

資金清算機関に関する内閣府令 Cabinet Office Order on Clearing Institution for Interbank Funds Transfer

(平成二十二年三月一日内閣府令第五号)
(Cabinet Office Order No. 5 of March 1, 2010)

資金決済に関する法律（平成二十一年法律第五十九号）及び資金決済に関する法律施行令（平成二十二年政令第十九号）の規定に基づき、並びに同法及び同令を実施するため、資金清算機関に関する内閣府令を次のように定める。

Pursuant to the provisions of the Payment Services Act (Act No. 59 of 2009) and the Order for Enforcement of the Payment Services Act (Cabinet Order No. 19 of 2010) and for the purpose of enforcing the relevant Act and Order, the Cabinet Office Order on the Clearing Institution for Interbank Funds Transfer is issued as follows.

第一章 総則（第一条—第四条の二）

Chapter I General Provisions (Article 1 - Article 4-2)

第二章 業務（第五条—第九条）

Chapter II Business (Article 5 - Article 9)

第三章 監督（第十条—第十三条）

Chapter III Supervision (Article 10 - Article 13)

第四章 雑則（第十四条—第十六条）

Chapter IV Miscellaneous Provisions (Article 14 - Article 16)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(定義)

(Definition)

第一条 この府令において「資金清算業」又は「資金清算機関」とは、それぞれ資金決済に関する法律（以下「法」という。）第二条に規定する資金清算業又は資金清算機関をいう。

Article 1 The terms "clearing services for interbank funds transfer" and "clearing institution for interbank funds transfer" as used in this Cabinet Office Order mean clearing services for interbank funds transfer and clearing institution for interbank funds transfer as referred to in Article 2 of the Payment Services Act (hereinafter referred to as the "Act"), respectively.

(免許申請書の経由)

(Route of Written Application for License)

第二条 法第六十五条第一項の規定により免許を受けようとする者は、免許申請書を金融庁長官を経由して提出しなければならない。

Article 2 A person intending to obtain a license pursuant to the provisions of Article 65, paragraph (1) of the Act must submit a written application for license through the Commissioner of the Financial Services Agency.

(免許申請書の記載事項)

(Matters to be Stated in Written Application for License)

第三条 法第六十五条第一項第六号に規定する内閣府令で定める事項は、会計監査人の氏名又は名称とする。

Article 3 The matter to be specified by Cabinet Office Order as referred to in Article 65, paragraph (1), item (vi) of the Act is the name of the accounting auditor.

(免許申請書の添付書類)

(Documents to Be Attached to Written Application for License)

第四条 法第六十五条第二項第七号に規定する内閣府令で定める書類は、次に掲げる書類とする。

Article 4 Documents to be specified by Cabinet Office Order as referred to in Article 65, paragraph (2), item (vii) of the Act are to be the following documents:

一 免許を受けようとする者が株式会社である場合にあつては、次に掲げる書類

(i) if the person intending to obtain a license is a stock company, the following documents:

イ 主要株主（総株主の議決権（株主総会において決議を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（平成十七年法律第八十六号）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。）の百分の十以上の議決権を保有している株主をいう。第十三条第二項第七号において同じ。）の氏名又は商号若しくは名称、住所又は所在地及びその保有する議決権の数を記載した書面

(a) a document stating the name or trade name or other name and the address or location of major shareholders (meaning a shareholder who holds voting rights constituting ten percent or more of all shareholders' voting rights (excluding voting rights of the shares which cannot be exercised for all matters that are subject to a resolution at a general meeting of shareholders, and including the voting rights of the shares for which the shareholder is deemed to have voting rights under the provisions of Article 879, paragraph (3) of the Companies Act (Act No. 86 of 2005)); the

same applies in Article 13, paragraph (2), item (vii)) and the number of voting rights held by them;

ロ 親法人（免許を受けようとする者の総株主の議決権（イに規定する議決権をいう。）の過半数を保有している法人その他の団体をいう。次号において同じ。）及び子法人（免許を受けようとする者が総株主、総社員又は総出資者の議決権（株式会社にあつては、株主総会において決議を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。）の過半数を保有している法人その他の団体をいう。同号において同じ。）の概要を記載した書面

(b) a document stating an outline of the parent corporation (meaning a corporation or other organization holding the majority of the voting rights (meaning the voting rights referred to in sub-item (a)) held by all shareholders of the person intending to obtain a license; the same applies in item (ii)) and the subsidiary corporation (meaning a corporation or other organization whose majority of voting rights (in the case of a stock company, excluding the voting rights of the shares which cannot be exercised for all matters that are subject to a resolution at a general meeting of shareholders, and including the voting rights of the shares for which the shareholder is deemed to have voting rights under the provisions of Article 879, paragraph (3) of the Companies Act) held by all the shareholders, members, or equity investors, are held by the person who intends to obtain a license; the same applies in item (ii));

ハ 取締役及び監査役（委員会設置会社にあつては、取締役及び執行役）に係る次に掲げる書類

(c) the following documents pertaining to directors and company auditors (in the case of a company with committees, directors and executive officers):

(1) 履歴書

1. a curriculum vitae;

(2) 住民票の抄本又はこれに代わる書面

2. an extract of the certificate of residence or any substitute document thereof;

(3) 婚姻前の氏名を、氏名に併せて法第六十五条第一項の免許申請書に記載した場合において、(2)に掲げる書類が当該婚姻前の氏名を証するものでないときは、当該婚姻前の氏名を証する書面

3. if the name that was used before marriage was stated together with the current name in a written application for license set forth in Article 65, paragraph (1) of the Act, and the document set forth in 2. does not certify the name that was used before marriage, a document certifying the name before marriage;

(4) 法第六十六条第二項第四号イからホまでのいずれにも該当しない者であ

ることを当該取締役及び監査役が誓約する書面

4. a document in which each of the relevant directors and company auditors pledge to the effect that the person does not fall under any of Article 66, paragraph (2), item (iv), (a) through (e) of the Act;

ニ 会計参与設置会社にあつては、会計参与に係る次に掲げる書類

- (d) in the case of a company with accounting advisors, the following documents pertaining to the accounting advisors:

(1) 履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面）

1. a curriculum vitae (if an accounting advisor is a corporation, a document stating the history of the accounting advisor);

(2) 住民票の抄本（会計参与が法人であるときは、当該会計参与の登記事項証明書）又はこれに代わる書面

2. an extract of the certificate of residence (if an accounting advisor is a corporation, the certificate of registered matters of the relevant accounting advisor) or any substitute document thereof;

(3) 婚姻前の氏名を、氏名に併せて法第六十五条第一項の免許申請書に記載した場合において、(2)に掲げる書類が当該婚姻前の氏名を証するものではないときは、当該婚姻前の氏名を証する書面

3. if the name that was used before marriage was stated together with the current name in a written application for license set forth in Article 65, paragraph (1) of the Act, and the document set forth in 2. does not certify the name that was used before marriage, a document certifying the name before marriage;

(4) 法第六十六条第二項第四号イからホまでのいずれにも該当しない者であることを当該会計参与が誓約する書面

4. a document in which each of the relevant accounting advisors pledges to the effect that the person does not fall under any of Article 66, paragraph (2), item (iv), (a) through (e) of the Act;

ホ 取締役（指名委員会等設置会社にあつては、執行役）の担当業務を記載した書面

- (e) a document stating a description of the business of which each of the directors (in the case of a company with a nominating committee, etc., each of the executive officers) is in charge;

ニ 免許を受けようとする者が一般社団法人である場合にあつては、次に掲げる書類

- (ii) if the person who intends to obtain a license is a general incorporated association, the following documents:

イ 社員の氏名又は商号若しくは名称、住所又は所在地及びその保有する議決権の数を記載した書面

- (a) a document stating the name or trade name or other name and address or location of members, and the number of voting rights held by them;

- ロ 親法人及び子法人の概要を記載した書面
- (b) a document stating an outline of the parent corporation and subsidiary corporation;
- ハ 理事及び監事の履歴書及び住民票の抄本又はこれに代わる書面並びに理事及び監事が法第六十六条第二項第四号イからホまでのいずれにも該当しない者であることを当該理事及び監事が誓約する書面
- (c) a curriculum vitae and an extract of the certificate of residence or any substitute document thereof of board members and auditors and a document with which each of the board members and auditors pledges to the effect that the person does not fall under any of Article 66, paragraph (2), item (iv), (a) through (e) of the Act;
- ニ 理事及び監事の婚姻前の氏名を当該理事及び監事の氏名に併せて法第六十五条第一項の免許申請書に記載した場合において、ハの住民票の抄本又はこれに代わる書面が当該婚姻前の氏名を証するものでないときは、当該婚姻前の氏名を証する書面
- (d) if the name of board members and auditors that was used before marriage was stated together with the current name in a written application for license set forth in Article 65, paragraph (1) of the Act, and the extract of the certificate of residence or any substitute document thereof set forth in sub-item (c) does not certify the name that was used before marriage, a document certifying the name before marriage;
- ホ 理事の担当業務を記載した書面
- (e) a document stating a description of the business of which each of the board members is in charge;
- 三 資金清算業に関する知識及び経験を有する従業員の確保の状況並びに当該従業員の配置の状況を記載した書面
- (iii) a document stating the status of securing employees who have knowledge and experience pertaining to the clearing services for interbank funds transfer and the status of the assignment of the relevant employees;
- 四 資金清算機関の事務の機構及び分掌を記載した書面
- (iv) a document stating the organization and division of duties of the clearing institution for interbank funds transfer;
- 五 業務開始後三年間における収支の見込みを記載した書面
- (v) a document stating the expected income and expenditure for the first three years after the commencement of the business;
- 六 業務方法書に法第七十一条第二項第八号に掲げる事項を定める場合にあつては、契約の相手方その他の参考となるべき事項を記載した書面
- (vi) if the matters listed in Article 71, paragraph (2), item (viii) of the Act are to be specified in the statement of operational procedures, a document stating the other party to the contract and other matters of reference; and
- 七 その他参考となるべき事項を記載した書面

(vii) documents stating other matters of reference.

(心身の故障のため職務を適正に執行することができない者)

(A Person Being Unable to Properly Perform Their Duties due to a Mental or Physical Disorder)

第四条の二 法第六十六条第二項第四号イに規定する内閣府令で定める者は、精神の機能の障害のため職務を適正に執行するに当たって必要な認知、判断及び意思疎通を適切に行うことができない者とする。

Article 4-2 A person specified by Cabinet Office Order prescribed in Article 66, paragraph (2), item (iv), (a) of the Act is a person that is unable to adequately carry out the cognition, decision making, and communication necessary for properly performing their duties due to mental impairment.

第二章 業務

Chapter II Business

(他の業務の承認の申請等)

(Application for Approval of Other Business)

第五条 法第六十九条第一項の承認を受けようとする資金清算機関は、次に掲げる事項を記載した申請書を金融庁長官に提出しなければならない。

Article 5 (1) A clearing institution for interbank funds transfer intending to obtain the approval under Article 69, paragraph (1) of the Act must submit a written application stating the following matters to the Commissioner of the Financial Services Agency:

一 承認を受けようとする業務の種類

(i) type of the business for which the approval is sought; and

二 当該業務の開始予定年月日

(ii) the scheduled date of commencement of the relevant business.

2 前項の申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application set forth in the preceding paragraph:

一 当該業務の内容及び方法を記載した書面

(i) a document stating a description of the contents and methods of the relevant business;

二 当該業務を所掌する組織及び人員配置を記載した書面

(ii) a document stating a description of the organization having jurisdiction over the relevant business and the assignment of the personnel in the relevant business;

三 当該業務の運営に関する規則

(iii) rules concerning the operation of the relevant business; and

四 当該業務の開始後三年間における収支の見込みを記載した書面

(iv) a document stating the expected income and expenditure for the first three years after the commencement of the relevant business.

3 金融庁長官は、第一項の承認の申請があった場合においては、その申請が資金清算業を適正かつ確実にを行うにつき支障を及ぼすおそれがないかどうかを審査しなければならない。

(3) If an application for approval set forth in paragraph (1) is filed, the Commissioner of the Financial Services Agency must examine whether the application involves any risk of causing hindrance to the proper and secure provision of the clearing services for interbank funds transfer.

(承認を受けた業務の廃止の届出)

(Notification of Abolition of the Approved Business)

第六条 法第六十九条第二項の規定により届出を行う資金清算機関は、次に掲げる事項を記載した届出書を提出しなければならない。

Article 6 A clearing institution for interbank funds transfer making a notification under Article 69, paragraph (2) of the Act must submit a written notice stating the following matters:

一 法第六十九条第一項の規定により承認を受けた業務の種類

(i) type of the business for which approval was obtained pursuant to the provisions of Article 69, paragraph (1) of the Act;

二 当該業務を廃止した年月日

(ii) date of abolition of the relevant business; and

三 当該業務を廃止した理由

(iii) reason for the abolition of the relevant business.

(資金清算業の一部の委託の承認の申請等)

(Application for Approval of the Entrustment of Part of the Clearing Services for Interbank Funds Transfer)

第七条 法第七十条第一項の承認を受けようとする資金清算機関は、次に掲げる事項を記載した申請書を金融庁長官に提出しなければならない。

Article 7 (1) A clearing institution for interbank funds transfer intending to obtain the approval under Article 70, paragraph (1) of the Act must submit a written application stating the following matters to the Commissioner of the Financial Services Agency:

一 業務を委託する相手方（以下この条において「受託者」という。）の商号又は名称及び住所

(i) the trade name or other name and address of the other party to which business is entrusted (hereinafter referred to as "trustee" in this Article);

二 委託する業務の内容及び範囲

(ii) the contents and the scope of the business to be entrusted;

三 委託の期間

(iii) entrustment period;

四 委託する業務の委託契約において、受託者が当該業務を適正かつ確実に遂行するための措置として付している条件の内容

(iv) the contents of the conditions attached to the contract for the entrustment of the relevant business as measures to ensure the proper and secure conduct of the relevant business by the trustee; and

五 受託者の選定に係る基準

(v) criteria for the selection of the trustee.

2 前項の申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application set forth in the preceding paragraph:

一 理由書

(i) a written statement of reasons;

二 委託する業務の委託契約の内容を記載した書面

(ii) a document stating the description of the contents of the contract for the entrustment of the relevant business;

三 受託者が法第六十六条第二項第二号及び第三号に掲げる要件に該当しない旨を誓約する書面

(iii) a document pledging to the effect that the trustee does not fall under any of the conditions listed in Article 66, paragraph (2), items (ii) and (iii) of the Act;

四 受託者の取締役及び監査役（理事、監事その他これらに準ずる者を含み、監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役とする。以下この条において同じ。）が法第六十六条第二項第四号に掲げる要件に該当しない旨を誓約する書面

(iv) a document pledging to the effect that the trustee's directors and company auditors (including board members, auditors, and other persons equivalent thereto, referring to directors in the case of a company with an audit and supervisory committee, and referring to directors and executive officers in the case of a company with a nominating committee, etc.; hereinafter the same applies in this Article) do not fall under the conditions listed in Article 66, paragraph (2), item (iv) of the Act;

五 受託者の登記事項証明書

(v) certificate of registered matters of the trustee;

六 受託者の定款

(vi) the articles of incorporation of the trustee;

七 委託する業務の実施方法を記載した書面

(vii) a document stating the description of the method for implementing the business to be entrusted;

八 受託者の最近三年の各年度における事業報告、貸借対照表及び損益計算書又はこれらに代わる書面

(viii) business reports, balance sheets and profit and loss statements of the trustee for each of the last three years or any substitute thereof;

九 受託者の取締役及び監査役の氏名を記載した書面

(ix) a document stating the names of the directors and company auditors of the trustee;

十 受託者の取締役及び監査役の住民票の抄本又はこれに代わる書面

(x) an extract of the certificate of residence of directors and company auditors of the trustee or any substitute document thereof;

十一 受託者の取締役及び監査役の履歴書

(xi) a curriculum vitae of directors and company auditors of the trustee;

十二 受託者が会計参与設置会社である場合にあっては、受託者の会計参与の氏名又は名称を記載した書面、住民票の抄本（会計参与が法人であるときは、当該会計参与の登記事項証明書）又はこれに代わる書面及び当該会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面）並びに当該会計参与が法第六十六条第二項第四号に掲げる要件に該当しない旨を誓約する書面（会計参与が法人であるときは、当該会計参与が同項第三号に掲げる要件に該当しない旨を誓約する書面）

(xii) if the trustee is a company with accounting advisors, a document stating the names of the accounting advisors of the trustee, an extract of their certificate of residence (if an accounting advisor is a corporation, the certificate of registered matters of the accounting advisor) or any substitute document thereof, their curriculum vitae (if an accounting advisor is a corporation, a document stating the history of the accounting advisor), and a document pledging to the effect that none of the relevant accounting advisors fall under the conditions listed in Article 66, paragraph (2), item (iv) of the Act (if an accounting advisor is a corporation, a document pledging to the effect that the accounting advisor does not fall under the conditions listed in item (iii) of the referenced paragraph);

十三 受託者の取締役（理事その他これに準ずる者を含み、指名委員会等設置会社にあつては、執行役とする。）の担当業務を記載した書面

(xiii) a document stating a description of the business of which each of the directors (including board members and other persons equivalent thereto and in the case of a company with a nominating committee, etc., each of the executive officers) is in charge; and

十四 その他参考となるべき事項を記載した書面

(xiv) documents stating other matters of reference.

3 金融庁長官は、第一項の承認の申請があつた場合においては、その申請が次に掲げる基準に適合するかどうかを審査しなければならない。

(3) If an application for approval set forth in paragraph (1) is filed, the Commissioner of the Financial Services Agency must examine whether the application satisfies the following criteria:

一 業務の委託が資金清算業を適正かつ確実に行うにつき支障を及ぼすおそれがないこと。

(i) the entrustment involves no risk of causing hindrance to the proper and secure conduct of the clearing services for interbank funds transfer;

二 受託者が社会的信用のある法人であり、かつ、その受託する業務について、適正な計画を有し、確実にその業務を行うことができるものであること。

(ii) the trustee is a corporation with social credibility and has a proper plan with regard to the entrusted business and is able to perform the business in a reliable manner;

三 受託者が法第六十六条第二項第二号及び第三号に掲げる要件に該当しないこと。

(iii) the trustee does not fall under any of the conditions listed in Article 66, paragraph (2), items (ii) or (iii) of the Act;

四 受託者の取締役及び監査役並びに会計参与が法第六十六条第二項第四号に掲げる要件に該当しないこと。

(iv) directors and company auditors, and accounting advisors of the trustee do not fall under any of the conditions listed in Article 66, paragraph (2), item (iv) of the Act; and

五 受託者がその受託する業務の全部又は一部を他の者に再委託する場合には、資金清算機関が当該再委託を受けた者が行う業務を確認できる旨その他の受託者が当該業務を適正かつ確実に遂行するための措置を講ずる旨の条件が業務の委託契約において付されていること。

(v) if the trustee is to sub-entrust the entrusted business in whole or in part to another person, the contract for entrustment of the relevant business must include conditions to the effect that the clearing institution for interbank funds transfer is able to confirm the business performed by the person who accepts the sub-entrustment and other conditions to the effect that trustee take measures to ensure the proper and secure provision of the relevant business.

(外国人等との契約における重要事項)

(Important Matters with Regard to Contracts with Foreign National)

第八条 法第七十一条第二項第八号に規定する内閣府令で定める重要な事項は、次に掲げるものとする。

Article 8 Important matters to be specified by Cabinet Office Order as referred to in Article 71, paragraph (2), item (viii) of the Act are the following matters:

一 通信手段の提供に関する事項

(i) matters concerning the provision of the means of communication; and

二 情報処理に係る業務の提供に関する事項

(ii) matters concerning the provision of the business pertaining to information processing.

(業務方法書の記載事項)

(Matters to be Stated in the Statement of Operational Procedures)

第九条 法第七十一条第二項第九号に規定する内閣府令で定める事項は、未決済債務等（法第七十三条第二項に規定する未決済債務等をいう。）についての差引計算の方法、担保の充当の方法その他の決済の方法に関する事項とする。

Article 9 The matters to be specified by Cabinet Office Order as referred to in Article 71, paragraph (2), item (ix) of the Act are matters related to the method of the netting calculation of the unsettled obligations, etc. (meaning the unsettled obligations, etc. referred to in Article 73, paragraph (2) of the Act), the method of appropriation of collateral, and other settlement methods.

第三章 監督

Chapter III Supervision

(定款又は業務方法書の変更の認可の申請等)

(Application for Authorization of Amendment of the Articles of Incorporation or Statements of Operational Procedures)

第十条 法第七十六条の認可を受けようとする資金清算機関は、次に掲げる事項を記載した認可申請書を金融庁長官に提出しなければならない。

Article 10 (1) A clearing institution for interbank funds transfer intending to obtain the authorization under Article 76 of the Act must submit a written application for authorization stating the following matters to the Commissioner of the Financial Services Agency:

一 変更の内容及び理由

(i) the contents of and the reason for the amendment; and

二 変更予定年月日

(ii) the scheduled date of the amendment.

2 前項の認可申請書には、次に掲げる書類を添付しなければならない。ただし、業務方法書の変更の認可申請書にあっては、第二号に掲げる書類を提出することを要しない。

(2) The following documents must be attached to the written application for authorization set forth in the preceding paragraph; provided, however, that submission of the document set forth in item (ii) is not required for a written application for authorization of amendment of statement of operational procedures:

一 定款又は業務方法書の新旧対照表

(i) a comparison table for the existing and amended articles of incorporation or statements of operational procedures;

二 株主総会又は社員総会の議事録その他必要な手続があったことを証する書面

(ii) the minutes of a general meeting of shareholders or members and any other documents proving that the necessary procedure has been completed; and

三 その他参考となるべき事項を記載した書面

(iii) documents stating other matters of reference.

3 金融庁長官は、第一項の認可の申請があった場合には、その申請が法令に適合し、かつ、資金清算業を適正かつ確実に遂行するために十分かどうかを審査しなければならない。

(3) If an application for authorization set forth in paragraph (1) is filed, the Commissioner of the Financial Services Agency must examine whether the application conforms with laws and regulations and whether it is sufficient for the proper and secure provision of clearing services for interbank funds transfer.

(資本金の額等の変更の届出)

(Notification of Change in the Amount of the Stated Capital)

第十一条 法第七十七条の規定による届出を行う資金清算機関は、次に掲げる事項を記載した届出書を金融庁長官に提出しなければならない。

Article 11 (1) A clearing institution for interbank funds transfer making a notification under Article 77 of the Act must submit a written notice stating the following matters to the Commissioner of the Financial Services Agency:

一 変更の内容

(i) the contents of the change

二 変更年月日

(ii) the date of the change

2 前項の届出書には、次の各号に掲げる区分に応じ、当該各号に定める書類を添付するものとする。

(2) The documents to be specified in the following items for the categories respectively prescribed therein are to be attached to the written notice set forth in the preceding paragraph:

一 法第六十五条第一項第二号に掲げる事項（純資産額を除く。）又は同項第三号に掲げる事項の変更 同条第二項第三号に掲げる書類

(i) in the case of a change in the matters listed in Article 65, paragraph (1), item (ii) of the Act (excluding the amount of net assets) or the matters listed in item (iii) of the referenced paragraph: the documents listed in paragraph (2), item (iii) of the referenced Article;

二 法第六十五条第一項第四号に掲げる事項の変更 次に掲げる書類

(ii) in the case of a change in the matters listed in Article 65, paragraph (1), item (iv) of the Act: the following documents:

イ 法第六十五条第二項第三号に掲げる書類

(a) the documents listed in Article 65, paragraph (2), item (iii) of the Act;

ロ 第四条第一号ハ（（3）を除く。）又は第二号ハに掲げる書類

(b) the documents listed in Article 4, item (i), (c) (excluding 3.) or item (ii), (c); and

ハ 婚姻前の氏名を、氏名に併せて前項の届出書に記載した場合において、ロに掲げる書類（第四条第一号ハ（２）に掲げる書類又は同条第二号ハの住民票の抄本又はこれに代わる書面に限る。）が当該婚姻前の氏名を証するものでないときは、当該婚姻前の氏名を証する書面

(c) if the name that was used before marriage was stated together with the current name in a written notice set forth in the preceding paragraph, and the document set forth in (b) (limited to the document listed in Article 4, item (i), (c), 2. or the extract of the certificate of residence or any substitute document thereof set forth in item (ii), (c) of the referenced Article) do not certify the name that was used before marriage, a document certifying the name before marriage;

三 法第六十五条第一項第五号に掲げる事項の変更 次に掲げる書類

(iii) in the case of a change in the matters listed in Article 65, paragraph (1), item (v) of the Act: the following documents:

イ 法第六十五条第二項第三号に掲げる書類

(a) the documents listed in Article 65, paragraph (2), item (iii) of the Act;

ロ 第四条第一号ニ（（３）を除く。）に掲げる書類

(b) the documents listed in Article 4, item (i), (d) (excluding 3.); and

ハ 婚姻前の氏名を、氏名に併せて前項の届出書に記載した場合において、ロに掲げる書類（第四条第一号ニ（２）に掲げる書類に限る。）が当該婚姻前の氏名を証するものでないときは、当該婚姻前の氏名を証する書面

(c) if the name that was used before marriage was stated together with the current name in a written notice set forth in the preceding paragraph, and when the document set forth in (b) (limited to the document listed in Article 4, item (i), (d), 2.) does not certify the name that was used before marriage, a document certifying the name before marriage.

（帳簿書類）

(Books and Documents)

第十二条 資金清算機関は、法第七十八条の規定により、資金清算業の処理及び計算を明らかにするため、資金清算業に係る取引記録その他の帳簿書類を作成し、その作成の日から七年間保存しなければならない。

Article 12 Pursuant to the provisions of Article 78, a clearing institution for interbank funds transfer must prepare transaction records and other books and documents pertaining to the clearing services for interbank funds transfer for the purpose of clarifying the processing and calculation of the clearing services for interbank funds transfer and preserve them for seven years from the date of preparation.

（報告書）

(Reports)

第十三条 資金清算機関は、法第七十九条の規定により、資金清算業に関する報告書を別紙様式により作成し、毎事業年度終了後三月以内に、金融庁長官に提出しなければならない。

Article 13 (1) Pursuant to the provisions of Article 79 of the Act, a clearing institution for interbank funds transfer must prepare a written report on the clearing services for interbank funds transfer using the appended form and submit it to the Commissioner of the Financial Services Agency within three months from the end of each business year.

2 前項の報告書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written report set forth in the preceding paragraph.

一 会社法第四百三十五条第二項又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）第二百二十三条第二項に規定する計算書類、事業報告及び附属明細書

(i) financial statements, business reports, and supplementary schedules referred to in Article 435, paragraph (2) of the Companies Act or Article 123, paragraph (2) of the Act on General Incorporated Association and General Incorporated Foundation (Act No. 48 of 2006);

二 会社法第三百八十一条第一項又は一般社団法人及び一般財団法人に関する法律第九十九条第一項に規定する監査報告

(ii) audit reports referred to in Article 381, paragraph (1) of the Companies Act or Article 99, paragraph (1) of the Act on General Incorporated Association and General Incorporated Foundation;

三 会社法第三百九十六条第一項又は一般社団法人及び一般財団法人に関する法律第一百七十条第一項に規定する会計監査報告

(iii) accounting audit reports referred to in Article 396, paragraph (1) of the Companies Act or Article 107, paragraph (1) of the Act on General Incorporated Association and General Incorporated Foundation;

四 有形固定資産明細表

(iv) schedule of tangible fixed assets;

五 担保明細表

(v) schedule of collateral;

六 その他諸勘定明細表

(vi) schedules of various other accounts;

七 主要株主又は社員の氏名又は商号若しくは名称、住所又は所在地及びその保有する議決権の数を記載した書面

(vii) a document stating the name or trade name or other name and address or location of major shareholders or members and the number of voting rights held by them; and

八 清算参加者（法第七十一条第二項第二号に規定する清算参加者をいう。以下同じ。）の商号又は名称及び住所を記載した書面

(viii) a document stating the trade names or other names of the clearing participants (meaning the clearing participants referred to in Article 71, paragraph (2), item (ii) of the Act; hereinafter the same applies).

第四章 雑則

Chapter IV Miscellaneous Provisions

(資金清算業の廃止又は解散の決議に係る認可の申請等)

(Application for Authorization pertaining to Resolutions of Abolition or Dissolution of the Clearing Services for Interbank Funds Transfer)

第十四条 法第八十三条の認可を受けようとする資金清算機関は、申請書に次に掲げる書類を添付して金融庁長官に提出しなければならない。

Article 14 (1) A clearing institution for interbank funds transfer intending to obtain the authorization under Article 83 of the Act must submit to the Commissioner of the Financial Services Agency a written application by attaching the following documents:

一 資金清算業の廃止又は解散の理由を記載した書面

(i) a document stating the reasons for abolition or dissolution of the clearing services for interbank funds transfer;

二 株主総会又は社員総会の議事録（会社法第三百十九条第一項又は一般社団法人及び一般財団法人に関する法律第五十八条第一項の規定により株主総会又は社員総会の決議があったものとみなされる場合にあっては、当該場合に該当することを証する書面）

(ii) the minutes of the general meeting of shareholders or members (if a resolution of the general meeting of shareholders or members is deemed to have been passed pursuant to the provisions of Article 319, paragraph (1) of the Companies Act or Article 58, paragraph (1) of the Act on General Incorporated Association and General Incorporated Foundation, a document proving that the referenced provisions apply to the proposed abolition or dissolution);

三 最終事業年度に係る貸借対照表（関連する注記を含む。）及び損益計算書（関連する注記を含む。）並びに当該決議時における資産及び負債の内容を明らかにした書面

(iii) the balance sheet (including the related notes) and profit and loss statement (including the related notes) pertaining to the last business year and a document clarifying the contents of the assets and liabilities existing at the time of the relevant resolution; and

四 資金清算業の終了の方法を記載した書面

(iv) a document stating the method for completing the clearing services for interbank funds transfer; and

五 その他参考となるべき事項を記載した書面

(v) documents stating other matters of reference.

2 金融庁長官は、前項の認可の申請があった場合においては、次に掲げる基準のいずれかに適合するかどうかを審査しなければならない。

(2) If an application for authorization set forth in the preceding paragraph is filed, the Commissioner of the Financial Services Agency must examine whether the application satisfies either of the following criteria:

一 当該資金清算業の廃止又は解散が、当該資金清算機関の業務及び財産の状況に照らしてやむを得ないものであること。

(i) the abolition or dissolution of the clearing services for interbank funds transfer is unavoidable in light of the status of business and property of the clearing institution for interbank funds transfer; or

二 当該資金清算業の廃止又は解散が、銀行等（法第二条に規定する銀行等をいう。）の間で行われる資金決済の円滑の確保及び当該資金清算機関の清算参加者の利便に支障を及ぼすおそれのないものであること。

(ii) the abolition or dissolution of the clearing services for interbank funds transfer involves no risk of causing hindrance to the assurance of smooth fund settlement between banks, etc. (meaning the banks, etc., referred to in Article 2 of the Act) or to the convenience of the clearing participants of the clearing institution for interbank funds transfer.

3 金融庁長官は、法第八十一条又は第八十二条第二項の規定による業務の全部又は一部の停止の命令をした資金清算機関から第一項の認可の申請があった場合においては、当該資金清算機関に対し、同項の認可をしてはならない。これらの命令をすること又は同条第一項若しくは第二項の規定により法第六十四条第一項の免許を取り消すことが必要であると認める資金清算機関から第一項の認可の申請があった場合も、同様とする。

(3) If an application for authorization under paragraph (1) is filed by a clearing institution for interbank funds transfer that has been subject to an order to suspend its business in whole or in part pursuant to the provisions of Article 81 or Article 82, paragraph (2) of the Act, the Commissioner of the Financial Services Agency must not grant the clearing institution for interbank funds transfer the authorization under paragraph (1); the same applies if an application for authorization under paragraph (1) is filed by a clearing institution for interbank funds transfer deemed necessary to be subject to either the referenced order or rescission of its license under Article 64, paragraph (1) of the Act pursuant to the provisions of Article 82, paragraph (1) or (2) of the Act.

(業務方法書に基づく規則の届出)

(Notification of Rules Based on the Statement of Operational Procedures)

第十五条 資金清算機関は、業務方法書に基づき規則を定め、又は廃止若しくは変更したときは、遅滞なく、その旨を金融庁長官に届け出なければならない。

Article 15 When a clearing institution for interbank funds transfer has established, repealed, or changed any rules based on the statement of operational procedures, it must notify the Commissioner of the Financial Services Agency to that effect without delay.

(標準処理期間)

(Standard Processing Period)

第十六条 内閣総理大臣又は金融庁長官は、法第六十九条第一項ただし書の承認又は法第七十六条若しくは第八十三条の認可に関する申請がその事務所に到達してから一月以内に、法第六十四条第一項の免許に関する申請がその事務所に到達してから二月以内に、それぞれ当該申請に対する処分をするよう努めるものとする。

Article 16 (1) The Prime Minister or the Commissioner of the Financial Services Agency is to endeavor to render the disposition for the application related to the approval referred to in the proviso to Article 69, paragraph (1) of the Act or for the application related to the authorization referred to in Article 76 or Article 83 of the Act within one month from the day on which the application has arrived at the relevant office, and any application for license made pursuant to Article 64, paragraph (1) of the Act within two months from the day on which the application has arrived at the relevant office.

2 前項に規定する期間には、次に掲げる期間を含まないものとする。

(2) The period referred to in the preceding paragraph does not include the following period:

一 当該申請を補正するために要する期間

(i) the period required to amend the application;

二 当該申請をした者が当該申請の内容を変更するために要する期間

(ii) the period required for the applicant to change the contents of the application; and

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

(iii) the period required for the applicant to add materials that are found to be necessary for the examination pertaining to the application.