。

Article 76 (1) Persons that are qualified to be a member of a prefectural FSBA are as follows:

一 都道府県中央会の地区内に事務所を有する組合等

(i) a cooperative, etc. having an office within the district of the prefectural FSBA

二 前号の者以外の者であつて、定款で定めるもの

(ii) a person other than the person set forth in the preceding item, who is specified by the articles of incorporation

2 全国中央会の会員たる資格を有する者は、次の者とする。

(2) persons that are qualified to be a member of the national FSBA are as follows:

一 都道府県中央会

(i) a prefectural FSBA



二 全都道府県の区域を地区とする組合等

(ii) a cooperative, etc. whose district covers the districts of all prefectures

三 前二号の者以外の者であつて、定款で定めるもの

(iii) a person other than the person set forth in the preceding two items, who is specified by the articles of incorporation

(議決権及び選挙権)

(Voting Rights and Right to Elect)

第七十七条 都道府県中央会の会員は、各々一個の議決権及び役員又は総代の選挙権を有する。

Article 77 (1) Each member of a prefectural FSBA has a single voting right and the right to elect officers or representatives.

2 全国中央会の会員は、各々一個の議決権及び役員の選挙権を有する。ただし、前条第二項第一号の者に対しては、定款の定めるところにより、議決権又は選挙権の総数の五十分の一を超えない範囲内において、二個以上の議決権又は選挙権を与えることができる。

(2) Each member of the national FSBA has a single voting right and the right to elect officers; provided, however, that two or more voting rights or rights to elect may be granted to a person set forth in paragraph (2), item (i) of the preceding Article, within a limit not exceeding one-fiftieth of the total number of voting rights or rights to elect, pursuant to the provisions of the articles of incorporation.

3 会員は、定款の定めるところにより、第八十二条の十第四項において準用する第四十九条第一項の規定によりあらかじめ通知のあつた事項につき、書面又は代理人をもつて、議決権又は選挙権を行うことができる。

(3) A member may, pursuant to the provisions of the articles of incorporation, exercise the voting right or right to elect in writing or by proxy with regard to the issues that have been notified in advance pursuant to the provisions of Article 49, paragraph (1) as applied mutatis mutandis pursuant to the provisions of Article 82-10, paragraph (4).

4 会員は、定款の定めるところにより、前項の規定による書面をもつてする議決権の行使に代えて、議決権を電磁的方法により行うことができる。

(4) A member may, pursuant to the provisions of the articles of incorporation, exercise the voting right by electronic or magnetic means, in lieu of the exercise of the voting right in writing under the provisions set forth in the preceding paragraph.

5 前二項の規定により議決権又は選挙権を行う者は、出席者とみなす。

(5) A person exercising a voting right or right to elect pursuant to the provisions of the preceding two paragraphs is deemed to be an attendant.

6 都道府県中央会にあつては、代理人は、五人以上の会員を代理することができない。

(6) In the case of a prefectural FSBA, a proxy may not serve as a proxy for five or

more members.

7 全国中央会にあつては、代理人は、議決権又は選挙権の総数の五十分の一を超える議決権又は選挙権を代理して行うことができない。

(7) In the case of the national FSBA, a proxy may not exercise voting rights or rights to elect exceeding one-fiftieth of the total number of voting rights or rights to elect on behalf of its members.

8 代理人は、代理権を証する書面を中央会に提出しなければならない。この場合において、電磁的方法により議決権を行うことが定款で定められているときは、当該書面の提出に代えて、代理権を当該電磁的方法により証明することができる。

(8) A proxy must submit a document proving the authority to represent to the FSBA. In this case, if the exercise of a voting right by electronic or magnetic means is specified pursuant to the provisions of the articles of incorporation, the proxy may prove the authority to represent by electronic or magnetic means, in lieu of the submission of the document.

(経費の賦課)

(Imposition of Expenses)

第七十八条 中央会は、定款の定めるところにより、会員に経費を賦課することができる。

Article 78 (1) An FSBA may impose expenses on its members, pursuant to the provisions of the articles of incorporation.

2 会員は、前項の経費の支払について、相殺をもつて中央会に対抗することができない。

(2) A member may not duly assert against the FSBA an offset for the payment of expenses set forth in the preceding paragraph.

(加入)

(Membership)

第七十九条 都道府県中央会の会員たる資格を有する者が都道府県中央会に加入しようとするときは、都道府県中央会は、正当な理由がないのに、その加入を拒み、又はその加入につき現在の会員が加入の際に付されたよりも困難な条件を付してはならない。

Article 79 (1) When a person qualified to be a member of a prefectural FSBA intends to join a prefectural FSBA, the prefectural FSBA must not, without reasonable grounds, refuse the person to join nor impose more difficult requirements on the person who becomes its member than those imposed when present members joined the prefectural FSBA.

2 都道府県中央会は、全国中央会が成立したときは、すべてその会員となる。全国中央会が成立した後において成立した都道府県中央会についても同様である。

(2) When the national FSBA has been established, all prefectural FSBA become members thereof. The same applies to a prefectural FSBA that has been established after the establishment of the national FSBA.

3 第七十六条第二項第二号及び第三号の者が全国中央会に加入しようとする場合については、第一項の規定を準用する。

(3) With regard to the case where a person set forth in Article 76, paragraph (2), item (ii) or item (iii) intends to join the national FSBA, the provisions of paragraph (1) apply *mutatis mutandis*.

(脱退)

(Withdrawal)

第八十条 都道府県中央会の会員及び都道府県中央会以外の全国中央会の会員は、三十日前までに予告して、脱退することができる。

Article 80 (1) A member of a prefectural FSBA or a member of the national FSBA other than a prefectural FSBA may withdraw by giving an advance notice at least thirty days before their withdrawal.

2 全国中央会の会員たる都道府県中央会は、解散によつて脱退する。

(2) A prefectural FSBA which is a member of the national FSBA withdraws when it is dissolved.

3 都道府県中央会の会員及び都道府県中央会以外の全国中央会の会員については、第十九条の規定を準用する。

(3) With regard to a member of a prefectural FSBA and a member of the national FSBA other than a prefectural FSBA, the provisions of Article 19 apply *mutatis mutandis*.

#### 第四節 設立

#### Section 4 Formation

(発起人)

(Founders)

第八十一条 中央会を設立するには、その会員になろうとする八人以上の者が発起人となることを要する。この場合において、その発起人中に、都道府県中央会にあつては五以上の第七十六条第一項第一号の者を、全国中央会にあつては五以上の都道府県中央会を含まなければならない。

Article 81 (1) In order to incorporate an FSBA, eight or more persons who intend to become its members are required to become its founders. In this case, the founders must include five or more persons set forth in Article 76, paragraph (1), item (i) in the case of a prefectural FSBA, and must include five or more prefectural FSBA's in the case of the national FSBA.

2 都道府県中央会は、その地区内に主たる事務所を有する組合等の五分の一以上が会員となるのでなければ、設立することができない。

(2) A prefectural FSBA may only be incorporated if one-fifth or more of the cooperatives, etc. having their principal offices within its district are to become its members.

3 全国中央会は、二十五以上の都道府県中央会が会員となるのでなければ、設立することができない。

(3) The national FSBA may not be incorporated unless twenty-five or more prefectural FSBA become its members.

(創立総会)

(Organizational Meeting)

第八十二条 発起人は、定款を作成し、これを会議の日時及び場所とともに公告して、創立総会を開かなければならない。

Article 82 (1) Founders must hold an organizational meeting after preparing the articles of incorporation, and issue a public notice on the articles of incorporation together with the date and place of the meeting.

2 創立総会においてその延期又は続行について決議があつた場合には、前項の規定は、適用しない。

(2) When a decision on the postponement or continuation of the organizational meeting is made at the organizational meeting, the provisions set forth in the preceding paragraph do not apply.

3 創立総会の議事については、主務省令で定めるところにより、議事録を作成しなければならない。

(3) Minutes must be taken with regard to the proceedings of the organizational meeting, pursuant to the provisions of order of the competent ministry.

4 創立総会の決議については、第二十七条第二項から第五項まで及び第七十七条の規定を、創立総会の決議の不存在若しくは無効の確認又は取消しの訴えについては、会社法第八百三十条、第八百三十一条、第八百三十四条（第十六号及び第十七号に係る部分に限る。）、第八百三十五条第一項、第八百三十六條第一項及び第三項、第八百三十七条、第八百三十八条並びに第八百四十六条（株主総会の決議の不存在若しくは無効の確認又は取消しの訴え）の規定（これらの規定中監査役に係る部分を除く。）を準用する。

(4) With regard to a resolution of the organizational meeting, the provisions of Article 27, paragraphs (2) through (5) and Article 77 apply mutatis mutandis; and with regard to an action for declaratory judgment on the nonexistence or invalidity of or an action for revocation of a resolution of the organizational meeting, Article 830, Article 831, Article 834 (limited to the parts pertaining to item (xvi) and item (xvii)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Article 837, Article 838, and Article 846 (Action for Declaratory Judgment on Nonexistence or Invalidity of or Action for Revocation of a Resolution of a Shareholders Meeting) (excluding the parts pertaining to company auditors in these provisions) of the Companies Act apply mutatis mutandis.

(設立の認可)

(Approval for Formation)

第八十二条の二 発起人は、創立総会終了後遅滞なく、定款並びに事業計画、役員の氏名及び住所その他必要な事項を記載した書面を行政庁に提出して、設立の認可を受けなければならない。

Article 82-2 The founders must, without delay after the organizational meeting, submit the articles of incorporation, activity plan, and documents stating the names and addresses of the officers and other necessary particulars to an administrative authority, and obtain approval for the formation.

(準用)

(Application Mutatis Mutandis)

第八十二条の三 設立については、第二十八条及び第三十条の規定を準用する。

Article 82-3 With regard to the incorporation, the provisions of Article 28 and Article 30 apply mutatis mutandis.

**第五節 管理**

**Section 5 Management**

(定款)

(Articles of Incorporation)

第八十二条の四 中央会の定款には、次の事項を記載し、又は記録しなければならない。

Article 82-4 The articles of incorporation of an FSBA must state or record therein the following particulars:

一 事業

(i) activities

二 名称

(ii) name

三 事務所の所在地

(iii) location of the office

四 会員たる資格に関する規定

(iv) provisions on membership qualifications

五 会員の加入及び脱退に関する規定

(v) provisions on new members and withdrawal of members

六 経費の分担に関する規定

(vi) provisions on the sharing of expenses

七 役員の定数及びその選挙又は選任に関する規定

(vii) fixed number of officers and the provisions on the election or appointment

八 事業年度

(viii) business year

九 公告方法

(ix) method of public notice

(規約)

(Constitution)

第八十二条の五 次の事項は、定款で定めなければならない事項を除いて、規約で定めることができる。

Article 82-5 The following particulars, except for those that must be prescribed by the articles of incorporation, may be prescribed by the constitution of the FSBA:

一 総会又は総代会に関する規定

(i) provisions on the general assembly or the member representatives meeting

二 業務の執行及び会計に関する規定

(ii) provisions on the execution of its operations and accounting

三 役員に関する規定

(iii) provisions on its officers

四 会員に関する規定

(iv) provisions on its members

五 その他必要な事項

(v) any other necessary matters

(役員)

(Officers)

第八十二条の六 中央会に、役員として会長一人、理事五人以上及び監事二人以上を置く。

Article 82-6 An FSBA has one president, five or more directors, and two or more auditors as its officers.

(役員職務)

(Duties of the Officers)

第八十二条の七 会長は、中央会を代表し、その業務を総理する。

Article 82-7 (1) The president represents the FSBA and preside over its operations.

2 理事は、定款の定めるところにより、会長を補佐して中央会の業務を掌理し、会長に事故があるときはその職務を代理し、会長が欠員のときはその職務を行う。

(2) The directors must, pursuant to the provisions of the articles of incorporation, assist the president in administering the operations of the FSBA, perform the duties of the president in place of the president when the president is unavailable, and perform the duties of the president when the post is vacant.

3 監事は、中央会の業務及び会計の状況を監査する。

(3) The auditors audit the status of the operations and accounting of the FSBA.

(準用規定)

(Provisions Applied Mutatis Mutandis)

第八十二条の八 中央会については、第十条の二、第三十四条の二及び第四十条（第一項、第六項から第九項まで及び第十三項を除く。）の規定を、会長、理事及び監事については、第三十五条第三項及び第七項から第十三項まで、第三十五条の二、第三十五条の三、第三十六条（第五項を除く。）並びに第三十六条の三第一項の規定を、会長については、第三十八条並びに民法第四十四条第一項（法人の不法行為能力）及び第五十五条（理事の代理行為の委任）の規定を、理事については、第四十条第七項から第九項までの規定を、監事については、第三十七条第一項の規定を準用する。この場合において、第三十五条第九項中「一人」とあるのは「一人（全国中央会にあつては、選挙権一個）」と、第三十八条第一項中「理事会において」とあるのは「監事に」と、同条第三項中「理事会」とあるのは「監事」と読み替えるものとする。

Article 82-8 With regard to an FSBA, the provisions of Article 10-2, Article 34-2, and Article 40 (excluding paragraph (1), paragraphs (6) to (9), and paragraph (13)) apply mutatis mutandis; with regard to the president, directors, and auditors, the provisions of Article 35, paragraph (3) and paragraphs (7) through (13), Article 35-2, Article 35-3, Article 36 (excluding paragraph (5)), and Article 36-3, paragraph (1) apply mutatis mutandis; with regard to the president, the provisions of Article 38 of this Act and Article 44, paragraph (1) (Capacity to Commit Tortious Acts) and Article 55 (Delegation of Director's Authority) of the Civil Code apply mutatis mutandis; with regard to directors, the provisions of Article 40, paragraphs (7) through (9) apply mutatis mutandis; and with regard to auditors, the provisions of Article 37, paragraph (1) apply mutatis mutandis. In this case, the term "per person" in Article 35, paragraph (9) is deemed to be replaced with "per person (per right to elect in the case of the national FSBA)," the phrase "at the council and obtain its" in Article 38, paragraph (1) is deemed to be replaced with "to the auditors and obtain their," and the term "council" in paragraph (3) of that Article is deemed to be replaced with "auditors."

(顧問)

(Advisor)

第八十二条の九 中央会は、学識経験のある者を顧問とし、常時中央会の重要事項に関し助言を求めることができる。ただし、顧問は、中央会を代表することができない。

Article 82-9 An FSBA may designate a person with the relevant expertise as an advisor, and seek advice from the advisor regarding important matters on the FSBA; provided, however, that the advisor may not represent the FSBA.

(総会)

(General Meeting)

第八十二条の十 会長は、定款の定めるところにより、毎事業年度一回通常総会を招集しなければならない。

Article 82-10 (1) The president must convene the general assembly once in every business year, pursuant to the provisions of the articles of incorporation.

2 会長は、必要があると認めるときは、定款の定めるところにより、いつでも臨時総会を招集することができる。

(2) The president may, when the president finds it necessary, convene the extraordinary general assembly at any time, pursuant to the provisions of the articles of incorporation.

3 次の事項は、都道府県中央会にあつては総会員の半数以上が、全国中央会にあつては議決権の総数の半数以上に当たる議決権を有する会員が出席し、それぞれその議決権の三分の二以上の多数による議決を必要とする。

(3) The following particulars require a majority vote of two-thirds or more of the voting rights of those present, where a half or more of all members are present in the case of a prefectural FSBA, and where members having voting rights of a half or more of the total number of voting rights are present in the case of the national FSBA:

一 定款の変更

(i) a change to the articles of incorporation

二 中央会の解散

(ii) dissolution of the FSBA

三 会員の除名

(iii) expulsion of a member

4 総会については、第四十七条第二項から第四項まで、第四十八条から第五十条まで、第五十一条第一項及び第二項、第五十二条、第五十三条の三並びに第五十三条の四の規定を、総会の決議の不存在若しくは無効の確認又は取消しの訴えについては、会社法第八百三十条、第八百三十一条、第八百三十四条（第十六号及び第十七号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条第一項及び第三項、第八百三十七条、第八百三十八条並びに第八百四十六条（株主総会の決議の不存在若しくは無効の確認又は取消しの訴え）の規定（これらの規定中監査役に係る部分を除く。）を準用する。この場合において、第四十七条第二項及び第四項中「理事会」とあり、及び第四十八条中「理事」とあるのは、「会長」と読み替えるものとする。

(4) With regard to the general assembly, the provisions of Article 47, paragraphs (2) through (4), Articles 48 through 50, Article 51, paragraph (1) and paragraph (2), Article 52, Article 53-3, and Article 53-4 apply mutatis mutandis; with regard to an action for a declaratory judgment on the nonexistence or invalidity of or an action for rescission of a resolution of the general meeting, Article 830, Article 831, Article 834 (limited to the portions pertaining to item (xvi) and item (xvii)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Article 837, Article 838, and Article 846 (Action for Declaratory Judgment on Nonexistence or Invalidity of or Action for Revocation of a Resolution of a Shareholders Meeting) (excluding the parts pertaining to company auditors in these provisions) of the Companies Act apply



mutatis mutandis. In this case, the term "council" in Article 47, paragraph (2) and paragraph (4) is deemed to be replaced with "president" and the phrase "no directors" in Article 48 is deemed to be replaced with "the president"

(総代会)

(Member Representatives Meeting)

第八十二条の十一 会員の総数が二百人を超える都道府県中央会は、定款の定めるところにより、総会に代わるべき総代会を設けることができる。

Article 82-11 (1) A prefectural FSBA whose total number of members exceeds two hundred persons may establish the member representatives meeting in lieu of the general assembly, pursuant to the provisions of the articles of incorporation.

2 総代会については、都道府県中央会の総会に関する規定及び第五十五条第二項から第五項までの規定を準用する。この場合において、第七十七条第六項中「五人」とあるのは「二人」と読み替えるものとする。

(2) With regard to the member representatives meeting, the provisions concerning the general assembly of a prefectural FSBA and the provisions of Article 55, paragraphs (2) through (5) apply mutatis mutandis. In this case, the term "five" in Article 77, paragraph (6) is deemed to be replaced with "two."

3 総代会においては、前項の規定にかかわらず、総代の選挙（補欠の総代の選挙を除く。）をし、又は前条第三項第二号の事項について議決することができない。

(3) Notwithstanding the provisions of the preceding paragraph, the member representatives meeting may not elect representatives (excluding the election of a representative filling a vacancy) nor decide the particulars set forth in paragraph (3), item (ii) of the preceding Article.

(部会)

(Sectional Meeting)

第八十二条の十二 中央会は、定款の定めるところにより、組合等の種類ごとに部会を設けることができる。

Article 82-12 An FSBA may, pursuant to the provisions of the articles of incorporation, establish a sectional meeting for each type of cooperative, etc.

## 第六節 解散及び清算

### Section 6 Dissolution and Liquidation

(解散の事由)

(Grounds for Dissolution)

第八十二条の十三 中央会は、次の事由によつて解散する。

Article 82-13 (1) An FSBA dissolves based on any of the following grounds:

一 総会の決議

(i) a resolution of the general assembly

二 破産手続開始の決定

(ii) an order to commence bankruptcy proceedings

三 第百六条第二項の規定による解散の命令

(iii) an order to dissolve under the provisions of Article 106, paragraph (2)

2 中央会は、前項第一号の規定により解散したときは、解散の日から二週間以内に、その旨を行政庁に届け出なければならない。

(2) When an FSBA is dissolved pursuant to the provisions of item (i) of the preceding paragraph, it must notify the administrative authority of its dissolution within two weeks from the date of the dissolution.

(清算人)

(Liquidators)

第八十二条の十四 中央会が解散したときは、破産手続開始の決定による解散の場合を除いては、会長がその清算人となる。ただし、総会において他人を選任したときは、この限りでない。

Article 82-14 When an FSBA is dissolved, the president becomes the liquidator, except in the case of a dissolution based on an order to commence bankruptcy proceedings; provided, however, that this does not apply when another person is appointed as a liquidator at the general assembly.

(清算事務)

(Liquidation Proceedings)

第八十二条の十五 清算人は、就職の後遅滞なく、中央会の財産の状況を調査し、財産目録及び貸借対照表を作り、財産処分の方法を定め、これを総会に提出して、その承認を求めなければならない。

Article 82-15 The liquidator must, without delay after assuming the position, investigate the status of the assets of the FSBA, prepare an inventory of the assets and a balance sheet, decide on the method to dispose of the assets, submit these documents to the general assembly, and seek its approval.

(財産分配の制限)

(Restriction on Distribution of Property)

第八十二条の十六 清算人は、中央会の債務を弁済した後でなければ、中央会の財産を分配することができない。

Article 82-16 The liquidator may not distribute the property of the FSBA until after the obligations of the FSBA are paid off.

(決算の承認)

(Approval of the Settlement of Account)

第八十二条の十七 清算事務が終ったときは、清算人は、遅滞なく、決算報告書を作り、

これを総会に提出して、その承認を求めなければならない。

Article 82-17 When the liquidation has completed, the liquidator must, without delay, prepare a statement of accounts, and submit it to the general assembly, and seek its approval.

(民法の準用等)

(Application Mutatis Mutandis of the Civil Code)

第八十二条の十八 解散及び清算については、民法第七十三条、第七十五条、第七十六条及び第七十八条から第八十二条まで（法人の清算）並びに非訟事件手続法第三十五条第二項及び第三十七条から第四十条まで（法人の清算の監督）の規定を、清算人については、第三十五条の三、第三十六条の三第一項、第三十七条第一項、第三十八条、第三十九条、第四十条第二項から第十項まで（第六項を除く。）、第四十七条第二項から第四項まで、第四十八条並びに第八十二条の十第一項及び第二項並びに民法第四十四条第一項（法人の不法行為能力）の規定を準用する。この場合において、同法第七十五条中「前条」とあるのは「中小企業等協同組合法第八十二条の十四」と、第三十八条第一項中「理事会において」とあるのは「監事に」と、同条第三項中「理事会」とあるのは「監事」と読み替えるものとする。

Article 82-18 (1) With regard to dissolution and liquidation, the provisions of Article 73, Article 75, Article 76, and Articles 78 through 82 (Liquidation of a Juridical Person) of the Civil Code and Article 35, paragraph (2) and Articles 37 to 40 (Supervision of Liquidation of a Juridical Person) of the Non-Contentious Case Procedures Act apply mutatis mutandis; and with regard to the liquidator, the provisions of Article 35-3, Article 36-3, paragraph (1), Article 37, paragraph (1), Article 38, Article 39, Article 40, paragraphs (2) through (10) (excluding paragraph (6)), Article 47, paragraphs (2) through (4), Article 48, and Article 82-10, paragraph (1) and paragraph (2) of this Act and Article 44, paragraph (1) (Capacity to Commit Tortious Acts) of the Civil Code apply mutatis mutandis. In this case, "the preceding Article" in Article 75 of that Act is deemed to be replaced with "Article 82-14 of the Small and Medium-Sized Enterprise Cooperatives Act," the phrase "at the council and obtain its" in Article 38, paragraph (1) is deemed to be replaced with "to the auditors and obtain their," and the term "council" in paragraph (3) of that Article is deemed to be replaced with "auditors."

2 中央会の解散及び清算を監督する裁判所は、中央会の業務を監督する行政庁に対し、意見を求め、又は調査を囑託することができる。

(2) A court supervising the dissolution and liquidation of an FSBA may seek the opinion of or entrust an investigation with an administrative authority supervising the operations of the FSBA.

3 前項に規定する行政庁は、同項に規定する裁判所に対し、意見を述べることができる。

(3) An administrative authority prescribed in the preceding paragraph may state

its opinion to the court prescribed in that paragraph.

#### **第四章 登記**

#### **Chapter IV Registration**

##### **第一節 総則**

##### **Section 1 General Provisions**

(登記の効力)

(Validity of Registration)

第八十三条 この法律の規定により登記すべき事項は、登記の後でなければ、これをもつて第三者に対抗することができない。

Article 83 Particulars that need to be registered pursuant to the provisions of this Act may not be duly asserted against a third party until after the registration thereof.

##### **第二節 組合及び中央会の登記**

##### **Section 2 Registration of Cooperatives and FSBAs**

###### **第一款 主たる事務所の所在地における登記**

###### **Subsection 1 Registration at the Location of the Principal Office**

(組合等の設立の登記)

(Registration of Incorporation of Cooperatives)

第八十四条 組合の設立の登記は、その主たる事務所の所在地において、第二十九条の規定による出資の払込みがあつた日から二週間以内にしなければならない。

Article 84 (1) A cooperative must complete the registration of its formation at the location of its principal office within two weeks from the day on which the payment of a contribution under the provisions of Article 29 is made.

2 前項の登記においては、次に掲げる事項（企業組合の設立の登記にあつては、第三号に掲げる事項を除く。）を登記しなければならない。

(2) With regard to the registration set forth in the preceding paragraph, the following particulars (excluding the particulars set forth in item (iii) in the case of registration of incorporation of a joint enterprise cooperative) must be registered:

一 事業

(i) activities

二 名称

(ii) name

三 地区

(iii) district

四 事務所の所在場所

(iv) address of the office

- 五 出資一口の金額及びその払込の方法並びに出資の総口数及び払込済出資総額  
(v) unit amount of contribution, the method of its payment, the total number of units of contribution, and the total amount of contribution paid
- 六 存続期間又は解散の事由を定めたときは、その時期又は事由  
(vi) the duration of the cooperative or the grounds for its dissolution if the cooperative has specified the duration or grounds
- 七 代表権を有する者の氏名、住所及び資格  
(vii) name, address and qualifications of the person having the right to represent
- 八 公告方法  
(viii) method of public notice
- 九 第三十三条第四項の定款の定めが電子公告を公告方法とする旨のものであるときは、次に掲げる事項  
(ix) if the provisions of the articles of incorporation under Article 33, paragraph (4) specify that electronic public notice is used as the method of public notice; the following particulars:
- イ 電子公告により公告すべき内容である情報について不特定多数の者がその提供を受けるために必要な事項であつて法務省令で定めるもの  
(a) particulars necessary to provide the information that need to be made available to unspecified and many persons by electronic or magnetic means, which are specified by the Ministry of Justice Order
- ロ 第三十三条第五項後段の規定による定款の定めがあるときは、その定め  
(b) if there are provisions of the articles of incorporation set forth in the second sentence of Article 33, paragraph (5); the relevant provisions
- 3 中央会の設立の登記は、その主たる事務所の所在地において、設立の認可があつた日から二週間以内にしなければならない。  
(3) An FSBA must complete the registration of its incorporation at the location of its principal office within two weeks from the day on which the incorporation is approved.
- 4 前項の登記においては、次に掲げる事項を登記しなければならない。  
(4) In the registration set forth in the preceding paragraph, the following matters must be registered:
- 一 事業  
(i) activities
- 二 名称  
(ii) name
- 三 事務所の所在場所  
(iii) address of the office
- 四 代表権を有する者の氏名、住所及び資格  
(iv) name, address and qualifications of the person having the right to represent

五 公告方法

(v) method of public notice

(変更の登記)

(Registration of Changes)

第八十五条 組合又は中央会（以下この章において「組合等」という。）において前条第二項各号又は第四項各号に掲げる事項に変更が生じたときは、二週間以内に、その主たる事務所の所在地において、変更の登記をしなければならない。

Article 85 (1) A cooperative or an FSBA (hereinafter referred to as a "cooperative, etc." in this Chapter) must, when any changes are made to the particulars prescribed in the items of paragraph (2) or the particulars prescribed in the items of paragraph (4) of the preceding Article, complete registration of the relevant changes at the location of its principal office within two weeks.

2 前項の規定にかかわらず、前条第二項第五号に掲げる事項中出資の総口数及び払込済出資総額の変更の登記は、毎事業年度末日現在により、当該末日から四週間以内にすれば足りる。

(2) Notwithstanding the provisions of the preceding paragraph, among the particulars prescribed in paragraph (2), item (v) of the preceding Article, the registration of changes to the total number of units of contribution and the total amount of contribution already paid as of the last day of each business year will be accepted, within four weeks from the last day.

(他の登記所の管轄区域内への主たる事務所の移転の登記)

(Registration of the Principal Office Relocated to the District under the Jurisdiction of Another Registry Office)

第八十六条 組合等がその主たる事務所を他の登記所の管轄区域内に移転したときは、二週間以内に、旧所在地においては移転の登記をし、新所在地においては次の各号に掲げる組合等の区分に応じ当該各号に定める事項を登記しなければならない。

Article 86 When a cooperative, etc. relocates its principal office to the district under the jurisdiction of another registry office, it must, within two weeks, complete registration of its relocation at the registry office in its former district, and register the particulars specified in the following items for the types of cooperatives, etc. prescribed in those items at the registry office in the new district:

一 組合 第八十四条第二項各号に掲げる事項

(i) cooperatives: particulars prescribed in the items of Article 84, paragraph (2)

二 中央会 第八十四条第四項各号に掲げる事項

(ii) FSBA: particulars prescribed in the items of Article 84, paragraph (4)

(職務執行停止の仮処分等の登記)

(Registration of Provisional Disposition to Suspend the Performance of Duty)

第八十七条 次の各号に掲げる組合等の区分に応じ、当該各号に定める者の職務の執行を停止し、若しくはその職務を代行する者を選任する仮処分命令又はその仮処分命令を変更し、若しくは取り消す決定がされたときは、その主たる事務所の所在地において、その登記をしなければならない。

Article 87 When an order to suspend the performance of duty of the persons specified respectively in the following items for the types of cooperatives, etc. prescribed in those items or to appoint a person to act for the person has been issued or a decision has been made to change or revoke provisional disposition order, the relevant changes must be registered at the registry office in the district where the principal office of the cooperative, etc. is located:

一 組合 組合を代表する理事

(i) cooperatives: the director representing the cooperative

二 中央会 会長

(ii) FSBAs: the president

(参事の登記)

(Registration of Counselors)

第八十八条 組合が参事を選任したときは、二週間以内に、その主たる事務所の所在地において、参事の氏名及び住所並びに参事を置いた事務所を登記しなければならない。その登記した事項の変更及び参事の代理権の消滅についても、同様とする。

Article 88 When a cooperative appoints a counselor, it must, within two weeks, register the name and address of the counselor and the office to which the counselor has been assigned at the registry office in the district where its principal office is located. The same applies with regard to a change to the registered information and the extinction of counselor's right to represent.

(吸収合併の登記)

(Registration of Absorption-Type Mergers)

第八十九条 組合が吸収合併をしたときは、その効力が生じた日から二週間以内に、その主たる事務所の所在地において、吸収合併により消滅する組合については解散の登記をし、吸収合併後存続する組合については変更の登記をしなければならない。

Article 89 When a cooperative carries out an absorption-type merger, it must, within two weeks from the day on which the absorption-type merger becomes effective, register the dissolution of the disappearing cooperative in the absorption-type merger and register the changes to the surviving cooperative in the absorption-type merger at the registry office in the district where its principal office is located.

(新設合併の登記)

(Registration of Consolidation-Type Mergers)

第九十条 二以上の組合が新設合併をする場合には、次に掲げる日のいずれか遅い日か

ら二週間以内に、その主たる事務所の所在地において、新設合併により消滅する組合については解散の登記をし、新設合併により設立する組合については設立の登記をしなければならない。

**Article 90** When two or more cooperatives carry out a consolidation-type merger, the cooperatives must, within two weeks from the following dates, whichever is later, register the dissolution of the disappearing cooperatives in the consolidation-type merger and register the incorporation of the cooperative formed in the consolidation-type merger at the registry office in the district where its principal office is located:

一 第六十三条の六第三項の総会の決議の日

(i) the date of the resolution of the general assembly set forth in Article 63-6, paragraph (3)

二 第六十三条の六第四項において準用する第五十六条の二の規定による手続が終了した日

(ii) the date on which the procedure under the provisions of Article 56-2 as applied mutatis mutandis pursuant to the provisions of Article 63-6, paragraph (4) is completed

三 新設合併により消滅する組合が合意により定めた日

(iii) the date agreed between the disappearing cooperatives in the consolidation-type merger

四 第六十六条第一項の認可を受けた日

(iv) the day on which the approval under Article 66, paragraph (1) is obtained

(解散の登記)

(Registration of Dissolution)

第九十一条 第六十二条第一項第一号若しくは第四号又は第八十二条の十三第一項第一号の規定により組合等が解散したときは、二週間以内に、その主たる事務所の所在地において、解散の登記をしなければならない。

**Article 91** When a cooperative, etc. is dissolved pursuant to the provisions of Article 62, paragraph (1), item (i) or item (iv) or Article 82-13, paragraph (1), item (i), it must register the dissolution within two weeks at the location of its principal office.

(清算終了の登記)

(Registration of the Completion of Liquidation)

第九十二条 清算が終了したときは、次の各号に掲げる組合等の区分に応じ、当該各号に定める日から二週間以内に、その主たる事務所の所在地において、清算終了の登記をしなければならない。

**Article 92** When liquidation is completed, the completion of liquidation must be registered at the location of the principal office within two weeks from the dates specified in the following items for the types of cooperative, etc.



prescribed in the relevant items:

- 一 組合 第六十九条第一項において準用する会社法第五百七条第三項の承認の日  
(i) cooperative: the date of the approval under Article 507, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1)
- 二 中央会 第八十二条の十七の承認の日  
(ii) FSBAs: the date of the approval under Article 82-17

## 第二款 従たる事務所の所在地における登記

### Subsection 2 Registration at the Location of a Secondary Office

(従たる事務所の所在地における登記)

(Registration at the Location of a Secondary Office)

第九十三条 次の各号に掲げる場合（当該各号に規定する従たる事務所が主たる事務所の所在地を管轄する登記所の管轄区域内にある場合を除く。）には、当該各号に定める期間内に、当該従たる事務所の所在地において、従たる事務所の所在地における登記をしなければならない。

Article 93 (1) In the cases prescribed in the following items (excluding the case where the secondary office prescribed in each item is located within the district under the jurisdiction of the registry office where the principal office is located), registration at the location of a secondary office must be completed at the location of the secondary office, within the periods specified in the relevant items:

- 一 組合等の設立に際して従たる事務所を設けた場合（次号に掲げる場合を除く。）  
主たる事務所の所在地における設立の登記をした日から二週間以内  
(i) the case where a secondary office is established at the time of incorporation of the cooperative, etc. (excluding the case set forth in the following item):  
within two weeks from the date of the registration of incorporation at the location of the principal office
  - 二 新設合併により設立する組合が新設合併に際して従たる事務所を設けた場合 第九十条に規定する日から三週間以内  
(ii) the case where a cooperative incorporated by a consolidation-type merger establishes its secondary office at the time of the consolidation-type merger:  
within three weeks from the date prescribed in Article 90
  - 三 組合等の成立後に従たる事務所を設けた場合 従たる事務所を設けた日から三週間以内  
(iii) the case where a secondary office is established after the incorporation of the cooperative, etc.: within three weeks from the date of the establishment of the secondary office
- 2 従たる事務所の所在地における登記においては、次に掲げる事項を登記しなければならない。ただし、従たる事務所の所在地を管轄する登記所の管轄区域内に新たに従

たる事務所を設けたときは、第三号に掲げる事項を登記すれば足りる。

(2) At the time of registration at the location of a secondary office, the following particulars must be registered; provided, however, that only the particulars set forth in item (iii) need to be registered when a new secondary office is established within the district under the jurisdiction of a registry office having jurisdiction over the location of the secondary office:

一 名称

(i) name

二 主たる事務所の所在場所

(ii) address of the principal office

三 従たる事務所（その所在地を管轄する登記所の管轄区域内にあるものに限る。）の所在場所

(iii) addresses of any secondary offices (limited to those located within the district under the jurisdiction of the registry office having jurisdiction over the secondary office)

3 前項各号に掲げる事項に変更が生じたときは、三週間以内に、当該従たる事務所の所在地において、変更の登記をしなければならない。

(3) When a change is made to any particulars prescribed in the items of the preceding paragraph, the change must be registered at the location of the secondary office within three weeks.

（他の登記所の管轄区域内への従たる事務所の移転の登記）

(Registration of a Secondary Office Relocated to the District under the Jurisdiction of Another Registry Office)

第九十四条 組合等がその従たる事務所を他の登記所の管轄区域内に移転したときは、旧所在地（主たる事務所の所在地を管轄する登記所の管轄区域内にある場合を除く。）においては三週間以内に移転の登記をし、新所在地（主たる事務所の所在地を管轄する登記所の管轄区域内にある場合を除く。以下この条において同じ。）においては四週間以内に前条第二項各号に掲げる事項を登記しなければならない。ただし、従たる事務所の所在地を管轄する登記所の管轄区域内に新たに従たる事務所を移転したときは、新所在地においては、同項第三号に掲げる事項を登記すれば足りる。

Article 94 When a cooperative, etc. relocates its secondary office to the district under the jurisdiction of another registry office, it must register of the relocation at the former location (excluding the case where it is relocated within the district under the jurisdiction of the registry office having jurisdiction over the location of the principal office) within three weeks, and register the particulars prescribed in the items of paragraph (2) of the preceding Article at the new location (excluding the case where it is located within the district under the jurisdiction of the registry office having jurisdiction over the location of the principal office; hereinafter the same applies in this Article) within four weeks; provided, however, that the particulars set forth in item (iii)

of that paragraph only need to be registered at the new location when a new secondary office is established within the district under the jurisdiction of the registry office having jurisdiction over the location of a secondary office.

(従たる事務所における変更の登記等)

(Registration of Changes to the Secondary Offices)

第九十五条 第八十九条、第九十条及び第九十二条に規定する場合には、これらの規定に規定する日から三週間以内に、従たる事務所の所在地においても、これらの規定に規定する登記をしなければならない。ただし、第八十九条に規定する変更の登記は、第九十三条第二項各号に掲げる事項に変更が生じた場合に限り、するものとする。

Article 95 In the cases provided in Article 89, Article 90, and Article 92, the registrations prescribed in these provisions must also be completed at the locations of secondary offices within three weeks from the dates prescribed in these provisions; provided, however, that registration of changes prescribed in Article 89 is required only when any change is made to the particulars prescribed in the items of Article 93, paragraph (2).

### 第三節 登記の囑託

#### Section 3 Entrustment of Registration

第九十六条 組合の設立の無効の訴えに係る請求を認容する判決が確定した場合については、会社法第九百三十七条第一項（第一号イに係る部分に限る。）の規定を準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 96 (1) With regard to the case where a judgment upholding a claim pertaining to an action for invalidation of the incorporation of a cooperative becomes final and binding, the provisions of Article 937, paragraph (1) (limited to the parts pertaining to item (i), (a)) of the Companies Act apply mutatis mutandis. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

2 組合の出資一口の金額の減少の無効の訴えに係る請求を認容する判決が確定した場合については、会社法第九百三十七条第一項（第一号ニに係る部分に限る。）の規定を準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) With regard to the case where a judgment upholding a claim pertaining to an action for the invalidation of a reduction in the unit amount of the contribution of a cooperative becomes final and binding, the provisions of Article 937, paragraph (1) (limited to the parts pertaining to item (i), (d)) of the Companies Act apply mutatis mutandis. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

3 組合の創立総会又は総会の決議の不存在若しくは無効の確認又は取消しの訴えに係る請求を認容する判決が確定した場合については、会社法第九百三十七条第一項（第一号トに係る部分に限る。）の規定を準用する。この場合において、必要な技術的読

替えは、政令で定める。

(3) With regard to the case where a judgment upholding a claim pertaining to an action for a declaratory judgment on the nonexistence or invalidity of or an action for revocation of a resolution of the general assembly becomes final and binding, the provisions of Article 937, paragraph (1) (limited to the parts pertaining to item (i), (g)) of the Companies Act apply mutatis mutandis. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

4 組合の合併の無効の訴えに係る請求を認容する判決が確定した場合については、会社法第九百三十七条第三項（第二号及び第三号に係る部分に限る。）及び第四項の規定を準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) With regard to the case where a judgment upholding a claim pertaining to an action for the invalidation of a merger becomes final and binding, the provisions of Article 937, paragraph (3) (limited to the parts pertaining to item (ii) and item (iii)) of the Companies Act apply mutatis mutandis. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

5 行政庁は、第百六条第二項の規定により組合等の解散を命じたときは、遅滞なく、解散の登記を嘱託しなければならない。

(5) When an administrative authority orders a cooperative, etc. to dissolve pursuant to the provisions of Article 106, paragraph (2), it must entrust the registration of the dissolution with the registry office without delay.

#### 第四節 登記の手続等

#### Section 4 Registration Procedures

（管轄登記所及び登記簿）

(Registry Offices Having Jurisdiction and the Registry)

第九十七条 組合等の登記については、その事務所の所在地を管轄する法務局若しくは地方法務局若しくはこれらの支局又はこれらの出張所を管轄登記所とする。

Article 97 (1) With regard to registration of a cooperative, etc., the competent registry offices are the Legal Affairs Bureau or the District Legal Affairs Bureau having jurisdiction over the location of the relevant office of the cooperative, etc. or a branch office or a sub-branch office thereof.

2 各登記所に、事業協同組合登記簿、事業協同小組合登記簿、火災共済協同組合登記簿、信用協同組合登記簿、中小企業等協同組合連合会登記簿、企業組合登記簿及び中小企業団体中央会登記簿を備える。

(2) Each registry office keeps a business cooperative registry, a small business cooperative registry, a fire mutual aid cooperative registry, a credit cooperative registry, a registry of federations of small and medium-sized enterprise cooperatives, a joint enterprise cooperative registry, and a registry of federations of small business associations.

(設立の登記の申請)

(Application to Register Incorporation)

第九十八条 組合等の設立の登記は、組合等を代表すべき者の申請によつてする。

Article 98 (1) The incorporation of a cooperative, etc. is registered by an application filed by the person representing the cooperative, etc.

2 設立の登記の申請書には、法令に別段の定めがある場合を除き、次の各号に掲げる組合等の区分に応じ、当該各号に定める書面を添付しなければならない。

(2) An application form for the registration of incorporation must be accompanied by the documents specified in the following items for the types of cooperatives, etc. specified in those items, unless otherwise provided for by laws and regulations:

一 組合 定款、代表権を有する者の資格を証する書面並びに出資の総口数及び第二十九条の規定による出資の払込みのあつたことを証する書面

(i) cooperatives: the articles of incorporation, a document proving the qualifications of the person having the right to represent, and a document proving the total number of units of contribution and the payment of a contribution under the provisions of Article 29

二 中央会 定款及び代表権を有する者の資格を証する書面

(ii) FSBAs: the articles of incorporation and a document proving the qualifications of the person having the right to represent

(変更の登記の申請)

(Application for Registration of Changes)

第九十九条 組合等の事務所の新設若しくは移転又は第八十四条第二項各号若しくは第四項各号に掲げる事項の変更の登記の申請書には、事務所の新設若しくは移転又は同条第二項各号若しくは第四項各号に掲げる事項の変更を証する書面を添付しなければならない。

Article 99 (1) An application form for registration of establishment of a new office or relocation of the office of a cooperative, etc. or any change to the particulars prescribed in the items of Article 84, paragraph (2) or the items of paragraph (4) of that Article must be accompanied by a document proving the establishment or relocation of the new office or proving the changes to the particulars prescribed in the items of paragraph (2) of that Article or the items of paragraph (4) of that Article.

2 出資一口の金額の減少による変更の登記の申請書には、前項の書面のほか、第五十六条の二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第三十三条第四項の規定による定款の定めに従い同項第二号又は第三号に掲げる公告方法によつてした組合にあつては、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

したこと又は当該出資一口の金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を添付しなければならない。

- (2) An application form for registration of a change due to a reduction in the unit amount of the contribution must be accompanied by, in addition to the document set forth in the preceding paragraph, a document proving that public notice or notice under the provisions of Article 56-2, paragraph (2) (in the case of a cooperative which has given public notice by the method of public notice set forth in Article 33, paragraph (4), item (ii) or item (iii) in accordance with the provisions of the articles of incorporation under the provisions of that paragraph, in addition to giving public notice in an official gazette, pursuant to the provisions of Article 56-2, paragraph (3), public notice by these methods) is given, and, if any obligee states an objection, the fact that a payment has been made or equivalent security has been provided to the obligee or equivalent property has been entrusted for the purpose of having the obligee receive the payment, or the fact that the reduction in the unit amount of contribution poses no risk of harming the obligee.

(解散の登記の申請)

(Application for Registration of Dissolution)

第百条 第九十一条の規定による組合等の解散の登記の申請書には、解散の事由を証する書面を添付しなければならない。

Article 100 An application form for registration of the dissolution of a cooperative, etc. under the provisions of Article 91 must be accompanied by a document providing the grounds for dissolution.

(清算終了の登記の申請)

(Application for Registration of Completion of Liquidation)

第百一条 組合等の清算終了の登記の申請書には、清算人が第六十九条第一項において準用する会社法第五百七条第三項の規定又は第八十二条の十七の規定による決算報告書の承認があつたことを証する書面を添付しなければならない。

Article 101 The liquidator must attach a document certifying that the settlement of accounts has been approved pursuant to the provisions of Article 507, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1) or the provisions of Article 82-17, to an application form to register the completion of the liquidation of a cooperative, etc.

(吸収合併による変更の登記の申請)

(Application for Registration of Changes Due to an Absorption-Type Merger)

第百二条 組合の吸収合併による変更の登記の申請書には、第八十四条第二項各号に掲げる事項の変更を証する書面のほか、第六十三条の四第四項及び第六十三条の五第六

項において準用する第五十六条の二第二項の規定による公告及び催告（第六十三条の四第四項及び第六十三条の五第六項において準用する第五十六条の二第三項の規定により公告を官報のほか第三十三条第四項の規定による定款の定めに従い同項二号又は第三号に掲げる公告方法によつてした組合にあつては、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吸収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並びに吸収合併により消滅する組合（当該登記所の管轄区域内に主たる事務所があるものを除く。）の登記事項証明書を添付しなければならない。

**Article 102** An application form to register the changes due to an absorption-type merger of a cooperative must be accompanied by, in addition to a document proving the changes made to the particulars prescribed in the items of Article 84, paragraph (2), a document proving that public notice or notice under the provisions of Article 56-2, paragraph (2) as applied mutatis mutandis pursuant to Article 63-4, paragraph (4) and to Article 63-5, paragraph (6) (in the case of a cooperative which gives public notice by the method of public notice set forth in Article 33, paragraph (4), item (ii) or item (iii) in accordance with the provisions of the articles of incorporation under the provisions of that paragraph, in addition to giving public notice in an official gazette, pursuant to the provisions of Article 56-2, paragraph (3) as applied mutatis mutandis pursuant to the provisions of Article 63-4, paragraph (4) and to Article 63-5, paragraph (6), public notice by these methods) has been given, and, if any obligee has stated an objection, the fact that a payment has been made or equivalent security has been provided to the obligee or equivalent property has been entrusted for the purpose of having the obligee receive the payment, or the fact that the absorption-type merger poses no risk of harming the obligee, and a certificate of the registered particulars of the cooperative dissolved due to the absorption-type merger (excluding one whose principal office is located within the district under the jurisdiction of the relevant registry office).

（新設合併による設立の登記の申請）

**(Application to Register Incorporation Due to Consolidation-Type Merger)**

第百二条の二 組合の新設合併による設立の登記の申請書には、第九十八条第二項第一号に定める書面のほか、第六十三条の六第四項において準用する第五十六条の二第二項の規定による公告及び催告（第六十三条の六第四項において準用する第五十六条の二第三項の規定により公告を官報のほか第三十三条第四項の規定による定款の定めに従い同項二号又は第三号に掲げる公告方法によつてした組合にあつては、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新設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並びに新設合併により消滅する組合（当該登記所の管轄区域内に主たる事務所があるものを除く。）の登記事項証明書を添付しなければならない。

Article 102-2 An application form to register incorporation due to a consolidation-type merger of cooperatives must be accompanied by, in addition to the documents specified in Article 98, paragraph (2), item (i), a document proving that public notice or notice under the provisions of Article 56-2, paragraph (2) as applied mutatis mutandis pursuant to the provisions of Article 63-6, paragraph (4) (in the case of a cooperative which gives public notice by the method of public notice set forth in Article 33, paragraph (4), item (ii) or item (iii) in accordance with the provisions of the articles of incorporation under the provisions of that paragraph, in addition to giving public notice in an official gazette, pursuant to the provisions of Article 56-2, paragraph (3) as applied mutatis mutandis pursuant to the provisions of Article 63-6, paragraph (4), public notice by these methods) has been given, and, if any obligee has stated an objection, the fact that a payment has been made or equivalent security has been provided to the obligee or equivalent property has been entrusted for the purpose of having the obligee receive the payment, or the fact that the consolidation-type merger poses no risk of harming the obligee, and certificates of registered information of the disappearing cooperatives in the consolidation-type merger (excluding those whose principal offices are located within the district under the jurisdiction of the relevant registry office).

（商業登記法の準用）

（Mutatis Mutandis Application of the Commercial Registration Act）

第百三条 組合等の登記については、商業登記法（昭和三十八年法律第二百二十五号）第二条から第五条まで（登記所及び登記官）、第七条から第十五条まで、第十七条から第二十三条の二まで、第二十四条（第十五号及び第十六号を除く。）、第二十五条から第二十七条まで（登記簿等、登記手続の通則及び同一の所在場所における同一の商号の登記の禁止）、第四十八条から第五十三条まで、第七十一条第一項及び第三項（株式会社の登記）並びに第百三十二条から第百四十八条まで（登記の更正及び抹消並びに雑則）の規定を、組合の登記については、同法第二十四条（第十五号に係る部分に限る。）（申請の却下）、第四十五条（会社の支配人の登記）、第七十九条、第八十二条及び第八十三条（合併の登記）の規定を準用する。この場合において、同法第十二条第一項中「会社更生法（平成十四年法律第百五十四号）」とあるのは「金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）」と、同法第四十八条第二項中「会社法第九百三十条第二項各号」とあるのは「中小企業等協同組合法第九十三条第二項各号」と、同法第七十一条第三項ただし書中「会社法第四百七十八条第一項第一号の規定により清算株式会社の清算人となつたもの（同法第四百八十三条第四項に規定する場合にあつては、同項の規定により清算株式会社の代表清算人



となつたもの)」とあるのは、中央会については、「中小企業等協同組合法第八十二条の十四本文の規定による清算人」と読み替えるものとする。

Article 103 With regard to registration of a cooperative, etc., the provisions of Articles 2 through 5 (Registry Office and Registrar), Articles 7 through 15, Articles 17 through 23-2, Article 24 (excluding item (xv) and item (xvi)), Articles 25 through 27 (Registry, etc., General Rules on the Registration Procedure, and Prohibition of Registration of Identical Trade Names for Identical Office Addresses), Articles 48 through 53, Article 71, paragraph (1) and paragraph (3) (Registration of a Stock Company) and Articles 132 through 148 (Correction and Cancellation of Registration and Miscellaneous Provisions) of the Commercial Registration Act (Act No. 125 of 1963) apply mutatis mutandis; and with regard to registration of a cooperative, the provisions of Article 24 (limited to the parts pertaining to item (xv)) (Dismissal of Application), Article 45 (Registration of the Manager of a Company), Article 79, Article 82 and Article 83 (Registration of a Merger) of that Act apply mutatis mutandis. In this case, the term "Corporate Reorganization Act (Act No. 154 of 2002)" in Article 12, paragraph (1) of that Act is deemed to be replaced with "Act on Special Measures for the Reorganization Proceedings of Financial Institutions (Act No. 95 of 1996)," the term "the items of Article 930, paragraph (2) of the Companies Act" in Article 48, paragraph (2) of that Act is deemed to be replaced with "the items of Article 93, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act," the phrase "one who has become a liquidator of a liquidating stock company pursuant to the provisions of Article 478, paragraph (1), item (i) of the Companies Act (in the case prescribed in Article 483, paragraph (4) of that Act, one who has become the representative liquidator of a liquidating stock company pursuant to the provisions of that paragraph)" in the proviso to Article 71, paragraph (3) of that Act is deemed to be replaced with "a liquidator under the provisions of the main clause of Article 82-14 of the Small and Medium-Sized Enterprise Cooperatives Act" with regard to an FSBA.

## 第五章 雑則

### Chapter V Miscellaneous Provisions

(不服の申出)

(Filing of Complaints)

第百四条 組合若しくは中央会の業務若しくは会計が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に違反し、又は組合若しくは中央会の運営が著しく不当であると思料する組合員又は会員は、その事由を添えて、文書をもつてその旨を行政庁に申し出ることができる。

Article 104 (1) A member who considers that the operations or accounting of the

cooperative or the FSBA violates a law or regulation, a disposition by an administrative authority based on a law or regulation, the articles of incorporation, the constitution, mutual aid rules or fire mutual aid rules, or that administration of the cooperative or the FSBA is extremely unjust may file a complaint for this in writing to an administrative authority by attaching the grounds therefor.

2 行政庁は、前項の申出があつたときは、この法律の定めるところに従い、必要な措置を採らなければならない。

(2) When a complaint set forth in the preceding paragraph is filed, an administrative authority must take necessary measures pursuant to the provisions of this Act.

(検査の請求)

(Request for Inspection)

第百五条 組合員又は会員は、その総数の十分の一以上の同意を得て、その組合又は中央会の業務又は会計が法令若しくは法令に基づいてする行政庁の処分又は定款、規約、共済規程若しくは火災共済規程に違反する疑いがあることを理由として、行政庁にその検査を請求することができる。

Article 105 (1) A member may, by gaining the consent of at least one-tenth of all partners, request an administrative authority to conduct an inspection based on the reason that the operations or accounting of the cooperative or the FSBA is suspected of violating a law or regulation, a disposition by an administrative authority based on a law or regulation, the articles of incorporation, the constitution, mutual aid rules or fire mutual aid rules.

2 前項の請求があつたときは、行政庁は、その組合又は中央会の業務又は会計の状況を検査しなければならない。

(2) When a request set forth in the preceding paragraph is made, an administrative authority must inspect the status of the operations or accounting of the cooperative or the FSBA.

(決算関係書類の提出)

(Submission of Account Settlement Documents)

第百五条の二 組合（信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会を除く。）及び中央会は、毎事業年度、通常総会の終了の日から二週間以内に、事業報告書、財産目録、貸借対照表、損益計算書及び剰余金の処分又は損失の処理の方法を記載した書面を行政庁に提出しなければならない。

Article 105-2 (1) In each business year, a cooperative (excluding a credit cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i)) or an FSBA must submit a business report, an inventory of assets, a balance sheet, a profit and loss statement, and a document stating the method for the appropriation of the surplus or the

disposition of loss to an administrative authority, within two weeks from the last day of the ordinary general assembly.

2 第四十条の二第一項の規定により会計監査人の監査を要する組合が子会社等を有する場合には、当該組合は、毎事業年度、前項の書類のほか、当該組合及び当該子会社等の業務及び財産の状況を連結して記載した書類を作成し、行政庁に提出しなければならない。

(2) In the case where a cooperative for which an audit by a financial auditor is required pursuant to the provisions of Article 40-2, paragraph (1) has a subsidiary company, etc., the cooperative must, in each business year, prepare, in addition to the documents set forth in the preceding paragraph, documents stating the status of the operations and assets of the cooperative and the subsidiary company, etc. in a consolidated manner, and submit these to an administrative authority.

3 前二項の書類の記載事項その他必要な事項は、主務省令で定める。

(3) Particulars to be stated in the documents under the preceding paragraphs and any other necessary information are specified by order of the competent ministry.

(報告の徴収)

(Collection of Reports)

第百五条の三 行政庁は、毎年一回を限り、組合又は中央会から、その組合員又は会員、役員、使用人、事業の分量その他組合又は中央会の一般的状況に関する報告であつて、組合又は中央会に関する行政を適正に処理するために特に必要なものを徴することができる。

Article 105-3 (1) Once every year, an administrative agency may collect from a cooperative or an FSBA reports on partner, officers, employees, amount of activities, and other general circumstances of the cooperative or the FSBA, which are especially necessary for appropriately processing the administration concerning the cooperative or the FSBA.

2 行政庁は、組合若しくは中央会の業務若しくは会計が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に違反する疑いがあり、又は組合若しくは中央会の運営が著しく不当である疑いがあると認めるときは、その組合又は中央会からその業務又は会計に関し必要な報告を徴することができる。

(2) When an administrative authority finds that the operations or accounting of a cooperative or an FSBA is suspected to have violated a law or regulation, a disposition by an administrative authority based on a law or regulation, the articles of incorporation, the constitution, mutual aid rules or fire mutual aid rules, or that the administration of a cooperative or an FSBA is suspected to be extremely unjust, it may collect the necessary reports on the operations or accounting from the relevant cooperative or the FSBA.

3 行政庁は、共済事業を行う組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため必要があると認めるときは、共済事業を行う組合に対し、その業務又は財産の状況に関し報告又は資料の提出を求めることができる。

(3) When an administrative authority finds it necessary to secure the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and to protect partners and any other mutual aid contractors, it may request the cooperative engaged in mutual aid activities to submit reports or documents on the status of the operations or assets.

4 行政庁は、共済事業を行う組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため特に必要があると認めるときは、その必要の限度において、当該組合の子法人等（子会社その他組合がその経営を支配している法人として主務省令で定めるものをいう。次項並びに次条第四項及び第五項において同じ。）又は共済代理店に対し、当該組合の業務又は会計の状況に関し参考となるべき報告又は資料の提出を求めることができる。

(4) When an administrative authority finds it especially necessary to secure the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and to protect partners and any other mutual aid contractors, it may, to the extent necessary to do so, request a subsidiary company, etc. (meaning a subsidiary company or a juridical person specified by order of the competent ministry as one whose management is controlled by the cooperative; the same applies in the following paragraph, and paragraph (4) and paragraph (5) of the following Article) or a mutual aid agent of the cooperative to submit reports or documents that would provide a reference concerning the status of operations or assets of the cooperative.

5 組合の子法人等又は共済代理店は、正当な理由があるときは、前項の規定による報告又は資料の提出を拒むことができる。

(5) A subsidiary company, etc. or a mutual aid agent of a cooperative may refuse to submit the reports or documents under the provisions set forth in the preceding paragraph when they have reasonable grounds.

(検査等)

(Inspections)

第百五条の四 行政庁は、組合若しくは中央会の業務若しくは会計が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に違反する疑いがあり、又は組合若しくは中央会の運営が著しく不当である疑いがあると認めるときは、その組合若しくは中央会の業務若しくは会計の状況を検査することができる。

Article 105-4 (1) When an administrative authority finds that the operations or accounting of a cooperative or an FSBA is suspected to have violated a law or regulation, a disposition by an administrative authority based on a law or regulation, the articles of incorporation, the constitution, mutual aid rules or

fire mutual aid rules, or that the administration of a cooperative or an FSBA is suspected to be extremely unjust, it may inspect the operations or accounting of the cooperative or the FSBA.

2 行政庁は、共済事業を行う組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため必要があると認めるときは、当該職員に、共済事業を行う組合の事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

(2) When an administrative authority finds it necessary to secure the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and to protect partners and any other mutual aid contractors, it may have its officials enter an office or any other facility of the cooperative engaged in mutual aid activities, and have them ask questions about the status of the operations or assets, or inspect the books and documents or other relevant items.

3 行政庁は、責任共済等の事業を行う組合の業務又は会計の状況につき、毎年一回を常例として検査をしなければならない。

(3) An administrative authority must inspect the status of the operations or accounting of a cooperative engaged in activities, concerning liability mutual aid, etc. in each year, as a rule.

4 行政庁は、前二項の規定による立入り、質問又は検査を行う場合において特に必要があると認めるときは、その必要の限度において、当該職員に、組合の子法人等若しくは当該組合の共済代理店の施設に立ち入らせ、当該組合に対する質問若しくは検査に必要な事項に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

(4) When an administrative authority finds it particularly necessary to carry out the entry, questioning or inspection under the provisions of the preceding two paragraphs, it may, to the extent necessary for it, have its officials enter the facility of a subsidiary company, etc. of the cooperative or a mutual aid agent of the cooperative, have them ask questions on particulars that are necessary to question or inspect the cooperative, or have them inspect the books and documents or other relevant items.

5 組合の子法人等又は当該組合の共済代理店は、正当な理由があるときは、前項の規定による質問及び検査を拒むことができる。

(5) A subsidiary company, etc. of the cooperative or a mutual aid agent of the cooperative may refuse the questioning and inspection under the provisions of the preceding paragraph when they have reasonable grounds.

6 第一項から第四項までの規定による立入り、質問又は検査をする職員は、その身分を示す証明書を携帯し、関係人の請求があつたときは、これを提示しなければならない。

(6) An official who enters, questions, or inspects under the provisions of paragraphs (1) through (4) must carry an identification card and present it to the persons concerned when requested to do so.

7 第一項から第四項までの規定による立入り、質問又は検査の権限は、犯罪捜査のために認められたものと解してはならない。

(7) The authority for the entry, questioning, or inspection under the provisions of paragraphs (1) through (4) must not be construed as the one granted for criminal investigation.

(法令等の違反に対する処分)

(Dispositions for Violations of Laws and Regulations)

第百六条 行政庁は、第百五条の三第二項の規定により報告を徴し、又は第百五条第二項若しくは前条第一項の規定により検査をした場合において、組合若しくは中央会の業務若しくは会計が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に違反し、又は組合若しくは中央会の運営が著しく不当であると認めるときは、その組合又は中央会に対し、期間を定めて必要な措置を採るべき旨を命ずることができる。

Article 106 (1) In the case when an administrative authority collects reports pursuant to the provisions of Article 105-3, paragraph (2) or carries out an inspection pursuant to the provisions of Article 105, paragraph (2) or paragraph (1) of the preceding Article, if it finds that the operations or accounting of the cooperative or the FSBA violates a law or regulation, a disposition by an administrative authority based on a law or regulation, the articles of incorporation, the constitution, mutual aid rules or fire mutual aid rules, or that the administration of the cooperative or the FSBA is extremely unjust, it may order the cooperative or the FSBA to take necessary measures within a certain period.

2 行政庁は、組合若しくは中央会が前項の命令に違反したとき、又は組合若しくは中央会が正当な理由がないのにその成立の日から一年以内に事業を開始せず、若しくは引き続き一年以上その事業を停止していると認めるときは、その組合又は中央会に対し、解散を命ずることができる。

(2) When a cooperative or an FSBA violates an order set forth in the preceding paragraph, or when an administrative authority finds that a cooperative or an FSBA has failed to commence its activities within one year from the date of incorporation or has suspended its activities for one year or more on a continuous basis without reasonable grounds, the administrative authority may order the cooperative or the FSBA to dissolve.

3 行政庁は、組合若しくは中央会の代表権を有する者が欠けているとき、又はその所在が知れないときは、前項の規定による命令の通知に代えてその要旨を官報に掲載することができる。

(3) When the position of the person having the right to represent a cooperative or an FSBA is vacant or when the whereabouts of the person is unknown, an administrative authority may, in lieu of notice of order under the provisions set forth in the preceding paragraph, publish the gist thereof in an official gazette.

4 前項の場合においては、当該命令は、官報に掲載した日から二十日を経過した日にその効力を生ずる。

(4) In the case set referred to in the preceding paragraph, the order becomes effective on the day when twenty days have elapsed from the date of publication in the official gazette.

(共済事業に係る監督上の処分)

(Supervisory Dispositions Pertaining to Mutual Aid Activities)

第百六条の二 行政庁は、共済事業を行う組合の業務若しくは財産の状況に照らして、又は事情の変更により、共済事業を行う組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため必要があると認めるときは、当該組合に対し、その必要の限度において、定款、規約、共済規程若しくは火災共済規程に定めた事項の変更又は業務執行の方法の変更を命ずることができる。

Article 106-2 (1) When an administrative authority finds it necessary to secure the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and to protect partners and any other mutual aid contractors, in light of the status of the operations or assets of the cooperative engaged in mutual aid activities or due to changes in circumstances, it may, to the extent necessary to do so, order the cooperative to make changes to the particulars prescribed in the articles of incorporation, the constitution, mutual aid rules, or fire mutual aid rules or to change the method of execution of business.

2 行政庁は、共済事業を行う組合の業務若しくは財産又は共済事業を行う組合及びその子会社等の財産の状況に照らして、当該組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため必要があると認めるときは、当該組合に対し、措置を講ずべき事項及び期限を示して、経営の健全性を確保するための改善計画の提出を求め、若しくは提出された改善計画の変更を命じ、又はその必要の限度において、期限を付して当該組合の業務の全部若しくは一部の停止を命じ、若しくは当該組合の財産の供託その他監督上必要な措置を命ずることができる。

(2) When an administrative authority finds it necessary to secure the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and to protect partners and any other mutual aid contractors, in light of the status of the operations or assets of the cooperative engaged in mutual aid activities or the property of the cooperative engaged in mutual aid activities and its subsidiary company, etc., it may, by specifying the particulars for which measures should be taken and the period in which the measures should be taken, request the cooperative to submit an improvement plan for securing sound management or order the cooperative to change the submitted improvement plan, or, to the extent necessary for it, order to suspend all or part of the operations of the cooperative by setting a deadline or order to deposit the property of the cooperative or take any other measures

necessary for supervision.

3 前項の規定による命令（改善計画の提出を求めることを含む。）であつて、特定共済組合、火災共済協同組合、第九条の九第一項第三号の事業を行う協同組合連合会又は特定共済組合連合会の共済金等の支払能力の充実の状況によつて必要があると認めるときにするものは、これらの組合の共済金等の支払能力の充実の状況に係る区分に応じ主務省令で定めるものでなければならない。

(3) An order under the provisions of the preceding paragraph (including a request for the submission of an improvement plan), which is issued when it is considered necessary based on the level of solvency in terms of the ability to pay mutual aid proceeds of a specified mutual aid association, a fire mutual aid cooperative, a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), or a specified federation of mutual aid associations to pay mutual aid proceeds, etc., must be one specified by order of the competent ministry according to the categories of the level of solvency in term of ability to pay mutual aid proceeds, etc. of the cooperative.

4 行政庁は、共済事業を行う組合の財産の状況が著しく悪化し、共済事業を継続することが組合員その他の共済契約者の保護の見地から適当でないとき、当該組合の第九条の六の二第一項（第九条の九第五項において準用する場合を含む。）の認可を取り消し、又は火災共済協同組合若しくは第九条の九第一項第三号の事業を行う協同組合連合会については、第二十七条の二第一項の認可を取り消すことができる。

(4) When an administrative authority finds that the status of the assets of a cooperative engaged in mutual aid activities has deteriorated considerably and that it would be inappropriate to continue the mutual aid activities from the viewpoint of protecting partners and any other mutual aid contractors, it may revoke the approval set forth in Article 9-6-2, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5)) granted for the cooperative, or, in the case of a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), revoke the approval set forth in Article 27-2, paragraph (1).

5 行政庁は、共済事業を行う組合が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に定めた事項のうち特に重要なものに違反したとき、又は公益を害する行為をしたときは、当該組合の業務の全部若しくは一部の停止若しくは役員解任を命じ、若しくは第九条の六の二第一項（第九条の九第五項において準用する場合を含む。）の認可を取り消し、又は火災共済協同組合若しくは第九条の九第一項第三号の事業を行う協同組合連合会については、第二十七条の二第一項の認可を取り消すことができる。

(5) When a cooperative engaged in mutual aid activities violates any particulars that are of significant importance prescribed in a law or regulation, a disposition by an administrative authority based on a law or regulation, the articles of incorporation, the constitution, mutual aid rules or fire mutual aid



rules, or has engaged in an act that causes harm to the public interest, it may order to suspend all or part of the operations of the cooperative or to dismiss officers, or revoke the approval set forth in Article 9-6-2, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5)), or, in the case of a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), revoke the approval set forth in Article 27-2, paragraph (1).

(行政庁への届出)

(Notification to Administrative Authorities)

第百六条の三 共済事業を行う組合（第一号に掲げる場合においては、組合又は届出に係る共済代理店）は、次の各号のいずれかに該当するときは、主務省令で定めるところにより、その旨を行政庁に届け出なければならない。

Article 106-3 When a cooperative engaged in mutual aid activities (in the case set forth in item (i), the cooperative or the mutual aid agent to which the notification pertains) falls under any of the following items, it must notify an administrative authority of this, pursuant to the provisions of order of the competent ministry:

一 共済代理店の設置又は廃止をしようとするとき。

(i) when intending to establish or close mutual aid agent

二 共済計理人を選任したとき、又は共済計理人が退任したとき。

(ii) when a mutual aid actuary is appointed or when a mutual aid actuary retires from office

三 子会社等を新たに有することとなつたとき。

(iii) when the cooperative is to own a new subsidiary company, etc.

四 子会社等が子会社等でなくなつたとき。

(iv) when a subsidiary company, etc. is no longer a subsidiary company, etc.

五 第六十一条の二第一項又は第二項の規定により説明書類の縦覧を開始したとき。

(v) when the cooperative commences the public inspection of explanatory documents pursuant to the provisions of Article 61-2, paragraph (1) or paragraph (2)

六 その他主務省令で定める場合に該当するとき。

(vi) when the cooperative falls under any other case specified by order of the competent ministry

(排除措置)

(Expulsion Measures)

第百七条 公正取引委員会は、組合（事業協同小組合を除く。）の組合員たる事業者でその常時使用する従業員の数が百人を超えるものが実質的に小規模の事業者でないと認めるときは、この法律の目的を達成するために、次条に規定する手続に従い、その事業者を組合から脱退させることができる。

Article 107 When the Fair Trade Commission finds that an enterprise that is a member of a cooperative (excluding a small business cooperative) and whose number of regularly hired employees exceeds one hundred is not substantially a small sized enterprise, it may have the enterprise withdraw from the cooperative following the procedure prescribed in the following Article, in order to achieve the purpose of this Act.

第百八条 前条の場合については、私的独占禁止法第四十条から第四十二条まで（公正取引委員会の権限）、第四十五条、第四十七条から第四十九条まで、第五十二条、第五十五条第一項及び第三項から第五項まで、第五十六条から第五十八条まで、第五十九条第一項、第六十条から第六十四条まで、第六十六条、第六十八条、第六十九条第一項及び第二項、第七十条、第七十条の二第一項から第三項まで、第七十条の三から第七十条の五まで、第七十条の八、第七十条の十二第二項、第七十条の十五から第七十条の十七まで、第七十条の十九から第七十条の二十二まで（事実の報告、事件の調査、排除措置命令、審判、審決その他事件処理の手續）、第七十五条、第七十六条（雑則）、第七十七条から第八十二条まで並びに第八十八条（訴訟）の規定を準用する。

Article 108 With regard to the case referred to in the preceding Article, the provisions of Articles 40 through 42 (Authority of the Fair Trade Commission), Article 45, Articles 47 through 49, Article 52, Article 55, paragraph (1) and paragraphs (3) through (5), Articles 56 through 58, Article 59, paragraph (1), Articles 60 through 64, Article 66, Article 68, Article 69, paragraph (1) and paragraph (2), Article 70, Article 70-2, paragraphs (1) through (3), Articles 70-3 through 70-5, Article 70-8, Article 70-12, paragraph (2), Articles 70-15 through 70-17, Articles 70-19 through 70-22 (Reports of Facts, Investigations of Cases, Cease and Desist Order, Hearings, Decisions, and Other Procedures for Disposal of Cases), Article 75, Article 76 (Miscellaneous Provisions), Articles 77 through 82, and Article 88 (Lawsuits) of the Act on Prohibition of Private Monopolization apply mutatis mutandis.

（東京高等裁判所の管轄権）

(Jurisdiction of the Tokyo High Court)

第百九条 前条の規定による公正取引委員会の審決に係る訴訟については、第一審の裁判権は、東京高等裁判所に属する。

Article 109 (1) The Tokyo High Court has jurisdiction over the first instance of a lawsuit pertaining to a decision of the Fair Trade Commission under the provisions of the preceding Article.

2 前項に掲げる訴訟事件は、私的独占禁止法第八十七条第一項の規定により東京高等裁判所に設けられた裁判官の合議体が取り扱うものとする。

(2) The lawsuit set forth in the preceding paragraph is to be handled by a panel of judges established within the Tokyo High Court pursuant to the provisions

of Article 87, paragraph (1) of the Act on Prohibition of Private Monopolization.

第百十条 削除

Article 110 Deleted.

(所管行政庁)

(Administrative Authorities with Jurisdiction)

第百十一条 この法律中「行政庁」とあるのは、第六十五条第一項及び第七十四条第二項（第七十五条第三項において準用する場合を含む。）の場合を除いては、次の各号に定めるところによる。

Article 111 (1) The term "administrative authority" as used in this Act is prescribed in the following items, except in the case of Article 65, paragraph (1) and Article 74, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 75, paragraph (3)):

一 事業協同組合、事業協同小組合及び協同組合連合会（第九条の九第一項第一号又は第三号の事業を行うものを除く。）については、その地区が都道府県の区域を超えないものであつて、その組合員の資格として定款に定められる事業が財務大臣の所管に属する事業又は国土交通大臣の所管に属する事業（政令で定めるものに限る。以下この号及び第四号において同じ。）以外のものにあつては、その主たる事務所の所在地を管轄する都道府県知事（以下「管轄都道府県知事」という。）とし、その地区が都道府県の区域を超えないものであつて、その組合員の資格として定款に定められる事業が財務大臣の所管に属する事業又は国土交通大臣の所管に属する事業とその他の事業とであるものにあつては、財務大臣又は国土交通大臣及びその管轄都道府県知事とし、その他のものにあつては、その組合員の資格として定款に定められる事業の所管大臣とする。

(i) with regard to a business cooperative, a small business cooperative, or a federation of cooperatives (excluding one engaged in the activities set forth in Article 9-9, paragraph (1), item (i) or item (iii)), if its district is located within the district of a prefecture and a business permitted for the persons having the status of partner as prescribed in the articles of incorporation is not a business under the jurisdiction of the Minister of Finance nor a business under the jurisdiction of the Minister of Land, Infrastructure and Transport (limited to those specified by Cabinet Order; hereinafter the same applies in this item and item (iv)), the administrative authority is the prefectural governor having jurisdiction over its principal office (hereinafter referred to as the competent prefectural governor), and if its district is not located within the district of a prefecture and the business permitted for the persons having the status of partner as prescribed in the articles of incorporation is the business under the jurisdiction of the Minister of Finance or the business under the jurisdiction of the Minister of Land, Infrastructure and Transport and any other business, the administrative

authority must be the Minister of Finance or the Minister of Land, Infrastructure and Transport and the competent prefectural governor, and if it does not fall under their jurisdiction, the administrative authority is the competent minister of the business permitted for the persons having the status of partner as prescribed in the articles of incorporation.

二 信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会については、内閣総理大臣とする。

(ii) with regard to a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i), the administrative authority is the Prime Minister.

三 火災共済協同組合及び第九条の九第一項第三号の事業を行う協同組合連合会については、経済産業大臣及び内閣総理大臣とする。

(iii) with regard to a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), the administrative authority is the Minister of Economy, Trade and Industry and the Prime Minister.

四 企業組合については、その行う事業のすべてが財務大臣の所管に属する事業又は国土交通大臣の所管に属する事業であるものにあつては、財務大臣又は国土交通大臣とし、財務大臣の所管に属する事業又は国土交通大臣の所管に属する事業とその他の事業とを行うものにあつては、財務大臣又は国土交通大臣及びその管轄都道府県知事とし、その他のものにあつては、その管轄都道府県知事とする。

(iv) with regard to a joint enterprise cooperative, if all of its business is a business under the jurisdiction of the Minister of Finance or a business under the jurisdiction of the Minister of Land, Infrastructure and Transport, the administrative authority is the Minister of Finance or the Minister of Land, Infrastructure and Transport, and if its business is a business under the jurisdiction of the Minister of Finance or a business under the jurisdiction of the Minister of Land, Infrastructure and Transport and any other business, the administrative authority is the Minister of Finance or the Minister of Land, Infrastructure and Transport and the competent prefectural governor, and if it does not fall under their jurisdiction, the administrative authority is the competent prefectural governor.

五 都道府県中央会については、その管轄都道府県知事とする。

(v) with regard to a prefectural FSBA, the administrative authority is the competent prefectural governor.

六 全国中央会については、経済産業大臣とする。

(vi) with regard to the national FSBA, the administrative authority is the Minister of Economy, Trade and Industry.

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

(2) The Prime Minister delegates the authority under this Act (excluding the

authority specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

3 この法律に規定する行政庁（管轄都道府県知事を除く。以下この条において同じ。）の権限（経済産業大臣にあつては都道府県の区域をその地区とする火災共済協同組合に係るものを除き、内閣総理大臣にあつては前項の規定により金融庁長官に委任されたものを除く。）に属する事務の一部は、政令で定めるところにより、都道府県知事が行うこととすることができる。

(3) The affairs under the authority (excluding the authority pertaining to a fire mutual aid cooperative whose district is the same as the district of a prefecture in the case of the Minister of Economy, Trade and Industry, and excluding the authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph in the case of the Prime Minister) of the administrative authority (excluding the competent prefectural governor; hereinafter the same applies in this Article) prescribed in this Act may be partially performed by a prefectural governor pursuant to the provisions of Cabinet Order.

4 行政庁は、政令の定めるところにより、この法律による権限の一部を地方支分部局の長に委任することができる。

(4) The administrative authority may delegate its authority under this Act partially to the head of a Local Branch Office, pursuant to the provisions of Cabinet Order.

5 金融庁長官は、政令の定めるところにより、第二項の規定により委任された権限の一部を財務局長又は財務支局長に委任することができる。

(5) The Commissioner of the Financial Services Agency may delegate the authority that has been delegated pursuant to the provisions of paragraph (2) to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau, pursuant to the provisions of Cabinet Order.

6 都道府県の区域をその地区とする火災共済協同組合については、設立の認可その他この法律に規定する行政庁の権限（内閣総理大臣にあつては、第二項の規定により金融庁長官に委任された権限に限る。）に属する事務の一部は、政令で定めるところにより、都道府県知事が行うこととすることができる。

(6) With regard to a fire mutual aid cooperative whose district is the same as the district of a prefecture, the affairs pertaining to approval for incorporation and other affairs under the authority (limited to the authority that has been delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of paragraph (2) in the case of the Prime Minister) of the administrative authority prescribed in this Act may be partially performed by a prefectural governor, pursuant to the provisions of Cabinet Order.

（主務省令）

(Orders of the Competent Ministry)

第百十一条の二 この法律における主務省令は、次のとおりとする。

Article 111-2 Orders of the competent ministry under this Act are as follows:

一 事業協同組合、事業協同小組合及び協同組合連合会（第九条の九第一項第一号又は第三号の事業を行うものを除く。）に関しては、その組合員の資格として定款に定められる事業を所管する大臣が共同で発する命令

(i) with regard to a business cooperative, a small business cooperative, or a federation of cooperatives (excluding those engaged in the activities set forth in Article 9-9, paragraph (1), item (i) or item (iii)), orders issued jointly by the ministers having jurisdiction over the business permitted for the persons having the status of partner as prescribed in the articles of incorporation

二 火災共済協同組合及び第九条の九第一項第三号の事業を行う協同組合連合会に関しては、経済産業省令・内閣府令

(ii) with regard to a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii),  
Orders of the Ministry of Economy, Trade and Industry/Cabinet Order

(財務大臣への資料提出等)

(Submission of Relevant Documents to the Minister of Finance)

第百十一条の三 財務大臣は、その所掌に係る金融破綻処理制度及び金融危機管理に関し、火災共済協同組合に係る制度の企画又は立案をするため必要があると認めるときは、内閣総理大臣に対し、必要な資料の提出及び説明を求めることができる。

Article 111-3 The Minister of Finance may, when the minister finds it necessary to develop or draft a plan for a system pertaining to a fire mutual aid cooperative pertaining to the financial failure resolution system or financial crisis management under the jurisdiction, request the Prime Minister to submit and provide an explanation about the necessary relevant documents.

## 第六章 罰則

### Chapter VI Penal Provisions

第百十二条 組合の役員がいかなる名義をもつてするを問はず、組合の事業の範囲外において、貸付けをし、手形の割引をし、若しくは預金若しくは定期積金の受入れをし、又は投機取引のために組合の財産を処分したときは、三年以下の懲役又は百万円以下の罰金（信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合の役員にあつては、三年以下の懲役又は三百万円以下の罰金）に処する。

Article 112 (1) When an officer of a cooperative has, under any name, provided a loan, discounted a negotiable instrument, accepted a deposit or an installment saving, or disposed of assets of the cooperative for the speculative transactions, outside the scope of activities of the cooperative, the officer is punished by imprisonment with work not more than three years or a fine not more than one million yen (imprisonment with work not more than three years or a fine not

more than three million yen in the case of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i)).

2 前項の罪を犯した者には、情状により懲役及び罰金を併科することができる。

(2) A person who has committed a crime set forth in the preceding paragraph may be punished by cumulative imposition of imprisonment with work and a fine, according to the circumstances.

3 第一項の規定は、刑法（明治四十年法律第四十五号）に正条がある場合には適用しない。

(3) The provisions of paragraph (1) do not apply when there are applicable provisions in the Penal Code (Act No. 45 of 1907).

第百十二条の二 第九条の七の五第三項（第九条の九第五項又は第八項において準用する場合を含む。）において準用する金融商品取引法（以下「準用金融商品取引法」という。）第三十九条第一項の規定に違反した者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 112-2 A person who violates the provisions of Article 39, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (3) (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) or paragraph (8)) (hereinafter referred to as "Financial Instruments and Exchange Act as applied mutatis mutandis") is punished by imprisonment with work not more than three years or a fine not more than three million yen, or both.

第百十二条の三 準用金融商品取引法第三十九条第二項の規定に違反した者は、一年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

Article 112-3 A person who violates the provisions of Article 39, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis is punished by imprisonment with work not more than one year or a fine not more than one million yen, or both.

第百十二条の四 前条の場合において、犯人又は情を知った第三者が受けた財産上の利益は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

Article 112-4 In the case set forth in the preceding Article, economic benefit received by the offender or a third party who knows the circumstances is confiscated. When all or part of it cannot be confiscated, the equivalent value thereof is collected.

第百十二条の五 次の各号のいずれかに該当する者は、六月以下の懲役若しくは五十万

円以下の罰金に処し、又はこれを併科する。

Article 112-5 A person who falls under any of the following items is punished by imprisonment with work not more than six months or a fine not more than five hundred thousand yen, or both:

一 準用金融商品取引法第三十七条第一項（第二号を除く。）に規定する事項を表示せず、又は虚偽の表示をした者

(i) a person who fails to provide the information prescribed in Article 37, paragraph (1) (excluding item (ii)) of the Financial Instruments and Exchange Act as applied mutatis mutandis or provides false information

二 準用金融商品取引法第三十七条第二項の規定に違反した者

(ii) a person who violates the provisions of Article 37, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis

三 準用金融商品取引法第三十七条の三第一項（第二号及び第六号を除く。）の規定に違反して、書面を交付せず、又は同項に規定する事項を記載しない書面若しくは虚偽の記載をした書面を交付した者

(iii) a person who, in violation of the provisions of Article 37-3, paragraph (1) (excluding item (ii) and item (vi)) of the Financial Instruments and Exchange Act as applied mutatis mutandis, fails to provide a document or provides a document not including the information prescribed in that paragraph or provides false information

四 準用金融商品取引法第三十七条の四第一項の規定による書面を交付せず、又は虚偽の記載をした書面を交付した者

(iv) a person who fails to provide a document under the provisions of Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis or provides a document including false information

第十二条の六 第六十一条の二第一項若しくは第二項の規定に違反して、これらの規定に規定する書類を公衆の縦覧に供せず、又はこれらの規定に違反して、これらの書類に記載すべき事項を記載せず、若しくは虚偽の記載をして、公衆の縦覧に供した者は、百万円以下の罰金に処する。

Article 112-6 (1) A person who, in violation of the provisions of Article 61-2, paragraph (1) or paragraph (2), fails to provide the documents prescribed in these provisions for public inspection, or who, in violation of these provisions, provides those documents for public inspection not including the information to be provided therein or provides false information is punished by a fine not more than one million yen.

2 第六十一条の二第四項の規定により同条第一項又は第二項に規定する書類をこれらの規定により備え置き公衆の縦覧に供したものとみなされる場合において、同条第四項に定める電磁的記録に記載すべき事項を記録せず、又は虚偽の記録をして、電磁的記録に記載された情報を電磁的方法により不特定多数の者が提供を受けることができる状態に置く措置をとつた者も前項と同様とする。



(2) The provisions of the preceding paragraph also apply to a person who makes the information contained in electronic or magnetic records available to unspecified and many persons by electronic or magnetic means without recording the information to be recorded therein as specified in Article 61-2, paragraph (4) or by recording false information, in the case where, pursuant to the provisions of that paragraph, the documents prescribed in paragraph (1) or paragraph (2) of that Article are deemed to be kept and have been provided for public inspection pursuant to these provisions.

第百十二条の七 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。  
Article 112-7 A person who falls under any of the following items is punished by a fine not more than three hundred thousand yen:

一 第九条の七の五第二項（第九条の九第五項又は第八項において準用する場合を含む。）において準用する保険業法第二百七十五条第一項の規定に違反して共済契約の募集を行った者

(i) a person who solicits a mutual aid contract in violation of the provisions of Article 275, paragraph (1) of the Insurance Business Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) or paragraph (8))

二 第九条の七の五第二項（第九条の九第五項又は第八項において準用する場合を含む。）において準用する保険業法第三百条第一項の規定に違反して同項第一号から第三号までに掲げる行為をした者

(ii) a person who engages in any of the acts prescribed in Article 300, paragraph (1), items (i) through (iii) of the Insurance Business Act in violation of the provisions of that paragraph as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) or paragraph (8))

第百十三条 組合が第七条第三項の規定に違反して届出を怠り、又は虚偽の届出をしたときは、その組合の理事は、三十万円以下の罰金に処する。

Article 113 When a cooperative, in violation of the provisions of Article 7, paragraph (3), fails to give a notification or gives a false notification, the directors of the cooperative is punished by a fine not more than three hundred thousand yen.

第百十四条 第九条の三第四項において準用する倉庫業法第二十七条第一項若しくはこの法律第百五条の三第二項の規定による報告をせず、若しくは虚偽の報告をし、若しくは同条第三項若しくは第四項の規定による報告若しくは資料の提出をせず、若しくは虚偽の報告若しくは資料の提出をし、又は第九条の三第四項において準用する倉庫

業法第二十七条第一項若しくはこの法律第百五条第二項若しくは第百五条の四第一項若しくは第三項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同条第二項若しくは第四項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくはこれらの規定による検査を拒み、妨げ、若しくは忌避した者は、三十万円以下の罰金（信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合に係る報告又は検査にあつては、一年以下の懲役又は三百万円以下の罰金）に処する。

Article 114 A person who fails to make a report under the provisions of Article 27, paragraph (1) of the Warehousing Business Act as applied mutatis mutandis pursuant to the provisions of Article 9-3, paragraph (4) or under the provisions of Article 105-3, paragraph (2) of this Act or makes a false report, or who fails to submit a report or documents under the provisions of paragraph (3) or paragraph (4) of that Article or submits a false report or document, or who refuses, obstructs, or challenges an inspection under the provisions of Article 27, paragraph (1) of the Warehousing Business Act as applied mutatis mutandis pursuant to the provisions of Article 9-3, paragraph (4) or under the provisions of Article 105, paragraph (2) or Article 105-4, paragraph (1) or (3), or who refuses to respond to or gives a false answer to the question or , or challenges an inspection under the provisions of paragraph (2) or paragraph (4) of that Article is punished by a fine not more than three hundred thousand yen (imprisonment with work not more than one year or a fine not more than three million yen in the case of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i)).

第百十四条の二 組合又は中央会が第百六条第一項の規定による命令に違反したときは、その組合の理事又はその中央会の会長は、三十万円以下の罰金に処する。

Article 114-2 When a cooperative or an FSBA violates an order under the provisions of Article 106, paragraph (1), the directors of the cooperative or the president of the FSBA is punished by a fine not more than three hundred thousand yen.

第百十四条の三 第三十三条第七項において準用する会社法第九百五十五条第一項の規定に違反して、同項に規定する調査記録簿等に同項に規定する電子公告調査に関し法務省令で定めるものを記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は調査記録簿等を保存しなかつた者は、三十万円以下の罰金に処する。

Article 114-3 A person who, in violation of the provisions of Article 955, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 33, paragraph (7), fails to state or record the information provided by the Ministry of Justice Order concerning an investigation of the electronic public notice prescribed in that paragraph in an investigation record registry, etc. prescribed in that paragraph, or states or records false information, or fails to retain the investigation record registry,

etc. is punished by a fine not more than three hundred thousand yen.

第百十四条の四 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、次の各号に掲げる規定の違反行為をしたときは、行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

Article 114-4 When the representative person of a juridical person, or an agent, employee, or any other worker of a juridical person or an individual, with regard to the business of the juridical person or individual, violates the provisions prescribed in any of the following items, not only the offender is punished but also the juridical person is punished by a fine set forth in the relevant items or the individual is punished by a fine set forth in the respective Articles:

一 第百十二条の二 三億円以下の罰金刑

(i) Article 112-2: a fine not more than three hundred million yen

二 第百十二条の三 一億円以下の罰金刑

(ii) Article 112-3: a fine not more than one hundred million yen

三 第百十二条の五、第百十二条の六第一項若しくは第二項又は前条 各本条の罰金刑

(iii) Article 112-5, Article 112-6, paragraph (1) or paragraph (2) or the preceding Article: a fine set forth in the respective Articles

四 第百十四条 同条の罰金刑（信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会にあつては、二億円以下の罰金刑）

(iv) Article 114: a fine set forth in that Article (a fine not more than two hundred million yen in the case of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i))

第百十四条の五 次の各号のいずれかに該当する者は、百万円以下の過料に処する。

Article 114-5 a person who falls under any of the following items is punished by a civil fine not more than one hundred million yen:

一 第三十三条第七項において準用する会社法第九百四十六条第三項の規定に違反して、報告をせず、又は虚偽の報告をした者

(i) a person who, in violation of the provisions of Article 946, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 33, paragraph (7), fails to make a report or makes a false report

二 正当な理由がないのに、第三十三条第七項において準用する会社法第九百五十一条第二項各号又は第九百五十五条第二項各号に掲げる請求を拒んだ者

(ii) A person who refuses any of the requests prescribed in the items of Article 951, paragraph (2) of the Companies Act or the items of Article 955, paragraph (2) of that Act as applied mutatis mutandis pursuant to the

provisions of Article 33, paragraph (7) without reasonable grounds

第百十四条の六 次の場合には、共済事業を行う組合の役員、会計監査人又は清算人は、二十万円以下の過料に処する。

Article 114-6 (1) In any of the following cases, the officers, financial auditors or liquidators of a cooperative engaged in mutual aid activities are punished by a civil fine not more than two hundred thousand yen:

一 第九条の二第七項又は第九条の九第四項の規定に違反して、承認を受けずにこれらの規定に規定する事業を行つたとき。

(i) when they, in violation of the provisions of Article 9-2, paragraph (7) or Article 9-9, paragraph (4), engage in the activities prescribed in these provisions without obtaining approval

二 第九条の六の二第一項（第九条の九第五項において準用する場合を含む。）の規定に違反したとき。

(ii) when they violate the provisions of Article 9-6-25, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5))

三 第四十条の二第三項において準用する会社法第三百四十四条第二項の規定による請求があつた場合において、その請求に係る事項を総会の目的とせず、又はその請求に係る議案を総会に提出しなかつたとき。

(iii) when they, in the case where a request under the provisions of Article 344, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 40-2, paragraph (3) is made, fail to include the particulars to which the request pertains in the purpose of the general assembly or fails to submit a proposal to which the request pertains to the general assembly

四 第四十条の二第三項において準用する会社法第三百九十六条第二項の規定に違反して、正当な理由がないのに書面又は電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写を拒んだとき。

(iv) when they, in violation of the provisions of Article 396, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 40-2, paragraph (3), refuse an inspection or the copying of a document or information contained in an electronic or magnetic record that is displayed by a method specified by order of the competent ministry, without reasonable grounds

五 第四十条の二第三項において準用する会社法第三百九十八条第二項の規定により意見を述べるに当たり、通常総会に対し、虚偽の申述を行い、又は事実を隠ぺいしたとき。

(v) when they, in stating opinions pursuant to the provisions of Article 398, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 40-2, paragraph (3), make a false statement to or conceal facts from the ordinary general assembly

六 第四十条の二第三項又は第四十条の三第二項において準用する会社法第三百四十条第三項の規定により報告するに当たり、総会に対し、虚偽の申述を行い、又は事実を隠ぺいしたとき。

(vi) when they, in making a report pursuant to the provisions of Article 340, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 40-2, paragraph (3) or Article 40-3, paragraph (2), make a false statement to concealed facts from the general assembly

七 第四十条の三第一項の規定に違反したとき。

(vii) when they violate the provisions of Article 40-3, paragraph (1)

八 第五十七条の二の規定に違反したとき。

(viii) when they violate the provisions of Article 57-2

九 第五十七条の四の規定に違反して組合の事業の譲渡をしたとき。

(ix) when they transfer the business of a cooperative in violation of the provisions of Article 57-4

十 第五十八条第五項の規定に違反したとき。

(x) when they violate the provisions of Article 58, paragraph (5)

十一 第五十八条の二第一項又は第二項の規定に違反したとき。

(xi) when they violate the provisions of Article 58-2, paragraph (1) or paragraph (2)

十二 第五十八条の六第一項の規定に違反して、共済計理人の選任手続をせず、又は同条第二項の主務省令で定める要件に該当する者でない者を共済計理人に選任したとき。

(xii) when they, in violation of the provisions of Article 58-6, paragraph (1), fail to carry out the procedure to appoint a mutual aid actuary or appoints a person who does not meet the requirements specified by order of the competent ministry set forth in paragraph (2) of that Article as a mutual aid actuary

十三 第五十八条の八又は第百六条の二第一項、第二項若しくは第五項の規定による命令（改善計画の提出を求めることを含む。）に違反したとき。

(xiii) when they violate an order (including a request for the submission of an improvement plan) under the provisions of Article 58-8 or Article 106-2, paragraph (1), paragraph (2) or paragraph (5)

十四 第六十八条の三の規定に違反して組合の財産を処分したとき。

(xiv) when they, in violation of the provisions of Article 68-3, dispose of property of the cooperative

十五 第百五条の二第二項の規定に違反して、書面を提出せず、又は虚偽の書面を提出したとき。

(xv) when they, in violation of the provisions of Article 105-2, paragraph (2), fail to submit the documents or submits false documents

十六 第百六条の三の規定に違反したとき。

(xvi) when they violate the provisions of Article 106-3

2 会社法第九百七十六条に規定する者が、第四十条の二第三項において準用する同法第三百九十六条第三項の規定による調査を妨げたときも、前項と同様とする。

(2) The provisions of the preceding paragraph also apply to the case where a person prescribed in Article 976 of the Companies Act obstruct an inspection under the provisions of Article 396, paragraph (3) of that Act as applied mutatis mutandis pursuant to the provisions of Article 40-2, paragraph (3).

第百十四条の七 共済代理店が、第九条の七の五第二項（第九条の九第五項又は第八項において準用する場合を含む。）において準用する保険業法第三百五条の規定による報告若しくは資料の提出をせず、若しくは虚偽の報告若しくは資料の提出をし、若しくは質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくは同条の規定による検査を拒み、妨げ、若しくは忌避し、又は第九条の七の五第二項において準用する同法第三百六条若しくは第三百七条第一項の規定による命令に違反したときは、二十万円以下の過料に処する。

Article 114-7 When a mutual aid agent fails to submit a report or document under the provisions of Article 305 of the Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) or paragraph (8)) or submits a false report or document, or refuses to respond to the question or gives a false answer to the question, or refuses, prevents, or challenges an inspection under the provisions of that Article, or violates an order under the provisions of Article 306 or Article 307, paragraph (1) of that Act as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (2), the mutual aid agent is punished by a civil fine not more than two hundred thousand yen.

第百十五条 次に掲げる場合には、組合又は中央会の発起人、役員又は清算人は、二十万円以下の過料に処する。

Article 115 (1) In any of the following cases, the founders, officers or liquidators of a cooperative or an FSBA is punished by a civil fine not more than two hundred thousand yen:

一 この法律の規定に基づいて組合又は中央会が行うことができる事業以外の事業を行つたとき。

(i) when they engage in activities other than those that the cooperative or the FSBA is able to conduct based on the provisions of this Act

二 この法律の規定による登記をすることを怠つたとき。

(ii) when they fail to complete registration under the provisions of this Act

三 第九条の二第三項（第九条の七の二第三項又は第九条の九第五項において準用する場合を含む。）の規定に違反したとき。

(iii) when they violate the provisions of Article 9-2, paragraph (3) (including as applied mutatis mutandis pursuant to the provisions of Article 9-7-2,

paragraph (3) or Article 9-9, paragraph (5))

四 第九条の八第三項（第九条の九第七項において準用する場合を含む。）の規定に違反して、預金又は定期積金の受入れをしたとき。

(iv) when they accept a deposit or an installment saving in violation of the provisions of Article 9-8, paragraph (3) (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (7))

五 第九条の八第四項（第九条の九第七項において準用する場合を含む。）の規定に違反して、貸付けをし、又は手形の割引をしたとき。

(v) when they provide a loan or discount a negotiable instrument in violation of the provisions of Article 9-8, paragraph (4) (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (7))

六 第九条の九第二項又は第三項の規定に違反したとき。

(vi) when they violate the provisions of Article 9-9, paragraph (2) or paragraph (3)

七 第十条の二若しくは第三十四条の二（これらの規定を第八十二条の八において準用する場合を含む。）、第四十条（第六十九条第一項、第八十二条の八又は第八十二条の十八第一項において準用する場合を含む。）、第五十六条（第五十七条の二の二第五項において準用する場合を含む。）、第六十三条の四第一項若しくは第二項、第六十三条の五第一項、第二項若しくは第七項から第九項まで、第六十三条の六第一項若しくは第二項又は第六十四条第六項から第八項までの規定に違反して、書類若しくは電磁的記録を備え置かず、書類若しくは電磁的記録に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は正当な理由がないのに書類若しくは電磁的記録に記載された事項を主務省令で定める方法により表示したものの閲覧若しくは謄写若しくは書類の謄本若しくは抄本の交付、電磁的記録に記載された事項を電磁的方法により提供すること若しくはその事項を記載した書面の交付を拒んだとき。

(vii) when they, in violation of the provisions of Article 10-2 or Article 34-2 (including as applied mutatis mutandis pursuant to the provisions of Article 82-8), Article 40 (including as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1), Article 82-8, or Article 82-18, paragraph (1)), Article 56 (including as applied mutatis mutandis pursuant to the provisions of Article 57-2-2, paragraph (5)), Article 63-4, paragraph (1) or paragraph (2), Article 63-5, paragraph (1), paragraph (2), or paragraph (7) or (9), Article 63-6, paragraph (1) or paragraph (2), or Article 64, paragraphs (6) through (8), fail to keep documents or electronic or magnetic records, fail to provide or record information to be provided or recorded in the documents or electronic or magnetic records, or provide or recorded false information, or refuse an inspection or the copying of documents or information contained in electronic or magnetic records that are displayed by a method specified by order of the competent ministry, provision of a transcript or an extract of the documents, provision of information contained in the electronic or magnetic

- records by electronic or magnetic means, or provision of a document providing the information, without reasonable grounds
- 八 第十四条又は第七十九条第一項（同条第三項において準用する場合を含む。）の規定に違反したとき。
- (viii) when they violate the provisions of Article 79, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of paragraph (3) of that Article)
- 九 第十九条第二項（第八十条第三項において準用する場合を含む。）、第四十二条第五項若しくは第六項又は第四十五条第五項若しくは第六項の規定に違反したとき。
- (ix) when they violate the provisions of Article 19, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 80, paragraph (3)), Article 42, paragraph (5) or paragraph (6), or Article 45, paragraph (5) or paragraph (6)
- 十 第二十七条第七項、第三十六条の七第一項（第六十九条第一項において準用する場合を含む。）、第五十三条の四第一項（第八十二条の十第四項において準用する場合を含む。）、第八十二条第三項若しくは第八十二条の十五の規定又は第六十九条第一項において準用する会社法第四百九十二条第一項の規定に違反して、議事録若しくは財産目録若しくは貸借対照表を作成せず、又はこれらの書類若しくは電磁的記録に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をしたとき。
- (x) when they, in violation of the provisions of Article 27, paragraph (7), Article 36-7, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1)), Article 53-4, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 82-10, paragraph (4)), Article 82, paragraph (3) or Article 82-15 or the provisions of Article 492, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1), fail to prepare the minutes, an inventory of assets, or a balance sheet, or fail to provide or record the information to be provided or recorded in these documents or electronic or magnetic records, or provide or recorded false information
- 十一 第三十一条、第三十五条の二（第八十二条の八において準用する場合を含む。）、第六十二条第二項又は第八十二条の十三第二項の規定に違反したとき。
- (xi) when they violate the provisions of Article 31, Article 35-2 (including as applied mutatis mutandis pursuant to Article 82-8), Article 62, paragraph (2) or Article 82-13, paragraph (2)
- 十二 第三十三条第七項において準用する会社法第九百四十一条の規定に違反して、同条の調査を求めなかつたとき。
- (xii) when they, in violation of the provisions of Article 941 of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 33, paragraph (7), fail to request an investigation set forth in that Article
- 十三 第三十五条第六項の規定に違反して、同項に規定する者に該当する者を監事に



選任しなかつたとき。

(xiii) when they, in violation of the provisions of Article 35, paragraph (6), fail to appoint a person who falls under the category of persons prescribed in that paragraph as an auditor

十四 第三十五条第七項（第八十二条の八において準用する場合を含む。）の規定に違反したとき。

(xiv) when they violate the provisions of Article 35, paragraph (7) (including as applied mutatis mutandis pursuant to the provisions of Article 82-8)

十五 第三十六条の三第三項において準用する会社法第三百四十三条第二項の規定による請求があつた場合において、その請求に係る事項を総会の目的とせず、又はその請求に係る議案を総会に提出しなかつたとき。

(xv) when they, in the case where a request under the provisions of Article 343, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 36-3, paragraph (3) is made, fail to include the information to which the request pertains for the purpose of the general assembly or fail to submit a proposal to which the request pertains to the general assembly

十六 第三十六条の三第三項において準用する会社法第三百八十一条第二項若しくは第三百八十四条の規定、第三十六条の三第五項において準用する会社法第三百八十九条第五項の規定又は第六十九条第一項において準用する会社法第三百八十一条第二項、第三百八十四条若しくは第四百九十二条第一項の規定による調査を妨げたとき。

(xvi) when obstructe an investigation under the provisions of Article 381, paragraph (2) or Article 384 of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 36-3, paragraph (3), the provisions of Article 389, paragraph (5) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 36-3, paragraph (5), or the provisions of Article 381, paragraph (2), Article 384, or Article 492, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1)

十七 第三十六条の三第五項において準用する会社法第三百八十九条第四項の規定又は第三十六条の七第五項（第六十九条第一項において準用する場合を含む。）、第四十一条第三項若しくは第五十三条の四第四項（第八十二条の十第四項において準用する場合を含む。）の規定に違反して、正当な理由がないのに書面又は電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写を拒んだとき。

(xvii) when they, in violation of the provisions of Article 389, paragraph (4) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 36-3, paragraph (5) or the provisions of Article 36-7, paragraph (5) (including as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1)), Article 41, paragraph (3), or Article 53-4, paragraph (4)

(including as applied mutatis mutandis pursuant to the provisions of Article 82-10, paragraph (4)), refuse an inspection or the copying of a document or information contained in an electronic or magnetic record that are displayed by a method specified by order of the competent ministry, without reasonable grounds

十八 第三十七条第一項（第六十九条第一項、第八十二条の八又は第八十二条の十八第一項において準用する場合を含む。）又は第二項（第六十九条第一項において準用する場合を含む。）の規定に違反したとき。

(xviii) when they violate the provisions of Article 37, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1), Article 82-8, or Article 82-18, paragraph (1)) or paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1))

十九 第三十八条第一項（第六十九条第一項、第八十二条の八又は第八十二条の十八第一項において準用する場合を含む。）の規定又は第三十八条の二第六項の規定による開示をすることを怠つたとき。

(xix) when they fail to make a disclosure under the provisions of Article 38, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1), Article 82-8, or Article 82-18, paragraph (1)) or the provisions of Article 38-2, paragraph (6)

二十 第三十八条第三項（第六十九条第一項、第八十二条の八又は第八十二条の十八第一項において準用する場合を含む。）の規定に違反して、理事会に報告せず、又は虚偽の報告をしたとき。

(xx) when they, in violation of the provisions of Article 38, paragraph (3) (including as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1), Article 82-8, or Article 82-18, paragraph (1)), fail to make a report to the council or make a false report

二十一 第四十六条又は第八十二条の十第一項の規定に違反したとき。

(xxi) when they violate the provisions of Article 46 or Article 82-10, paragraph (1)

二十二 第五十六条第一項若しくは第五十六条の二第五項の規定に違反して出資一口の金額を減少し、又は第五十七条の二の二第五項において準用する第五十六条第一項の規定若しくは第五十七条の二の二第五項、第六十三条の四第四項、第六十三条の五第六項若しくは第六十三条の六第四項において準用する第五十六条の二第五項の規定に違反して共済事業の全部若しくは一部の譲渡、共済事業に係る財産の移転若しくは組合の合併をしたとき。

(xxii) when they, in violation of the provisions of Article 56, paragraph (1) or Article 56-2, paragraph (5), reduces the unit amount of contribution or, in violation of the provisions of Article 56-2, paragraph (5) as applied mutatis mutandis pursuant to the provisions of Article 56, paragraph (1) as applied mutatis mutandis pursuant to the provisions of Article 57-2-2, paragraph (5)

or the provisions of Article 57-2-2, paragraph (5), Article 63-4, paragraph (4), Article 63-5, paragraph (6), or Article 63-6, paragraph (4), transfer all or part of the mutual aid activities, transfer the assets pertaining to the mutual aid activities, or carry out a merger of the cooperative

二十三 第五十六条の二第二項（第五十七条の二の二第五項、第六十三条の四第四項、第六十三条の五第六項又は第六十三条の六第四項において準用する場合を含む。）の規定、第六十九条第一項において準用する会社法第四百九十九条第一項の規定又は第八十二条の十八第一項において準用する民法第七十九条第一項若しくは同法第八十一条第一項の規定による公告をすることを怠つたとき、又は不正の公告をしたとき。

(xxiii) when they fail give public notice under the provisions of Article 56-2, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 57-2-2, paragraph (5), Article 63-4, paragraph (4), Article 63-5, paragraph (6), or Article 63-6, paragraph (4)), the provisions of Article 499, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1), or the provisions of Article 79, paragraph (1) of the Civil Code or Article 81, paragraph (1) of that Act as applied mutatis mutandis pursuant to the provisions of Article 82-18, paragraph (1), or give false public notice

二十四 第五十七条の五の規定に違反したとき。

(xxiv) when they violate the provisions of Article 57-5

二十五 第五十八条第一項から第四項まで又は第五十九条の規定に違反したとき。

(xxv) when they violate the provisions of Article 58, paragraphs (1) through (4) or Article 59

二十六 第六十一条の規定に違反して、組合員の持分を取得し、又は質権の目的としてこれを受けたとき。

(xxvi) when they, in violation of the provisions of Article 61, acquire equity interest held by a member or acquire the equity interest as a pledge

二十七 第六十九条第一項において準用する会社法第四百八十四条第一項の規定又は第八十二条の十八第一項において準用する民法第八十一条第一項の規定に違反して、破産手続開始の申立てを怠つたとき。

(xxvii) when they, in violation of the provisions of Article 484, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1) or the provisions of Article 81, paragraph (1) of the Civil Code as applied mutatis mutandis pursuant to the provisions of Article 82-18, paragraph (1), fail to file a petition for commencement of bankruptcy proceedings

二十八 清算の結了を遅延させる目的で、第六十九条第一項において準用する会社法第四百九十九条第一項の期間を不当に定めたとき。

(xxviii) when they unreasonably specify the period set forth in Article 499, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to

the provisions of Article 69, paragraph (1) in order to delay the completion of liquidation

二十九 第六十九条第一項において準用する会社法第五百条第一項の規定に違反して、債務の弁済をしたとき。

(xxix) when they perform obligations in violation of the provisions of Article 500, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1)

三十 第六十九条第一項において準用する会社法第五百二条の規定又は第八十二条の十六の規定に違反して、組合又は中央会の財産を分配したとき。

(xxx) when they distribute the assets of the cooperative or the FSBA in violation of the provisions of Article 502 of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (1) or the provisions of Article 82-16

三十一 第百五条の二第一項の規定に違反して、書面を提出せず、又は虚偽の書面を提出したとき。

(xxxii) when they, in violation of the provisions of Article 105-2, paragraph (1), fail to submit documents or submit false documents

三十二 第百五条の三第一項の規定による報告をせず、又は虚偽の報告をしたとき。

(xxxiii) when they fail to make a report under the provisions of Article 105-3, paragraph (1) or make a false report

2 会社法第九百七十六条に規定する者が、第三十六条の三第三項において準用する同法第三百八十一条第三項又は第三十六条の三第五項において準用する同法第三百八十九条第五項の規定による調査を妨げたときも、前項と同様とする。

(2) The provisions of the preceding paragraph also apply when a person prescribed in Article 976 of the Companies Act obstructs an investigation under the provisions of Article 381, paragraph (3) of that Act as applied mutatis mutandis pursuant to the provisions of Article 36-3, paragraph (3) or the provisions of Article 389, paragraph (5) of that Act as applied mutatis mutandis pursuant to the provisions of Article 36-3, paragraph (5).

第百十五条の二 第六条第三項において準用する会社法第八条第一項の規定に違反した者は、十万円以下の過料に処する。

Article 115-2 A person who violates the provisions of Article 8, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 6, paragraph (3) is punished by a civil fine not more than one hundred thousand yen.

第百十五条の三 第七十二条第二項の規定に違反した者は、十万円以下の過料に処する。

Article 115-3 A person who violates the provisions of Article 72, paragraph (2) is punished by a civil fine not more than one hundred thousand yen.

第一百六条 第一百八条において準用する私的独占禁止法第六十二条において読み替えて準用する刑事訴訟法（昭和二十三年法律第三百十一号）第一百五十四条又は第一百六十六条の規定により宣誓した参考人又は鑑定人が虚偽の陳述又は鑑定をしたときは、三月以上十年以下の懲役に処する。

Article 116 (1) When a witness or an expert witness who takes an oath pursuant to the provisions of Article 154 or Article 166 of the Code of Criminal Procedure (Act No. 131 of 1948) as applied mutatis mutandis pursuant to the provision of Article 62 of the Antimonopoly Act following the deemed replacement of terms, as applied mutatis mutandis pursuant to the provision of Article 108 gives a false statement or expert opinion, the witness or expert witness is punished by imprisonment with work for not less than three months but not more than ten years.

2 前項の罪を犯した者が、審判手続終了前であつて、かつ、犯罪の発覚する前に自白したときは、その刑を軽減し、又は免除することができる。

(2) when a person who commits the offense set forth in the preceding paragraph confesses to the crime before the termination of the trial procedure and before the offense is detected, the person may be made subject to reduced punishment or be exempted from punishment.

第一百七条 次の各号のいずれかに該当する者は、一年以下の懲役又は三百万円以下の罰金に処する。

Article 117 A person who falls under any of the following items is punished by imprisonment with work not more than one year or a fine not more than three million yen:

一 第一百八条において準用する私的独占禁止法第四十七条第一項第一号若しくは第二項又は第五十六条第一項の規定による事件関係人又は参考人に対する処分に違反して出頭せず、陳述をせず、若しくは虚偽の陳述をし、又は報告をせず、若しくは虚偽の報告をした者

(i) a person who, in violation of a disposition against a person relates to a case or a witness under the provisions of Article 47, paragraph (1) or paragraph (2) or Article 56, paragraph (1) of the Antimonopoly Act as applied mutatis mutandis pursuant to the provisions of Article 108, fails to appear, fails to make a statement or makes a false statement, or fails to make a report or makes a false report

二 第一百八条において準用する私的独占禁止法第四十七条第一項第二号若しくは第二項又は第五十六条第一項の規定による鑑定人に対する処分に違反して出頭せず、鑑定をせず、又は虚偽の鑑定をした者

(ii) a person who, in violation of a disposition against an expert witness under the provisions of Article 47, paragraph (1), item (ii) or paragraph (2) or Article 56, paragraph (1) of the Antimonopoly Act as applied mutatis mutandis pursuant to the provisions of Article 108, fails to appear, fails to

give an expert opinion, or gives a false expert opinion

三 第百八条において準用する私的独占禁止法第四十七条第一項第三号若しくは第二項又は第五十六条第一項の規定による物件の所持者に対する処分に違反して物件を提出しない者

(iii) a person who, in violation of a disposition against a holder of vouchers under the provisions of Article 47, paragraph (1), item (iii) or paragraph (2) or Article 56, paragraph (1) of the Antimonopoly Act as applied mutatis mutandis pursuant to Article 108, fails to submit the vouchers

四 第百八条において準用する私的独占禁止法第四十七条第一項第四号若しくは第二項又は第五十六条第一項の規定による検査を拒み、妨げ、又は忌避した者

(iv) a person who refuses, obstructs, or challenges an inspection under the provisions of Article 47, paragraph (1), item (iv) or paragraph (2) or Article 56, paragraph (1) of the Antimonopoly Act as applied mutatis mutandis pursuant to the provisions of Article 108

第百十八条 次の各号のいずれかに該当する者は、二十万円以下の罰金に処する。

Article 118 A person who falls under any of the following items is punished by a fine not more than two hundred thousand yen:

一 第百八条において準用する私的独占禁止法第四十条の規定による処分に違反して出頭せず、報告、情報若しくは資料を提出せず、又は虚偽の報告、情報若しくは資料を提出した者

(i) a person who, in violation of a disposition under the provisions of Article 40 of the Antimonopoly Act as applied mutatis mutandis pursuant to the provisions of Article 108, fails to appear, fails to submit a report, information or materials, or submits a false report, information or material

二 第百八条において準用する私的独占禁止法第六十二条において読み替えて準用する刑事訴訟法第一百五十四条又は第百六十六条の規定による参考人又は鑑定人に対する命令に違反して宣誓をしない者

(ii) a person who, in violation of an order against a witness or an expert witness under the provisions of Article 154 or Article 166 of the Code of Criminal Procedure as applied mutatis mutandis pursuant to Article 62 of the Antimonopoly Act following the deemed replacement of terms, as applied mutatis mutandis pursuant to the provisions of Article 108, fails to take an oath

## 附 則

### Supplementary Provisions

この法律施行の期日は、公布の日から起算して一箇月を経過した日とする。但し、この法律中協同組合連合会に関する規定は、この法律施行後八箇月を経過した日から施行する。

The effective date of this Act is the day on which one month has elapsed from the day of its promulgation; provided, however, that the provisions concerning federations of cooperatives in this Act come into effect on the day on which eight months have elapsed from the enforcement of this Act.

附 則 〔昭和二十五年三月三十一日法律第五十七号〕

**Supplementary Provisions [Act No. 57 of March 31, 1950]**

この法律は、公布の日から施行する。

This Act comes into effect on the day of its promulgation.

附 則 〔昭和二十六年四月六日法律第百三十八号〕〔抄〕

**Supplementary Provisions [Act No. 138 of April 6, 1951] [Extract]**

(施行の期日)

(Effective Date)

1 この法律は、商法の一部を改正する法律（昭和二十五年法律第百六十七号）の施行の日（昭和二十六年七月一日）から施行する。但し、第十一条第四項の改正規定は、公布の日から施行する。

(1) This Act comes into effect on the day of enforcement of the Act to Partially Amend the Commercial Code (Act No. 67 of 1950) (July 1, 1951); provided, however, that the provisions revising Article 11, paragraph (4) come into effect on the day of their promulgation.

(定義)

(Definitions)

2 この附則において「新商法」とは、商法の一部を改正する法律による改正後の商法をいい、「旧商法」とは、従前の商法をいい、「新法」とは、この法律による改正後の中小企業等協同組合法をいい、「旧法」とは、従前の中小企業等協同組合法をいう。

(2) The term "New Commercial Code" as used in these Supplementary Provisions means the Commercial Code amended by the Act to Partially Amend the Commercial Code, the term "Former Commercial Code" means the former Commercial Code, the term "New Act" means the Small and Medium-Sized Enterprise Cooperatives Act amended by this Act, and the term "Former Act" means the former Small and Medium-Sized Enterprise Cooperatives Act.

(原則)

(Principles)

3 新法は、特別の定がある場合を除いては、この法律の施行前に生じた事項にも適用する。但し、旧法によつて生じ終つた効力を妨げない。

(3) The New Act applies to the matters occurred prior to the enforcement of this

Act, unless otherwise provided; provided, however, that this does not preclude the validity that ceases to be effective pursuant to the Former Act.

4 新法にてい触する定款及び規約の定並びに契約の条項は、この法律の施行の日から効力を失う。

(4) Any provisions of articles of incorporation, constitutions or contracts that conflict with the New Act cease to be effective on the date on which this Act comes into effect.

(解散命令)

(Order to Dissolve)

5 この法律の施行前に、裁判所が請求を受け、又は着手した旧法第百十条において準用する旧商法第五十八条第二項又は第三項に定める事件及びその事件に関連するこれらの規定に定める事件については、この法律の施行後も、なお従前の例による。その事件について請求を却下された者の責任についても同様である。

(5) Prior laws and regulations continue to govern a case specified in Article 58, paragraph (2) or paragraph (3) of the Former Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 110 of the Old Act or a case specified in any of these provisions which is associated with the case, for which a court receives an request or startes proceedings prior to the enforcement of this Act, even after the enforcement of this Act. The same applies to the liability of a person whose request for the case is dismissed.

(訴の提起等についての担保)

(Security for Filing an Action)

6 解散命令の請求又は訴の提起について供すべき担保に関する旧法第二十七条若しくは第五十四条において準用する旧商法第二百四十九条（旧商法第二百五十二条又は第二百五十三条第二項において準用する場合を含む。）、旧法第五十七条第三項において準用する旧商法第三百八十条若しくは旧法第六十六条において準用する旧商法第百六条又は旧法第百十条において準用する旧商法第五十九条の規定は、この法律の施行前に供した担保に関してのみ準用する。

(6) The provisions of Article 249 of the Old Commercial Code (including as applied mutatis mutandis pursuant to the provisions of Article 252 or Article 253 of the Former Commercial Code) as applied mutatis mutandis to the provisions of Article 27 or Article 54 of the Former Act, the provisions of Article 380 of the Former Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 57, paragraph (3) of the Former Act, the provisions of Article 1106 of the Former Commercial Act as applied mutatis mutandis pursuant to the provisions of Article 66 of the Former Act, or the provisions of Article 59 of the Former Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 110 of the Former Act, concerning the security to be provided at the time of filing an request for an



order to dissolve or filing an action, apply mutatis mutandis only to the security provided prior to the enforcement of this Act.

(定款の認証)

(Certification of the Articles of Incorporation)

7 旧法第三十三条第三項において準用する商法第百六十七条の規定による定款の認証を受けた組合がこの法律の施行の際現に有する定款は、新法第二十七条の二第一項及び第五十一条第二項の認証を受けたものとみなす。

(7) The articles of incorporation, owned by a cooperative that receives the certification of the articles of incorporation under the provisions of Article 167 of the Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 33, paragraph (3) of the Former Act on the day of the enforcement of this Act, is deemed to be certified under Article 27-2, paragraph (1) and Article 51, paragraph (2) of the New Act.

(総会の招集)

(Convocation of the General Meeting)

1 2 この法律の施行前に旧法第四十七条第二項の規定による請求があり、又は監事が総会招集の手続をした場合は、その総会については、この法律の施行後もなお従前の例による。

(12) In the case where a request under the provisions of Article 47, paragraph (2) of the Former Act is made or the auditor carries out the procedure for calling the general assembly prior to the enforcement of this Act, prior laws and regulations continue to govern the general assembly even after the enforcement of this Act.

(決議取消の訴)

(Action to Revoke a Resolution)

1 3 決議取消の訴について、この法律の施行の際旧法第二十七条第六項又は第五十四条において準用する旧商法第二百四十八条第一項に定める期間が経過していない場合は、その決議取消の訴の提起期間については、新商法第二百四十八条第一項の規定を準用する。

(13) If the period specified in Article 248, paragraph (1) of the Former Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 27, paragraph (6) or Article 54 of the Former Act has yet to lapse regarding an action to revoke a resolution on the day of the enforcement of this Act, the provisions of Article 248, paragraph (1) of the New Commercial Code apply mutatis mutandis to the filing period for an action to revoke a resolution.

(代表理事)

(Representative Director)

1 4 旧法第四十二条において準用する旧商法第二百六十一条第一項又は第二項の規定によつて組合を代表する権限を有する理事は、新法第四十二条において準用する新商法第二百六十一条第一項の規定によつて組合を代表すべき理事とみなす。

(14) The director having the right to represent a cooperative pursuant to the provisions of Article 261, paragraph (1) or paragraph (2) of the Former Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 42 of the Former Act is deemed to be the director to represent the cooperative pursuant to the provisions of Article 261, paragraph (1) of the New Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 42 of the New Act.

1 5 旧法第四十二条において準用する旧商法第二百六十一条第二項の規定によつて数人の理事が共同して組合を代表すべきことを定めた場合は、その定は、新法第四十二条の規定において準用する新商法第二百六十一条第二項の規定による定とみなす。

(15) In the case where it is decided that two or more directors must jointly represent a cooperative pursuant to the provisions of Article 261, paragraph (2) of the Former Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 42 of the Former Act, the decision is deemed to have been made pursuant to the provisions of Article 261, paragraph (2) of the New Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 42 of the New Act.

1 6 この法律の施行の際組合を代表すべき理事の定がない場合は、旧法第八十三条第二項第七号の理事の登記は、新法第八十三条第二項第八号の登記があるまでは、その登記と同一の効力を有する。

(16) In the case where the director to represent a cooperative is not decided on the day of the enforcement of this Act, the registration of directors under Article 83, paragraph (2), item (vii) of the Former Act remains valid until the registration under Article 83, paragraph (2), item (viii) of the New Act is completed.

(理事の行為の責任)

(Liability for the Acts of Directors)

1 7 理事がこの法律の施行前にした行為の責任については、この法律の施行後もなお従前の例による。

(17) Prior laws and regulations continue to govern the liability for the acts committed by directors prior to the enforcement of this Act, even after the enforcement of this Act.

1 8 この法律施行後に前項の責任を免除する場合は、その免除については、同項の規定にかかわらず、新商法の規定を準用する。

(18) In the case a director is exempted from the liability under the preceding paragraph after the enforcement of this Act, the provisions of the New Commercial Code apply mutatis mutandis to the director's exemption,

notwithstanding the provisions of that paragraph.

19 この法律の施行後に附則第十七項の責任を追及する訴を提起する場合は、その訴についても前項と同様である。

(19) In the case of filing an action to enforce the liability under paragraph (17) of the Supplementary Provisions after the enforcement of this Act, the provisions of the preceding paragraph apply to the action.

(理事に対する訴)

(Filing of Actions against Directors)

20 この法律の施行前に旧法第四十二条において準用する旧商法第二百六十七条第一項の規定によつて理事に対する訴を提起した場合は、その訴については、この法律の施行後もなお従前の例による。

(20) In the case where an action against a director is filed pursuant to the provisions of Article 267, paragraph (1) of the Former Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 42 of the Former Act prior to the enforcement of this Act, prior laws and regulations continue to govern the action even after the enforcement of this Act.

(組合と理事との間の訴についての組合代表)

(Person to Represent a Cooperative in Filing an Action Between the Cooperative and Its Director)

21 この法律の施行前に組合が理事に対し、又は理事が組合に対して訴を提起した場合は、その訴について組合を代表すべき者については、この法律の施行後もなお旧法第三十八条の規定を適用する。但し、新法第四十二条において準用する新商法第二百六十一条ノ二の規定によつて組合を代表すべき者を定めた後は、この限りでない。

(21) In the case where a cooperative files an action against its director or a director files an action against the cooperative prior to the enforcement of this Act, the provisions of Article 38 of the Former Act apply to the person to represent the cooperative in filing an action after the enforcement of this Act; provided, however, that this does not apply to the person to represent the cooperative who is designated pursuant to the provisions of Article 261-2 of the New Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 42 of the New Act.

(監事のした訴の提起等)

(Actions Filed by Auditors)

22 この法律の施行前に監事が裁判所に対して提起し、又は請求をした場合は、その訴については、この法律の施行後もなお従前の例による。

(22) In the case where an auditor files an action with a court prior to the enforcement of this Act, prior laws and regulations continue to govern the action, even after the enforcement of this Act.

(監事に関する準用規定)

(Mutatis Mutandis Application of Provisions for Auditors)

2 3 附則第十七項から第二十項までの規定は、監事に準用する。

(23) The provisions of paragraphs (17) to (20) of the Supplementary Provisions apply mutatis mutandis to auditors.

(清算人に関する準用規定)

(Mutatis Mutandis Application of Provisions for Liquidators)

2 4 附則第十二項及び第十四項から第二十一項までの規定は、清算人に準用する。

(24) The provisions of paragraph (12) and paragraphs (14) to (21) of the Supplementary Provisions apply mutatis mutandis to liquidators.

(罰則)

(Penal Provisions)

2 5 この法律の施行前にした行為に対する罰則の適用に関しては、なお従前の例による。

(25) Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

附 則 [昭和二十六年六月八日法律第二百十三号] [抄]

**Supplementary Provisions [Act No. 213 of June 8, 1951] [Extract]**

1 この法律は、昭和二十六年七月一日から施行する。

(1) This Act come into effect on July 1, 1951.

附 則 [昭和二十六年六月十五日法律第二百三十九号]

**Supplementary Provisions [Act No. 239 of June 15, 1951]**

この法律は、信用金庫法施行の日から施行する。

This Act comes into effect on the day of enforcement of the Shinkin Bank Act.

附 則 [昭和二十七年四月二十八日法律第百号] [抄]

**Supplementary Provisions [Act No. 100 of April 28, 1952] [Extract]**

(施行の期日)

(Effective Date)

1 この法律は、昭和二十七年五月一日から施行する。但し、第六条第一項第一号、第七十七条第三項及び第百七条の改正規定は、公布の日から施行する。

(1) This Act comes into effect on May 1, 1952; provided, however, that the

provisions revising Article 6, paragraph (1), item (i), Article 77, paragraph (3), and Article 107 come into effect on the day of its promulgation.

(定款)

(Articles of Incorporation)

2 この法律の施行前に改正前の第二十七条第一項の規定により公告した定款は、改正後の第二十七条第一項の規定により発起人が作成し、公告したものとみなす。

(2) Articles of incorporation on which public notice is given prior to the enforcement of this Act pursuant to the provisions of Article 27, paragraph (1) prior to the amendment is deemed to have been prepared and announced by the founders pursuant to the provisions of Article 27, paragraph (1) after the amendment.

(訴の提起等についての担保)

(Security for Filing an Action)

3 この法律の施行前に、改正前の第二十七条第六項若しくは第五十四条において準用する商法第二百四十七条若しくは改正前の第六十六条において準用する商法第百四条又は改正前の第百十条において準用する商法第五十八条の規定に基づいてした訴又は請求については、この法律の施行後もなお従前の例による。

(3) Prior laws and regulations continue to govern an action or an request filed prior to the enforcement of this Act under the provisions of Article 274 of the Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 27, paragraph (6) or Article 54 prior to amendment by this Act, the provisions of Article 104 of the Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 66 prior to the amendment, or the provisions of Article 58 of the Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 110 prior to amendment by this Act, even after the enforcement of this Act.

(罰則)

(Penal Provisions)

5 この法律の施行前にした行為に対する罰則の適用については、この法律の施行後もなお従前の例による。

(5) Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act, even after the enforcement of this Act.

附 則 〔昭和二十九年五月二十七日法律第百二十七号〕 〔抄〕

Supplementary Provisions [Act No. 127 of May 27, 1954] [Extract]

1 この法律は、昭和二十九年六月一日から施行する。

(1) This Act comes into effect on June 1, 1954.

4 この法律の施行前に、高等裁判所の第二審又は第一審の口頭弁論が終結した事件、地方裁判所の第二審の口頭弁論が終結した事件及び簡易裁判所の判決又は地方裁判所の第一審の判決に対して上告をする権利を留保して控訴をしない旨の合意をした事件については、新法第三百九十三条第三項、第三百九十四条、第三百九十七条から第三百九十九条ノ三まで及び第四百九条ノ二第二項の規定並びに私的独占の禁止及び公正取引の確保に関する法律第八十八条及び中小企業等協同組合法第百八条の改正規定にかかわらず、なお従前の例による。

(4) Prior laws and regulations continue to govern a case for which the oral argument of the second instance or the first instance at a high court is concluded, a case for which the oral argument of the second instance at a district court is concluded, or a case for which an agreement not to appeal to a high court against a decision by a summary court or a decision of the first instance by a district court is reached, while reserving the right to appeal to the Supreme Court, prior to the enforcement of this Act, notwithstanding the provisions of Article 393, paragraph (3), Article 394, Articles 397 through 399-3 and Article 409-2, paragraph (2) of the New Act and the provisions revising Article 88 of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade and Article 108 of the Small and Medium-Sized Enterprise Cooperatives Act.

附 則 〔昭和三十年八月二日法律第百二十一号〕 〔抄〕

**Supplementary Provisions [Act No. 121 of August 2, 1955] [Extract]**

(施行の期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三十日を経過した日から施行する。

Article 1 This Act comes into effect on the day on which thirty days have elapsed from the day of its promulgation.

(定義)

(Definitions)

第二条 この附則において「新法」とは、この法律による改正後の中小企業等協同組合法をいい、「旧法」とは、従前の中小企業等協同組合法をいう。

Article 2 The term "New Act" as used in these Supplementary Provisions means the Small and Medium-Sized Enterprise Cooperatives Act amended by this Act, and the term "Former Act" means the former Small and Medium-Sized Enterprise Cooperatives Act.

(処分等の効力)

(Validity of Dispositions)

第三条 旧法の規定によつてした処分、手続その他の行為は、新法中これに相当する規定があるときは、新法の規定によつてしたものとみなす。

Article 3 A disposition, procedure, or any other act carried out pursuant to the provisions the Former Act is deemed to have been carried out pursuant to the provisions of the New Act if the corresponding provisions exist in the New Act.

(定款の認証)

(Certification of the Articles of Incorporation)

第四条 この法律の施行前に発起人が組合の設立につき旧法第二十七条の二第一項の規定による定款の認証を受けているときは、その組合の設立の登記についての新法第百三条において準用する非訟事件手続法（明治三十一年法律第十四号）第百五十条ノ二の規定の適用に関しては、旧法第二十七条の二第一項の規定は、なおその効力を有する。

Article 4 When the founders obtain the certification for the articles of incorporation under the provisions of Article 27-2, paragraph (1) of the Former Act at the time of the incorporation of the cooperative, prior to the enforcement of this Act, with regard to the application of the provisions of Article 150-2 of the Non-Contentious Case Procedures Act (Act No. 14 of 1898) as applied mutatis mutandis pursuant to the provisions of Article 103 of the New Act regarding registration of the incorporation of the cooperative, the provisions of Article 27-2, paragraph (1) of the Old Act remain in force.

(定款の変更の認証)

(Certification of Changes to the Articles of Incorporation)

第五条 この法律の施行前に組合が新法第八十四条から第八十六条までの規定による登記をしなければならない事項に係る定款の変更につき旧法第五十一条第二項の規定による認証を受けているときは、その定款の変更に係るこれらの事項についての新法第八十四条から第八十六条までの規定による登記についての新法第百三条において準用する非訟事件手続法第百五十条ノ二の規定の適用に関しては、旧法第五十一条第二項の規定は、なおその効力を有する。

Article 5 When a cooperative obtains the certification under the provisions of Article 51, paragraph (2) of the Former Act for the changes made to the articles of incorporation regarding the particulars for which the certification under the provisions of Articles 84 through 86 of the New Act is required, with regard to the application of the provisions of Article 150-2 of the Non-Contentious Case Procedures Act as applied mutatis mutandis pursuant to the provisions of Article 103 of the New Act to the registration under the provisions of Articles 84 through 86 of the New Act concerning these particulars pertaining to the changes made to the articles of incorporation, the provisions of Article 51, paragraph (2) of the Old Act remain in force.

(合併の認可)

**(Approval of Mergers)**

第六条 この法律の施行前にした総会の決議によつてする組合（信用協同組合及び新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を除く。）の合併については、新法第六十三条第三項の規定は、適用しない。

Article 6 With regard to the merger of a cooperative (excluding a credit cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) of the New Act) carried out based on a resolution of the general assembly prior to the enforcement of this Act, the provisions of Article 63, paragraph (3) of the New Act do not apply.

(裁判による解散の命令)

**(Order to Dissolve Issued by a Judicial Decision)**

第十条 この法律の施行前に裁判所が請求を受けた旧法第一百条において準用する商法第五十八条第一項第一号若しくは第三号又は第二項に定める事件及びその事件に関連する同項に定める事件については、この法律の施行後も、なお従前の例による。その事件について請求を却下された者の責任についても、同様とする。

Article 10 Prior laws and regulations continue to govern a case specified in Article 58, paragraph (1), item (i) or item (iii) or paragraph (2) of the Commercial Code as applied mutatis mutandis pursuant to the provisions of Article 110 of the Former Act or a case relevant to the case specified in that paragraph, for which a court receives a request prior to the enforcement of this Act, even after the enforcement of this Act. The same applies to the liability of a person whose request for the case is dismissed.

(罰則)

**(Penal Provisions)**

第二十四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。附則第十七条第三項の規定によりこの法律による改正前の協同組合による金融事業に関する法律第二条の規定がなおその効力を有する間にした行為に対する罰則の適用についても、同様とする。

Article 24 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act. The same applies to the application of penal provisions to conduct in which a person engages while the provisions of Article 2 of the Act on Financial Businesses by Cooperatives prior to amendment by this Act remain in force pursuant to the provisions of Article 17, paragraph (3) of the Supplementary Provisions.

附 則 〔昭和三十一年六月一日法律第二百一十一号〕 〔抄〕

Supplementary Provisions [Act No. 121 of June 1, 1956] [Extract]



(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を経過した日から施行する。

Article 1 This Act comes into effect on the day on which six months have elapsed from the day of its promulgation.

附 則 [昭和三十二年十一月二十五日法律第百八十五号] [抄]

Supplementary Provisions [Act No. 185 of November 25, 1957] [Extract]

(施行期日)

(Effective Date)

第一条 この法律（以下「新法」という。）は、公布の日から起算して六月をこえない範囲内で政令で定める日から施行する。

Article 1 This Act (hereinafter referred to as the "New Act") comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the day of its promulgation.

附 則 [昭和三十二年十一月二十五日法律第百八十六号] [抄]

Supplementary Provisions [Act No. 186 of November 25, 1957] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、中小企業団体の組織に関する法律（昭和三十二年法律第百八十五号）の施行の日から施行する。

Article 1 This Act comes into effect on the day of enforcement of the Act on the Organization of Small and Medium-Sized Enterprise Association (Act No. 185 of 1957).

(共済金額制限の特例)

(Special Provisions for Restrictions on the Amount of Mutual Aid Money)

第二条 この法律の規定による改正後の中小企業等協同組合法（以下「新法」という。）第九条の二第二項（同法第九条の九第四項において準用する場合を含む。）の規定は、この法律施行の際現に中小企業等協同組合法第九条の二第一項第三号又は同法第九条の九第一項第四号の規定により火災共済事業を行つている事業協同組合又は協同組合連合会については、適用しない。

Article 2 The provisions of Article 9-2, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (4) of that Act) amended by the provisions of this Act (hereinafter referred to as the "New Act") do not apply to a business cooperative or a federation of cooperatives which is already

engaged in the fire mutual aid activities prescribed in Article 9-2, paragraph (1), item (iii) of the Small and Medium-Sized Enterprise Cooperatives Act or Article 9-9, paragraph (1), item (iv) of that Act on the day of its enforcement.

附 則 〔昭和三十七年五月十六日法律第百四十号〕 〔抄〕

Supplementary Provisions [Act No. 140 of May 16, 1962] [Extract]

- 1 この法律は、昭和三十七年十月一日から施行する。  
(1) This Act comes into effect on October 1, 1962.
- 2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前に生じた事項にも適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。  
(2) The provisions amended by this Act also apply to the matters occurred prior to the enforcement of this Act, unless otherwise provided for by these Supplementary Provisions; provided, however, that this does not preclude the validity of the provisions prior to amendment by this Act.
- 3 この法律の施行の際現に係属している訴訟については、当該訴訟を提起することができない旨を定めるこの法律による改正後の規定にかかわらず、なお従前の例による。  
(3) Prior laws and regulations continue to govern a lawsuit which is already pending on the day of the enforcement of this Act, notwithstanding the provisions amended by this Act providing that the relevant lawsuit may not be filed.
- 4 この法律の施行の際現に係属している訴訟の管轄については、当該管轄を専属管轄とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。  
(4) Prior laws and regulations continue to govern the jurisdiction of a lawsuit which is already pending on the day of the enforcement of this Act, notwithstanding the provisions amended by this Act providing that the relevant jurisdiction is the exclusive jurisdiction.
- 5 この法律の施行の際現にこの法律による改正前の規定による出訴期間が進行している処分又は裁決に関する訴訟の出訴期間については、なお従前の例による。ただし、この法律による改正後の規定による出訴期間がこの法律による改正前の規定による出訴期間より短い場合に限る。  
(5) Prior laws and regulations continue to govern the filing period for an action concerning a disposition or an administrative determination for which the statute of limitations under the provisions prior to amendment by this Act already started to run on the day of the enforcement of this Act; provided, however, that this is limited to the case where the statute of limitations under the provisions amended by this Act is shorter than the statute of limitations under the provisions amended by this Act.
- 6 この法律の施行前にされた処分又は裁決に関する当事者訴訟で、この法律による改正により出訴期間が定められることとなつたものについての出訴期間は、この法律の

施行の日から起算する。

(6) With regard to a public law related action concerning a disposition or administrative determination made prior to the enforcement of this Act for which the statute of limitations is specified pursuant to the provisions amended by this Act, the statute of limitations starts to run on the day of enforcement of this Act.

7 この法律の施行の際現に係属している処分又は裁決の取消しの訴えについては、当該法律関係の当事者の一方を被告とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。ただし、裁判所は、原告の申立てにより、決定をもって、当該訴訟を当事者訴訟に変更することを許すことができる。

(7) Prior laws and regulations continue to govern an action to revoke a disposition or administrative determination which is already pending on the enforcement day of this Act, notwithstanding the provisions amended by this Act providing that either of the parties in the relevant legal relationship is the defendant; provided, however, that the court may permit the plaintiff to change the action to a public law related action by a ruling, at the request of the plaintiff.

8 前項ただし書の場合には、行政事件訴訟法第十八条後段及び第二十一条第二項から第五項までの規定を準用する。

(8) In the case set forth in the proviso to the preceding paragraph, the provisions of the second sentence of Article 18 and Article 21, paragraphs (2) to (5) of the Administrative Case Litigation Act apply mutatis mutandis.

附 則 〔昭和三十七年五月十七日法律第百四十一号〕 〔抄〕

**Supplementary Provisions [Act No. 141 of May 17, 1962] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月をこえない範囲内で政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding three months from the day of its promulgation.

附 則 〔昭和三十七年九月十五日法律第百六十一号〕 〔抄〕

**Supplementary Provisions [Act No. 161 of September 15, 1962] [Extract]**

1 この法律は、昭和三十七年十月一日から施行する。

(1) This Act comes into effect on October 1, 1962.

2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前にされた行政庁の処分、この法律の施行前にされた申請に係る行政庁の不作為その他この法律の施行前に生じた事項についても適用する。ただし、この法律に

よる改正前の規定によつて生じた効力を妨げない。

(2) The provisions amended by this Act also apply to a disposition by an administrative authority prior to the enforcement of this Act, an inaction by an administrative authority pertaining to a request filed prior to the enforcement of this Act, and any other matters occurred prior to the enforcement of this Act, unless otherwise provided for by these Supplementary Provisions; provided, however, that this does not preclude the validity of the provisions of the Former Act prior to amendment by this Act.

3 この法律の施行前に提起された訴願、審査の請求、異議の申立てその他の不服申立て（以下「訴願等」という。）については、この法律の施行後も、なお従前の例による。この法律の施行前にされた訴願等の裁決、決定その他の処分（以下「裁決等」という。）又はこの法律の施行前に提起された訴願等につきこの法律の施行後にされる裁決等にさらに不服がある場合の訴願等についても、同様とする。

(3) Prior laws and regulations continue to govern a petition, a request for an examination, an objection, or any other appeal (hereinafter referred to as "petition, etc.") filed prior to the enforcement of this Act, even after the enforcement of this Act. The same applies to a petition, etc. filed in the case where the party is dissatisfied with the administrative determination, ruling or any other disposition (hereinafter referred to as the "administrative determination, etc.") for a petition, etc. made prior to the enforcement of this Act or with the administrative determination, etc. made after the enforcement of this Act for a petition, etc. filed prior to the enforcement of this Act.

4 前項に規定する訴願等で、この法律の施行後は行政不服審査法による不服申立てをすることができることとなる処分に係るものは、同法以外の法律の適用については、行政不服審査法による不服申立てとみなす。

(4) A petition, etc. prescribed in the preceding paragraph, which pertains to a disposition for which an appeal under the Administrative Complaint Review Act is permitted after the enforcement of this Act, is deemed to be an appeal under the Administrative Complaint Review Act with regard to the application of the Acts other than this Act.

5 第三項の規定によりこの法律の施行後にされる審査の請求、異議の申立てその他の不服申立ての裁決等については、行政不服審査法による不服申立てをすることができない。

(5) An appeal under the Administrative Complaint Review Act may not be filed against the administrative determination, etc. made, after the enforcement of this Act, for a request for examination, an objection or any other appeal pursuant to the provisions of paragraph (3).

6 この法律の施行前にされた行政庁の処分、この法律による改正前の規定により訴願等を行うことができるものとされ、かつ、その提起期間が定められていなかったものについて、行政不服審査法による不服申立てをすることができる期間は、この法律の施行の日から起算する。

- (6) With regard to a disposition by an administrative authority prior to the enforcement of this Act for which a petition, etc. may be filed pursuant to the provisions prior to amendment by this Act and for which the statute of limitations is not provided, the period in which an appeal under the Administrative Complaint Review Act may be filed starts to run on the date on which this Act comes into effect.
- 8 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。
- (8) Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.
- 9 前八項に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。
- (9) In addition to what is provided for in the preceding eight paragraphs, necessary transitional measures for the enforcement of this Act is specified by Cabinet Order.

**附 則** 〔昭和三十八年七月九日法律第百二十六号〕 〔抄〕  
**Supplementary Provisions [Act No. 126 of July 9, 1963] [Extract]**

この法律は、商業登記法の施行の日（昭和三十九年四月一日）から施行する。  
This Act comes into effect on the day of enforcement of the Commercial Registration Act (April 1, 1964).

**附 則** 〔昭和三十八年七月二十日法律第百五十五号〕 〔抄〕  
**Supplementary Provisions [Act No. 155 of July 20, 1963] [Extract]**

- 1 この法律は、中小企業基本法（昭和三十八年法律第百五十四号）の施行の日から施行する。
- (1) This Act comes into effect on the day of enforcement of the Small and Medium-Sized Enterprise Basic Act (Act No. 154 of 1963).

**附 則** 〔昭和四十年三月三十一日法律第三十六号〕 〔抄〕  
**Supplementary Provisions [Act No. 36 of March 31, 1965] [Extract]**

（施行期日）  
（Effective Date）  
第一条 この法律は、昭和四十年四月一日から施行する。  
Article 1 This Act comes into effect on April 1, 1965.

（その他の法令の一部改正に伴う経過規定の原則）  
（Principles of the Transitional Provisions for Partial Amendment to Any Other

Laws and Regulations)

第五条 第二章の規定による改正後の法令の規定は、別段の定めがあるものを除き、昭和四十年分以後の所得税又はこれらの法令の規定に規定する法人の施行日以後に終了する事業年度分の法人税について適用し、昭和三十九年分以前の所得税又は当該法人の同日前に終了した事業年度分の法人税については、なお従前の例による。

Article 5 The provisions of laws and regulations amended by the provisions of Chapter II, unless otherwise provided, apply to the income tax in or after 1965 or corporate tax for a juridical person prescribed in any of the provisions of these laws and regulations for the business year ending on or after the enforcement date, and prior laws and regulations continue to govern the income tax before 1964 or corporate tax for the juridical person for a business year ending prior to that date.

(政令への委任)

(Delegation to a Cabinet Order)

第十五条 附則第一条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 15 In addition to what is provided for in Article 1 through the preceding Article of the Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 〔昭和四十二年七月二十九日法律第九十八号〕〔抄〕

**Supplementary Provisions [Act No. 98 of July 29, 1967] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月をこえない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding three months from the day of its promulgation.

附 則 〔昭和四十三年六月一日法律第八十五号〕〔抄〕

**Supplementary Provisions [Act No. 85 of June 1, 1968] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。

(1) This Act comes into effect on the day of its promulgation.

附 則 〔昭和四十八年七月二日法律第四十二号〕

**Supplementary Provisions [Act No. 42 of July 2, 1973]**

1 この法律は、公布の日から施行する。

(1) This Act comes into effect on the day of its promulgation.

2 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(2) Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

**附 則**〔昭和四十八年十月十五日法律第百十五号〕〔抄〕

**Supplementary Provisions [Act No. 115 of October 15, 1973] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。

(1) This Act comes into effect on the day of its promulgation.

(経過措置)

(Transitional Measures)

4 この法律の施行前にした行為に対する中小企業等協同組合法の罰則の適用については、なお従前の例による。

(4) Prior laws and regulations continue to govern the application of penal provisions of the Small and Medium-Sized Enterprise Cooperatives Act to conduct in which a person engages prior to the enforcement of this Act.

**附 則**〔昭和四十九年四月二日法律第二十三号〕〔抄〕

**Supplementary Provisions [Act No. 23 of April 2, 1974] [Extract]**

この法律は、公布の日から起算して六月をこえない範囲内において政令で定める日から施行する。

This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the day of its promulgation.

**附 則**〔昭和五十二年六月三日法律第六十三号〕〔抄〕

**Supplementary Provisions [Act No. 63 of June 3, 1977] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the day of its promulgation.

附 則 〔昭和五十二年六月二十五日法律第七十四号〕 〔抄〕  
Supplementary Provisions [Act No. 74 of June 25, 1977] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding three months from the day of its promulgation.

附 則 〔昭和五十五年六月九日法律第七十九号〕 〔抄〕  
Supplementary Provisions [Act No. 79 of June 9, 1980] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、第一条中中小企業等協同組合法第九条の二第二項、第九条の七の二第一項第一号及び第二項、第九条の七の三、第九条の七の四第一項並びに第五十九条第二項の改正規定、第六条中商店街振興組合法第十三条第二項の改正規定並びに次条及び附則第三条の規定は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding three months from the day of its promulgation; provided, however, that the provisions revising Article 9-2, paragraph (2), Article 9-7-2, paragraph (1), item (i) and paragraph (2), Article 9-7-3, Article 9-7-4, paragraph (1), and Article 59, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act in Article 1; the provisions revising Article 13, paragraph (2) of the Shopping District Promotion Cooperatives Act, and the provisions of the following Article and Article 3 of the Supplementary Provisions in Article 6 come into effect on the date specified by Cabinet Order within a period not exceeding six months from the day of its promulgation.

(共済金額の制限の特例)

(Exception to Restriction on the Amount of Mutual Aid Money)

第二条 中小企業等協同組合法の一部を改正する法律（昭和三十二年法律第百八十六号）附則第二条の規定により同法による改正後の中小企業等協同組合法第九条の二第二項（同法第九条の九第四項において準用する場合を含む。）の規定を適用しないものとされた事業協同組合又は協同組合連合会であつて、前条ただし書に定める日において現に第一条の規定による改正後の中小企業等協同組合法（以下「新組合法」という。）第九条の七の二第一項第一号の火災共済事業を行つているものについては、新



組合法第九条の二第二項（新組合法第九条の九第四項において準用する場合を含む。）の規定にかかわらず、なお従前の例による。

**Article 2** Prior laws and regulations continue to govern a business cooperative or a federation of cooperatives for which the provisions of Article 9-2, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (4) of that Act) amended by the Act to Amend the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 186 of 1957) are not applied pursuant to the provisions of Article 2 of the Supplementary Provisions of that Act, and which is already engaged in the fire mutual aid activities set forth in Article 9-7-2, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act amended by the provisions of Article 1 (hereinafter referred to as the "New Cooperatives Act") on the date specified by the proviso to the preceding Article, notwithstanding the provisions of Article 9-2, paragraph (2) of the New Cooperatives Act (including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (4) of the New Cooperatives Act).

（罰則に関する経過措置）

**(Transitional Measures for Penal Provisions)**

第四条 この法律（附則第一条ただし書に規定する改正規定については、当該改正規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

**Article 4** Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act (with regard to the revising provisions prescribed in the proviso to Article 1 of the Supplementary Provisions, the relevant revising provisions).

**附 則** 〔昭和五十六年六月一日法律第六十号〕 〔抄〕

**Supplementary Provisions [Act No. 60 of June 1, 1981] [Extract]**

（施行期日）

**(Effective Date)**

第一条 この法律は、公布の日から施行する。

**Article 1** This Act comes into effect on the day of its promulgation.

（預金等の受入れを行う協同組合連合会の会員外貸付けに関する経過措置）

**(Transitional Measures for Loans to Non-Members Provided by a Federation of Cooperatives Accepting the Deposits)**

第二条 第三条の規定による改正後の中小企業等協同組合法（以下この条及び次条において「改正後の協同組合法」という。）第九条の九第五項において準用する改正後の協同組合法第九条の八第四項の規定及び第四条の規定による改正後の協同組合による金融事業に関する法律（次条において「改正後の協同組合金融事業法」という。）第

三条第二号の規定（改正後の協同組合法第九条の九第五項において準用する改正後の協同組合法第九条の八第二項第十号の事業に係る部分に限る。）は、この法律の施行の日（以下「施行日」という。）以後に改正後の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が行う会員以外の者に対する資金の貸付け（手形の割引を含む。以下この条において同じ。）について適用し、施行日前に当該協同組合連合会が行った第四条の規定による改正前の協同組合による金融事業に関する法律（次条において「改正前の協同組合金融事業法」という。）第四条第一号に規定する貸付け及び国、地方公共団体その他営利を目的としない法人に対する預金を担保とする資金の貸付け並びに会員である信用協同組合の組合員に対する資金の貸付けについては、なお従前の例による。

**Article 2** The provisions of Article 9-8, paragraph (4) of the Small and Medium-Sized Enterprise Cooperatives Act amended by the provisions of Article 2 (hereinafter referred to as the "Cooperatives Act amended by this Act" in this Article and the following Article) as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) of the Cooperatives Act amended by this Act and the provisions of Article 3, item (ii) (limited to the parts pertaining to the activities set forth in Article 9-8, paragraph (2), item (x) of the Cooperatives Act amended by this Act as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) of the Cooperatives Act after the revision) of the Act on Financial Businesses by Cooperatives amended by the provisions of Article 4 (referred to as the "Cooperative Financial Business Act amended by this Act" in the following Article) apply to a loan of funds (including discounting of bills; hereinafter the same applies in this Article) to non-partners provided, on or after the day of enforcement of this Act (hereinafter referred to as "enforcement date"), by a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) of the Cooperatives Act amended by this Act, and prior laws and regulations continue to govern the loans prescribed in Article 4, item (i) of the Act on Financial Businesses by Cooperatives prior to amendment by the provisions of Article 4 (referred to as the "Cooperative Financial Business Act prior to amendment by this Act" in the following Article), a loan of funds secured on deposits from the State, local governments and other not-for-profit juridical persons, and a loan of funds to partners of member credit cooperatives, provided by the federation of cooperatives prior to the enforcement date.

（信用協同組合等の内国為替取引についての認可に関する経過措置）

**(Transitional Measures for Certification of Domestic Funds Transfer Transactions between a Credit Cooperatives)**

**第三条** 施行日前に改正前の協同組合金融事業法第三条の規定により行政庁のした認可（第三条の規定による改正前の中小企業等協同組合法第九条の八第二項第一号（同法第九条の九第五項において準用する場合を含む。）の事業に係る認可に限る。）は、

施行日において改正後の協同組金融事業法第三条第一号の規定によりした行政庁の認可とみなす。

**Article 3** Certification granted prior to the enforcement date by an administrative authority pursuant to the provisions of Article 3 of the Cooperative Financial Business Act prior to amendment by this Act (limited to certification pertaining to the activities set forth in Article 9-8, paragraph (2), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act [including as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) of that Act] prior to amendment by the provisions of Article 3) is deemed to be the certification granted on the enforcement date by the administrative authority pursuant to the provisions of Article 3, item (i) of the Cooperative Financial Business Act amended by this Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第五条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

**Article 5** Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

附 則 [昭和五十六年六月九日法律第七十五号] [抄]

**Supplementary Provisions [Act No. 75 of June 9, 1981] [Extract]**

この法律は、商法等の一部を改正する法律の施行の日（昭和五十七年十月一日）から施行する。

This Act comes into effect on the day of enforcement of the Act to Partially Amend the Commercial Code, etc. (October 1, 1982).

附 則 [昭和五十九年五月十六日法律第三十一号] [抄]

**Supplementary Provisions [Act No. 31 of May 16, 1984] [Extract]**

(施行期日)

(Effective Date)

第42条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

**Article 1** This Act comes into effect on the date specified by Cabinet Order within a period not exceeding three months from the day of its promulgation.

(経過措置)

(Transitional Measures)

第二条 この法律の施行の際現に改正前の中小企業等協同組合法による火災共済契約を締結している火災共済協同組合の組合員たる法人の役員又は火災共済協同組合の組合員の使用人については、当該火災共済契約の期間内は組合員とみなし、改正後の同法第九条の七の二第二項の規定を適用する。

Article 2 With regard to officers of member juridical persons of a fire mutual aid cooperative or employees of partners of a fire mutual aid cooperative who are already under a fire mutual aid contract based on the Small and Medium-Sized Enterprise Cooperatives Act on the day of the enforcement of this Act, they are deemed to be a partner during the period of the fire mutual aid contract, and the provisions of Article 9-7-2, paragraph (2) of that Act amended by this Act apply to those.

第三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 3 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

附 則 〔昭和六十三年五月三十一日法律第七十七号〕〔抄〕

**Supplementary Provisions [Act No. 77 of May 31, 1988] [Extract]**

(施行期日)

(Effective Date)

第42条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding one year from the day of its promulgation.

附 則 〔昭和六十三年六月十一日法律第八十一号〕〔抄〕

**Supplementary Provisions [Act No. 81 of June 11, 1988] [Extract]**

(施行期日)

(Effective Date)

第42条 この法律は、公布の日から起算して二十日を経過した日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the day on which twenty days have elapsed from the day of its promulgation; provided, however, that the provisions prescribed in the following items come into effect on the dates respectively specified in these items:

- 一 第一条中不動産登記法第四章の次に一章を加える改正規定のうち第一百五十一条ノ三第二項から第四項まで、第一百五十一条ノ五及び第一百五十一条ノ七の規定に係る部

分、第二条中商業登記法の目次の改正規定並びに同法第三章の次に一章を加える改正規定のうち第百十三条の二、第百十三条の三、第百十三条の四第一項、第四項及び第五項並びに第百十三条の五の規定に係る部分並びに附則第八条から第十条までの規定 公布の日から起算して一年を超えない範囲内において政令で定める日

(i) the provisions of Article 1 adding a new Chapter after Chapter IV of the Real Property Registration Act, the parts pertaining to the provisions of Article 1511-3, paragraphs (2) through (4), Article 151-5, and Article 151-7; the provisions of Article 2 amending the Table of Contents of the Commercial Registration Act and those adding a new Chapter after Chapter III of that Act, the parts pertaining to Article 113-2, Article 113-3, Article 113-4, paragraph (1), paragraph (4), and paragraph (5), and Article 113-5; and the provisions of Articles 8 through 9 of the Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding one year from the date of its promulgation

附 則 〔平成元年十二月二十二日法律第九十一号〕 〔抄〕

**Supplementary Provisions [Act No. 91 of December 22, 1989] [Extract]**

(施行期日)

(Effective Date)

第42条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding two years from the date of its promulgation.

附 則 〔平成二年六月二十九日法律第六十五号〕 〔抄〕

**Supplementary Provisions [Act No. 65 of June 29, 1990] [Extract]**

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第四十二条 この法律の施行前にした行為並びに商法等の一部を改正する法律附則第三条（第十条において準用する場合を含む。）の規定及び第十二条の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 42 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of Article 3 (including as applied mutatis mutandis pursuant to the provisions of Article 10) and the provisions of Article 12 of the Supplementary Provisions of the Act to Partially Amend the

Commercial Code.

附 則 〔平成二年六月二十九日法律第六十五号〕

**Supplementary Provisions [Act No. 65 of June 29, 1990]**

この法律は、商法等の一部を改正する法律の施行の日から施行する。

This Act comes into effect on the day of enforcement of the Act to Partially Amend the Commercial Code.

附 則 〔平成四年六月二十六日法律第八十七号〕〔抄〕

**Supplementary Provisions [Act No. 87 of June 26, 1992] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding one year from the date of its promulgation.

附 則 〔平成五年六月十四日法律第六十三号〕

**Supplementary Provisions [Act No. 63 of June 14, 1993]**

この法律は、商法等の一部を改正する法律の施行の日から施行する。

This Act comes into effect on the day of enforcement of the Act to Partially Amend the Commercial Code.

附 則 〔平成五年十一月十二日法律第八十九号〕〔抄〕

**Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、行政手続法（平成五年法律第八十八号）の施行の日から施行する。

Article 1 This Act comes into effect on the day of enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

(諮問等がされた不利益処分に関する経過措置)

(Transitional Measures for Adverse Dispositions Following Consultation)

第二条 この法律の施行前に法令に基づきその他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係法律の

規定にかかわらず、なお従前の例による。

**Article 2** In the case where a request for consultation or any other request is made based on a law or regulation prior to the enforcement of this Act to a council or any other consultative organ to carry out a procedure equivalent to the procedure for the hearing or the grant of an opportunity to explain or any other procedure for hearing statements of opinion prescribed in Article 13 of the Administrative Procedure Act, prior laws and regulations continue to govern the procedure for adverse disposition pertaining to the request for consultation or any other request, notwithstanding the provisions of the relevant Act amended by this Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

**Article 13** Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures for Coordination of the Provisions on Hearing)

第十四条 この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会（不利益処分に係るものを除く。）又はこれらのための手続は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

**Article 14** Hearings (excluding those concerning adverse dispositions) carried out pursuant to the provisions of the relevant Act prior to the enforcement of this Act or procedures for the hearings are deemed to have been carried out pursuant to the corresponding provisions of the relevant Act amended by this Act.

(政令への委任)

(Provisions Governed by Cabinet Order)

第十五条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

**Article 15** In addition to what is provided for in Article 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 [平成六年十一月十一日法律第九十七号] [抄]

Supplementary Provisions [Act No. 97 of November 11, 1994] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act comes into effect on the day of its promulgation.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第二十条 この法律（附則第一条各号に掲げる規定については、当該各規定）の施行前にした行為並びに附則第二条、第四条、第七条第二項、第八条、第十一条、第十二条第二項、第十三条及び第十五条第四項の規定によりなお従前の例によることとされる場合における第一条、第四条、第八条、第九条、第十三条、第二十七条、第二十八条及び第三十条の規定の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 20 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act (with regard to the provisions of the items of Article 1 of the Supplementary Provisions, the relevant provisions provisions) or conduct in which a person engages after the enforcement of the provisions of Article 1, Article 4, Article 8, Article 9, Article 13, Article 27, Article 28 and Article 30 in the case where the provisions of Article 2, Article 4, Article 7, paragraph (2), Article 8, Article 11, Article 12, paragraph (2), Article 13, and Article 15, paragraph (4) of the Supplementary Provisions are continued to be governed by prior laws and regulations.

(政令への委任)

(Provisions Governed by Cabinet Order)

第二十一条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要となる経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 21 In addition to what is provided for in Article 2 of the Supplementary Provisions through the preceding Article, necessary transitional measures for the enforcement of this Act (including transitional measures for penal provisions) are specified by Cabinet Order.

附 則 〔平成七年六月七日法律第百六号〕〔抄〕

Supplementary Provisions [Act No. 106 of June 7, 1995] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、保険業法（平成七年法律第百五号）の施行の日から施行する。

Article 1 This Act comes into effect on the day of enforcement of the Insurance Business Act (Act No. 105 of 1995).



(中小企業等協同組合法の一部改正に伴う経過措置)

(Transitional Measures for Partial Amendment to the Small and Medium-Sized Enterprise Cooperatives Act)

第三条 火災共済契約の募集を行う組合員が施行日前にした第五条の規定による改正前の中小企業等協同組合法（以下この条において「旧協同組合法」という。）第九条の七の五第二項において準用する保険業法附則第二条の規定による廃止前の保険募集の取締に関する法律（昭和二十三年法律第七十一号。以下この条において「旧募集取締法」という。）第二十条第一項各号に規定する行為は、第五条の規定による改正後の中小企業等協同組合法（以下この条において「新協同組合法」という。）第九条の七の五第二項において準用する保険業法第三百七条第一項第三号に規定する行為とみなして、同項の規定を適用する。

Article 3 (1) Any of the acts prescribed in the items of Article 20, paragraph (1) of the Insurance Solicitation Control Act (Act No. 171 of 1948; hereinafter referred to as the "Former Solicitation Control Act" in this Article) prior to the repeal under the provisions of Article 2 of the Supplementary Provisions of the Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act prior to amendment by the provisions of Article 5 (hereinafter referred to as the "Former Cooperatives Act" in this Article), which has been committed prior to the enforcement date by a member soliciting fire mutual aid contracts is deemed to be conduct prescribed in Article 307, paragraph (1), item (iii) of the Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act amended by the provisions of Article 5 (hereinafter referred to as the "New Cooperatives Act" in this Article), and the provisions of Article 307, paragraph (1) of the Insurance Business Act apply to the act.

2 新協同組合法第九条の七の五第二項において準用する保険業法第二百八十三条の規定は、施行日以後に火災共済協同組合の役員及び使用人並びに当該火災共済協同組合の組合員並びにその役員及び使用人が火災共済契約の募集につき共済契約者に加えた損害の賠償について適用し、施行日前に火災共済協同組合の役員及び使用人並びに当該火災共済協同組合の組合員が募集につき共済契約者に加えた損害の賠償については、なお従前の例による。

(2) The provisions of Article 283 of the Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (2) of the New Cooperatives Act apply to compensation for damages caused on or after its enforcement date to a mutual aid contractor with regard to the solicitation of a fire mutual aid contract by an officer or employee of a fire mutual aid cooperative, a member of the fire mutual aid cooperative, or an officer or employee of the member, and prior laws and regulations continue to

govern compensation for damages caused prior to its enforcement date to a mutual aid contractor with regard to the solicitation of a fire mutual aid contract by an officer or employee of a fire mutual aid cooperative or a member of the fire mutual aid cooperative.

3 火災共済協同組合又は新協同組合法第九条の九第一項第三号の事業を行う協同組合連合会が施行日前にした旧協同組合法第百六条の三において準用する旧保険業法第十二条第一項に規定する行為は、新協同組合法第百六条の三において準用する保険業法第百三十三条第一号又は第三号に規定する行為とみなして、同条の規定を適用する。

(3) Conduct prescribed in Article 12, paragraph (1) of the Former Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 106-3 of the Former Cooperatives Act, which is committed by a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) of the New Cooperatives Act prior to its enforcement date, is deemed to be conduct prescribed in Article 133, item (i) or item (iii) of the Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 106-3 of the New Cooperatives Act, and the provisions of Article 133 of the Insurance Business Act apply to the act.

4 施行日前に旧協同組合法第百六条の三において準用する旧保険業法第十二条第一項の規定による処分に係る旧協同組合法第百六条の三において準用する旧保険業法第十二条第三項の規定による通知及び公示がされた場合においては、施行日以後も旧協同組合法第百六条の三において準用する旧保険業法第十二条第二項及び第四項の規定の例により手続を続行して、当該処分に相当する新協同組合法第百六条の三において準用する保険業法第百三十三条の規定による処分をすることができる。

(4) In the case where a notice or public notice under the provisions of Article 12, paragraph (3) of the Former Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 106-3 of the Former Cooperatives Act pertaining to a disposition under the provisions of Article 12, paragraph (1) of the Former Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 106-3 of the Former Cooperatives Act has been given prior to its enforcement date, a disposition under the provisions of Article 133 of the Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 106-3 of the New Cooperatives Act, which is equivalent to the disposition, may be issued by continuing the procedure pursuant to the provisions of Article 12, paragraph (2) and paragraph (4) of the Former Insurance Business Act as applied mutatis mutandis pursuant to the provisions of Article 106-3 of the Former Cooperatives Act on or after its enforcement date.

5 施行日前に旧協同組合法において準用する旧保険業法又は旧募集取締法の規定によってした処分が新協同組合法において準用する保険業法に相当の規定があるものは、この附則に別段の定めがあるものを除き、新協同組合法において準用する保険業法の相当の規定によってした処分とみなす。

(5) A disposition that has been issued, prior to the enforcement date, pursuant to the provisions of the Former Insurance Business Act or the Former Solicitation Control Act as applied mutatis mutandis pursuant to the provisions of the Former Cooperatives Act and for which corresponding provisions exist in the Insurance Business Act as applied mutatis mutandis pursuant to the provisions of the New Cooperatives Act is deemed to be a disposition that is issued pursuant to the corresponding provisions of the Insurance Business Act as applied mutatis mutandis pursuant to the the provisions of New Cooperatives Act, unless otherwise provided for by these Supplementary Provisions.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第六条 施行日前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係る施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 6 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement date or conduct in which a person engages on or after the enforcement date pertaining to a matter that is continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(政令への委任)

(Provisions Governed by Cabinet Order)

第七条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 7 In addition to what is provided for in Article 2 of the Supplementary Provisions through the preceding Article, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成七年十二月二十日法律第百三十七号〕〔抄〕

**Supplementary Provisions [Act No. 137 of December 20, 1995] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding one year from the day of its promulgation.

附 則 〔平成八年六月二十一日法律第九十四号〕〔抄〕

## Supplementary Provisions [Act No. 94 of June 21, 1996] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成九年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 1997.

(中小企業等協同組合法の一部改正に伴う経過措置)

(Transitional Measures for Partial Amendment to the Small and Medium-Sized Enterprise Cooperatives Act)

第五条 この法律の施行の際現に存する中小企業等協同組合については、第六条の規定による改正後の中小企業等協同組合法（以下この条において「新協同組合法」という。）第三十八条の二第三項（新協同組合法第四十二条及び第六十九条において準用する場合を含む。）の規定は、施行日以後にされる記載、登記又は公告について適用し、施行日前にされた記載、登記又は公告については、なお従前の例による。

Article 5 (1) With regard to a small and medium-sized enterprise cooperative which already exists on the day of the enforcement of this Act, the provisions of Article 38-2, paragraph (3) of the Small and Medium-Sized Enterprise Cooperatives Act amended by Article 6 (hereinafter referred to as the "New Cooperatives Act" in this Article) (including as applied mutatis mutandis pursuant to the provisions of Article 42 and Article 69 of the New Cooperatives Act) apply to a description, registration, or public notice given on or after the enforcement date, and prior laws and regulations continue to govern the description, registration, or public notice made or given prior to the enforcement date.

2 この法律の施行の際現に存する信用協同組合又は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（以下この条及び次条において「信用協同組合等」という。）については、新協同組合法第三十八条の二第四項（新協同組合法第四十二条及び第六十九条において準用する場合を含む。）及び第四十条第四項（新協同組合法第六十九条において準用する場合を含む。）の規定は、施行日以後に終了する事業年度に係る書類について適用し、施行日前に終了した事業年度に係る書類については、なお従前の例による。

(2) With regard to a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act (hereinafter referred to as a "credit cooperative, etc."), the provisions of Article 38-2, paragraph (4) of the New Cooperatives Act (including as applied mutatis mutandis pursuant to the provisions of Article 69 of the New Cooperatives Act) and Article 40, paragraph (4) of the New Cooperatives Act (including as applied mutatis mutandis pursuant to the provisions of Article 69 of the New Cooperatives Act) apply to documents pertaining to a business year ending on or after the effective date,

prior laws and regulations continue to govern documents pertaining to a business year that ends prior to the effective date.

3 この法律の施行の際現に存する信用協同組合等がその理事若しくは清算人に対し、又は理事若しくは清算人がその信用協同組合等に対して提起する訴えについて当該信用協同組合等を代表すべき者に関しては、施行日以後最初に招集される通常総会の終結の時までは、この法律の施行後も、なお従前の例による。

(3) Prior laws and regulations continue to govern the person to represent a credit cooperative, etc. in an action filed by a credit cooperative, etc., which already exists on the day of the enforcement of this Act, against its director or liquidator or an action filed by a director or liquidator against the credit cooperative, etc., even after the enforcement of this Act until the ordinary general assembly that is convened for the first time on or after the enforcement date finishes.

4 新協同組合法第五十七条の三の規定は、施行日以後に議決される営業又は事業の譲渡又は譲受けについて適用し、施行日前に議決され、又は行われた事業の譲渡又は譲受けについては、なお従前の例による。

(4) The provisions of Article 57-3 of the New Cooperatives Act apply to the transfer or acquisition of business or activities decided on or after the enforcement date, and prior laws and regulations continue to govern a transfer or acquisition of activities decided or carried out prior to the enforcement date.

5 新協同組合法第六十三条及び第六十六条の規定は、施行日以後に議決される合併について適用し、施行日前に議決された合併については、なお従前の例による。

(5) The provisions of Article 63 and Article 66 of the New Cooperatives Act apply to a merger decided on or after the enforcement date, and prior laws and regulations continue to govern a merger decided prior to the enforcement date.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第十二条 この法律の各改正規定の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係るこの法律の各改正規定の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 12 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of the respective revising provisions of this Act or conduct in which a person engages after the enforcement of the respective revising provisions of this Act pertaining to a matter that is continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第十三条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要

な経過措置は、政令で定める。

Article 13 In addition to what is provided for in Article 2 of the Supplementary Provisions through the preceding Article, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成八年六月二十一日法律第九十五号〕 〔抄〕  
**Supplementary Provisions [Act No. 95 of June 21, 1996] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成九年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 1997.

附 則 〔平成九年五月二十三日法律第五十九号〕 〔抄〕  
**Supplementary Provisions [Act No. 59 of May 23, 1997] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 1998.

附 則 〔平成九年六月六日法律第七十二号〕  
**Supplementary Provisions [Act No. 72 of June 6, 1997]**

(施行期日)

(Effective Date)

1 この法律は、商法等の一部を改正する法律（平成九年法律第七十一号）の施行の日から施行する。

(1) This Act comes into effect on the day of enforcement of the Act to Amend the Commercial Code (Act No. 71 of 1997).

(経過措置)

(Transitional Measures)

2 この法律の施行前に締結された合併契約に係る合併に関しては、この法律の施行後も、なお従前の例による。

(2) Prior laws and regulations continue to govern a merger pertaining to a merger agreement concluded prior to the enforcement of this Act, even after the enforcement of this Act.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

3 この法律の施行前にした行為及び前項の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

(3) Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act or to conduct in which a person engages after the enforcement of this Act in the case where the penal provisions are continued to be governed by prior laws and regulations pursuant to the provisions of the preceding paragraph.

附 則 [平成九年六月二十日法律第百二号] [抄]

Supplementary Provisions [Act No. 102 of June 20, 1997] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、金融監督庁設置法（平成九年法律第百一号）の施行の日から施行する。

Article 1 This Act comes into effect on the day of enforcement of the Act for Establishment of the Financial Supervisory Agency (Act No. 101 of 1997).

(大蔵大臣等がした処分等に関する経過措置)

(Transitional Measures for Dispositions by the Minister of Finance)

第二条 この法律による改正前の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、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、船主相互保険組合法、証券投資信託法、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、外国為替銀行法、自動車損害賠償保障法、農業信用保証保険法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、預金保険法、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証券の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法又は銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律（以下「旧担保附社債信託法等」という。）の規定により大蔵大臣その他の国の機関がした免許、許可、認可、承認、指定その他の

処分又は通知その他の行為は、この法律による改正後の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、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、船主相互保険組合法、証券投資信託法、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、外国為替銀行法、自動車損害賠償保障法、農業信用保証保険法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、預金保険法、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法又は銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律（以下「新担保附社債信託法等」という。）の相当規定に基づいて、内閣総理大臣その他の相当の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

Article 2 (1) A license, permission, approval, or authorization granted, designation or any other disposition by or notice issued by or any other act conducted by the Minister of Finance or any other national organ pursuant to the provisions of the Secured Corporate Bonds Trust Act, the Trust Business Act, the Norinchukin Bank Act, the Mutual Loan Business Act, the Act to Simplify the Functions of Banks, the Act on Engagement in Trust Business Activities by Financial Institutions, the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, the Agricultural Cooperative Act, the Securities and Exchange Act, the Act on Non-Life Insurance Rating Organization of Japan, the Fishery Cooperatives Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Businesses by Cooperatives, the Ship Owners' Mutual Insurance Union Act, the Securities Investment Trust Act, the Shinkin Bank Act, the Long Term Credit Bank Act, the Loan Trust Act, the Act on Loan Security for Small and Medium Sized Fishery Industry, the Credit Guarantee Association Act, the Worker's Credit Union Act, the Foreign Exchange Bank Act, the Act on Securing Compensation for Automobile Accidents, the Agricultural Credit Guarantee Insurance Act, the Act on Financial Institutions' Merger and Conversion, the Act on Foreign Securities Brokers, the Deposit Insurance Act, the Act on Promotion of Introduction of Industry into Agricultural Regions, the Agricultural and Fishery Cooperation Savings Insurance Act, the Banking Act, the Act on



Controls on Money Lending, the Act on Regulations on Investment Advisory Business Pertaining to Securities, the Act on Regulations on Mortgage Instrument, the Financial Futures Trading Act, the Act on Regulations on Advanced Payment Certificates, the Act on Regulations on Commodity Investment, the Act Concerning Special Provisions for the Narcotics and Psychotropics Control Act and Other Matters for the Prevention of Activities Encouraging Illicit Conduct and Other Activities Involving Controlled Substances through International Cooperation, the Act on Regulations on Business Pertaining to Specified Claims, the Act on Consolidation of Relevant Acts for the Reform of the Financial System and the Securities and Exchange System, the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions, the Act on Specified Joint Real Estate Ventures, the Insurance Business Act, the Act on Special Measures for the Reorganization Proceedings of Financial Institutions, the Act on Mergers between the Norinchukin Bank and a Federation of Credit Agricultural Cooperatives, the Bank of Japan Act, or the Act on Special Provisions on the Merger Procedure for Banks for the Establishment of a Bank Holding Company prior to amendment by this Act (hereinafter referred to as "Former Secured Bonds Trust Act") is deemed to be a license, permission, approval, authorization granted, designation, or disposition by or notice issued or any other act conducted by the Prime Minister or any other corresponding national government organ under the corresponding provisions of the Secured Corporate Bonds Trust Act, the Trust Business Act, the Norinchukin Bank Act, the Mutual Loan Business Act, the Act to Simplify the Functions of Banks, the Act on Engagement in Trust Business Activities by Financial Institutions, the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, the Agricultural Cooperative Act, the Securities and Exchange Act, the Act on Non-life Insurance Rating Organization of Japan, the Fishery Cooperatives Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Businesses by Cooperatives, the Ship Owners' Mutual Insurance Union Act, the Securities Investment Trust Act, the Shinkin Bank Act, the Long Term Credit Bank Act, the Loan Trust Act, the Act on loan Security for Small and Medium Sized Fishery Industry, the Credit Guarantee Association Act, the Worker's Credit Union Act, the Foreign Exchange Bank Act, the Act on Securing Compensation for Automobile Accidents, the Agricultural Credit Guarantee Insurance Act, the Act on Financial Institutions' Merger and Conversion, the Act on Foreign Securities Brokers, the Deposit Insurance Act, the Act on Promotion of Introduction of Industry into Agricultural Regions, the Agricultural and Fishery Cooperation Savings Insurance Act, the Banking Act, the Act on Controls on Money Lending, the Act on Regulations of Investment Advisory Business Pertaining to Securities, the Act on Regulations for

Mortgage Instrument, the Financial Futures Trading Act, the Act on Regulations on Advanced Payment Certificates, the Act on Regulations for Commodity Investment, the Act on Special Provisions for the Narcotics and Psychotropics Control Act and Other Matters for the Prevention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation, the Act on Regulations on Business Pertaining to Specified Claims, the Act on Consolidation of Relevant Acts for the Reform of the Financial System and the Securities and Exchange System, the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions, the Act on Specified Joint Real Estate Ventures, the Insurance Business Act, the Act on Special Measures for the Reorganization Proceedings of Financial Institutions, the Act on Mergers between the Norinchukin Bank and a Federation of Credit Agricultural Cooperatives, the Bank of Japan Act, or the Act on Special Provisions on the Merger Procedure for Banks for the Establishment of a Bank Holding Company amended by this Act (hereinafter referred to as "New Secured Bonds Trust Act").

2 この法律の施行の際現に旧担保附社債信託法等の規定により大蔵大臣その他の国の機関に対してされている申請、届出その他の行為は、新担保附社債信託法等の相当規定に基づいて、内閣総理大臣その他の相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) An application, a notification, or any other act which has been already filed with, given or directed to the Minister of Finance or any other national government organ pursuant to the provisions of the Former Secured Bonds Trust Act on the day of the enforcement of this Act is deemed to be an application, a notification, or any other act which is filed with or given or directed to the Prime Minister or any other corresponding national government organ under the corresponding provisions of the New Secured Bonds Trust Act.

3 旧担保附社債信託法等の規定により大蔵大臣その他の国の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、これを、新担保附社債信託法等の相当規定により内閣総理大臣その他の相当の国の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、新担保附社債信託法等の規定を適用する。

(3) With regard to a matter which requires reporting, notification or submission to or any other procedure with the Minister of Finance or any other national government organ pursuant to the provisions of the Former Secured Bonds Trust Act and for which the procedure is carried out prior to the day of enforcement of this Act, the provisions of the New Secured Bonds Trust Act apply by deeming that particulars which require reporting, notification or submission to or any other procedure with the Prime Minister or any other corresponding national government organ pursuant to the provisions of the

New Secured Bonds Trust Act has yet to undergo the procedure.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第五条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 5 Prior laws and regulations continue to govern the application of penal provisions to prior laws and regulations prior to the enforcement of this Act.

(政令への委任)

(Provisions Governed by Cabinet Order)

第六条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 6 In addition to what is provided for in Article 2 of the Supplementary Provisions through the preceding Article, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成九年十一月二十七日法律第百六号〕

Supplementary Provisions [Act No. 106 of November 27, 1997]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

(1) This Act comes into effect on the date specified by Cabinet Order within a period not exceeding three months from the day of its promulgation.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

2 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(2) Prior laws and regulations continue to govern the application of penal provisions to prior laws and regulations prior to the enforcement of this Act.

附 則 〔平成九年十二月十日法律第百十七号〕〔抄〕

Supplementary Provisions [Act No. 117 of December 10, 1997] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二十日を経過した日から施行する。

Article 1 This Act comes into effect on the day on which twenty days have elapsed from the day of its promulgation.

附 則 〔平成九年十二月十二日法律第百二十一号〕 〔抄〕

**Supplementary Provisions [Act No. 121 of December 12, 1997] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、持株会社の設立等の禁止の解除に伴う金融関係法律の整備等に関する法律（平成九年法律第百二十号）の施行の日から施行する。

Article 1 This Act comes into effect on the day of enforcement of the Act on Consolidation of Finance-Related Acts for the Repeal of Prohibition on Incorporation of Holding Companies (Act No. 120 of 1997).

附 則 〔平成十年六月十五日法律第百六号〕

**Supplementary Provisions [Act No. 106 of June 15, 1998]**

この法律は、特定目的会社による特定資産の流動化に関する法律（平成十年法律第百五号）の施行の日（平成十年九月一日）から施行する。ただし、第十七条中地方税法附則第五条の改正規定は、平成十一年四月一日から施行する。

This Act comes into effect on the day of its enforcement (September 1, 1998) of the Act on the Securitization of Assets by Special Purpose Companies (Act No. 105 of 1998); provided, however, that the provisions revising Article 5 of the Supplementary Provisions of the Local Tax Act in Article 17 come into effect on April 1, 1999.

附 則 〔平成十年六月十五日法律第百七号〕 〔抄〕

**Supplementary Provisions [Act No. 107 of June 15, 1998] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十年十二月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on December 1, 1998; provided, however, that the provisions prescribed in the following items come into effect on the dates respectively prescribed in those items:

- 一 第一条中証券取引法第四章の次に一章を加える改正規定（第七十九条の二十九第一項に係る部分に限る。）並びに同法第百八十九条第二項及び第四項の改正規定、第二十一条の規定、第二十二条中保険業法第二編第十章第二節第一款の改正規定（第二百六十五条の六に係る部分に限る。）、第二十三条の規定並びに第二十五条の規定並びに附則第四十条、第四十二条、第五十八条、第百三十六條、第百四十條、第百四十三條、第百四十七條、第百四十九條、第百五十八條、第百六十四條、第百八十七條（大蔵省設置法（昭和二十四年法律第百四十四号）第四条第七十九号の改

正規定を除く。) 及び第百八十八条から第百九十条までの規定 平成十年七月一日  
(i) the provisions adding a new Chapter after Chapter IV of the Securities and Exchange Act (limited to the parts pertaining to Article 79-29, paragraph (1)) and the provisions revising Article 189, paragraph (2) and paragraph (4) of that Act; the provisions of Article 21; the provisions of Article 22 revising Part II, Chapter X, Section 2, Subsection 1 of the Insurance Business Act (limited to the parts pertaining to Article 265-6); the provisions of Article 23; and the provisions of Article 25; and the provisions of Article 40, Article 42, Article 58, Article 136, Article 140, Article 143, Article 147, Article 149, Article 158, Article 164, Article 187 (excluding the provisions revising Article 4, item (lxxix [79]) of the Act for Establishment of the Ministry of Finance (Act No. 144 of 1949)), and Articles 188 to 190 of the Supplementary Provisions in Article 1: July 1, 1998

(権限の委任)

(Delegation of Authority)

第百四十七条 内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 147 (1) The Prime Minister delegates the authority under this Act (excluding the authority specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限並びにこの附則の規定による農林水産大臣及び厚生労働大臣の権限については、政令で定めるところにより、その一部を財務局長若しくは財務支局長（農林水産大臣及び労働大臣の権限にあっては、地方支分部局の長）に委任することができる。

(2) The authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph and the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Health, Labour and Welfare under the provisions of these Supplementary Provisions may be partially delegated to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau (the head of a Local Branch Office in the case of the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Health, Labour and Welfare), pursuant to the provisions of Cabinet Order.

(処分等の効力)

(Validity of Dispositions)

第百八十八条 この法律（附則第一条各号に掲げる規定にあっては、当該規定）の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正

後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 188 A disposition, procedure, or any other act carried out prior to the enforcement of this Act (with regard to the provisions prescribed in the items of Article 1 of the Supplementary Provisions; the relevant provisions) pursuant to the provisions of the relevant Act prior to amendment by this Act (including orders under this Act; hereinafter the same applies in this Article) for which corresponding provisions exist in the relevant Act amended by this Act is deemed to have carried out pursuant to the corresponding provisions of the relevant Act amended by this Act, unless otherwise provided for by these Supplementary Provisions.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第百八十九条 この法律（附則第一条各号に掲げる規定にあつては、当該規定）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 189 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act (with regard to the provisions prescribed in the items of Article 1 of the Supplementary Provisions; the relevant provisions) and conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions or in the case where the provisions remain in force pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第百九十条 附則第二条から第百四十六条まで、第百五十三条、第百六十九条及び前条に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 190 In addition to what is provided for in Articles 2 through 146, Articles 153, 169, and the preceding Article of the Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第百九十一条 政府は、この法律の施行後においても、新保険業法の規定による保険契約者等の保護のための特別の措置等に係る制度の実施状況、保険会社の経営の健全性の状況等にかんがみ必要があると認めるときは、保険業に対する信頼性の維持を図る

ために必要な措置を講ずるものとする。

Article 191 (1) When the government finds it necessary, even after the enforcement of this Act, by taking into account the status of the implementation of systems pertaining to special measures, etc. to protect policyholders, etc. pursuant to the provisions of the Insurance Business Act, the status of the soundness of the management of insurance companies, etc., it must take measures necessary to maintain the reliability of the insurance business.

2 政府は、前項に定めるものを除くほか、この法律の施行後五年以内に、この法律による改正後の規定の実施状況、金融システムを取り巻く社会経済状況の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) In addition to what is provided for in the preceding paragraph, the government must conduct a review on the financial systems amended by this Act, within five years from the enforcement of this Act, by taking into account the implementation status of the provisions amended by this Act, changes in the social and economic conditions surrounding the financial systems and, when it finds it necessary, is to take necessary measures based on the results of the review.

#### 附 則 [平成十年十月十六日法律第百三十一号]

#### Supplementary Provisions [Act No. 131 of October 16, 1998]

(施行期日)

(Effective Date)

第一条 この法律は、金融再生委員会設置法（平成十年法律第百三十号）の施行の日から施行する。

Article 1 This Act comes into effect on the day of enforcement of the Act for Establishment of the Financial Reconstruction Commission (Act No. 130 of 1998).

(経過措置)

(Transitional Measures)

第二条 この法律による改正前の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、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、船主相互保険組合法、地方税法、証券投資信託及び証券投資法人に関する法律、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、自動車損害賠償保障法、農業信用保証保険法、地震保険に関する法律、登録免許税法、金融機関の合併及び転換に関する法

律、外国証券業者に関する法律、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関等の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法、銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律、特定目的会社による特定資産の流動化に関する法律又は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（以下「旧担保附社債信託法等」という。）の規定により内閣総理大臣その他の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為は、この法律による改正後の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、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、船主相互保険組合法、地方税法、証券投資信託及び証券投資法人に関する法律、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、自動車損害賠償保障法、農業信用保証保険法、地震保険に関する法律、登録免許税法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関等の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法、銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律、特定目的会社による特定資産の流動化に関する法律又は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（以下「新担保附社債信託法等」という。）の相当規定に基づいて、金融再生委員会その他の相当の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

**Article 2 (1) A license, permission, approval, or authorization granted, designation, or any other disposition by or notice issued or any other act conducted by the Prime Minister or any other national government organ pursuant to the provisions of the Secured Corporate Bonds Trust Act, the Trust Business Act, the Norinchukin Bank Act, the Mutual Loan Business Act, the Act to Simplify the Functions of Banks, the Act on Engagement in Trust**



Business Activities by Financial Institutions, the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, the Agricultural Cooperative Act, the Securities and Exchange Act, the Act on Non-life Insurance Rating Organization of Japan, the Fishery Cooperatives Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Businesses by Cooperatives, the Ship Owners' Mutual Insurance Union Act, the Local Tax Act, the Act on Investment Trusts and Investment Corporations, the Shinkin Bank Act, the Long Term Credit Bank Act, the Loan Trust Act, the Act on Loan Security for Small and Medium Sized Fishery Industry, the Credit Guarantee Association Act, the Worker's Credit Union Act, the Act on Securing Compensation for Automobile Accidents, the Agricultural Credit Guarantee Insurance Act, the Act on Earthquake Insurance, the Registration and License Tax Act, the Act on Financial Institutions' Merger and Conversion, the Act on Foreign Securities Brokers, the Act on Promotion of Introduction of Industry into Agricultural Regions, the Agricultural and Fishery Cooperation Savings Insurance Act, the Banking Act, the Act on Controls on Money Lending, the Act on Regulations on Investment Advisory Business Pertaining to Securities, the Act on Regulations on Mortgage Instrument, the Financial Futures Trading Act, the Act on Regulations on Advanced Payment Certificates, the Act on Regulations on Commodity Investment, the Act Concerning Special Provisions for the Narcotics and Psychotropics Control Act and Other Matters for the Prevention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation, the Act on Regulations on Business Pertaining to Specified Claims, the Act on Consolidation of Relevant Acts for the Reform of the Financial System and the Securities and Exchange System, the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions, the Act on Specified Joint Real Estate Ventures, the Insurance Business Act, the Act on Special Measures for the Reorganization Proceedings of Financial Institutions, the Act on Mergers between the Norinchukin Bank and a Federation of Credit Agricultural Cooperatives, the Bank of Japan Act, the Act on Special Provisions on the Merger Procedure for Banks for the Establishment of a Bank Holding Company, the Act on Securitization of Assets by Special Purpose Companies, or the Act for Aligning Acts Related to Financial System Reforms prior to amendment by this Act (hereinafter referred to as "Former Secured Corporate Bonds Trust Act) is deemed be a license, permission, approval, or authorization granted, designation, or any other disposition by or notice issued or any other act conducted by the Financial Reconstruction Commission or any other corresponding national government organ under the corresponding provisions of the Secured Corporate Bonds Trust Act, the Trust Business Act, the Norinchukin Bank Act, the Mutual Loan Business Act, the Act to Simplify the

Functions of Banks, the Act on Engagement in Trust Business Activities by Financial Institutions, the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, the Agricultural Cooperative Act, the Securities and Exchange Act, the Act on Non-life Insurance Rating Organization of Japan, the Fishery Cooperatives Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Businesses by Cooperatives, the Ship Owners' Mutual Insurance Union Act, the Local Tax Act, the Act on Investment Trusts and Investment Corporations, the Shinkin Bank Act, the Long Term Credit Bank Act, the Loan Trust Act, the Act on Loan Security for Small and Medium Sized Fishery Industry, the Credit Guarantee Associations Act, the Worker's Credit Union Act, the Act on Securing Compensation for Automobile Accidents, the Agricultural Credit Guarantee Insurance Act, the Act on Earthquake Insurance, the Registration and License Tax Act, the Act on Financial Institutions' Merger and Conversion, the Act on Foreign Securities Brokers, the Act on Promotion of Introduction of Industry into Agricultural Regions, the Agricultural and Fishery Cooperation Savings Insurance Act, the Banking Act, the Act on Controls on Money Lending, the Act on Regulations on Investment Advisory Business Pertaining to Securities, the Act on Regulations on Mortgage Instrument, the Financial Futures Trading Act, the Act on Regulations on Advanced Payment Certificates, the Act on Regulations on Commodity Investment, the Act Concerning Special Provisions for the Narcotics and Psychotropics Control Act and Other Matters for the Prevention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation, the Act on Regulations on Business Pertaining to Specified Claims, the Act on Consolidation of Relevant Acts for the Reform of the Financial System and the Securities and Exchange System, the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions, the Act on Specified Joint Real Estate Ventures, the Insurance Business Act, the Act on Special Measures for the Reorganization Proceedings of Financial Institutions, the Act on Mergers between the Norinchukin Bank and a Federation of Credit Agricultural Cooperatives, the Bank of Japan Act, the Act on Special Provisions on the Merger Procedure for Banks for the Establishment of a Bank Holding Company, the Act on Securitization of Assets by Special Purpose Companies, or the Act for Aligning Acts Related to Financial System Reform amended by this Act (hereinafter referred to as "New Secured Corporate Bonds Trust Act").

2 この法律の施行の際現に旧担保附社債信託法等の規定により内閣総理大臣その他の国の機関に対してされている申請、届出その他の行為は、新担保附社債信託法等の相当規定に基づいて、金融再生委員会その他の相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) An application, a notification, or any other act which has been already filed

with or given or directed to the Prime Minister or any other national government organ pursuant to the provisions of the Former Secured Bonds Trust Act on the day of the enforcement of this Act is deemed to be an application, a notification, or any other act which is filed with or given or directed to the Financial Reconstruction Commission or any other corresponding national government organ under the corresponding provisions of the New Secured Bonds Trust Act.

3 旧担保附社債信託法等の規定により内閣総理大臣その他の国の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、これを、新担保附社債信託法等の相当規定により金融再生委員会その他の相当の国の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、新担保附社債信託法等の規定を適用する。

(3) With regard to particulars which require reporting, notification or submission to or any other procedure with the Prime Minister or any other national government organ pursuant to the provisions of the Former Secured Bonds Trust Act and for which the procedure is not carried out prior to the day of enforcement of this Act, the provisions of the New Secured Bonds Trust Act apply by deeming that the particulars which require reporting, notification or submission to or any other procedure with the Financial Reconstruction Commission or any other corresponding national government organ pursuant to the provisions of the New Secured Bonds Trust Act has yet to undergo the procedure.

第三条 この法律の施行の際現に効力を有する旧担保附社債信託法等の規定に基づく命令は、新担保附社債信託法等の相当規定に基づく命令としての効力を有するものとする。

Article 3 An order under the provisions of the Former Secured Bonds Trust Act which is already in force on the day of the enforcement of this Act is deemed to have the validity as an order under the corresponding provisions of the New Secured Bonds Trust Act.

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

(政令への委任)

(Provisions Governed by Cabinet Order)

第五条 前三条に定めるもののほか、この法律の施行に関して必要な経過措置は、政令

で定める。

Article 5 In addition to what is provided for in the preceding three Articles, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成十一年五月二十八日法律第五十六号〕 〔抄〕  
**Supplementary Provisions [Act No. 56 of May 28, 1999] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十一年十月一日から施行する。

Article 1 This Act comes into effect on October 1, 1999.

附 則 〔平成十一年六月二十三日法律第八十号〕 〔抄〕  
**Supplementary Provisions [Act No. 80 of June 23, 1999] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一月を経過した日から施行する。

Article 1 This Act comes into effect on the day on which one month has elapsed from the day of its promulgation.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第五条 この法律の施行前にした行為及び附則第三条第一項の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 5 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions.

附 則 〔平成十一年七月十六日法律第八十七号〕 〔抄〕  
**Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2000; provided, however, that the provisions prescribed in the following items come into effect on the dates respectively specified in those items:

一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定（市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る部分を除く。）並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第一百六十条、第一百六十三条、第一百六十四条並びに第二百二条の規定 公布の日

(i) the provisions adding five Articles, a Section name, two Subsections and Subsection names after Article 250 of the Local Autonomy Act (limited to the parts pertaining to Article 250-9, paragraph (1) of that Act [limited to the parts pertaining to the acquisition of consent of both houses]) in Article 1; the provisions revising paragraph (9) and paragraph (10) of the Natural Parks Act (limited to the part pertaining to paragraph (10) of the Supplementary Provisions of that Act); the provisions of Article 244 (excluding the parts pertaining to the provisions revising Article 14-3 of the Agricultural Improvement Promotion Act); and the provisions of Article 472 (excluding the parts pertaining to the provisions revising Article 6, Article 8, and Article 17 of the Act on Special Measures for Mergers of Municipalities) in Article 40; and the provisions of Article 7, Article 10, Article 12, the proviso to Article 59, Article 60, paragraph (4) and paragraph (5), Article 73, Article 77, Article 157, paragraphs (4) to (6), Article 160, Article 163, Article 164, and Article 202: the date of promulgation

(国等の事務)

(Affairs of the State)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 In addition to those prescribed in the respective Acts prior to amendment by this Act, the affairs of the State, other local governments, or any other public entities (referred to as the "Affairs of the State, etc." in Article 161 of the Supplementary Provisions) which are managed or performed by an organ of a local government pursuant to the relevant Act or Cabinet Order

based on these prior to the enforcement of this Act are to be handled by the local government as the affairs of the local government pursuant to the relevant Act or Cabinet Order based on these after the enforcement of this Act.

(処分、申請等に関する経過措置)

(Transitional Measures for Dispositions, Requests)

第百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 160 (1) A disposition on permission, etc. or any other act (hereinafter referred to as an "act of disposition, etc." in this Article) prior to the enforcement of this Act (with regard to the provisions prescribed in the items of Article 1 of the Supplementary Provisions; the relevant provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions) pursuant to the provisions of the relevant Act prior to amendment by this Act, or a request for permission, etc. or any other act (hereinafter referred to as an "act of request, etc." in this Article) already filed or conducted on the day of the enforcement of this Act pursuant to the provisions of the relevant Act prior to amendment by this Act, for which the person to carry out the administrative affairs pertaining to the act changes on the day of enforcement of this Act, is deemed to be an act of disposition, etc. or an act of request, etc. conducted pursuant to the corresponding provisions of the relevant Act amended by this Act, with regard to the application of the relevant Act amended by this Act on or after the day of enforcement of this Act, except those specified by the provisions of Article 2 through the preceding Article of the Supplementary Provisions or by the provisions on transitional measures for the relevant Acts amended by these Acts (including orders under these Acts).

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改

正後のそれぞれの法律の規定を適用する。

- (2) With regard to particulars which require reporting, notification or submission to or any other procedure with an organ of the State or of a local government prior to the enforcement of this Act pursuant to the provisions of the relevant Act prior to amendment and for which the procedure is not carried out prior to the day of enforcement of this Act, the provisions of the relevant Act amended by this Act apply by deeming that the particulars which require reporting, notification or submission to or any other procedure with a corresponding organ of the State or of a local government pursuant to the corresponding provisions of the relevant Act after amendment by this Act has yet to undergo the procedure, unless otherwise provided for by this Act or Cabinet Order under this Act.

(不服申立てに関する経過措置)

(Transitional Measures Concerning Appeals)

第百六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについての同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であつた行政庁とする。

Article 161 (1) With regard to an appeal under the Administrative Appeal Act against a disposition pertaining to affairs of the State, etc. prior to the enforcement date where the administrative authority which disposes of the affairs (hereinafter referred to as the "administrative agency reaching the disposition" in this Article) had a higher administrative authority prescribed in that Act (hereinafter referred to as a "higher administrative authority" in this Article) prior to the enforcement date, the provisions of the Administrative Appeal Act apply by deeming that the administrative agency still has a higher administrative authority on or after the enforcement date. In this case, the administrative authority which is deemed to be the higher administrative authority of the administrative agency reaching the disposition is the one which was the higher administrative authority of the administrative agency prior to the enforcement date.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

- (2) In the case of the preceding paragraph, if the administrative agency reaching the disposition which is deemed as the higher administrative authority is an organ of a local government, the affairs to be handled by the organ pursuant to

the provisions of the Administrative Appeal Act are the type (i) statutory entrusted affairs prescribed in Article 2, paragraph (9), item (i) of the New Local Autonomy Act.

(手数料に関する経過措置)

(Transitional Measures for Fees)

第百六十二条 施行日前においてこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定により納付すべきであった手数料については、この法律及びこれに基づく政令に別段の定めがあるもののほか、なお従前の例による。

Article 162 Prior laws and regulations continue to govern fees which should have been paid prior to the enforcement date pursuant to the provisions of the relevant Act prior to amendment by this Act (including orders under the relevant Act), unless otherwise provided for by this Act or Cabinet Order under this Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第百六十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 163 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第百六十四条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 164 (1) In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act (including transitional measures for penal provisions) are specified by Cabinet Order.

2 附則第十八条、第五十一条及び第百八十四条の規定の適用に関して必要な事項は、政令で定める。

(2) Necessary particulars for the application of the provisions of Article 18, Article 51 and Article 184 of the Supplementary Provisions are specified by Cabinet Order.

(検討)

(Reviews)

第二百五十条 新地方自治法第二条第九項第一号に規定する第一号法定受託事務については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第



一に掲げるもの及び新地方自治法に基づく政令に示すものについては、地方分権を推進する観点から検討を加え、適宜、適切な見直しを行うものとする。

**Article 250** The type (i) statutory entrusted affairs provided in Article 2, paragraph (9), item (i) of the Local Autonomy Act should not be entrusted as much as possible, and those prescribed in appended table 1 of the New Local Autonomy Act and those prescribed in Cabinet Order under the New Local Autonomy Act are to be reviewed in order to promote decentralization and to be amended as needed.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

**Article 251** In order for local governments to handle their affairs and services autonomously and independently, the government must, by taking into account changes in the economic situation, review ways to increase and secure adequate sources of local tax revenue according to the division of roles between the State and local governments, and is to take necessary measures based on the results of the review.

第二百五十二条 政府は、医療保険制度、年金制度等の改革に伴い、社会保険の事務処理の体制、これに従事する職員の在り方等について、被保険者等の利便性の確保、事務処理の効率化等の視点に立って、検討し、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

**Article 252** In order to reform the medical insurance system, the pension system, and other systems, the government must review the framework of administrative functions for social security, the requirements for officials engaged therein, in terms of securing the convenience of the insured, etc. and improving the efficiency of administrative functions.

附 則 〔平成十一年十二月三日法律第百四十六号〕 〔抄〕

**Supplementary Provisions [Act No. 146 of December 3, 1999] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

**Article 1** This Act comes into effect on the day of its promulgation.

(中小企業等協同組合法の一部改正に伴う経過措置)

(Transitional Measures for Partial Amendment to the Small and Medium-Sized Enterprise Cooperatives Act)

第四条 第四条の規定による改正後の中小企業等協同組合法（以下この条において「新法」という。）第七条第一項第一号に掲げる事業協同組合、火災共済協同組合若しくは信用協同組合であつて第四条の規定による改正前の中小企業等協同組合法（以下この条において「旧法」という。）第七条第一項第一号に掲げる事業協同組合、火災共済協同組合若しくは信用協同組合でないもの又は新法第七条第一項第一号若しくは第二号に掲げる組合をもって組織する協同組合連合会であつて旧法第七条第一項第一号若しくは第二号に掲げる組合をもって組織する協同組合連合会でないものの行為で第四条の規定の施行前にあつたものに対する私的独占の禁止及び公正取引の確保に関する法律（以下「私的独占禁止法」という。）の適用については、なお従前の例による。

Article 4 Prior laws and regulations continue to govern the application of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (hereinafter referred to as "Act on Prohibition of Private Monopolization") to conduct in which a person engages prior to the enforcement of the provisions of Article 4 by a business cooperative, fire mutual aid cooperative, or credit cooperative set forth in Article 7, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act amended by the provisions of Article 4 (hereinafter referred to as "New Act" in this Article) which is not a business cooperative, fire mutual aid cooperative, or credit cooperative set forth in Article 7, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act prior to amendment by the provisions of Article 4 (hereinafter referred to as the "Former Act" in this Article) or by a federation of cooperatives composed of cooperatives set forth in Article 7, paragraph (1), item (i) or item (ii) of the New Act which is not a federation of cooperatives composed of cooperatives set forth in Article 7, paragraph (1), item (i) or item (ii) of the Former Act.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第十四条 この法律（附則第一条ただし書に規定する規定については、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 14 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act (with regard to the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions; the relevant provisions; hereinafter the same applies in this Article) or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(政令への委任)

(Provisions Governed by Cabinet Order)

第十五条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要となる経過措置は、政令で定める。

Article 15 In addition to what is provided for in Article 2 through the preceding Article of the Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕

**Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act (excluding Article 2 and Article 3) comes into effect on January 6, 2001; provided, however, that the provisions prescribed in the following items come into effect on the dates respectively specified in those items:

二 第三章（第三条を除く。）及び次条の規定 平成十二年七月一日

(ii) the provisions of Chapter III (excluding Article 3) and the following Article:  
July 1, 2000

附 則 〔平成十二年五月十九日法律第七十六号〕 〔抄〕

**Supplementary Provisions [Act No. 76 of May 19, 2000] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十三年一月六日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from January 6, 2001.

附 則 〔平成十二年五月三十一日法律第九十一号〕

**Supplementary Provisions [Act No. 91 of May 31, 2000]**

(施行期日)

(Effective Date)

1 この法律は、商法等の一部を改正する法律（平成十二年法律第九十号）の施行の日から施行する。

(1) This Act comes into effect on the day of enforcement of the Act to Partially

Amend the Commercial Code (Act No. 90 of 2000).

(経過措置)

(Transitional Measures)

2 この法律の施行の日が独立行政法人農林水産消費技術センター法（平成十一年法律第百八十三号）附則第八条の規定の施行の前日である場合には、第三十一条のうち農林物資の規格化及び品質表示の適正化に関する法律第十九条の五の二、第十九条の六第一項第四号及び第二十七条の改正規定中「第二十七条」とあるのは、「第二十六条」とする。

(2) In the case where the day of enforcement of this Act is prior to the day of enforcement of the provisions of Article 8 of the Supplementary Provisions of the Act on the Food and Agricultural Materials Inspection Center (Act No. 183 of 1999), the term "Article 27" in the provisions of Article 31 revising Article 19-5-2, Article 19-6, paragraph (1), item (iv) and Article 27 of the Act on Standardization and Proper Labeling of Agricultural and Forestry Products is deemed to be replaced with "Article 26."

附 則 〔平成十二年五月三十一日法律第九十二号〕 〔抄〕

Supplementary Provisions [Act No. 92 of May 31, 2000] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、第一条中保険業法第二百六十五条の四十二の次に次の一条を加える改正規定並びに第二百七十五条及び第三百十七条の二の改正規定並びに附則第十九条の規定は、平成十三年四月一日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding three months from the day of its promulgation; provided, however, that the provisions adding a new Article after Article 265-42 of the Insurance Business Act and the provisions revising Article 275 and Article 317-2 and the provisions of Article 19 of the Supplementary Provisions in Article 1 come into effect on April 1, 2001.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第二十九条 この法律（附則第一条ただし書に規定する規定については、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 29 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of

this Act (with regard to the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions; the relevant provisions; hereinafter the same applies in this Article) or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第三十条 附則第二条から第十七条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

Article 30 In addition to what is provided for in Articles 2 through 17, and the preceding Article of the Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第三十一条 政府は、この法律の施行後三年以内に、保険契約者等の保護のための特別の措置等に係る制度等の実施状況、保険会社の経営の健全性の状況等を勘案し、この法律による改正後の保険契約者等の保護のための制度について検討を加え、必要があると認めるときは、その結果に基づいて保険業に対する信頼性の維持を図るために必要な措置を講ずるものとする。

Article 31 The government is to conduct a review on the system to protect policyholders, etc. amended by this Act, within three years from the enforcement of this Act, by taking into account the implementation status of the system pertaining to special measures, etc. to protect policyholders, etc., the status of the soundness of the management of insurance companies, etc., and, when it finds it necessary, is to take measures necessary to maintain the reliability of the insurance business based on the results of the review.

附 則 〔平成十二年五月三十一日法律第九十六号〕 〔抄〕

**Supplementary Provisions [Act No. 96 of May 31, 2000] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年十二月一日（以下「施行日」という。）から施行する。  
Article 1 This Act comes into effect on December 1, 2000 (hereinafter referred to as "enforcement date").

(処分等の効力)

(Validity of Dispositions)

第四十九条 この法律（附則第一条各号に掲げる規定にあつては、当該規定）の施行前に改正前のそれぞれの法律の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 49 A disposition, procedure, or any other act carried out prior to the enforcement of this Act (with regard to the provisions prescribed in the items of Article 1 of the Supplementary Provisions; the relevant provisions) pursuant to the provisions of a relevant Act prior to amendment by this Act for which corresponding provisions exist in the relevant Act amended by this Act is deemed to have been carried out pursuant to the corresponding provisions of the relevant Act amended by this Act, unless otherwise provided for by these Supplementary Provisions.

（罰則の適用に関する経過措置）

(Transitional Measures for the Application of Penal Provisions)

第五十条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 50 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

（その他の経過措置の政令への委任）

(Other Transitional Measures Governed by Cabinet Order)

第五十一条 附則第二条から第十一条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

Article 51 In addition to what is provided for in Articles 2 to 11 of the Supplementary Provisions and the preceding Article, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

（検討）

(Review)

第五十二条 政府は、この法律の施行後五年を経過した場合において、新証券取引法及び新金融先物取引法の施行状況、社会経済情勢の変化等を勘案し、新証券取引法第二条第十六項に規定する証券取引所及び新金融先物取引法第二条第六項に規定する金融先物取引所に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 52 The government, when five years have elapsed from the enforcement of this Act, conducts a review on the systems pertaining to the securities exchanges prescribed in Article 2, paragraph (16) of the New Securities and Exchange Act and the financial futures exchanges prescribed in Article 2, paragraph (6) of the New Financial Futures Trading Act by taking into account

the implementation status of the New Securities and Exchange Act and the New Financial Futures Trading Act, changes in the social and economic conditions, etc., and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 〔平成十二年五月三十一日法律第九十七号〕 〔抄〕  
**Supplementary Provisions [Act No. 97 of May 31, 2000] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the day of its promulgation (hereinafter referred to as "enforcement date").

(中小企業等協同組合法の一部改正)

(Partial Amendment to the Small and Medium-Sized Enterprise Cooperatives Act)

第三十六条 略

Article 36 (1) Omitted

2 前項の規定による改正後の中小企業等協同組合法第九条の八第六項第二号の二の規定の適用については、旧特定目的会社並びに旧特定目的会社に係る資産流動化計画及び特定社債は、それぞれ新資産流動化法の規定により設立された特定目的会社並びに特定目的会社に係る資産流動化計画及び特定社債とみなす。

(2) With regard to the application of the provisions of Article 9-8, paragraph (6), item (ii)-2 of the Small and Medium-Sized Enterprise Cooperatives Act amended by the provisions of the preceding paragraph, a former special purpose company and the asset securitization plan and specified company bonds of a former special purpose company are respectively deemed to be a special purpose company incorporated pursuant to the provisions of the New Act on the Securitization of Assets and the asset securitization plan and specified company bonds of the relevant special purpose company.

(処分等の効力)

(Validity of Dispositions)

第六十四条 この法律（附則第一条ただし書の規定にあつては、当該規定）の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 64 A disposition, procedure, or any other act carried out prior to the enforcement of this Act (with regard to the provisions set forth in the proviso to Article 1 of the Supplementary Provisions; the relevant provisions) pursuant to the provisions of a relevant Act prior to amendment by this Act (including an order under this Act; hereinafter the same applies in this Article) for which corresponding provisions exist in the relevant Act amended by this Act is deemed to have been carried out pursuant to the corresponding provisions of the relevant Act amended by this Act, unless otherwise provided for by these Supplementary Provisions.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第六十五条 この法律（附則第一条ただし書の規定にあつては、当該規定）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 65 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act (with regard to the provisions set forth in the proviso to Article 1 of the Supplementary Provisions; the relevant provisions) or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

第六十六条 附則第六十二条の規定による改正後の組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（以下この条において「新組織的犯罪処罰法」という。）の規定（前条の規定により適用されることとなる罰則の規定を除く。）の適用については、附則第二条第一項本文の規定によりなお効力を有することとされている場合における旧資産流動化法第七十一条、第七十二条、第七十四条、第七十九条第一項並びに第八十二条第二項及び第四項の罪は、新組織的犯罪処罰法別表第五十八号に掲げる罪とみなし、前条の規定によりなお従前の例によることとされている場合における旧投信法第二百二十八条、第二百三十条、第二百三十五条第一項並びに第二百三十六条第二項及び第四項の罪は、新組織的犯罪処罰法別表第二十三号に掲げる罪とみなす。

Article 66 Prior laws and regulations continue to govern the application of the Act on Punishment of Organized Crimes and Control of Crime Proceeds amended by the provisions of Article 62 of the Supplementary Provisions (hereinafter referred to as the "New Act on Punishment of Organized Crimes") (excluding the penal provisions which are to be applied pursuant to the provisions of the preceding Article), the offenses set forth in Article 171, Article 172, Article 174, Article 179, paragraph (1) and Article 182, paragraph (2) and paragraph (4) of the Former Act on Securitization of Assets in the case where



prior laws and regulations continue to govern the provisions pursuant to the provisions of the main clause of Article 2, paragraph (1) of the Supplementary Provisions are deemed to be the offenses set forth in item (xxiii) of the appended table of the New Act on Punishment of Organized Crimes.

(その他の経過措置の政令への委任)

**(Other Transitional Measures Governed by Cabinet Order)**

第六十七条 この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

**Article 67** In addition to what is provided for in the preceding eight paragraphs, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(検討)

**(Reviews)**

第六十八条 政府は、この法律の施行後五年以内に、新資産流動化法、新投信法及び第八条の規定による改正後の宅地建物取引業法（以下この条において「新宅地建物取引業法」という。）の施行状況、社会経済情勢の変化等を勘案し、新資産流動化法及び新投信法の規定並びに新宅地建物取引業法第五十条の二第二項に規定する認可宅地建物取引業者に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

**Article 68** The government conducts a review on the provisions of the New Act on Securitization of Assets and the New Investment Trust Act and the systems pertaining to approved real estate brokers prescribed in Article 50-2, paragraph (2) of the Building Lots and Buildings Transaction Business Act amended by the provisions of Article 8 (hereinafter referred to as the "New Building Lots and Buildings Transaction Business Act" in this Article), within five years from the enforcement of this Act, by taking into account the implementation status of the New Act on Securitization of Assets, the New Investment Trust Act, and the New Building Lots and Buildings Transaction Business Act, changes in the social and economic conditions, etc., and when it finds it necessary, is to take necessary measures based on the results of the review.

**附 則** 〔平成十二年十一月二十七日法律第百二十六号〕 〔抄〕

**Supplementary Provisions [Act No. 126 of November 27, 2000] [Extract]**

(施行期日)

**(Effective Date)**

第一条 この法律は、公布の日から起算して五月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行

する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding five months from the day of its promulgation; provided, however, that the provisions prescribed in the following items come into effect on the dates respectively specified in those items:

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第二条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 2 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

附 則 〔平成十三年六月八日法律第四十二号〕〔抄〕

**Supplementary Provisions [Act No. 42 of June 8, 2001] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year from the day of its promulgation (hereinafter referred to as "enforcement date").

附 則 〔平成十三年六月二十七日法律第七十五号〕〔抄〕

**Supplementary Provisions [Act No. 75 of June 27, 2001] [Extract]**

(施行期日等)

(Effective Date)

第一条 この法律は、平成十四年四月一日（以下「施行日」という。）から施行し、施行日以後に発行される短期社債等について適用する。

Article 1 This Act comes into effect on April 1, 2002 (hereinafter referred to as "enforcement date"), and apply to short term company bonds, etc. issued on or after the enforcement date.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第七条 施行日前にした行為及びこの附則の規定によりなおその効力を有することとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 7 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement date or conduct in which a person engages on or after the enforcement date in the case where prior laws and regulations continue to govern the provisions pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第八条 この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 8 In addition to what is provided for in the preceding eight paragraphs, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Reviews)

第九条 政府は、この法律の施行後五年を経過した場合において、この法律の施行状況、社会経済情勢の変化等を勘案し、振替機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を構ずるものとする。

Article 9 The government, when five years have elapsed from the enforcement of this Act, conduct a review on the systems pertaining to book-entry transfer institutions by taking into account the implementation status of this Act, changes in the social and economic conditions, etc., and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 〔平成十三年六月二十九日法律第八十号〕

**Supplementary Provisions [Act No. 80 of June 29, 2001]**

この法律は、商法等改正法の施行の日から施行する。

This Act comes into effect on the day of enforcement of the Act to Partially Amend the Commercial Code.

附 則 〔平成十三年十一月九日法律第百十七号〕〔抄〕

**Supplementary Provisions [Act No. 117 of November 9, 2001] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within

a period not exceeding six months from the day of its promulgation (hereinafter referred to as "enforcement date"); provided, however, that the provisions prescribed in the following items come into effect on the dates respectively specified in those items:

一 第一条中銀行法第十七条の二を削る改正規定及び第四十七条第二項の改正規定（「、第十七条の二」を削る部分に限る。）、第三条中保険業法第一百十二条の二を削る改正規定及び第二百七十条の六第二項第一号の改正規定、第四条中第五十五条の三を削る改正規定、第八条、第九条、第十三条並びに第十四条の規定並びに次条、附則第九条及び第十三条から第十六条までの規定 公布の日から起算して一月を経過した日

(i) the provisions deleting Article 17-2 of the Banking Act and the provisions revising Article 47, paragraph (2) (limited to the parts deleting ", Article 17-2") in Article 1; the provisions deleting Article 112-2 of the Insurance Business Act and the provisions revising Article 270-6, paragraph (2), item (i) in Article 3; the provisions deleting Article 55-3; the provisions of Article 8, Article 9, Article 13, and Article 14; and the provisions of the following Article, Article 9, and Articles 13 to 16 of the Supplementary Provisions in Article 4: the day on which one month has elapsed from the day of its promulgation

(権限の委任)

(Delegation of Authority)

第十三条 内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 13 (1) The Prime Minister delegates the authority under the provisions of these Supplementary Provisions (excluding the authority specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限については、政令で定めるところにより、その一部を財務局長又は財務支局長に委任することができる。

(2) The authority delegated to the Commissioner of the Financial Services

Agency pursuant to the provisions of the preceding paragraph may be partially delegated to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau, pursuant to the provisions of Cabinet Order.

(処分等の効力)

(Validity of Dispositions)

第十四条 この法律の各改正規定の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 14 A disposition, procedure, or any other act carried out prior to the enforcement of the respective revising provisions of this Act pursuant to the provisions of a relevant Act prior to amendment by this Act (including an order under this Act; hereinafter the same applies in this Article) for which corresponding provisions exist in the relevant Act amended by this Act is deemed to have been carried out pursuant to the corresponding provisions of the relevant Act amended by this Act, unless otherwise provided for by these Supplementary Provisions.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第十五条 この法律の各改正規定の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係る各改正規定の施行後にした行為に対する罰則の適用については、それぞれなお従前の例による。

Article 15 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of the respective revising provisions of this Act or conduct in which a person engages after the enforcement of the respective revising provisions of this Act pertaining to a matter which is continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第十六条 附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に係る経過措置を含む。）は、政令で定める。

Article 16 In addition to what is provided for in Articles 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures for the enforcement of this Act (including transitional measures for penal provisions) are specified by Cabinet Order.

附 則 〔平成十三年十一月二十八日法律第百二十九号〕 〔抄〕

**Supplementary Provisions [Act No. 129 of November 28, 2001] [Extract]**

(施行期日)

(Effective Date)

- 1 この法律は、平成十四年四月一日から施行する。
- (1) This Act comes into effect on April 1, 2002.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

- 2 この法律の施行前にした行為及びこの法律の規定により従前の例によることとされ

る場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

- (2) Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of the preceding paragraph.

附 則 〔平成十三年十二月十二日法律第百五十号〕〔抄〕

**Supplementary Provisions [Act No. 150 of December 12, 2001] [Extract]**

この法律は、商法及び株式会社の監査等に関する商法の特例に関する法律の一部を改正する法律の施行の日から施行する。

This Act comes into effect on the day of enforcement of the Act to Partially Amend the Commercial Code and the Act on Special Provisions on the Commercial Code Concerning Audits of Stock Companies.

附 則 〔平成十四年五月二十九日法律第四十五号〕

**Supplementary Provisions [Act No. 45 of May 29, 2002]**

(施行期日)

(Effective Date)

- 1 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

- (1) This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year from the day of its promulgation.

(経過措置)

(Transitional Measures)

- 2 この法律の施行の日が農業協同組合法等の一部を改正する法律（平成十三年法律第九十四号）第二条の規定の施行の前日である場合には、第九条のうち農業協同組合法第三十条第十二項の改正規定中「第三十条第十二項」とあるのは、「第三十条第十一項」とする。

- (2) In the case where the date on which this Act comes into effect is prior to the day of enforcement of the provisions of Article 2 of the Act to Partially Amend the Agricultural Cooperatives Act (Act No. 94 of 2001), the term "Article 30, paragraph (12)" in the provisions of Article 9 revising Article 30, paragraph (12) of the Agricultural Cooperatives Act is deemed to be replaced with "Article 30, paragraph (11)."

附 則 〔平成十四年五月二十九日法律第四十七号〕〔抄〕

## Supplementary Provisions [Act No. 47 of May 29, 2002] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、第七条第二項、第八条の二第二項、第四十八条第二項、第四十八条の二第三項及び第五項、第五十条第一項及び第四項、第五十四条第二項、第五十八条第一項並びに第六十九条の二の改正規定、同条を第六十九条の三とする改正規定、同条の次に一条を加える改正規定、第六十九条の次に一条を加える改正規定、第九十五条第一項第一号及び第二項第一号の改正規定、次条の規定、附則第九条中水産業協同組合法（昭和二十三年法律第二百四十二号）第九十五条の四の改正規定並びに附則第十条及び第十四条の規定は、公布の日から起算して一月を経過した日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the day of its promulgation; provided, however, that the provisions revising Article 7, paragraph (2), Article 8-2, paragraph (2), Article 48, paragraph (2), Article 48-2, paragraph (3) and paragraph (5), Article 50, paragraph (1) and paragraph (4), Article 54, paragraph (2), Article 58, paragraph (1), and Article 69-2, the provisions changing Article 69-2 to Article 69-3, the provisions adding a new Article after Article 69-3, the provisions adding a new Article after Article 69, the provisions revising Article 95, paragraph (1), item (i) and paragraph (2), item (i), the provisions of the following Article, the provisions of Article 9 of the Supplementary Provisions revising Article 95-4 of the Fishery Cooperatives Act (Act No. 242 of 1948), and the provisions of Article 10 and Article 14 of the Supplementary Provisions come into effect on the day on which one month has elapsed from the day of its promulgation.

附 則 〔平成十四年六月十二日法律第六十五号〕〔抄〕

## Supplementary Provisions [Act No. 65 of June 12, 2002] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十五年一月六日から施行する。

Article 1 This Act comes into effect on January 6, 2003.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第八十四条 この法律（附則第一条各号に掲げる規定にあっては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用について

ては、なお従前の例による。

**Article 84** Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act (with regard to the provisions prescribed in the items of Article 1 of the Supplementary Provisions; the relevant provisions; hereinafter the same applies in this Article) or conduct in which person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

**第八十五条** この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

**Article 85** In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

**第八十六条** 政府は、この法律の施行後五年を経過した場合において新社債等振替法、新証券取引法及び新金融先物取引法の施行状況、社会経済情勢の変化等を勘案し、新社債等振替法第二条第十一項に規定する加入者保護信託、新証券取引法第二条第三十一項に規定する証券取引清算機関及び新金融先物取引法第二条第十五項に規定する金融先物清算機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

**Article 86** The government, when five years have elapsed from the enforcement of this Act, conducts a review on the systems pertaining to beneficiary protection trusts prescribed in Article 2, paragraph (11) of the New Act on Transfer of Corporate Bonds, clearing agencies for securities transactions prescribed in Article 2, paragraph (31) of the New Securities and Exchange Act, and clearing agencies for financial futures prescribed in Article 2, paragraph (15) of the New Financial Futures Trading Act by taking into account the implementation status of the New Act on Transfer of Corporate Bonds, the New Securities and Exchange Act, and the New Financial Futures Trading Act, changes in the social and economic conditions, etc., and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 〔平成十四年七月三日法律第七十九号〕 〔抄〕

Supplementary Provisions [Act No. 79 of July 3, 2002] [Extract]



(施行期日)

(Effective Date)

第一条 この法律は、平成十四年八月一日から施行する。

Article 1 This Act comes into effect on August 1, 2002.

附 則 [平成十四年十一月二十二日法律第百十号] [抄]

**Supplementary Provisions [Act No. 110 of November 22, 2002] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、附則第三条の規定は、公布の日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding three months from the day of its promulgation; provided, however, that the provisions of Article 3 of the Supplementary Provisions come into effect on the day of its promulgation.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第二条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 2 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

(経過措置の政令への委任)

(Transitional Measures Governed by Cabinet Order)

第三条 前条に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 3 In addition to what is provided for in the preceding Article, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 [平成十四年十二月十三日法律第百五十二号] [抄]

**Supplementary Provisions [Act No. 152 of December 13, 2002] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、行政手続等における情報通信の技術の利用に関する法律（平成十四年法律第百五十一号）の施行の日から施行する。

Article 1 This Act comes into effect on the day of enforcement of the Act on Use

of Information and Communications Technology in Administrative Procedures  
(Act No. 151 of 2002).

**附 則** 〔平成十四年十二月十三日法律第百五十五号〕 〔抄〕

**Supplementary Provisions [Act No. 155 of December 13, 2002] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、会社更生法（平成十四年法律第百五十四号）の施行の日から施行する。

Article 1 This Act comes into effect on the day of enforcement of the Corporate Reorganization Act (Act No. 154 of 2002).

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第三条 この法律の施行前にした行為及びこの法律の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 3 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of the preceding paragraph.

**附 則** 〔平成十五年五月三十日法律第五十四号〕 〔抄〕

**Supplementary Provisions [Act No. 54 of May 30, 2003] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2004; provided, however, that the provisions prescribed in the following items come into effect on the dates respectively specified in those items:

二 第一条中証券取引法第二条第八項、第二十七条の二第四項、第二十七条の二十八第三項及び第三十二条第三項の改正規定、同条第五項の改正規定（「、銀行」の下に「、協同組織金融機関」を加える部分に限る。）、同条第六項、同法第五十四条第一項第四号及び同法第六十五条第一項の改正規定、同条第二項の改正規定（同項第一号の改正規定を除く。）並びに同法第六十五条の二第一項、同条第三項、同条第九項、第六十五条の三、第六十六条第五項及び第二百一条第二項の改正規定、第二条中外国証券業者に関する法律第二条第一号の改正規定、同法第十四条第一項

の改正規定（「のうち銀行」の下に「、協同組織金融機関」を加える部分に限る。）及び同法第二十二條第一項第四號の改正規定（「銀行」の下に「、協同組織金融機関」を加える部分に限る。）及び同項第五號の改正規定、第六條中商工組合中央金庫法第二十八條第一項第七號及び第十九號の改正規定、同條第六項を削る改正規定並びに同條第三項の次に一項を加える改正規定、第七條中農業協同組合法第十條第六項第三號の次に一號を加える改正規定、同項第六號の二、同項第十五號及び同條第十二項の改正規定、同條第十三項及び第十六項を削る改正規定並びに同條第九項の次に二項を加える改正規定、第八條中水産業協同組合法第十一條第三項第三號の次に一號を加える改正規定、同項第六號の改正規定、同法第八十七條第四項第三號の次に一號を加える改正規定、同法第九十三條第二項第三號の次に一號を加える改正規定及び同法第九十七條第三項第三號の次に一號を加える改正規定、第九條中中小企業等協同組合法第九條の八第二項第七號の改正規定、第十條中信用金庫法第五十三條第三項第二號及び第五十四條第四項第二號の改正規定、第十一條中労働金庫法第五十八條第二項第八號及び第五十八條の二第一項第六號の改正規定、第十二條中農林中央金庫法第五十四條第四項第二號の改正規定、第十三條の規定、附則第十六條中租税特別措置法（昭和三十二年法律第二十六號）第三十七條の十一第一項第一號、第三十七條の十四の二第一項第一號及び第四十一條の十四第三項第二號の改正規定並びに附則第十七條中所得税法（昭和四十年法律第三十三號）第二百二十四條の三第一項第二號の改正規定 公布の日から起算して一月を経過した日

- (ii) the provisions revising Article 2, paragraph (8), Article 27-2, paragraph (4), Article 27-28, paragraph (3) and Article 32, paragraph (3) of the Securities and Exchange Act, the provisions revising paragraph (5) of that Article (limited to the part adding ", a bank" after ", a cooperative structured financial institution"), the provisions revising paragraph (6) of that Article, Article 54, paragraph (1), item (iv) of that Act, and Article 45, paragraph (1) of that Act, the provisions revising paragraph (2) of that Article (excluding the provisions revising item (i) of that paragraph), and the provisions revising Article 65-2, paragraph (1) of that Act, paragraph (3) of that Article, paragraph (9) of that Article, Article 65-3, Article 166, paragraph (5), and Article 201, paragraph (2) in Article 1; the provisions revising Article 2, item (i) of the Act on Foreign Securities Brokers, the provisions revising Article 14, paragraph (1) of that Act (limited to the part adding ", a cooperative structured financial institution" after "a bank,"), the provisions revising Article 22, paragraph (1), item (iv) of that Act (limited to the part adding ", a cooperative structured financial institution" after "a bank,"), and the provisions revising item (v) of that paragraph in Article 2; the provisions revising Article 28, paragraph (1), item (vii) and item (xix) of the Shoko Chukin Bank Act, the provisions deleting paragraph (6) of that Article, and the provisions adding a new paragraph after paragraph (3) of that Article in Article 6; the provisions adding a new item after Article 10, paragraph (6), item (iii) of the Agricultural Cooperatives Act, the provisions revising item

(vi)-2 of that paragraph, item (xv) of that paragraph, and paragraph (12) of that Article, the provisions deleting paragraph (13) and paragraph (16) of that Article, and the provisions adding two paragraphs after paragraph (9) of that Article in Article 7; the provisions adding a new item after Article 11, paragraph (3), item (iii) of the Fishery Cooperatives Act, the provisions revising item (vi) of that paragraph, the provisions adding a new item after Article 87, paragraph (4), item (iii) of that Act, the provisions adding a new item after Article 93, paragraph (2), item (iii) of that Act, and the provisions adding a new item after Article 97, paragraph (3), item (iii) in Article 8; the provisions revising Article 9-8, paragraph (2), item (vii) of the Small and Medium-Sized Enterprise Cooperatives Act in Article 9; the provisions revising Article 53, paragraph (3), item (ii) and Article 54, paragraph (4), item (ii) of the Shinkin Bank Act in Article 10; the provisions revising Article 58, paragraph (2), item (viii) and Article 58-2, paragraph (1), item (vi) of the Labor Bank Act in Article 11; the provisions revising Article 54, paragraph (4), item (ii) of the Norinchukin Bank Act; the provisions of Article 13 in Article 12; Article 37-11, paragraph (1), item (i), Article 37-14-2, paragraph (1), item (i), and Article 41-14, paragraph (3) in Article 16 of the Supplementary Provisions, item (ii) of the Act on Special Measures Concerning Taxation (Act No. 26 of 1957); and the provisions revising Article 224-3, paragraph (1) in Article 17 of the Supplementary Provisions, item (ii) of the Income Tax Act (Act No. 33 of 1965): the day on which one month has elapsed from the day of its promulgation

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第三十八条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 38 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第三十九条 この法律に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 39 In addition to what is provided for in this Act, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Reviews)

第四十条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 40 The government, when five years have elapsed from the enforcement of this Act, conducts a review on the financial systems amended by this Act by taking into account the implementation status of the provisions amended by this Act, changes in the social and economic conditions, etc., and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 〔平成十六年四月二十一日法律第三十四号〕 〔抄〕

**Supplementary Provisions [Act No. 34 of April 21, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、附則第十二条の規定は、公布の日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding three months from the day of its promulgation; provided, however, that the provisions of Article 12 of the Supplementary Provisions come into effect on the day of its promulgation.

(施行期日)

(Effective Date)

第十二条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 12 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成十六年六月二日法律第七十六号〕 〔抄〕

**Supplementary Provisions [Act No. 76 of June 2, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

Article 1 This Act comes into effect on the day of enforcement of the Bankruptcy Act (Act No. 75 of 2004; referred to as the "New Bankruptcy Act" in paragraph (8) of the following Article and Article 3, paragraph (8), Article 5, paragraph (8),

paragraph (16), and paragraph (21), Article 8, paragraph (3), and Article 13 of the Supplementary Provisions).

(政令への委任)

(Delegation to a Cabinet Order)

第十四条 附則第二条から前条までに規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 14 In addition to what is provided for in Article 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成十六年六月九日法律第八十八号〕〔抄〕

Supplementary Provisions [Act No. 88 of June 9, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して五年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding five years from the day of its promulgation (hereinafter referred to as "enforcement date").

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第三百五条 この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 135 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第三百六条 この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 136 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Reviews)

第三百三十七条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の株式等の取引に係る決済制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 137 The government, when five years have elapsed from the enforcement of this Act, conducts a review on the settlement system pertaining to share transactions, etc. amended by this Act by taking into account the implementation status of the provisions amended by this Act, changes in the social and economic conditions, etc., and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 [平成十六年六月九日法律第九十七号] [抄]

Supplementary Provisions [Act No. 97 of June 9, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年四月一日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2005 (hereinafter referred to as "enforcement date"); provided, however, that the provisions prescribed in the following items come into effect on the dates respectively specified in those items:

一 第一条中証券取引法第三十三条の三、第六十四条の二第一項第二号及び第六十四条の七第五項の改正規定、同法第六十五条の二第五項の改正規定（「及び第七号」を「、第七号及び第十二号」に改める部分に限る。）並びに同法第一百四十四条、第一百六十三条第二項並びに第二百七条第一項第一号及び第二項の改正規定、第二条中外国証券業者に関する法律（以下この条において「外国証券業者法」という。）第三十六条第二項の改正規定、第四条中投資信託及び投資法人に関する法律（以下この条において「投資信託法」という。）第十条の五の改正規定、第六条中有価証券に係る投資顧問業の規制等に関する法律（以下この条において「投資顧問業法」という。）第二十九条の三の改正規定、第十一条及び第十二条の規定、第十三条中中小企業等協同組合法第九条の八第六項第一号に次のように加える改正規定並びに第十四条から第十九条までの規定 この法律の公布の日

(i) the provisions revising Article 33-3, Article 64-2, paragraph (1), item (ii) and Article 64-7, paragraph (5) of the Securities and Exchange Act, the provisions revising Article 65-2, paragraph (5) of that Act (limited to the parts changing "and item (vii)" to ", item (vii) and item (xii)"), and the provisions revising Article 144, Article 163, paragraph (2) and Article 207, paragraph (1), item (i) and paragraph (2) of that Act in Article 1; the provisions revising Article

36, paragraph (2) of the Act on Foreign Securities Brokers (hereinafter referred to as the "Act on Foreign Securities Brokers" in this Article) in Article 2; the provisions revising Article 10-5 of the Act on Investment Trusts and Investment Corporations (hereinafter referred to as the "Investment Trusts Act" in this Article) in Article 4; the provisions revising Article 29-3 of the Act on Regulations on Investment Advisory Business Pertaining to Securities (hereinafter referred to as the "Act on Investment Advisory Business" in this Article) in Article 6; the provisions of Article 11 and Article 12; the provisions adding the following to Article 9-8, paragraph (6), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act in Article 13; and the provisions of Articles 14 through 19: the date of promulgation of this Act

三 第一条中証券取引法目次の改正規定（「発行者である会社」を「発行者」に改める部分に限る。）、同法第二条第二項第三号の改正規定、同号を同項第五号とし、同項第二号の次に二号を加える改正規定、同条第十項及び同法第十三条第一項から第五項までの改正規定、同条第六項を削る改正規定、同法第十五条第一項及び第二項の改正規定（「又は登録金融機関は」を「、登録金融機関又は証券仲介業者は」に改める部分を除く。）、同条第三項の改正規定、同条第二項の次に三項を加える改正規定、同法第十七条、第十八条第二項、第二十条及び第二十一条第三項の改正規定、同条の次に二条を加える改正規定、同法第二十二條、第二十三條の二並びに第二十三條の十二第二項から第五項まで及び第九項の改正規定、同条第六項から第八項までを削る改正規定、同法第二十四条の四、第二十四条の五第五項並びに第二十四条の六第一項及び第三項の改正規定、同法第二章の二第一節の節名の改正規定、同法第二十七条の二第一項、第七項第二号及び第八項、第二十七条の三第四項、第二十七条の五、第二十七条の十第一項から第三項まで、第二十七条の十一第一項及び第四項、第二十七条の十二、第二十七条の十三第三項及び第五項並びに第二十七条の十五第二項の改正規定、同法第二章の二第二節の節名の改正規定、同法第二十七条の二十二の二第一項から第三項まで、第十一項及び第十二項並びに第二十七条の三十の九第一項及び第三項の改正規定、同条第二項を削る改正規定、同法第二十七条の三十の十一第一項及び第三項、第二十八条の二第三項、第二十八条の四第一項第七号並びに第六十五条第二項の改正規定、同項第六号及び第七号を削り、同項第八号を同項第六号とする改正規定、同法第六十五条の二第三項の改正規定、同条第五項の改正規定（「及び第四十四条第一号」を「、第四十四条（第二号を除く。）及び第四十五条」に改める部分及び後段を加える部分に限る。）、同法第六十五条の二第七項から第九項まで及び第十一項並びに第七十九条の五の改正規定、同法第七十九条の五十七第一項に一号を加える改正規定並びに同法第一百七條の二第一項第二号、第一百七條の三第一項第二号、第一百五十五条第一項第二号、第九十四条の六第二項第二号、第二百条第三号及び第二百五条第一号の改正規定、第二条中外国証券業者法第二条第三号の改正規定、第四条中投資信託法第二条第五項及び第三十三条第一項の改正規定、第六条中投資顧問業法第二条第五項の改正規定、第十三条中中小企業等協同組合法第八条第六項第三号の改正規定並びに次条から附則第



七条まで並びに附則第十三条、第十四条及び第十七条から第十九条までの規定 平成十六年十二月一日

(iii) the provisions revising the Table of Contents of the Securities and Exchange Act (limited to the parts changing "company which is the issuer" to "issuer"), the provisions revising Article 2, paragraph (2), item (iii) of that Article, the provisions changing item (iii) to item (v) of that paragraph and adding two items after item (ii) of that paragraph, the provisions revising paragraph (10) of that Article and Article 13, paragraphs (1) through (5) of that Act, the provisions deleting paragraph (6) of that Article, the provisions revising Article 15, paragraph (1) and paragraph (2) (excluding the parts changing "or a registered financial institution" to ", a registered financial institution, or an introducing brokerage service provider"), the provisions revising paragraph (3) of that Article, the provisions adding three paragraphs after paragraph (2) of that Article, the provisions revising Article 17, Article 18, paragraph (2), Article 20, and Article 21, paragraph (3) of that Act, the provisions adding two Articles after that Article, the provisions revising Article 22, Article 23-2, and Article 23-12, paragraphs (2) through (5) and paragraph (9) of that Act, the provisions deleting paragraphs (6) through (8) of that Article, the provisions revising Article 24-4, Article 24-5, paragraph (5), and Article 24-6, paragraph (1) and paragraph (3) of that Act, the provisions revising the Section title of Chapter II-2, Section 1 of that Act, the provisions revising Article 27-2, paragraph (1), paragraph (7), item (ii), and paragraph (8), Article 27-3, paragraph (4), Article 27-5, Article 27-10, paragraphs (1) through (3), Article 27-11, paragraph (1) and paragraph (4), Article 27-12, Article 27-13, paragraph (3) and paragraph (5), and Article 27-15, paragraph (2) of that Act, the provisions revising the Section title of Chapter II-2, Section 2 of that Act, the provisions revising Article 27-22-2, paragraphs (1) through (3), paragraph (11), and paragraph (12), and Article 27-30-9, paragraph (1) and paragraph (3) of that Act, the provisions deleting paragraph (2) of that Article, the provisions revising Article 27-30-11, paragraph (1) and paragraph (3), Article 28-2, paragraph (3), Article 28-4, paragraph (1), item (vii), and Article 65, paragraph (2) of that Act, the provisions deleting item (vi) and item (vii) of that paragraph, the provisions changing item (viii) of that paragraph to item (vi) of that paragraph, the provisions revising Article 65-2, paragraph (3) of that Act, the provisions revising paragraph (5) of that Act (limited to the parts changing "and Article 44, item (i)" to ", Article 44 [excluding item (ii)], and Article 45" and the parts adding a second sentence), the provisions revising Article 65-2, paragraphs (7) through (9) and paragraph (11) and Article 79-5 of that Act, the provisions adding a new item to Article 79-57, paragraph (1) of that Act, and the provisions revising Article 107-2, paragraph (1), item (ii), Article 107-3,

paragraph (1), item (ii), Article 155, paragraph (1), item (ii), Article 194-6, paragraph (2), item (ii), Article 200, item (iii), and Article 205, item (i) of that Act in Article 1; the provisions revising Article 2, item (iii) of the Foreign Securities Brokers Act in Article 2; the provisions revising Article 2, paragraph (5) and Article 33, paragraph (1) of the Investment Trust Act in Article 4; the provisions revising Article 2, paragraph (5) of the Investment Advisory Business Act in Article 6; the provisions revising Article 8, paragraph (6), item (iii) of the Small and Medium-Sized Enterprise Cooperatives Act in Article 13; and the provisions of the following Article through Article 7 of the Supplementary Provisions, and Article 13, Article 14, and Articles 17 through 19 of the Supplementary Provisions: December 1, 2004

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第二十二條 この法律（附則第一条各号に掲げる規定については、当該規定。以下この条において同じ。）の施行前にした行為及び附則第三条の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 22 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act (with regard to the provisions prescribed in the items of Article 1 of the Supplementary Provisions; the relevant provisions; hereinafter the same applies in this Article) or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of Article 3 of the Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第二十三條 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 23 In addition to what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第二十四條 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所

要の措置を講ずるものとする。

Article 24 The government, when five years have elapsed from the enforcement of this Act, conducts a review on the financial systems amended by this Act by taking into account the implementation status of the provisions amended by this Act, changes in the social and economic conditions, etc., and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 〔平成十六年六月十八日法律第百二十四号〕 〔抄〕

**Supplementary Provisions [Act No. 124 of June 18, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、新不動産登記法の施行の日から施行する。

Article 1 This Act comes into effect on the date of enforcement of the New Real Estate Registration Act.

(経過措置)

(Transitional Measures)

第二条 この法律の施行の日が行政機関の保有する個人情報の保護に関する法律の施行の日後である場合には、第五十二条のうち商業登記法第百十四条の三及び第百七条から第百十九条までの改正規定中「第百十四条の三」とあるのは、「第百十四条の四」とする。

Article 2 In the case where the day of enforcement of this Act is after the day of enforcement of the Act on the Protection of Personal Information Held by Administrative Organs, the term "Article 114-3" in the provisions of Article 52 revising Article 114-3 and Articles 117 through 119 of the Commercial Registration Act is deemed to be replaced with "Article 114-4."

附 則 〔平成十六年十二月一日法律第百四十七号〕 〔抄〕

**Supplementary Provisions [Act No. 147 of December 1, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the day of its promulgation.

附 則 〔平成十六年十二月一日法律第百五十号〕 〔抄〕

**Supplementary Provisions [Act No. 150 of December 1, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 2005.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

附 則 〔平成十六年十二月三日法律第百五十四号〕 〔抄〕

Supplementary Provisions [Act No. 154 of December 3, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the day of its promulgation.

(処分等の効力)

(Validity of Dispositions)

第二百十一条 この法律の施行前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 121 A disposition, procedure, or any other act carried out prior to the enforcement of this Act pursuant to the provisions of a relevant Act prior to amendment by this Act (including an order under this Act; hereinafter the same applies in this Article) for which corresponding provisions exist in the relevant Act amended by this Act is deemed to have been carried out pursuant to the corresponding provisions of the relevant Act amended by this Act, unless otherwise provided for by these Supplementary Provisions.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第二百十二条 この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされ

る場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

**Article 122** Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions or in the case where the provisions remain in force pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第二百二十三条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

**Article 123** In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Reviews)

第二百二十四条 政府は、この法律の施行後三年以内に、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

**Article 124** The government conducts a review on the enforcement status of this Act within three years from the enforcement of this Act, and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 [平成十六年十二月八日法律第百五十九号] [抄]

**Supplementary Provisions [Act No. 159 of December 8, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年七月一日から施行する。

**Article 1** This Act comes into effect on July 1, 2005.

附 則 [平成十七年四月二十七日法律第三十五号] [抄]

**Supplementary Provisions [Act No. 35 of April 27, 2005] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定め

る日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year from the day of its promulgation.

(中小企業等協同組合法の一部改正に伴う経過措置)

(Transitional Measures for the Partial Amendment to the Small and Medium-Sized Enterprise Cooperatives Act)

第十七条 施行日前に前条の規定による改正前の中小企業等協同組合法第百八条において準用する旧法第四十八条第一項の規定による勧告又は旧法第五十条第二項の規定による審判開始決定書の謄本の送達があった場合における排除措置の処理の手続（速記者の立会いその他の公正取引委員会規則で定める事項に係るものを除く。）については、なお従前の例による。

Article 17 Prior laws and regulations continue to govern the procedures for ceases and desist orders (excluding those pertaining to the attendance of a stenographer and any other particulars specified by the Rules of the Fair Trade Commission) in the case where a recommendation under the provisions of Article 48, paragraph (1) of the Former Act as applied mutatis mutandis pursuant to the provisions of Article 108 of the Small and Medium-Sized Enterprise Cooperatives Act prior to amendment by the provisions of the preceding Article or a transcript of the written decision on commencement of the hearing under the provisions of Article 50, paragraph (2) of the Former is served prior to the enforcement date.

附 則 〔平成十七年五月二日法律第三十八号〕〔抄〕

Supplementary Provisions [Act No. 38 of May 2, 2005] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year from the day of its promulgation (hereinafter referred to as "enforcement date").

(内閣府令への委任)

(Provisions Governed by Cabinet Order)

第三十四条 この附則に定めるもののほか、この附則の規定による認可又は承認に関する申請の手続、書類の提出その他この法律を実施するため必要な事項は、内閣府令で定める。

Article 34 In addition to what is provided for in these Supplementary Provisions, the procedures for requesting permission or approval under the provisions of

these Supplementary Provisions, submission of documents, and other necessary particulars for the enforcement of this Act are specified by Cabinet Order.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第三十五条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 35 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(権限の委任)

(Delegation of Authority)

第三十六条 内閣総理大臣は、この附則による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 36 (1) The Prime Minister delegates the authority under these Supplementary Provisions (excluding the authority specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限については、政令で定めるところにより、その一部を財務局長又は財務支局長に委任することができる。

(2) The authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph may be partially delegated to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau, pursuant to the provisions of Cabinet Order.

(政令への委任)

(Provisions Governed by Cabinet Order)

第三十七条 この附則に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 37 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第三十八条 政府は、この法律の施行後三年以内に、生命保険契約者保護機構に対する政府の補助及び生命保険契約者保護機構による資金援助等の保険契約者等の保護のため

めの特別の措置等に係る制度等の実施状況、生命保険契約者保護機構の財務の状況、保険会社の経営の健全性の状況等を勘案し、生命保険契約者保護機構の資金援助等に要する費用に係る負担の在り方、政府の補助に係る規定の継続の必要性等について検討を行い、適切な見直しを行うものとする。

Article 38 (1) The government conducts a review on how the cost required for fund assistance, etc. by the Life Insurance Policyholders Protection Corporation of Japan should be burdened, the need for the continuance of the provisions on government assistance, etc., within three years from the enforcement of this Act, by taking into account the implementation status of the systems, etc. pertaining to the special measures, etc. to protect policyholders, etc. including government assistance to the Life Insurance Policyholders Protection Corporation of Japan and fund assistance, etc. by the Life Insurance Policyholders Protection Corporation of Japan, the financial status of the Life Insurance Policyholders Protection Corporation of Japan, the soundness of the management of insurance companies, etc., and is to reconsider those.

2 政府は、この法律の施行後五年以内に、再保険を保険会社に付して行う業務その他の少額短期保険業者の業務の状況、保険会社が引き受ける保険の多様化の状況、経済社会情勢の変化等を勘案し、この法律に規定する保険業に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) The government conducts a review on the systems pertaining to the insurance business prescribed in this Act, within five years from the enforcement of this Act, by taking into account the status of reinsurance operations entrusted to an insurance company, and any other operations of small-sum, short term insurance business operators, the status of the diversity of insurance underwritten by insurance companies, changes in social and economic conditions, etc., and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 〔平成十七年七月二十六日法律第八十七号〕〔抄〕

**Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]**

この法律は、会社法の施行の日から施行する。

This Act comes into effect on the day of enforcement of the Companies Act.

附 則 〔平成十七年十月二十一日法律第百二号〕〔抄〕

**Supplementary Provisions [Act No. 102 of October 21, 2005] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、郵政民営化法の施行の日から施行する。



Article 1 This Act comes into effect on the day of enforcement of the Postal Service Privatization Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第百十七条 この法律の施行前にした行為、この附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為、この法律の施行後附則第九条第一項の規定によりなおその効力を有するものとされる旧郵便為替法第三十八条の八（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第十三条第一項の規定によりなおその効力を有するものとされる旧郵便振替法第七十条（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第二十七条第一項の規定によりなおその効力を有するものとされる旧郵便振替預り金寄附委託法第八条（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第三十九条第二項の規定によりなおその効力を有するものとされる旧公社法第七十条（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第四十二条第一項の規定によりなおその効力を有するものとされる旧公社法第七十一条及び第七十二条（第十五号に係る部分に限る。）の規定の失効前にした行為並びに附則第二条第二項の規定の適用がある場合における郵政民営化法第百四条に規定する郵便貯金銀行に係る特定日前にした行為に対する罰則の適用については、なお従前の例による。

Article 117 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act, conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions, conduct in which a person engages prior to the expiration of the provisions of Article 38-8 (limited to the parts pertaining to item (ii) and item (iii)) of the Former Postal Money Exchange Act which remain in force pursuant to the provisions of Article 9, paragraph (1) of the Supplementary Provisions after the enforcement of this Act, conduct in which a person engages prior to the expiration of the provisions of Article 70 (limited to the parts pertaining to item (ii) and item (iii)) of the Former Postal Transfer Act which remain in force pursuant to the provisions of Article 13, paragraph (1) of the Supplementary Provisions after the enforcement of this Act, conduct in which a person engages prior to the expiration of the provisions of Article 8 (limited to the parts pertaining to item (ii)) of the Former Postal Transfer Deposit Contribution Entrustment Act which remain in force pursuant to the provisions of Article 27, paragraph (1) of the Supplementary Provisions after the enforcement of this Act, conduct in which a person engages prior to the lapse of the provisions of Article 70 (limited to the parts pertaining to item (ii)) of the Former Japan Post Public Corporation Act which remain in force pursuant to the provisions

of Article 39, paragraph (2) of the Supplementary Provisions after the enforcement of this Act, conduct in which a person engages prior to the expiration of the provisions of Article 71 and Article 72 (limited to the part pertaining to item (xv)) of the Former Japan Post Public Corporation Act which remain in force pursuant to the provisions of Article 42, paragraph (1) of the Supplementary Provisions after the enforcement of this Act, or conduct in which a person engages prior to a specified date pertaining to a postal savings bank prescribed in Article 104 of the Postal Service Privatization Act in the case where the provisions of Article 2, paragraph (2) of the Supplementary Provisions apply.

附 則 〔平成十七年十一月二日法律第百六号〕 〔抄〕

**Supplementary Provisions [Act No. 106 of November 2, 2005] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year from the day of its promulgation (hereinafter referred to as "enforcement date").

(処分等の効力)

(Validity of Dispositions)

第三十八条 この法律の施行前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 38 A disposition, procedure, or any other act carried out prior to the enforcement of this Act pursuant to the provisions of a relevant Act prior to amendment by this Act (including an order under this Act; hereinafter the same applies in this Article) for which corresponding provisions exist in the relevant Act amended by this Act is deemed to have been carried out pursuant to the corresponding provisions of the relevant Act amended by this Act, unless otherwise provided for by these Supplementary Provisions.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第三十九条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 39 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(権限の委任)

(Delegation of Authority)

第四十条 内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 40 (1) The Prime Minister delegates the authority under these Supplementary Provisions (excluding the authority specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限並びにこの附則の規定による農林水産大臣及び厚生労働大臣の権限については、政令で定めるところにより、その一部を財務局長又は財務支局長（農林水産大臣及び厚生労働大臣にあっては、地方支分部局の長）に委任することができる。

(2) The authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph and the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Health, Labour and Welfare under the provisions of these Supplementary Provisions may be partially delegated to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau (the head of a Local Branch Office in the case of the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Health, Labour and Welfare), pursuant to the provisions of Cabinet Order.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第四十一条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 41 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Reviews)

第四十二条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を行い、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 42 The government, when five years have elapsed from the enforcement of this Act, conducts a review on the financial systems amended by this Act, by taking into account the implementation status of the provisions amended by this Act, changes in social and economic conditions, etc., and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 〔平成十八年六月二日法律第五十号〕 〔抄〕

Supplementary Provisions [Act No. 50 of June 2, 2006] [Extract]

(施行期日)

(Effective Date)

1 この法律は、一般社団・財団法人法の施行の日から施行する。

(1) This Act comes into effect on the day of enforcement of the Act on General Associations and Foundations.

(調整規定)

(Adjustment Provisions)

2 犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律（平成十八年法律第 号）の施行の日が施行日後となる場合には、施行日から同法の施行の日の前日までの間における組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（平成十一年法律第百三十六号。次項において「組織的犯罪処罰法」という。）別表第六十二号の規定の適用については、同号中「中間法人法（平成十三年法律第四十九号）第百五十七条（理事等の特別背任）の罪」とあるのは、「一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第三百三十四条（理事等の特別背任）の罪」とする。

(2) In the case where the enforcement date of the Act to Partially Amend the Penal Code, to Respond to an Increase in International and Organized Crimes and Advancement of Data Processing (Act No. of 2006) comes after the enforcement date, with regard to the application of the provisions of item (lxii [62]) of the appended table of the Act on Punishment of Organized Crimes, Control of Crime Proceeds (Act No. 136 of 1999; hereinafter referred to as the "Act on Punishment of Organized Crimes" in the following paragraph) during the period from the effective date to the day before the enforcement date of the Act to Partially Amend the Penal Code to Respond to an Increase in International and Organized Crimes and Advancement of Data Processing, the phrase "offense under Article 157 (Special Breach of Trust by Directors, etc.) of the Intermediate Juridical Person Act (Act No. 49 of 2001)" in item (lxii [62]) is deemed to be replaced with "offense under Article 334 (Special Breach of Trust by Directors, etc.) of the Act on General Associations and Foundations (Act No. 48 of 2006)."

3 前項に規定するもののほか、同項の場合において、犯罪の国際化及び組織化並びに

情報処理の高度化に対処するための刑法等の一部を改正する法律の施行の日の前日までの間における組織的犯罪処罰法の規定の適用については、第四百五十七条の規定によりなお従前の例によることとされている場合における旧中間法人法第一百五十七条（理事等の特別背任）の罪は、組織的犯罪処罰法別表第六十二号に掲げる罪とみなす。

(3) In addition to what is provided for in the preceding paragraph, in the case referred to in that paragraph, with regard to the application of the provisions of the Act on Punishment of Organized Crimes during the period from the effective date to the day before the enforcement date of the Act to Partially Amend the Penal Code to Respond to an Increase in International and Organized Crimes and Advancement of Data Processing, the offense under Article 157 (Special Breach of Trust by Directors, etc.) of the Former Intermediate Juridical Person Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of Article 457 is deemed to be the offense set forth in item (lxii [62]) of the appended table of the Act on Punishment of Organized Crimes.

附 則 〔平成十八年六月十四日法律第六十五号〕 〔抄〕

**Supplementary Provisions [Act No. 65 of June 14, 2006] [Extract]**

（施行期日）

(Effective Date)

第一条 この法律は、公布の日から起算して一年六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year and six months from the day of its promulgation; provided, however, that the provisions prescribed in the following items come into effect on the dates respectively specified in those items:

一 第一条の規定、第八条中農業協同組合法第三十条の四第二項第二号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項、第百九十八条第一号から第十号まで、第十八号若しくは第十九号」を「第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号」に改める部分に限る。）、第九条中水産業協同組合法第三十四条の四第二項第二号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項、第百九十八条第一号から第十号まで、第十八号若しくは第十九号」を「第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号」に改める部分に限る。）、第十一条中協同組合による金融事業に関する法律第五条の四第四号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号（有価証券の無届募集等の罪）」を「第

百九十七条の二第一号から第十号まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）」に改める部分に限る。）、「第十三条中信用金庫法第三十四条第四号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号（有価証券の無届募集等の罪）」を「第百九十七条の二第一号から第十号まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）」に改める部分に限る。）、「第十五条中労働金庫法第三十四条第四号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号（有価証券の無届募集等の罪）」を「第百九十七条の二第一号から第十号まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）」に改める部分に限る。）、「第十八条中保険業法第五十三条の二第一項第三号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号（有価証券の無届募集等の罪）」を「第百九十七条の二第一号から第十号まで若しくは第十三号（有価証券の無届募集等の罪）、第百九十八条第八号（裁判所の禁止又は停止命令違反の罪）」に改める部分に限る。）、「第十九条中農林中央金庫法第二十四条の四第四号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項、第百九十八条第一号から第十号まで、第十八号若しくは第十九号」を「第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号」に改める部分に限る。）並びに附則第二条、第四条、第百八十二条第一項、第百八十四条第一項、第百八十七条第一項、第百九十条第一項、第百九十三条第一項、第百九十六条第一項及び第百九十八条第一項の規定 公布の日から起算して二十日を経過した日

- (i) the provisions of Article 1; the provisions revising Article 30-4, paragraph (2), item (ii) of the Agricultural Cooperatives Act (limited to the part changing "Article 197, paragraph (1), items (i) through (iv) or item (vii) or paragraph (2), Article 198, items (i) through (x), item (xviii) or item (xix)" to "Article 197, Article 197-2, items (i) through (x) or item (xiii), Article 198, item (viii)") in Article 8; the provisions revising Article 34-4, paragraph (2), item (ii) of the Fishery Cooperatives Act (limited to the part changing "Article 197, paragraph (1), items (i) through (iv) or item (vii) or paragraph (2), Article 198, items (i) through (x), item (xviii) or item (xix)" to "Article 197, Article 197-2, items (i) through (x) or item (xiii), Article 198, item (viii)") in Article 9; the provisions revising Article 5-4, item (iv) of the Act on Financial Businesses by Cooperative (limited to the part changing "Article 197, paragraph (1), items (i) through (iv) or item (vii) or paragraph (2)" to "Article 197," "Article 198, items (i) through (x), item (xviii) or item (xix) (Crime of Offering Securities Without Notification, etc.)" to "Article 197-2, items (i)

through (x) or item (xiii) (Crime of Offering Securities Without Notification, etc.), Article 198, item (viii) (Crime of Violating Prohibition Order or Suspension Order by a Court)" in Article 11; the provisions revising Article 34, item (iv) of the Shinkin Bank Act (limited to the part changing "Article 197, paragraph (1), items (i) through (iv) or item (vii) or paragraph (2)" to "Article 197," "Article 198, items (i) through (x), item (xviii) or item (xix) (Crime of Offering Securities Without Notification, etc.)" to "Article 197-2, items (i) through (x) or item (xiii) (Crime of Offering Securities Without Notification, etc.), Article 198, item (viii) (Crime of Violating Prohibition Order or Suspension Order by a Court)" in Article 13; the provisions revising Article 34, item (iv) of the Labor Bank Act (limited to the part changing "Article 197, paragraph (1), items (i) through (iv) or item (vii) or paragraph (2)" to "Article 197," "Article 198, items (i) through (x), item (xviii) or item (xix) (Crime of Offering Securities Without Notification, etc.)" to "Article 197-2, items (i) through (x) or item (xiii) (Crime of Offering Securities Without Notification, etc.), Article 198, item (viii) (Crime of Violating Prohibition Order or Suspension Order by a Court)" in Article 15; the provisions revising Article 53-2, paragraph (1), item (iii) of the Insurance Business Act (limited to the part changing "Article 197, paragraph (1), items (i) through (iv) or item (vii) or paragraph (2)" to "Article 197," "Article 198, items (i) through (x), item (xviii) or item (xix) (Crime of Offering Securities Without Notification, etc.)" to "Article 197-2, items (i) through (x) or item (xiii) (Crime of Offering Securities Without Notification, etc.), Article 198, item (viii) (Crime of Violating Prohibition Order or Suspension Order by a Court)" in Article 18; the provisions revising Article 24-4, item (iv) of the Norinchukin Bank Act (limited to the part changing "Article 197, paragraph (1), items (i) through (iv) or item (vii) or paragraph (2), Article 198, items (i) through (x), item (xviii) or item (xix)" to "Article 197, Article 197-2, items (i) through (x) or item (xiii), Article 198, item (viii)" in Article 19; and the provisions of Article 2, Article 4, Article 182, paragraph (1), Article 184, paragraph (1), Article 187, paragraph (1), Article 190, paragraph (1), Article 193, paragraph (1), Article 196, paragraph (1), and Article 198, paragraph (1) of the Supplementary Provisions; the day on which twenty days have elapsed from the day of its promulgation

二 附則第三条の規定 犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律（平成十八年法律第 号）の施行の日又は前号に掲げる規定の施行の日のいずれか遅い日

(ii) the provisions of Article 3 of the Supplementary Provisions; the date on which the Act to Partially Amend the Penal Code to Respond to an Increase in International and Organized Crimes and Advancement of Data Processing comes into effect (Act No. of 2006) or the date on which the provisions set

forth in the preceding item, whichever is later, comes into effect

三 第二条の規定（証券取引法第二十七条の二十三の改正規定（「第二十七条の二十五第一項」の下に「及び第二十七条の二十六」を加える部分を除く。）、同法第二十七条の二十四の改正規定、同法第二十七条の二十五の改正規定、同法第二十七条の二十六の改正規定（「株券等の発行者である会社の事業活動を支配する」を「株券等の発行者の事業活動に重大な変更を加え、又は重大な影響を及ぼす行為として政令で定めるもの（第四項及び第五項において「重要提案行為等」という。）を行う」に改める部分及び同条に三項を加える部分を除く。）、同法第二十七条の二十七の改正規定及び同法第二十七条の三十の二の改正規定（「第二十七条の十第二項」を「第二十七条の十第八項及び第十二項」に改める部分及び「第二十七条の十第一項」の下に「若しくは第十一項」を加える部分を除く。）を除く。）並びに附則第七条、第八条及び第十二条の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(iii) the provisions of Article 2 (excluding the provisions revising Article 27-23 of the Securities and Exchange Act [excluding the part adding "and Article 27-26" after "Article 27-25, paragraph (1)"], the provisions revising Article 27-24 of that Act, the provisions revising Article 27-25 of that Act, the provisions revising Article 27-26 of that Act [excluding the part changing "to control the business activities of a company which is an issuer of the share certificates, etc." to "engages in conduct specified by Cabinet Order as those that make serious changes in or have a serious impact on the business activities of the issuer of the share certificates, etc. (referred to as "conduct in offering important proposals, etc." in paragraph (4) and paragraph (5))," and the part adding three paragraphs to that Article], the provisions revising Article 27-27 of that Act, and the provisions revising Article 27-30-2 of that Act [excluding the part changing "Article 27-10, paragraph (2)" to "Article 27-10, paragraph (8) and paragraph (12)" and the part adding "or paragraph (11)" after "Article 27-10, paragraph (1)"]); and the provisions of Article 7, Article 8, and Article 12 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding six months from the day of its promulgation

四 第二条中証券取引法第二十七条の二十三の改正規定（「第二十七条の二十五第一項」の下に「及び第二十七条の二十六」を加える部分を除く。）、同法第二十七条の二十四の改正規定、同法第二十七条の二十五の改正規定、同法第二十七条の二十六の改正規定（「株券等の発行者である会社の事業活動を支配する」を「株券等の発行者の事業活動に重大な変更を加え、又は重大な影響を及ぼす行為として政令で定めるもの（第四項及び第五項において「重要提案行為等」という。）を行う」に改める部分及び同条に三項を加える部分を除く。）、同法第二十七条の二十七の改正規定及び同法第二十七条の三十の二の改正規定（「第二十七条の十第二項」を「第二十七条の十第八項及び第十二項」に改める部分及び「第二十七条の十第一項」の下に「若しくは第十一項」を加える部分を除く。）並びに附則第九条から第



十一條まで及び第十三條の規定 公布の日から起算して一年を超えない範囲内において政令で定める日

(iv) From Article 2, the provisions revising Article 27-23 of the Securities and Exchange Act (excluding the part adding "and Article 27-26" after "Article 27-25, paragraph (1)"), the provisions revising Article 27-24 of that Act, the provisions revising Article 27-25 of that Act, the provisions revising Article 27-26 of that Act (excluding the part changing "to control the business activities of a company which is an issuer of the share certificates, etc." to "conduct specified by Cabinet Order as those that make significant changes in or have a serious impact on the business activities of the issuer of the share certificates, etc. (referred to as "conduct in offering important proposals, etc." in paragraph (4) and paragraph (5))," and the part adding three paragraphs to that Article), the provisions revising Article of that Act, and the provisions revising Article 27-30-2 (excluding the part changing "Article 27-10, paragraph (2)" to "Article 27-10, paragraph (8) and paragraph (12)" and the part adding "or paragraph (11)" after "Article 27-10, paragraph (1)"); and the provisions of Articles 9 through 11 and Article 13 of the Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding one year from the day of its promulgation

五 第四條の規定 一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）の施行の日

(v) the provisions of Article 4; the date on which the Act on General Associations and Foundations comes in to effect (Act No. 48 of 2006)

（中小企業等協同組合法の一部改正に伴う経過措置）

(Transitional Measures for Partial Amendment to the Small and Medium-Sized Enterprise Cooperatives Act)

第百八十六條 共済事業を行う組合（第十條の規定による改正後の中小企業等協同組合法（以下この条において「新中小企業等協同組合法」という。）第九條の二第七項に規定する共済事業を行う新中小企業等協同組合法第三條に規定する組合をいう。）は、この法律の施行後最初に特定共済契約（新中小企業等協同組合法第九條の七の五第三項に規定する特定共済契約をいう。）の申込みを利用者（新金融商品取引法第二條第三十一項第四号に掲げる者に限る。）から受けた場合であつて、この法律の施行前に、当該利用者に対し、この法律の施行後に当該利用者が新中小企業等協同組合法第九條の七の五第三項（新中小企業等協同組合法第九條の九第五項又は第八項において準用する場合を含む。以下この条において同じ。）において準用する新金融商品取引法第三十四條の二第一項の規定による申出ができる旨を新中小企業等協同組合法第九條の七の五第三項において準用する新金融商品取引法第三十四條の例により告知しているときには、当該利用者に対し、新中小企業等協同組合法第九條の七の五第三項において準用する新金融商品取引法第三十四條に規定する告知をしたものとみなす。

Article 186 In the case where a cooperative engaged in mutual aid activities

(meaning a cooperative prescribed in Article 3 of the Small and Medium-Sized Enterprise Cooperatives Act amended by this Act under the provisions of Article 10 [hereinafter referred to as the "New Small and Medium-Sized Enterprise Cooperatives Act" in this Article] engaged in mutual aid activities prescribed in Article 9-2, paragraph (7) of the New Small and Medium-Sized Enterprise Cooperatives Act) receives an offer for a specified mutual aid contract (meaning a specific mutual aid contract prescribed in Article 9-7-5, paragraph (3) of the New Small and Medium-Sized Enterprise Cooperatives Act) from a user (limited to a person set forth in Article 2, paragraph (31), item (iv) of the New Small and Medium-Sized Enterprise Cooperatives Act) for the first time since the enforcement of this Act, if it notifies the user, prior to the enforcement of this Act, according to Article 34 of the New Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (3) of the New Small and Medium-Sized Enterprise Cooperatives Act that the cooperative may make an offer under the provisions of Article 34-2, paragraph (1) of the New Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (3) of the New Small and Medium-Sized Enterprise Cooperatives Act (including the case as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) or paragraph (8) of the New Small and Medium-Sized Enterprise Cooperatives Act; hereinafter the same applies in this Article) after the enforcement of this Act, the cooperative is deemed to have given the notice prescribed in Article 34 of the New Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 9-7-5, paragraph (3) of the New Small and Medium-Sized Enterprise Cooperatives Act to the user.

(権限の委任)

(Delegation of Authority)

第二百十六条 内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 216 (1) The Prime Minister delegates the authority under these Supplementary Provisions (excluding the authority specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限については、政令で定めるところにより、その一部を財務局長又は財務支局長に委任することができる。

(2) The Commissioner of the Financial Services Agency may partially delegate the authority that is delegated to the commissioner pursuant to the provisions of the preceding paragraph, to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau pursuant to the provisions of a Cabinet Order.

(処分等の効力)

**(Validity of Dispositions)**

第二百十七条 この法律の施行前にした旧証券取引法、旧投資信託法若しくは旧信託業法又はこれらに基づく命令の規定によってした処分、手続その他の行為であつて、新金融商品取引法の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、新金融商品取引法の相当の規定によってしたものとみなす。

Article 217 A disposition, procedure, or any other conduct in which a person engages prior to the enforcement of this Act pursuant to the provisions of the Former Securities and Exchange Act, the Former Investment Trust Act, or the Former Trust Business Act, or an order under any of these Acts for which corresponding provisions exist in the New Financial Instruments and Exchange Act is deemed to have been carried out pursuant to the corresponding provisions of the New Financial Instruments and Exchange Act, unless otherwise provided for by these Supplementary Provisions.

(罰則の適用に関する経過措置)

**(Transitional Measures Concerning Application of Penal Provisions)**

第二百十八条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 218 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act (with regard to the provisions prescribed in the items of Article 1 of the Supplementary Provisions; the relevant provisions; hereinafter the same applies in this Article) or conduct in which a person engages after the enforcement of this Act in the case where the provisions are to be governed by prior laws and regulations or in the case where the provisions remain in force pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令等への委任)

**(Other Transitional Measures Governed by Cabinet Order)**

第二百十九条 この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 219 (1) In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

2 第三条の規定による証券取引法の一部改正に伴う登記に関する手続について必要な経過措置は、法務省令で定める。

(2) Transitional measures necessary for the registration procedures for the

partial amendment to the Securities and Exchange Act under the provisions of Article 3 are specified by the Ministry of Justice Order.

(検討)

(Review)

第二百二十条 政府は、この法律の施行後五年以内に、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 220 The government conducts a review on the enforcement status of this Act within five years from the enforcement of this Act, and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 [平成十八年六月十五日法律第七十五号] [抄]

**Supplementary Provisions [Act No. 75 of June 15, 2006] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十九年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 2007.

(中小企業等協同組合法の一部改正に伴う経過措置)

(Transitional Measures for Partial Amendment to the Small and Medium-Sized Enterprise Cooperatives Act)

第二条 この法律の施行の際現に存する事業協同組合若しくは事業協同小組合であつて第一条の規定による改正後の中小企業等協同組合法（以下「新協同組合法」という。）第九条の二第七項に規定する特定共済組合に該当するもの又はこの法律の施行の際現に存する協同組合連合会であつて新協同組合法第九条の九第四項に規定するに該当するものについては、新協同組合法第六条第一項の規定は、この法律の施行の日（以下「施行日」という。）以後最初に招集される通常総会の終了の時から適用し、当該通常総会の終了前は、なお従前の例による。

Article 2 With regard to a business cooperative or a small business cooperative which already exists on the date on which this Act comes into effect and which is a specified mutual aid association prescribed in Article 9-2, paragraph (7) of the Small and Medium-Sized Enterprise Cooperatives Act amended by the provisions of Article 1 (hereinafter referred to as "New Cooperatives Act") or a federation of cooperatives which already exists on the date on which this Act comes into effect and which is a specified federation of mutual aid associations prescribed in Article 9-9, paragraph (4) of the New Cooperatives Act, the provisions of Article 6, paragraph (1) of the New Cooperatives Act apply on the day or after the ordinary general assembly convened for the first time on or after the enforcement date of this Act ends (hereinafter referred to as

"enforcement date"), and prior laws and regulations continue to govern the business cooperatives or small business cooperatives until the ordinary general assembly ends.

第三条 この法律の施行の際現に共済事業及びこれに附帯する事業並びに新協同組合法第九条の二第六項に規定する事業以外の事業を行う事業協同組合又は事業協同小組合であつて同条第七項に規定する特定共済組合に該当するものは、施行日から起算して五年を経過する日までの間は、同項本文の規定にかかわらず、引き続き当該事業を行うことができる。

Article 3 A business cooperative or a small business cooperative which already engages in activities other than mutual aid activities, activities incidental thereto, or activities prescribed in Article 9-2, paragraph (6) of the New Cooperatives Act on the day on which this Act comes into force and which is a specified mutual aid association prescribed in paragraph (7) of that Article may continue to engage in the activities until the day on which five years have elapsed from the enforcement date, notwithstanding the provisions of the main clause of that paragraph.

第四条 この法律の施行の際現に共済事業を行う事業協同組合又は事業協同小組合は、施行日から起算して六月を経過する日までの間は、新協同組合法第九条の六の二第一項の規定にかかわらず、引き続き当該共済事業を行うことができる。

Article 4 (1) A business cooperative or a small business cooperative which is already engaged in mutual aid activities on the enforcement date of this Act may continue to engage in the mutual aid activities until the day on which six months have elapsed from the enforcement date, notwithstanding the provisions of Article 9-6-2, paragraph (1) of the New Cooperatives Act.

2 前項の規定により引き続き共済事業を行うことができる場合においては、その事業協同組合又は事業協同小組合を新協同組合法第九条の六の二第一項に定める行政庁の認可を受けた事業協同組合又は事業協同小組合とみなして、新協同組合法の規定を適用する。

(2) In the case where a business cooperative or a small business cooperative may continue to engage in mutual aid activities pursuant to the provisions of the preceding paragraph, the provisions of the New Cooperatives Act apply by deeming the business cooperative or small business cooperative to be a business cooperative or a small business cooperative which has obtained the approval of the administrative authority specified by Article 9-6-2, paragraph (1) of the New Cooperatives Act.

3 この法律の施行の際現に共済事業を行う協同組合連合会は、施行日から起算して六月を経過する日までの間は、新協同組合法第九条の九第五項において準用する新協同組合法第九条の六の二第一項の規定にかかわらず、引き続き当該共済事業を行うことができる。

(3) A federation of cooperatives which is already engaged in mutual aid activities on the enforcement day of this Act may continue to engage in the mutual aid activities until the day on which six months have elapsed from the enforcement date, notwithstanding the provisions of Article 9-6-2, paragraph (1) of the New Cooperatives Act as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) of the New Cooperatives Act.

4 前項の規定により引き続き共済事業を行うことができる場合においては、その協同組合連合会を新協同組合法第九条の九第五項において準用する新協同組合法第九条の六の二第一項に定める行政庁の認可を受けた協同組合連合会とみなして、新協同組合法の規定を適用する。

(4) In the case where a federation of cooperatives may continue to engage in mutual aid activities pursuant to the provisions of the preceding paragraph, the provisions of the New Cooperatives Act apply by deeming the federation of cooperatives to be a federation of cooperatives which has obtained the approval of the administrative authority specified by Article 9-6-2, paragraph (1) of the New Cooperatives Act as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) of the New Cooperatives Act.

第五条 この法律の施行の際現に共済事業及び新協同組合法第九条の九第一項第二号の事業並びにこれらに附帯する事業並びに同条第五項において準用する新協同組合法第九条の二第六項に規定する事業以外の事業を行う協同組合連合会であつて新協同組合法第九条の九第四項に規定する特定共済組合連合会に該当するものは、施行日から起算して五年を経過する日までの間は、同項本文の規定にかかわらず、引き続き当該事業を行うことができる。

Article 5 A federation of cooperatives which is already engaged in activities other than mutual aid activities, activities set forth in Article 9-9, paragraph (1), item (ii) of the New Cooperatives Act, or activities incidental thereto, or those other than activities prescribed in Article 9-2, paragraph (6) of the New Cooperatives Act as applied mutatis mutandis pursuant to the provisions of Article 9-9, paragraph (5) on the enforcement date of this Act and which is a specified federation of mutual aid associations prescribed in Article 9-9, paragraph (4) of the New Cooperatives Act may continue to engage in the activities until the day on which five years have elapsed from the enforcement date, notwithstanding the provisions of the main clause of that paragraph.

第六条 この法律の施行の際現に共済事業を行う協同組合（新協同組合法第三条に規定する中小企業等協同組合をいう。以下同じ。）（火災共済協同組合及び新協同組合法第九条の九第一項第三号の事業を行う協同組合連合会を除く。）については、新協同組合法第十二条第二項の規定は、施行日以後最初に招集される通常総会の終了の時までは、適用しない。

Article 6 With regard to a cooperative (meaning a small and medium-sized

enterprise cooperative prescribed in Article 3 of the New Cooperatives Act; the same applies hereinafter) (excluding a fire mutual aid cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) of the New Cooperatives Act) which is engaged in mutual aid activities on the enforcement date of this Act, the provisions of Article 12, paragraph (2) of the New Cooperatives Act do not apply until the ordinary general assembly convened for the first time on or after the enforcement date ends.

第七条 この法律の施行の際現に存する次に掲げる協同組合であってその出資の総額が千万円に満たないものについては、新協同組合法第二十五条第一項の規定は、施行日から起算して五年を経過する日までの間は、適用しない。この場合において、火災共済協同組合の出資の総額については、なお従前の例による。

Article 7 (1) With regard to any of the following cooperatives which exist on the enforcement date of this Act and whose total amount of contribution is less than ten million yen, the provisions of Article 25, paragraph (1) of the New Cooperatives Act do not apply until the day on which five years have elapsed from the enforcement date. In this case, prior laws and regulations continue to govern the total amount of contribution of a fire mutual aid cooperative:

一 新協同組合法第九条の二第七項に規定する特定共済組合（再共済又は再再共済の事業を行うものを除く。）に該当する事業協同組合又は事業協同小組合

(i) a business cooperative or a small business cooperative which is a specified mutual aid association (excluding those engaged in the activities of reinsurance or retrocession) prescribed in Article 9-2, paragraph (7) of the New Cooperatives Act

二 火災共済協同組合

(ii) a fire mutual aid cooperative

三 新協同組合法第九条の九第四項に規定する（再共済又は再再共済の事業を行うものを除く。）に該当する協同組合連合会

(iii) a federation of cooperatives which is a specified federation of mutual aid associations (excluding those engaged in the activities of reinsurance or retrocession) prescribed in Article 9-9, paragraph (4) of the New Cooperatives Act

2 この法律の施行の際現に新協同組合法第九条の二第七項に規定する特定共済組合（再共済又は再再共済の事業を行うものに限る。）に該当する事業協同組合若しくは事業協同小組合又は新協同組合法第九条の九第四項に規定する（再共済又は再再共済の事業を行うものに限る。）に該当する協同組合連合会であってその出資の総額が三千万円に満たないものについては、新協同組合法第二十五条第二項の規定は、施行日から起算して五年を経過する日までの間は、適用しない。

(2) With regard to a business cooperative or a small business cooperative which is already a specified mutual aid association (limited to those engaged in the

activities of reinsurance or retrocession) prescribed in Article 9-2, paragraph (7) of the New Cooperatives Act or a federation of cooperatives which is already a specified federation of mutual aid associations (limited to those engaged in the activities of reinsurance or retrocession) prescribed in Article 9-2, paragraph (4) of the New Cooperatives Act on the enforcement date of this Act whose total amount of contribution is less than thirty million yen, the provisions of Article 25, paragraph (2) of the New Cooperatives Act do not apply until the day on which five years have elapsed from the enforcement date.

3 この法律の施行の際現に新協同組合法第九条の九第一項第三号の事業を行う協同組合連合会であってその出資の総額が五千万円に満たないものについては、新協同組合法第二十五条第三項の規定は、施行日から起算して五年を経過する日までの間は、適用しない。この場合において、当該協同組合連合会の出資の総額については、なお従前の例による。

(3) With regard to a federation of cooperatives which is already engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) of the New Cooperatives Act on the enforcement date of this Act and whose total amount of contribution is less than fifty million yen, the provisions of Article 25, paragraph (3) of the New Cooperatives Act do not apply until the day on which five years have elapsed from the enforcement date. In this case, prior laws and regulations continue to govern the total amount of contribution of the federation of cooperatives.

第八条 この法律の施行の際現に共済事業を行う協同組合（火災共済協同組合及び新協同組合法第九条の九第一項第三号の事業を行う協同組合連合会を除く。）については、新協同組合法第三十三条第二項の規定は、施行日以後最初に招集される通常総会の終了の時までは、適用しない。

Article 8 With regard to a cooperative (excluding a fire mutual aid cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) of the New Cooperatives Act) which is already engaged in mutual activities on the enforcement date of this Act, the provisions of Article 33, paragraph (2) of the New Cooperatives Act do not apply until the ordinary general assembly convened for the first time on or after the enforcement date ends.

第九条 この法律の施行の際現に存する協同組合であって新協同組合法第三十五条第六項に規定する組合に該当するものについては、同項の規定は、施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了の時までは、適用しない。

Article 9 With regard to a cooperative which already exists on the enforcement date of this Act and which is a cooperative prescribed in Article 35, paragraph (6) of the New Cooperatives Act, the provisions of that paragraph do not apply until the ordinary general assembly concerning the settlement of accounts for



the first business year ending on or after the enforcement date ends.

第十条 この法律の施行の際現に存する協同組合又は新協同組合法第七十条に規定する中小企業団体中央会の役員であつて施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了前に在任するものの任期に関しては、この法律の施行後も、なお従前の例による。

Article 10 Prior laws and regulations continue to govern the term of office of an officer of a cooperative or a federation of small business associations prescribed in Article 70 of the New Cooperatives Act which already exists on the enforcement date of this Act, who is in office before the ordinary general assembly concerning the settlement of accounts for the first business year ending on or after the enforcement date ends, even after the enforcement of this Act.

第十一条 この法律の施行の際現に存する協同組合については、新協同組合法第三十六条の三の規定は、施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了の時から適用し、当該通常総会の終了前は、なお従前の例による。

Article 11 With regard to a cooperative which already exists on the enforcement date of this Act, the provisions of Article 36-3 of the New Cooperatives Act apply on or after the day on which the ordinary general assembly concerning the settlement of accounts for the first business year ending on or after the enforcement date ends, and prior laws and regulations continue to govern the cooperative until the ordinary general assembly ends.

第十二条 この法律の施行の際現に存する協同組合については、新協同組合法第三十六条の七第一項の規定は、施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了の時から適用し、当該通常総会の終了前は、なお従前の例による。

Article 12 With regard to a cooperative which already exists on the enforcement date of this Act, the provisions of Article 36-7 of the New Cooperatives Act apply on or after the day on which the ordinary general assembly concerning the settlement of accounts for the first business year ending on or after the enforcement date ends, and prior laws and regulations continue to govern the cooperative until the the ordinary general assembly ends.

第十三条 第一条の規定による改正前の中小企業等協同組合法（以下「旧協同組合法」という。）の規定による役員の施行日前の行為に基づく損害賠償責任については、なお従前の例による。

Article 13 Prior laws and regulations continue to govern the compensation for damages based on conduct in which an officer engages in prior to the enforcement date under the provisions of the Small and Medium-Sized Enterprise Cooperatives Act prior to amendment by the provisions of Article 1

(hereinafter referred to as "Former Cooperatives Act").

第十四条 この法律の施行の際現に存する協同組合であつて新協同組合法第四十条の二第一項に規定する組合に該当するものについては、同条及び新協同組合法第四十条の三の規定は、施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了の時までは、適用しない。

Article 14 With regard to a cooperative which already exists on the enforcement date of this Act and which is a cooperative prescribed in Article 40-2, paragraph (1) of the New Cooperatives Act, the provisions of Article 40-3 of the New Cooperatives Act do not apply until the ordinary general assembly concerning the settlement of accounts for the first business year ending on or after the enforcement date ends.

第十五条 この法律の施行の際現に新協同組合法第五十七条の五に規定する方法以外でその業務上の余裕金を運用する共済事業を行う協同組合及び共済事業を行う協同組合以外の協同組合（信用協同組合及び新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を除く。）であつて組合員（協同組合連合会にあつては、会員たる組合の組合員）の総数が新協同組合法第三十五条第六項の政令で定める基準を超えるものは、施行日から起算して三年を経過する日までの間に当該運用に係る資産を処分しなければならない。

Article 15 A cooperative engaged in mutual aid activities or a cooperative other than those engaged in mutual aid activities (excluding a credit cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) of the New Cooperatives Act) which operates the surplus funds that were accrued during the course of business by a method other than the methods prescribed in Article 57-5 of the New Cooperatives Act on the enforcement date of this Act and whose total number of partners (partners of the member cooperatives in the case of a federation of cooperatives) exceeds the standards specified by Cabinet Order set forth in Article 35, paragraph (6) of the New Cooperatives Act must dispose of its assets pertaining to the operation by the day on which three years have elapsed from the enforcement date.

第十六条 新協同組合法第五十八条第一項及び第五項の規定は、施行日以後に開始する事業年度に係る準備金の積立てから適用し、施行日前に開始した事業年度に係る準備金の積立てについては、なお従前の例による。

Article 16 (1) The provisions of Article 58, paragraph (1) and paragraph (5) of the New Cooperatives Act apply to the accumulation of reserve funds for the business year starting on or after the enforcement date, and prior laws and regulations continue to govern the accumulation of reserve funds for the business year starting prior to the enforcement date.

2 この法律の施行の際現に存する協同組合については、新協同組合法第五十八条第二項の規定は、施行日以後最初に招集される通常総会の終了の時から適用し、当該通常総会の終了前は、なお従前の例による。

(2) With regard to a cooperative which already exists on the enforcement date of this Act, the provisions of Article 58, paragraph (2) of the New Cooperatives Act apply on or after the ordinary general assembly convened for the first time on or after the enforcement date ends, and prior laws and regulations continue to govern the cooperative until the ordinary general assembly ends.

第十七条 新協同組合法第五十八条の二の規定は、施行日以後に開始する事業年度に係る会計の区分から適用し、施行日前に開始した事業年度に係る会計の区分については、なお従前の例による。

Article 17 The provisions of Article 58-2 of the New Cooperatives Act apply to the division of accounting for the business year starting on or after the enforcement date, and prior laws and regulations continue to govern the division of accounting for the business year starting prior to the enforcement date.

第十八条 新協同組合法第五十八条の三の規定は、施行日以後に開始する事業年度に係る資金運用について適用する。

Article 18 The provisions of Article 58 of the New Cooperatives Act apply to the operation of funds for the business year starting on or after the enforcement date.

第十九条 新協同組合法第五十八条の六の規定は、この法律の施行の際現に存する協同組合であって同条第一項に規定する組合に該当するものについては、施行日から起算して六月を経過する日までの間は、適用しない。

Article 19 The provisions of Article 58-6 of the New Cooperatives Act do not apply to a cooperative which already exists on the enforcement date of this Act, and which is not a cooperative prescribed in paragraph (1) of that Article, until the day on which six months have elapsed from the enforcement date.

第二十条 新協同組合法第五十八条の七の規定は、共済計理人を選任した日以後に開始する事業年度に係る事項に関する共済計理人の職務について適用する。

Article 20 The provisions of Article 58-7 of the New Cooperatives Act apply to the duties of a mutual aid actuary concerning the matters pertaining to the business year starting on or after the day on which the mutual aid actuary is appointed.

第二十一条 新協同組合法第六十一条の二第一項及び第二項の規定は、施行日以後に開始する事業年度に係る説明書類について適用する。

Article 21 The provisions of Article 61-2, paragraph (1) and paragraph (2) of the New Cooperatives Act apply to explanatory documents for the business year starting on or after the enforcement date.

第二十二條 この法律の施行の際現に存する協同組合については、新協同組合法第百五條の二第二項の規定は、施行日以後最初に終了する事業年度の翌事業年度から適用する。

Article 22 With regard to a cooperative which already exists on the enforcement date of this Act, the provisions of Article 105-2, paragraph (2) of the New Cooperatives Act apply to the business year following the first business year ending on or after the enforcement date.

第二十三條 この法律の施行の際現に存する協同組合については、新協同組合法第百六條の三の規定は、施行日から起算して六月を経過する日までの間は、適用しない。

Article 23 With regard to a cooperative which already exists on the enforcement date of this Act, the provisions of Article 106-3 of the New Cooperatives Act do not apply until the day on which six months have elapsed from the enforcement date.

(処分等の効力)

(Validity of Dispositions)

第五十三條 旧協同組合法、旧輸出入法、旧輸出水産業法、旧団体法、旧鉱工業組合法又は旧商店街組合法の規定によってした処分、手続その他の行為は、それぞれ新協同組合法、新輸出入法、新輸出水産業法、新団体法、新鉱工業組合法又は新商店街組合法の相当規定によってしたものとみなす。

Article 53 A disposition, procedure, or any other conduct in which a person engages pursuant to the provisions of the Former Cooperatives Act, the Former Import and Export Act, the Former Fishery Export Act, the Former Associations Act, the Former Mining and Manufacturing Cooperatives Act, or the Former Shopping District Cooperatives Act is deemed to have been done pursuant to the corresponding provisions of the New Cooperatives Act, the New Import and Export Act, the New Fishery Export Act, the New Associations Act, the New Mining and Manufacturing Cooperatives Act, or the New Shopping District Cooperatives Act.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第五十四條 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 54 With regard to the application of penal provisions to conduct in which

a person engages prior to the enforcement of this Act or conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions.

(政令への委任)

(Provisions Governed by Cabinet Order)

第五十五条 附則第二条から第五十二条まで及び前条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 55 In addition to what is provided for in Articles 2 to 52 of the Supplementary Provisions and the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Reviews)

第五十六条 政府は、この法律の施行後五年を経過した場合において、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 56 The government, when five years have elapsed from the enforcement of this Act, conducts a review on the implementation status of this Act, and when it finds it necessary, is to take necessary measures based on the results of the review.

附 則 〔平成十八年十二月十五日法律第百九号〕〔抄〕

**Supplementary Provisions [Act No. 109 of December 15, 2006] [Extract]**

この法律は、新信託法の施行の日から施行する。

This Act comes into effect on the day of enforcement of the New Trust Act.

附 則 〔平成十九年五月二十五日法律第五十八号〕〔抄〕

**Supplementary Provisions [Act No. 58 of May 25, 2007] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成二十年十月一日から施行する。

Article 1 This Act comes into effect on October 1, 2008.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第八条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 8 Prior laws and regulations continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act.

(政令への委任)

(Provisions Governed by Cabinet Order)

第九条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 9 In addition to what is provided for in Article 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(調整規定)

(Adjustment Provisions)

第十条 この法律及び株式会社商工組合中央金庫法（平成十九年法律第 号）、株式会社日本政策投資銀行法（平成十九年法律第 号）又は地方公営企業等金融機構法（平成十九年法律第 号）に同一の法律の規定についての改正規定がある場合において、当該改正規定が同一の日に施行されるときは、当該法律の規定は、株式会社商工組合中央金庫法、株式会社日本政策投資銀行法又は地方公営企業等金融機構法によってまず改正され、次いでこの法律によって改正されるものとする。

Article 10 In the case where this Act and the Shoko Chukin Bank Limited Act (Act No. of 2007), the Act on Development Bank of Japan (Act No. of 2007), or the Act on the Japan Finance Organization for Municipal Enterprises (Act No. of 2007) have provisions revising the provisions of that Act, if the relevant revising provisions come into effect on the same day, the provisions of the relevant Act is to be amended by the Company Shoko Chukin Bank Limited Act, the Act on Development Bank of Japan, or the Act on the Japan Finance Organization for Municipal Enterprises first, and then amended by this Act.

附 則 〔平成十九年六月一日法律第七十四号〕 〔抄〕

Supplementary Provisions [Act No. 74 of June 1, 2007] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十年十月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act come into effect on October 1, 2008; provided, however, that the provisions prescribed in the following items come into effect on the dates respectively specified in those items:

一 附則第三条から第二十二條まで、第二十五條から第三十條まで、第百一條及び第百二條の規定 公布の日から起算して六月を超えない範囲内において政令で定める

日

(i) the provisions of Articles 3 through 22, Articles 25 through 30, Article 101, and Article 102 of the Supplementary Provisions; the day specified by Cabinet Order within a period not exceeding six months from the day of its promulgation

(中小企業等協同組合法の一部改正に伴う経過措置)

(Transitional Measures for Partial Amendment to the Small and Medium-Sized Enterprise Cooperatives Act)

第五十二条 施行日前に転換前の法人が発行した短期商工債についての中小企業等協同組合法の規定の適用については、当該短期商工債を同法第九条の八第六項第一号に規定する短期社債等とみなす。

Article 52 With regard to the application of the provisions of the Small and Medium-Sized Enterprise Cooperatives Act to short term commercial and industrial bonds issued prior to the enforcement date by a juridical person prior to the conversion, the short term commercial and industrial bonds are deemed to be the short term company bonds, etc. prescribed in Article 9-8, paragraph (6), item (i) of that Act.

(処分等に関する経過措置)

(Transitional Measures for Dispositions)

第百条 この法律の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 100 A disposition, procedure, or any other conduct in which a person engages prior to the enforcement of this Act pursuant to a relevant Act prior to amendment by this Act (including an order under the relevant Act; hereinafter the same applies in this Article) for which corresponding provisions exist in the relevant Act amended by this Act is deemed to have been done pursuant to the corresponding provisions of the relevant Act amended by this Act, unless otherwise provided for by these Supplementary Provisions.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Penal Provisions)

第百一条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 101 With regard to the application of penal provisions to conduct in

which a person engages prior to the enforcement of this Act (with regard to the provisions prescribed in the items of Article 1 of the Supplementary Provisions; the relevant provisions; hereinafter the applies in this Article) and conduct in which a person engages after the enforcement of this Act in the case where the provisions are continued to be governed by prior laws and regulations pursuant to the provisions of these Supplementary Provisions or in the case where the provisions remain in force pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第百二条 この附則に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 102 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.