

# 確定拠出年金法

## Defined Contribution Pension Act

(平成十三年六月二十九日法律第八十八号)  
(Act No. 88 of June 29, 2001)

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### 第一章 総則

## Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、少子高齢化の進展、高齢期の生活の多様化等の社会経済情勢の変化にかんがみ、個人又は事業主が拠出した資金を個人が自己の責任において運用の指図を行い、高齢期においてその結果に基づいた給付を受けることができるようにするため、確定拠出年金について必要な事項を定め、国民の高齢期における所得の確保に係る自主的な努力を支援し、もって公的年金の給付と相まって国民の生活の安定と福祉の向上に寄与することを目的とする。

Article 1 In light of the changes in socioeconomic situations such as the progression of the declining birthrate and aging population and the diversification of lifestyles in old age, and in order to enable individuals to give instructions on their own responsibility regarding investment of funds contributed by individuals or employers and receive benefits based on the investment outcomes in old age, this Act aims to provide for necessary particulars concerning defined contribution pensions and support the voluntary efforts of citizens for securing income in old age, thereby contributing to stabilizing the lives and improving the welfare of citizens, in conjunction with provision of benefits of public pensions.

(定義)

(Definitions)

第二条 この法律において「確定拠出年金」とは、企業型年金及び個人型年金をいう。

Article 2 (1) The term "defined contribution pension plan" as used in this Act means a corporate-type pension plan and an individual-type pension plan.

2 この法律において「企業型年金」とは、厚生年金適用事業所の事業主が、単独で又は共同して、次章の規定に基づいて実施する年金制度をいう。

(2) The term "corporate-type pension plan" as used in this Act means a pension system independently or jointly implemented by an employer with a place of business where an employees' pension insurance (EPI) is applicable based on the provisions of the following Chapter.

3 この法律において「個人型年金」とは、連合会が、第三章の規定に基づいて実施する年金制度をいう。

- (3) The term "individual-type pension plan" as used in this Act means a pension system implemented by the Association based on the provisions of Chapter III.
- 4 この法律において「厚生年金適用事業所」とは、厚生年金保険法（昭和二十九年法律第百十五号）第六条第一項の適用事業所及び同条第三項の認可を受けた適用事業所をいう。
- (4) The term "EPI-applicable place of business" as used in this Act means an applicable place of business referred to in Article 6, paragraph (1) of the Employees' Pension Insurance Act (Act No. 115 of 1954) and an applicable place of business for which the approval referred to in paragraph (3) of that Article has been obtained.
- 5 この法律において「連合会」とは、国民年金基金連合会であつて、個人型年金を実施する者として厚生労働大臣が全国を通じて一個に限り指定したものをいう。
- (5) The term "Association" as used in this Act means the National Pension Fund Association, which has been designated by the Minister of Health, Labour and Welfare as the sole person throughout Japan to implement an individual-type pension plan.
- 6 この法律において「第一号等厚生年金被保険者」とは、厚生年金保険の被保険者のうち厚生年金保険法第二条の五第一項第一号に規定する第一号厚生年金被保険者（以下「第一号厚生年金被保険者」という。）又は同項第四号に規定する第四号厚生年金被保険者（以下「第四号厚生年金被保険者」という。）をいう。
- (6) The term "category I or IV EPI insured" as used in this Act means an insured person covered by the employees' pension insurance who is a category I EPI insured person prescribed in Article 2-5, paragraph (1), item (i) of the Employees' Pension Insurance Act (hereinafter referred to as a "category I EPI insured person") or a category IV EPI insured person prescribed in item (iv) of that paragraph (hereinafter referred to as a "category IV EPI insured person").
- 7 この法律において「確定拠出年金運営管理業」とは、次に掲げる業務（以下「運営管理業務」という。）の全部又は一部を行う事業をいう。
- (7) The term "defined contribution pension plan operational management business" as used in this Act means a business of providing all or part of the following services (hereinafter referred to as the "operational management services"):
- 一 確定拠出年金における次のイからハマまでに掲げる業務（連合会が行う個人型年金加入者の資格の確認に係る業務その他の厚生労働省令で定める業務を除く。以下「記録関連業務」という。）
- (i) the services set forth in (a) through (c) below for defined contribution pension plans (excluding the services specified by Order of the Ministry of Health, Labour and Welfare, such as services relating to confirming the eligibility as a participant of an individual-type pension plans, by the Association; hereinafter referred to as "records-related services"):
- イ 企業型年金加入者及び企業型年金運用指図者並びに個人型年金加入者及び個人

型年金運用指図者（以下「加入者等」と総称する。）の氏名、住所、個人別管理資産額その他の加入者等に関する事項の記録、保存及び通知

(a) recording, keeping, and giving notice of particulars concerning a participant of a corporate-type pension plan and an instructor of a corporate-type pension plan investment as well as a participant of an individual-type pension plan and an instructor of an individual-type pension plan investment (hereinafter collectively referred to as "participants or instructors"), such as their names, addresses, and the amount of assets managed per individual;

ロ 加入者等が行った運用の指図の取りまとめ及びその内容の資産管理機関（企業型年金を実施する事業主が第八条第一項の規定により締結した契約の相手方をいう。以下同じ。）又は連合会への通知

(b) assembling the instructions on investment given by the participants or instructors and giving notice of the contents thereof to the asset management institution (meaning the party with whom the employer implementing the corporate-type pension plan had concluded a contract pursuant to the provisions of Article 8, paragraph (1); the same applies hereinafter) or to the Association;

ハ 給付を受ける権利の裁定

(c) issuing a ruling on the right to receive benefits; and

二 確定拠出年金における運用の方法の選定及び加入者等に対する提示並びに当該運用の方法に係る情報の提供（以下「運用関連業務」という。）

(ii) selecting the investment method of the defined contribution pension plan and presenting it to the participants or instructors as well as providing information relating to that investment method (hereinafter referred to as "investment-related services").

8 この法律において「企業型年金加入者」とは、企業型年金において、その者について企業型年金を実施する厚生年金適用事業所の事業主により掛金が拠出され、かつ、その個人別管理資産について運用の指図を行う者をいう。

(8) The term "participant of a corporate-type pension plan" as used in this Act means a person, under a corporate-type pension plan, for whom an employer with an EPI-applicable place of business that implements the corporate-type pension plan for that person makes contributions, and who gives instructions on investment with regard to the person's assets managed per individual.

9 この法律において「企業型年金運用指図者」とは、企業型年金において、その個人別管理資産について運用の指図を行う者（企業型年金加入者を除く。）をいう。

(9) The term "instructor of a corporate-type pension plan" as used in this Act means a person, under a corporate-type pension plan, who gives instructions on investment with regard to the person's assets managed per individual (excluding a participant of a corporate-type pension plan).

10 この法律において「個人型年金加入者」とは、個人型年金において、掛金を拠出

し、かつ、その個人別管理資産について運用の指図を行う者をいう。

(10) The term "participant of an individual-type pension plan" as used in this Act means a person, under an individual-type pension plan, who makes contributions and who gives instructions on investment with regard to the person's assets managed per individual.

1 1 この法律において「個人型年金運用指図者」とは、個人型年金において、その個人別管理資産について運用の指図を行う者（個人型年金加入者を除く。）をいう。

(11) The term "instructor of an individual-type pension plan investment" as used in this Act means a person, under an individual-type pension plan, who gives instructions on investment with regard to the person's assets managed per individual (excluding a participant of an individual-type pension plan).

1 2 この法律において「個人別管理資産」とは、企業型年金加入者若しくは企業型年金加入者であった者又は個人型年金加入者若しくは個人型年金加入者であった者に支給する給付に充てるべきものとして、一の企業型年金又は個人型年金において積み立てられている資産をいう。

(12) The term "assets managed per individual" as used in this Act means assets reserved under a corporate-type pension plan or an individual-type pension plan to be allocated to benefits to be paid to a person who is or was a participant of a corporate-type pension plan or to a person who is or was a participant of an individual-type pension plan.

1 3 この法律において「個人別管理資産額」とは、個人別管理資産の額として政令で定めるところにより計算した額をいう。

(13) The term "the amount of assets managed per individual" as used in this Act means the amount calculated pursuant to the provisions of Cabinet Order as the amount of assets managed per individual.

## 第二章 企業型年金

### Chapter II Corporate-type Pension Plan

#### 第一節 企業型年金の開始

##### Section 1 Commencement of a Corporate-type Pension Plan

###### 第一款 企業型年金規約

###### Subsection 1 Corporate-type Pension Plan Rules

(規約の承認)

(Approval of Rules)

第三条 厚生年金適用事業所の事業主は、企業型年金を実施しようとするときは、企業型年金を実施しようとする厚生年金適用事業所に使用される第一号等厚生年金被保険者（第九条第二項第二号に該当する者を除く。以下この項及び第五項、次条第三項（第五条第四項、第六条第二項及び第四十六條第三項において準用する場合を含む。）及び第四項、第五条第二項（第六条第二項において準用する場合を含む。）並びに第四十六條第一項において同じ。）の過半数で組織する労働組合があるときは当

該労働組合、当該第一号等厚生年金被保険者の過半数で組織する労働組合がないときは当該第一号等厚生年金被保険者の過半数を代表する者の同意を得て、企業型年金に係る規約を作成し、当該規約について厚生労働大臣の承認を受けなければならない。

Article 3 (1) When an employer with an EPI-applicable place of business intends to implement a corporate-type pension plan, the employer must prepare rules concerning the corporate-type pension plan and obtain approval of the Minister of Health, Labour and Welfare for those rules by obtaining consent of a labor union consisting of the majority of the category I or IV EPI insured person employed at the EPI-applicable place of business where the employer intends to implement a corporate-type pension plan (excluding those who fall under Article 9, paragraph (2), item (ii); hereinafter the same applies in this paragraph, paragraph (5), paragraph (3) of the following Article (including as applied mutatis mutandis pursuant to Article 5, paragraph (4), Article 6, paragraph (2), and Article 46, paragraph (3)), and paragraph (4) of that Article, Article 5, paragraph (2) (including as applied mutatis mutandis pursuant to Article 6, paragraph (2)), and Article 46, paragraph (1)), if there is any such labor union, or consent of the person representative of the majority of the category I or IV EPI insured person, if there is no labor union consisting of the majority of the category I or IV EPI insured person.

2 二以上の厚生年金適用事業所について企業型年金を実施しようとする場合においては、前項の同意は、各厚生年金適用事業所について得なければならない。

(2) When intending to implement a corporate-type pension plan at two or more EPI-applicable places of business, the consent referred to in the preceding paragraph must be obtained for each EPI-applicable place of business.

3 企業型年金に係る規約においては、次に掲げる事項を定めなければならない。

(3) The rules concerning a corporate-type pension plan must provide for the following particulars:

一 企業型年金を実施する厚生年金適用事業所の事業主（次項及び第五項、第四十七条第五号、第五十四条の六、第五十五条第二項第四号の二、第七十条、第七十一条並びに第七十八条を除き、以下「事業主」という。）の名称及び住所

(i) the name and address of an employer with an EPI-applicable place of business that is to implement the corporate-type pension plan (hereinafter referred to as the "employer" except in the following paragraph and paragraph (5), Article 47, item (v), Article 54-6, Article 55, paragraph (2), item (iv)-2, Article 70, Article 71, and Article 78);

二 企業型年金が実施される厚生年金適用事業所（以下「実施事業所」という。）の名称及び所在地（厚生年金保険法第六条第一項第三号に規定する船舶（以下「船舶」という。）の場合にあっては、同号に規定する船舶所有者の名称及び所在地）

(ii) the name and location of the EPI-applicable place of business where the corporate-type pension plan is to be implemented (hereinafter referred to as the "place of business implementing the plan") (in the case of the ship

- prescribed in Article 6, paragraph (1), item (iii) of the Employees' Pension Insurance Act (hereinafter referred to as a "ship"), the name and location of the shipowner prescribed in that item);
- 二の二 第五項に規定する簡易企業型年金を実施する場合にあっては、その旨  
(ii)-2 in the case of implementing a simple corporate-type pension plan prescribed in paragraph (5), that fact;
- 三 事業主が運営管理業務の全部又は一部を行う場合にあっては、その行う業務  
(iii) if the employer is to provide all or part of the operational management services, the services to be provided by the employer;
- 四 事業主が第七条第一項の規定により運営管理業務の全部又は一部を委託した場合にあっては、当該委託を受けた確定拠出年金運営管理機関（第八十八条第一項の登録を受けて確定拠出年金運営管理業を営む者をいう。以下同じ。）（第七条第二項の規定により再委託を受けた確定拠出年金運営管理機関を含む。）の名称及び住所並びにその行う業務  
(iv) if the employer has entrusted all or part of the operational management services pursuant to the provisions of Article 7, paragraph (1), the name and address of the defined contribution pension plan operational management institution, and the services to be provided by the defined contribution pension plan operational management institution (meaning a person that engages in defined contribution pension plan operational management business by being registered under Article 88, paragraph (1); the same applies hereinafter) that has been thus entrusted (including a defined contribution pension plan operational management institution that has been re-entrusted pursuant to the provisions of Article 7, paragraph (2));
- 五 資産管理機関の名称及び住所  
(v) the name and address of the asset management institution;
- 六 実施事業所に使用される第一号等厚生年金被保険者が企業型年金加入者となることについて一定の資格を定める場合にあっては、当該資格に関する事項  
(vi) in the case of specifying certain qualifications for the category I or IV EPI insured person employed at the place of business implementing the plan to become a participant of a corporate-type pension plan, matters concerning the qualifications;
- 七 事業主が拠出する掛金（以下「事業主掛金」という。）の額の算定方法その他その拠出に関する事項  
(vii) the method for calculating the amount of the contribution to be made by the employer (hereinafter referred to as the "employer's contribution") and other particulars concerning making the contributions;
- 七の二 企業型年金加入者が掛金を拠出することができることを定める場合にあっては、当該掛金（以下「企業型年金加入者掛金」という。）の額の決定又は変更の方法その他その拠出に関する事項  
(vii)-2 in the case of providing that a participant of a corporate-type pension



plan may make contributions, the method for deciding or changing the amount of the contribution (hereinafter referred to as the "participant of a corporate-type pension plan's contribution") and other matters concerning the making contributions;

八 運用の方法の提示及び運用の指図に関する事項

(viii) particulars concerning the presentation of the investment method and instructions on investment;

八の二 第二十三条の二第一項の規定により指定運用方法を提示することとする場合にあっては、指定運用方法の提示に関する事項

(viii)-2 in the case of presenting a default investment method pursuant to the provisions of Article 23-2, paragraph (1), particulars concerning presentation of the default investment method;

八の三 第二十六条第一項の規定により運用の方法を除外することとする場合にあっては、除外に係る手続に関する事項

(viii)-3 in the case of excluding an investment method pursuant to the provisions of Article 26, paragraph (1), particulars concerning the procedure for the exclusion;

九 企業型年金の給付の額及びその支給の方法に関する事項

(ix) particulars concerning the amount of benefits of the corporate-type pension plan and the method of payment thereof;

十 企業型年金加入者が資格を喪失した日において実施事業所に使用された期間が三年未満である場合において、その者の個人別管理資産のうち当該企業型年金に係る事業主掛金に相当する部分として政令で定めるものの全部又は一部を当該事業主掛金に係る事業主に返還することを定めるときは、当該事業主に返還する資産の額（以下「返還資産額」という。）の算定方法に関する事項

(x) in the case of providing that a participant of a corporate-type pension plan is to return all or part of the participant's assets managed per individual that are specified by Cabinet Order as the portion equivalent to the employer's contribution relating to the corporate-type pension plan to the employer relating to the employer's contribution if the participant had been employed at the place of business implementing the plan for less than three years as of the day of losing the status as a participant of a corporate-type pension plan, particulars concerning the method for calculating the amount of assets to be returned to the employer (hereinafter referred to as the "amount of assets to be returned");

十一 企業型年金の実施に要する事務費の負担に関する事項

(xi) particulars concerning the bearing of administrative expenses required for implementing the corporate-type pension plan; and

十二 その他政令で定める事項

(xii) other particulars specified by Cabinet Order.

4 第一項の承認を受けようとする厚生年金適用事業所の事業主は、厚生労働省令で定

めるところにより、当該承認に係る申請書に、次に掲げる書類（当該事業主が運営管理業務の全部を行う場合にあっては、第四号に掲げる書類を除く。）を添付して、厚生労働大臣に提出しなければならない。

(4) An employer with an EPI-applicable place of business that intends to obtain the approval referred to in paragraph (1) must submit a written application for the approval, attaching the following documents (excluding the document set forth in item (iv), if the employer provides all of the operational management services), to the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:

一 実施する企業型年金に係る規約

(i) the rules concerning the corporate-type pension plan to be implemented;

二 第一項の同意を得たことを証する書類

(ii) a document proving that the consent referred to in paragraph (1) has been obtained;

三 実施事業所に使用される第一号等厚生年金被保険者が企業型年金加入者となることについて一定の資格を定める場合であって、当該実施事業所において確定給付企業年金（確定給付企業年金法（平成十三年法律第五十号）第二条第一項に規定する確定給付企業年金をいう。以下同じ。）又は退職手当制度を実施しているときは、当該確定給付企業年金及び退職手当制度が適用される者の範囲についての書類

(iii) in the case of specifying certain qualifications for the category I or IV EPI insured person employed at the place of business implementing the plan to become a participant of a corporate-type pension plan, if a defined benefit corporate pension plan (meaning the defined benefit corporate pension plan prescribed in Article 2, paragraph (1) of the Defined Benefit Corporate Pension Act (Act No. 50 of 2001); the same applies hereinafter) or a retirement allowance system is implemented at the place of business implementing the plan, a document concerning the scope of persons covered by the defined benefit corporate pension plan and the retirement allowance system;

四 運営管理業務の委託に係る契約書

(iv) a contract document on entrustment of operational management services;

五 第八条第二項に規定する資産管理契約の契約書

(v) the contract document of the asset management contract prescribed in Article 8, paragraph (2); and

六 その他厚生労働省令で定める書類

(vi) any other documents specified by Order of the Ministry of Health, Labour and Welfare.

5 厚生年金適用事業所の事業主が次に掲げる要件に適合する企業型年金（第十九条第二項及び第二十三条第一項において「簡易企業型年金」という。）について、第一項の承認を受けようとするときは、厚生労働省令で定めるところにより、前項第三号から第五号までに掲げる書類及び同項第六号に掲げる書類（厚生労働省令で定める書類

に限る。)の添付を省略することができる。

(5) When an employer with an EPI-applicable place of business intends to obtain the approval referred to in paragraph (1) for a corporate-type pension plan that satisfies the following requirements (referred to as a "simple corporate-type pension plan" in Article 19, paragraph (2) and Article 23, paragraph (1)), the employer may omit attachment of the documents set forth in items (iii) through (v) of the preceding paragraph and the documents set forth in item (vi) of that paragraph (limited to the documents specified by Order of the Ministry of Health, Labour and Welfare) pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:

一 実施事業所に使用される全ての第一号等厚生年金被保険者（厚生労働省令で定める者を除く。）が実施する企業型年金の企業型年金加入者の資格を有すること。

(i) all category I or IV EPI insured persons employed at the place of business implementing the plan (excluding those specified by Order of the Ministry of Health, Labour and Welfare) are qualified participants of a corporate-type pension plans of the corporate-type pension plan to be implemented;

二 実施する企業型年金の企業型年金加入者の資格を有する者の数が三百人以下であること。

(ii) the number of qualified participants of a corporate-type pension plans of the corporate-type pension plan to be implemented is 300 or less; and

三 その他厚生労働省令で定める要件

(iii) any other requirements specified by Order of the Ministry of Health, Labour and Welfare.

6 前各項に定めるもののほか、企業型年金に係る規約の承認に関し必要な事項は、政令で定める。

(6) Beyond what is provided for in the preceding paragraphs, Cabinet Order prescribes the necessary matters in connection with the approval for the rules concerning the corporate-type pension plan.

(承認の基準等)

(Standards for Approval)

第四条 厚生労働大臣は、前条第一項の承認の申請があった場合において、当該申請に係る規約が次に掲げる要件に適合すると認めるときは、同項の承認をするものとする。

Article 4 (1) When an application for the approval referred to in paragraph (1) of the preceding Article is filed, and the Minister of Health, Labour and Welfare finds that the rules pertaining to the application satisfy the following requirements, the minister is to give the approval referred to in that paragraph:

一 前条第三項各号に掲げる事項が定められていること。

(i) the rules provide for the particulars set forth in the items of paragraph (3) of the preceding Article;

二 実施事業所に使用される第一号等厚生年金被保険者が企業型年金加入者となることについて一定の資格を定めた場合であって、当該実施事業所において確定給付企業年金又は退職手当制度を実施しているときは、当該資格は、確定給付企業年金及び退職手当制度が適用される者の範囲に照らし、特定の者について不当に差別的なものでないこと。

(ii) if certain qualifications to become a participant of a corporate-type pension plan have been specified for the category I or IV EPI insured person employed at the place of business implementing the plan, where a defined benefit corporate pension plan or a retirement allowance system is implemented, those qualifications are not unreasonably discriminatory against specific persons in light of the scope of persons covered by the defined benefit corporate pension plan and the retirement allowance system;

三 事業主掛金について、定額又は給与に一定の率を乗ずる方法その他これに類する方法により算定した額によることが定められていること。

(iii) the rules provide that the employer's contribution is to be made in a fixed amount or in an amount calculated by the method of multiplying the amount of salary by a certain rate or calculated by a similar method;

三の二 前条第三項第七号の二に掲げる事項を定めた場合にあっては、各企業型年金加入者に係る企業型年金加入者掛金の額が当該企業型年金加入者に係る事業主掛金の額を超えないように企業型年金加入者掛金の額の決定又は変更の方法が定められていること。

(iii)-2 if the rules provide for the particulars set forth in paragraph (3), item (vii)-2 of the preceding Article, the method for deciding or changing the amount of the participant of a corporate-type pension plan's contribution has been specified in such a manner that the amount of the participant of a corporate-type pension plan's contribution for each participant of a corporate-type pension plan does not exceed the amount of the employer's contribution for that participant of a corporate-type pension plan;

四 提示される運用の方法の数及び種類について、第二十三条第一項及び第二項の規定に反しないこと。

(iv) the number and types of the investment methods to be presented do not run counter to the provisions of Article 23, paragraphs (1) and (2);

五 企業型年金加入者及び企業型年金運用指図者（以下「企業型年金加入者等」という。）による運用の指図は、少なくとも三月に一回、行い得るものであること。

(v) the rules allow a participant of a corporate-type pension plan or an instructor of a corporate-type pension plan (hereinafter referred to as a "participant or instructor of a corporate-type pension plan") to give instructions on investment at least once every three months;

六 企業型年金の給付の額の算定方法が政令で定める基準に合致していること。

(vi) the method for calculating the amount of benefits of the corporate-type pension plan conforms to the standards specified by Cabinet Order;

七 企業型年金加入者が資格を喪失した日において実施事業所に使用された期間が三年以上である場合又は企業型年金加入者が当該企業型年金の障害給付金の受給権を有する場合について、その者の個人別管理資産が移換されるときは、その全てを移換するものとされていること。

(vii) the rules provide that, if a participant of a corporate-type pension plan's assets managed per individual are to be transferred in a case that the participant had been employed at the place of business implementing the plan for not less than three years as of the day of losing the status as a participant of a corporate-type pension plan or that the participant has the right to receive disability benefits under the corporate-type pension plan, all of those assets are to be transferred; and

八 その他政令で定める要件

(viii) any other requirements specified by Cabinet Order.

2 厚生労働大臣は、前条第一項の承認をしたときは、速やかに、その旨をその申請をした事業主に通知しなければならない。

(2) When the Minister of Health, Labour and Welfare gives the approval referred to in paragraph (1) of the preceding Article, the minister must promptly give notice to that effect to the employer that has filed the application.

3 事業主は、前条第一項の承認を受けたときは、遅滞なく、同項の承認を受けた規約（以下「企業型年金規約」という。）を実施事業所に使用される第一号等厚生年金被保険者に周知させなければならない。

(3) When the employer obtains the approval referred to in paragraph (1) of the preceding Article, the employer must, without delay, inform the category I or IV EPI insured person employed at the place of business implementing the plan of the rules for which the approval referred to in that paragraph has been obtained (hereinafter referred to as the "corporate-type pension plan rules").

4 事業主は、厚生労働省令で定めるところにより、企業型年金規約を実施事業所ごとに備え置き、その使用する第一号等厚生年金被保険者の求めに応じ、これを閲覧させなければならない。

(4) The employer must keep the corporate-type pension plan rules at each place of business implementing the plan and have the category I or IV EPI insured person whom the employer employs inspect the rules at their request, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

（規約の変更）

(Change to the Rules)

第五条 事業主は、企業型年金規約の変更（厚生労働省令で定める軽微な変更を除く。）をしようとするときは、その変更について厚生労働大臣の承認を受けなければならない。

Article 5 (1) When an employer intends to make a change to the corporate-type pension plan rules (excluding the minor change specified by Order of the

Ministry of Health, Labour and Welfare), the employer must obtain approval of the Minister of Health, Labour and Welfare for that change.

2 前項の変更の承認の申請は、実施事業所に使用される第一号等厚生年金被保険者の過半数で組織する労働組合があるときは当該労働組合、当該第一号等厚生年金被保険者の過半数で組織する労働組合がないときは当該第一号等厚生年金被保険者の過半数を代表する者の同意を得て行わなければならない。

(2) An application for the approval for the change referred to in the preceding paragraph must be filed by obtaining consent of a labor union consisting of the majority of the category I or IV EPI insured person employed at the place of business implementing the plan, if there is any such labor union, or consent of the person representative of the majority of the category I or IV EPI insured person, if there is no labor union consisting of the majority of the category I or IV EPI insured person.

3 前項の場合において、実施事業所が二以上であるときは、同項の同意は、各実施事業所について得なければならない。ただし、第一項の変更が全ての実施事業所に係るものでない場合であって、規約において、あらかじめ、当該変更に係る事項を定めているときは、当該変更に係る実施事業所について前項の同意があったときは、当該変更に係る実施事業所以外の実施事業所についても同項の同意があったものとみなすことができる。

(3) In the case referred to in the preceding paragraph, if there are two or more places of business implementing the plan, the consent referred to in that paragraph must be obtained for each place of business implementing the plan; provided, however, that if the change referred to in paragraph (1) does not involve all places of business implementing the plan, and the rules have provided for matters concerning that change in advance, once the consent referred to in the preceding paragraph has been obtained for the place of business implementing the plan subject to that change, it may be deemed that the consent of not only the places of business implementing the plan subject to that change but also the other places of business implementing the plan has also been obtained.

4 前条の規定は、第一項の変更の承認の申請があった場合について準用する。この場合において、同条第三項中「第一号等厚生年金被保険者」とあるのは、「第一号等厚生年金被保険者（企業型年金運用指図者に係る事項に重要な変更を加えたときは、企業型年金運用指図者を含む。）」と読み替えるものとする。

(4) The provisions of the preceding Article apply mutatis mutandis to the case where an application for the approval or a change referred to in paragraph (1) has been filed. In this case, the phrase "category I or IV EPI insured person" in paragraph (3) of the preceding Article is deemed to be replaced with "category I or IV EPI insured person (including the instructor of a corporate-type pension plans, if an important change has been made to a matter concerning an instructor of a corporate-type pension plans)".

第六条 事業主は、企業型年金規約の変更（前条第一項の厚生労働省令で定める軽微な変更に限る。）をしたときは、遅滞なく、これを厚生労働大臣に届け出なければならない。ただし、第三条第三項第五号に掲げる事項その他厚生労働省令で定める事項の変更については、この限りでない。

Article 6 (1) When an employer makes a change to the corporate-type pension plan rules (limited to the minor change specified by Order of the Ministry of Health, Labour and Welfare as referred to in paragraph (1) of the preceding Article), the employer must give notification of that change to the Minister of Health, Labour and Welfare without delay; provided, however, that this does not apply to a change to the matters set forth in Article 3, paragraph (3), item (v) or any other matter specified by Order of the Ministry of Health, Labour and Welfare.

2 第四条第三項並びに前条第二項及び第三項の規定は、前項の変更について準用する。ただし、当該変更が同条第一項の厚生労働省令で定める軽微な変更のうち特に軽微なものとして厚生労働省令で定めるものである場合においては、同条第二項及び第三項の規定は、準用しない。

(2) The provisions of Article 4, paragraph (3) and paragraphs (2) and (3) of the preceding Article apply mutatis mutandis to the change referred to in the preceding paragraph; provided, however, that the provisions of paragraphs (2) and (3) of the preceding Article do not apply if the change is the minor change specified by Order of the Ministry of Health, Labour and Welfare as referred to in paragraph (1) of that Article, which is specified by Order of the Ministry of Health, Labour and Welfare as being particularly minor.

## 第二款 運営管理業務の委託等

### Subsection 2 Entrustment of Operational Management Services

（運営管理業務の委託）

（Entrustment of Operational Management Services）

第七条 事業主は、政令で定めるところにより、運営管理業務の全部又は一部を確定拠出年金運営管理機関に委託することができる。

Article 7 (1) An employer may entrust all or part of operational management services to a defined contribution pension plan operational management institution, pursuant to the provisions of Cabinet Order.

2 確定拠出年金運営管理機関は、政令で定めるところにより、前項の規定により委託を受けた運営管理業務の一部を他の確定拠出年金運営管理機関に再委託することができる。

(2) Pursuant to the provisions of Cabinet Order a defined contribution pension plan operational management institution may re-entrust a part of the operational management services which it has been entrusted with under the

provisions of the preceding paragraph to another defined contribution pension plan operational management institution.

3 運営管理業務の全部又は一部を行う確定拠出年金運営管理機関が欠けることとなるときは、事業主は、当該全部若しくは一部の運営管理業務を自ら行い、又は当該運営管理業務を承継すべき確定拠出年金運営管理機関を定めて当該運営管理業務を委託しなければならない。

(3) If a defined contribution pension plan operational management institution that provides all or part of operational management services ceases to be available, the employer must provide all or part of the operational management services by itself, or decide on a defined contribution pension plan operational management institution that is to succeed those operational management services and entrust those operational management services to that institution.

4 事業主は、第一項の規定により確定拠出年金運営管理機関に運営管理業務の全部又は一部を委託した場合（第二項の規定により再委託した場合を含む。）は、少なくとも五年ごとに、運営管理業務の実施に関する評価を行い、運営管理業務の委託について検討を加え、必要があると認めるときは、確定拠出年金運営管理機関の変更その他の必要な措置を講ずるよう努めなければならない。

(4) If an employer has entrusted all or part of operational management services to a defined contribution pension plan operational management institution pursuant to the provisions of paragraph (1) (including the case where services have been re-entrusted pursuant to the provisions of paragraph (2)), the employer must, at least every five years, endeavor to conduct evaluation on the implementation of the operational management services, review the entrustment of the operational management services, and if found to be necessary, take necessary measures, such as changing the defined contribution pension plan operational management institution.

5 前各項に定めるもののほか、運営管理業務の委託に関し必要な事項は、政令で定める。

(5) Beyond what is provided for in the preceding paragraphs, Cabinet Order prescribes the necessary matters in connection with entrustment of operational management services.

（資産管理契約の締結）

(Conclusion of an Asset Management Contract)

第八条 事業主は、政令で定めるところにより、給付に充てるべき積立金（以下「積立金」という。）について、次の各号のいずれかに掲げる契約を締結しなければならない。

Article 8 (1) An employer must conclude the contract set forth in any of the following items with regard to the reserve fund to be allocated to benefits (hereinafter referred to as the "reserve fund") pursuant to the provisions of



Cabinet Order:

- 一 信託会社（信託業法（平成十六年法律第百五十四号）第三条又は第五十三条第一項の免許を受けたものに限る。以下同じ。） 、信託業務を営む金融機関又は企業年金基金を相手方とする運用の方法を特定する信託の契約
    - (i) a trust contract specifying the investment method concluded with a trust company (limited to one licensed as referred to in Article 3 or Article 53, paragraph (1) of the Trust Business Act (Act No. 154 of 2004); the same applies hereinafter), a financial institution engaged in trust business, or a corporate pension fund;
  - 二 生命保険会社（保険業法（平成七年法律第百五号）第二条第三項に規定する生命保険会社及び同条第八項に規定する外国生命保険会社等をいう。以下同じ。）を相手方とする生命保険の契約
    - (ii) a life insurance contract concluded with a life insurance company (meaning the life insurance company prescribed in Article 2 of the Insurance Business Act (Act No. 105 of 1995) and the foreign life insurance company, etc. prescribed in paragraph (8) of that Article; the same applies hereinafter);
  - 三 農業協同組合連合会（全国を地区とし、農業協同組合法（昭和二十二年法律第百三十二号）第十条第一項第十号の事業のうち生命共済の事業を行うものに限る。）を相手方とする生命共済の契約
    - (iii) a mutual aid life insurance contract concluded with a federation of agricultural cooperatives (limited to one whose district is the entire nation and which conducts mutual aid life insurance business under the category of business referred to in Article 10, paragraph (1), item (x) of the Agricultural Cooperatives Act (Act No. 132 of 1947)); or
  - 四 損害保険会社（保険業法第二条第四項に規定する損害保険会社及び同条第九項に規定する外国損害保険会社等をいう。以下同じ。）を相手方とする損害保険の契約
    - (iv) a non-life insurance contract concluded with a non-life insurance company (meaning the non-life insurance company prescribed in Article 2, paragraph (4) of the Insurance Business Act and the foreign non-life insurance company, etc. prescribed in paragraph (9) of that Article; the same applies hereinafter).
- 2 前項各号に規定する者は、正当な理由がある場合を除き、同項各号に掲げる契約（以下「資産管理契約」という。）の締結を拒絶してはならない。
- (2) The persons prescribed in the items of the preceding paragraph must not refuse to conclude the contracts set forth respectively in those items (hereinafter referred to as "asset management contracts"), unless there are legitimate grounds therefor.
- 3 資産管理機関が欠けることとなるときは、事業主は、別に資産管理契約の相手方となるべき者を定めて、資産管理契約を締結しなければならない。
- (3) If an asset management institution cases to be available, the employer must decide on another person that is to be the counterparty of an asset management contract, and conclude an asset management contract with that

person.

4 資産管理契約が解除されたときは、当該解除された資産管理契約に係る資産管理機関は、速やかに、当該資産管理契約に係る積立金を事業主が定めた資産管理機関に移換しなければならない。

(4) When an asset management contract has been canceled, the asset management institution pertaining to the canceled asset management contract must promptly transfer the reserve fund pertaining to the asset management contract to the asset management institution specified by the employer.

5 前各項に定めるもののほか、資産管理契約の締結に関し必要な事項は、政令で定める。

(5) Beyond what is provided for in the preceding paragraphs, Cabinet Order prescribes the necessary matters in connection with asset management contracts.

## 第二節 企業型年金加入者等

### Section 2 A Participant or Instructor of a Corporate-type Pension Plan

(企業型年金加入者)

(Participant of a Corporate-type Pension Plan)

第九条 実施事業所に使用される第一号等厚生年金被保険者は、企業型年金加入者とする。

Article 9 (1) The category I or IV EPI insured person employed at the place of business implementing the plan are to be participant of a corporate-type pension plans.

2 次の各号のいずれかに該当する者は、前項の規定にかかわらず、企業型年金加入者としなない。

(2) Notwithstanding the provisions of the preceding paragraph, a person who falls under any of the following items is not to be a participant of a corporate-type pension plan:

一 実施事業所に使用される第一号等厚生年金被保険者が企業型年金加入者となることについて企業型年金規約で一定の資格を定めた場合における当該資格を有しない者

(i) when the corporate-type pension plan rules provide for certain qualifications for the category I or IV EPI insured person employed at the place of business implementing the plan to become a participant of a corporate-type pension plan, a person who does not have the qualifications; or

二 企業型年金の老齢給付金の受給権を有する者又はその受給権を有する者であった者

(ii) a person who has or had the right to receive old-age benefits under the corporate-type pension plan.

(資格取得の時期)

(Timing of Acquisition of the Status)

第十条 企業型年金加入者は、次の各号のいずれかに該当するに至った日に、企業型年金加入者の資格を取得する。

Article 10 A participant of a corporate-type pension plan acquires the status as a participant of a corporate-type pension plan on the day on which the person comes to fall under any of the following items:

一 実施事業所に使用されるに至ったとき。

(i) when the person becomes employed at the place of business implementing the plan;

二 その使用される事業所若しくは事務所（以下「事業所」という。）又は船舶が、実施事業所となったとき。

(ii) when the place of business or office (hereinafter referred to as the "place of business") or the ship where the person is employed becomes a place of business implementing the plan;

三 実施事業所に使用される者が、第一号等厚生年金被保険者となったとき。

(iii) when a person employed at a place of business implementing the plan becomes a category I or IV EPI insured person; or

四 実施事業所に使用される者が、企業型年金規約により定められている資格を取得したとき。

(iv) when a person employed at a place of business implementing the plan acquires the qualifications specified by the corporate-type pension plan rules.

(資格喪失の時期)

(Timing of Loss of the Status)

第十一条 企業型年金加入者は、次の各号のいずれかに該当するに至った日の翌日（その事実があった日に更に前条各号のいずれかに該当するに至ったとき、第五号に該当するに至ったとき（厚生労働省令で定める場合に限る。）又は第六号に該当するに至ったときは、当該至った日）に、企業型年金加入者の資格を喪失する。

Article 11 A participant of a corporate-type pension plan loses the status as a participant of a corporate-type pension plan on the day following the day on which the person comes to fall under any of the following items (if, on the day when that fact occurs, the person further comes to fall under any of the items of the preceding Article, or if the person comes to fall under item (v) (limited to the case specified by Order of the Ministry of Health, Labour and Welfare) or item (vi), on the day of falling under that item):

一 死亡したとき。

(i) when the person dies;

二 実施事業所に使用されなくなったとき。

(ii) when the person ceases to be employed at the place of business implementing the plan;

三 その使用される事業所又は船舶が、実施事業所でなくなったとき。

(iii) when the place of business or the ship where the person is employed ceases to be a place of business implementing the plan;

四 第一号等厚生年金被保険者でなくなったとき。

(iv) when the person ceases to be a category I or IV EPI insured person;

五 企業型年金規約により定められている資格を喪失したとき。

(v) when the person loses the qualifications specified by the corporate-type pension plan rules; or

六 企業型年金の老齢給付金の受給権を有する者となったとき。

(vi) when the person becomes a person who has the right to receive old-age benefits under the corporate-type pension plan.

(企業型年金加入者の資格の得喪に関する特例)

(Special Provisions on Acquisition or Loss of the Status as a Participant of a corporate-type pension plan)

第十二条 企業型年金加入者の資格を取得した月にその資格を喪失した者は、その資格を取得した日にさかのぼって、企業型年金加入者でなかったものとみなす。

Article 12 If a person loses the status as a participant of a corporate-type pension plan during the month when the person acquired that status, the person is retroactively deemed not to have been a participant of a corporate-type pension plan from the day on which the person acquired the status.

(同時に二以上の企業型年金の企業型年金加入者となる資格を有する者の取扱い)

(Treatment of a Qualified Participant of a Corporate-type Pension Plan of Two or More Corporate-type Pension Plans at the Same Time)

第十三条 同時に二以上の企業型年金の企業型年金加入者となる資格を有する者は、第九条の規定にかかわらず、その者の選択する一の企業型年金以外の企業型年金の企業型年金加入者とししないものとする。

Article 13 (1) If a qualified participant of a corporate-type pension plan of two or more corporate-type pension plans at the same time, the person is not to be a participant of a corporate-type pension plan of the corporate-type pension plans other than the one corporate-type pension plan to be selected by the person, notwithstanding the provisions of Article 9.

2 前項の選択は、その者が二以上の企業型年金の企業型年金加入者となる資格を有するに至った日から起算して十日以内にしなければならない。

(2) The selection referred to in the preceding paragraph must be made within ten days from the day on which the person qualifies as a participant of a corporate-type pension plan of two or more corporate-type pension plans.

3 第一項に規定する者は、同項の選択をしたときは、その者が二以上の企業型年金の企業型年金加入者となる資格を有するに至った日にさかのぼって、その選択した一の企業型年金以外の企業型年金の企業型年金加入者でなかったものとする。

(3) If the person prescribed in paragraph (1) makes the selection referred to in that paragraph, the person is retroactively deemed not to have been a participant of a corporate-type pension plan of the corporate-type pension plans other than the one corporate-type pension plan selected by the person from the day on which the person became eligible to qualify as a participant of a corporate-type pension plan of two or more corporate-type pension plans.

4 第一項に規定する者が同項の選択をしなかったときは、その者は、政令で定めるところにより、当該二以上の企業型年金のうちその一の企業型年金を選択したものとみなす。

(4) If the person prescribed in paragraph (1) does not make the selection referred to in that paragraph, the person is deemed to have selected one of the two or more corporate-type pension plans, pursuant to the provisions of Cabinet Order.

5 甲企業型年金の企業型年金加入者が同時に乙企業型年金の企業型年金加入者となる資格を有するに至った場合において、第一項の規定により乙企業型年金を選択したときは、その者は、乙企業型年金の企業型年金加入者となった日に、甲企業型年金の企業型年金加入者の資格を喪失する。

(5) If a participant of a corporate-type pension plan of the first corporate-type pension plan becomes eligible to qualify as a participant of a corporate-type pension plan of a second corporate-type pension plan at the same time, and the person selects the second corporate-type pension plan pursuant to the provisions of paragraph (1), the person becomes ineligible to qualify as a participant of a corporate-type pension plan of the first corporate-type pension plan on the day when the person became a participant of a corporate-type pension plan of the second corporate-type pension plan.

6 第一項に規定する者が、同項の規定により選択した企業型年金の企業型年金加入者でなくなったときは、その者は、その日に、当該企業型年金以外の企業型年金の企業型年金加入者の資格を取得する。

(6) If the person prescribed in paragraph (1) ceases to be a participant of a corporate-type pension plan of the corporate-type pension plan selected pursuant to the provisions of that paragraph, the person acquires the status as a participant of a corporate-type pension plan of a corporate-type pension plan other than that corporate-type pension plan on that day.

(企業型年金加入者期間)

(Participant of a Corporate-type Pension Plan Period)

第十四条 企業型年金加入者である期間（以下「企業型年金加入者期間」という。）を計算する場合には、月によるものとし、企業型年金加入者の資格を取得した月からその資格を喪失した月の前月までをこれに算入する。

Article 14 (1) When calculating the period during which a person is a participant of a corporate-type pension plan (hereinafter referred to as the "participant of a corporate-type pension plan period"), the period is to be calculated on a

monthly basis, and the period from the month in which the person acquired the status as a participant of a corporate-type pension plan to the month preceding the month in which the person lost the status is included in that period.

2 企業型年金加入者の資格を喪失した後、再びもとの企業型年金の企業型年金加入者の資格を取得した者については、当該企業型年金における前後の企業型年金加入者期間を合算する。

(2) With regard to a person who has lost the status as a participant of a corporate-type pension plan, but has subsequently acquired the status as a participant of a corporate-type pension plan of that same corporate-type pension plan again, the former and latter participant of a corporate-type pension plan periods under that corporate-type pension plan are to be totaled.

(企業型年金運用指図者)

(Instructor of a corporate-type pension plan)

第十五条 次に掲げる者は、企業型年金運用指図者とする。

Article 15 (1) Any of the following persons is to be an instructor of a corporate-type pension plan:

一 六十歳以上の企業型年金加入者であつて、第十一条各号（第一号及び第三号を除く。）に該当するに至ったことにより企業型年金加入者の資格を喪失したもの（当該企業型年金に個人別管理資産がある者に限る。）

(i) a participant of a corporate-type pension plan aged 60 or over, who has lost the status as a participant of a corporate-type pension plan due to coming to fall under any of the items of Article 11 (excluding items (i) and (iii)) (limited to a person who has assets managed per individual under the corporate-type pension plan); or

二 企業型年金の企業型年金加入者であつた者であつて当該企業型年金の年金たる障害給付金の受給権を有するもの

(ii) a person who was a participant of a corporate-type pension plan of a corporate-type pension plan and who has the right to receive disability benefits as a pension under that corporate-type pension plan.

2 企業型年金運用指図者は、前項各号に掲げる者のいずれかに該当するに至った日に、企業型年金運用指図者の資格を取得する。

(2) An instructor of a corporate-type pension plan acquires the status as an instructor of a corporate-type pension plan on the day on which the person comes to fall within the category of the person set forth in any of the items of the preceding paragraph.

3 企業型年金運用指図者は、次の各号のいずれかに該当するに至った日の翌日（第三号に該当するに至ったときは、当該至った日）に、企業型年金運用指図者の資格を喪失する。

(3) An instructor of a corporate-type pension plan loses the status as an instructor of a corporate-type pension plan on the day following the day on

which the person comes to fall under any of the following items (if the person comes to fall under item (iii), on the day of falling under that item):

一 死亡したとき。

(i) when the person dies;

二 当該企業型年金に個人別管理資産がなくなったとき。

(ii) when the person no longer has assets managed per individual under the corporate-type pension plan; or

三 当該企業型年金の企業型年金加入者となったとき。

(iii) when the person becomes a participant of a corporate-type pension plan under the corporate-type pension plan.

4 第十二条の規定は企業型年金運用指図者の資格について、前条の規定は企業型年金運用指図者である期間（以下「企業型年金運用指図者期間」という。）を計算する場合について準用する。

(4) The provisions of Article 12 apply mutatis mutandis to the status as an instructor of a corporate-type pension plan, and the provisions of the preceding Article apply mutatis mutandis to the case of calculating the period during which a person is an instructor of a corporate-type pension plan (hereinafter referred to as "instructor of a corporate-type pension plan period").

(通知等)

(Notice)

第十六条 事業主は、厚生労働省令で定めるところにより、その実施する企業型年金の企業型年金加入者の氏名及び住所その他の事項を当該企業型年金の企業型年金加入者等に係る記録関連業務を行う確定拠出年金運営管理機関（以下「企業型記録関連運営管理機関」という。）に通知しなければならない。ただし、当該事業主が記録関連業務の全部を行う場合にあっては、この限りでない。

Article 16 (1) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare an employer must give notice of the names and addresses and other matters of the participant of a corporate-type pension plan to the defined contribution pension plan operational management institution which provides records-related services relating to the participants or instructors of the corporate-type pension plan (hereinafter referred to as the "corporate-type pension plan records-related operational management institution"); provided, however, that this does not apply to a case where the employer provides all of the records-related services.

2 企業型年金加入者は、厚生労働省令で定めるところにより、第十三条第一項の規定により選択した企業型年金その他の事項を事業主又は企業型記録関連運営管理機関に申し出なければならない。

(2) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare a participant of a corporate-type pension plan must report the corporate-type pension plan and other matters selected pursuant to the

provisions of Article 13, paragraph (1) to the employer or the corporate-type pension plan records-related operational management institution.

第十七条 企業型年金運用指図者は、厚生労働省令で定めるところにより、氏名及び住所その他の事項を企業型記録関連運営管理機関（記録関連業務を行う事業主を含む。以下「企業型記録関連運営管理機関等」という。）に申し出なければならない。

Article 17 Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare an instructor of a corporate-type pension plan must report the name and address and other matters thereof to the corporate-type pension plan records-related operational management institution (including the employer that provides records-related services; hereinafter referred to as the "corporate-type pension plan records-related operational management institution, etc.").

（企業型年金加入者等原簿）

(Register of Participants or Instructors of a Corporate-type Pension Plan)

第十八条 企業型記録関連運営管理機関等は、厚生労働省令で定めるところにより、企業型年金加入者等に関する原簿を備え、これに企業型年金加入者等の氏名及び住所、資格の取得及び喪失の年月日、個人別管理資産額その他厚生労働省令で定める事項を記録し、これを保存しなければならない。

Article 18 (1) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, a corporate-type pension plan records-related operational management institution, etc. must prepare a register of participants or instructors of the corporate-type pension plan, record therein the names and addresses, the dates of acquisition and loss of the status, the amounts of assets managed per individual, and other particulars specified by Order of the Ministry of Health, Labour and Welfare with regard to participants or instructors of the corporate-type pension plan, and keep it.

2 企業型年金加入者及び企業型年金加入者であった者（死亡一時金を受けることができる者を含む。）は、企業型記録関連運営管理機関等に対し、前項の原簿の閲覧を請求し、又は当該原簿に記録された事項について照会することができる。この場合においては、企業型記録関連運営管理機関等は、正当な理由がある場合を除き、閲覧の請求又は照会の回答を拒んではならない。

(2) A person who is or was a participant of a corporate-type pension plan (including a person who is eligible to receive a lump-sum death benefit) may make a request for inspection of the register referred to in the preceding paragraph or make an inquiry on the particulars recorded in that register to the corporate-type pension plan records-related operational management institution, etc. In this case, the corporate-type pension plan records-related operational management institution, etc. must not refuse the request for inspection or refuse to answer the inquiry, unless there are legitimate grounds



therefor.

### 第三節 掛金

#### Section 3 Contributions

(事業主掛金及び企業型年金加入者掛金)

(Employer and Participant Contributions to the Corporate-type Pension Plan)

第十九条 事業主は、政令で定めるところにより、年一回以上、定期的に掛金を拠出する。

Article 19 (1) An employer periodically makes contributions at least once a year, pursuant to the provisions of Cabinet Order.

2 事業主掛金の額は、企業型年金規約で定めるものとする。ただし、簡易企業型年金に係る事業主掛金の額については、政令で定める基準に従い企業型年金規約で定める額とする。

(2) The amount of the employer's contribution is to be specified by the corporate-type pension plan rules; provided, however, that the amount of the employer's contribution for a simple corporate-type pension plan is the amount specified by the corporate-type pension plan rules in accordance with the standards specified by Cabinet Order.

3 企業型年金加入者は、政令で定める基準に従い企業型年金規約で定めるところにより、年一回以上、定期的に自ら掛金を拠出することができる。

(3) A participant of a corporate-type pension plan may periodically make own contributions pursuant to the provisions of the corporate-type pension plan rules that are in accordance with the standards specified by Cabinet Order.

4 企業型年金加入者掛金の額は、企業型年金規約で定めるところにより、企業型年金加入者が決定し、又は変更する。

(4) The amount of the participant of a corporate-type pension plan's contribution is decided or changed by the participant of a corporate-type pension plan pursuant to the provisions of the corporate-type pension plan rules.

(拠出限度額)

(Amount of Contribution Limit)

第二十条 各企業型年金加入者に係る一年間の事業主掛金の額（企業型年金加入者が企業型年金加入者掛金を拠出する場合にあっては、事業主掛金の額と企業型年金加入者掛金の額との合計額。以下この条において同じ。）の総額は、拠出限度額（一年間に拠出することができる事業主掛金の額の総額の上限として、企業型年金加入者の確定給付企業年金の加入者の資格の有無等を勘案して政令で定める額をいう。）を超えてはならない。

Article 20 The total annual amount of the employer's contributions to be made for each participant of a corporate-type pension plan (if the participant of a corporate-type pension plan contributes to a participant of a corporate-type

pension plan's contribution, the sum of the amount of the employer's contributions and the amount of the participant of a corporate-type pension plan's contribution; hereinafter the same applies in this Article) must not exceed the amount of the contribution limit (meaning the amount specified by Cabinet Order as the maximum total amount of the employer's contributions that may be made per year, taking into account whether the participant of a corporate-type pension plan has the eligibility as a participant of a defined benefit corporate pension plan and other factors).

(事業主掛金の納付)

(Payment of the Employer's Contributions)

第二十一条 事業主は、事業主掛金を企業型年金規約で定める日までに資産管理機関に納付するものとする。

Article 21 (1) An employer is to pay the employer's contribution to the asset management institution by the day specified by the corporate-type pension plan rules.

2 事業主は、事業主掛金を納付する場合においては、厚生労働省令で定めるところにより、各企業型年金加入者に係る事業主掛金の額を企業型記録関連運営管理機関に通知しなければならない。ただし、当該事業主が記録関連業務の全部を行う場合にあっては、この限りでない。

(2) When an employer pays the employer's contributions, , pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare the employer must give notice of the amount of the employer's contribution for each participant of a corporate-type pension plan to the corporate-type pension plan records-related operational management institution; provided, however, that this does not apply to a case where the employer provides all of the records-related services.

(企業型年金加入者掛金の納付)

(Payment of Contributions of a Participant of a Corporate-type Pension Plan)

第二十一条の二 企業型年金加入者掛金を拠出する企業型年金加入者は、企業型年金加入者掛金を企業型年金規約で定める日までに事業主を介して資産管理機関に納付するものとする。

Article 21-2 (1) A participant of a corporate-type pension plan who makes a participant of a corporate-type pension plan's contribution is to pay the participant of a corporate-type pension plan's contribution to the asset management institution through the employer by the day specified by the corporate-type pension plan rules.

2 前条第二項の規定は、事業主が企業型年金加入者掛金の納付を行う場合について準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis

mutandis to the case where the employer pays the contributions of a participant of a corporate-type pension plan.

(企業型年金加入者掛金の源泉控除)

**(Withholding Deductions for Participant of a Corporate-type Pension Plan Contribution)**

第二十一条の三 前条第一項の規定により企業型年金加入者掛金の納付を行う事業主は、当該企業型年金加入者に対して通貨をもって給与を支払う場合においては、企業型年金加入者掛金を給与から控除することができる。

Article 21-3 (1) If an employer that pays the participant of a corporate-type pension plan's contribution pursuant to the provisions of paragraph (1) of the preceding Article also pays the salary of the participant of a corporate-type pension plan in currency, the employer may deduct the participant of a corporate-type pension plan's contribution from their salary.

2 事業主は、前項の規定によって企業型年金加入者掛金を控除したときは、企業型年金加入者掛金の控除に関する計算書を作成し、その控除額を当該企業型年金加入者に通知しなければならない。

(2) When an employer has deducted a participant of a corporate-type pension plan's contribution pursuant to the provisions of the preceding paragraph, the employer must prepare a calculation sheet concerning the deduction of the participant of a corporate-type pension plan's contribution, and give notice of the amount deducted to the participant of a corporate-type pension plan.

**第四節 運用**

**Section 4 Investment**

(事業主の責務)

**(Responsibilities of the Employer)**

第二十二条 事業主は、その実施する企業型年金の企業型年金加入者等に対し、これらの者が行う第二十五条第一項の運用の指図に資するため、資産の運用に関する基礎的な資料の提供その他の必要な措置を継続的に講ずるよう努めなければならない。

Article 22 (1) An employer must endeavor to continuously take necessary measures, such as providing basic materials on investment of assets, for the participants or instructors of a corporate-type pension plan of the corporate-type pension plan the employer implements, in order to contribute to their instructions on investment referred to in Article 25, paragraph (1).

2 事業主は、前項の措置を講ずるに当たっては、企業型年金加入者等の資産の運用に関する知識を向上させ、かつ、これを第二十五条第一項の運用の指図に有効に活用することができるよう配慮するものとする。

(2) When an employer takes the measures referred to in the preceding paragraph, the employer is to give consideration so that the measures improve the

knowledge of the participants or instructors of a corporate-type pension plan concerning investment of assets, and enable them to effectively utilize the knowledge in their instructions on investment referred to in Article 25, paragraph (1).

(運用の方法の選定及び提示)

(Selection and Presentation of Investment Methods)

第二十三条 企業型年金加入者等に係る運用関連業務を行う確定拠出年金運営管理機関（運用関連業務を行う事業主を含む。以下「企業型運用関連運営管理機関等」という。）は、政令で定めるところにより、次に掲げる運用の方法のうち政令で定めるもの（次条第一項において「対象運用方法」という。）を、企業型年金加入者等による適切な運用の方法の選択に資するための上限として政令で定める数以下で、かつ、三以上（簡易企業型年金を実施する事業主から委託を受けて運用関連業務を行う確定拠出年金運営管理機関（運用関連業務を行う簡易企業型年金を実施する事業主を含む。）にあつては、二以上）で選定し、企業型年金規約で定めるところにより、企業型年金加入者等に提示しなければならない。

Article 23 (1) A defined contribution pension plan operational management institution that provides investment-related services relating to participants or instructors of a corporate-type pension plan (including an employer that provides investment-related services; hereinafter referred to as a "corporate-type pension plan investment-related operational management institution, etc.") must, pursuant to the provisions of Cabinet Order, select the following investment methods which are specified by Cabinet Order (referred to as the "subject investment methods" in paragraph (1) of the following Article) in a number not more than the number specified by Cabinet Order as the maximum number for contributing to appropriate selection of an investment method by participants or instructors of a corporate-type pension plan and not less than three (not less than two in the case of a defined contribution pension plan operational management institution that provides investment-related services as entrusted by an employer that implements a simple corporate-type pension plan (including an employer implementing a simple corporate-type pension plan that provides investment-related services)), and present them to the participants or instructors of a corporate-type pension plan pursuant to the provisions of the corporate-type pension plan rules:

一 銀行その他の金融機関を相手方とする預金又は貯金の預入

(i) making deposits or savings in a financial institution, such as a bank;

二 信託会社又は信託業務を営む金融機関への信託

(ii) creating trusts in trust companies or financial institutions engaged in trust business;

三 有価証券の売買

(iii) purchasing and selling securities;

四 生命保険会社又は農業協同組合（農業協同組合法第十条第一項第十号の事業のうち生命共済の事業を行うものに限る。）その他政令で定める生命共済の事業を行う者への生命保険の保険料又は生命共済の共済掛金の払込み

(iv) paying insurance premiums of life insurance or mutual aid premiums of mutual aid life insurance to life insurance companies or to agricultural cooperatives (limited to those that conduct mutual aid life insurance business under the category of business referred to in Article 10, paragraph (1), item (x) of the Agricultural Cooperatives Act) or other persons that conduct mutual aid life insurance business which are specified by Cabinet Order;

五 損害保険会社への損害保険の保険料の払込み

(v) paying insurance premiums of non-life insurance to non-life insurance companies; and

六 前各号に掲げるもののほか、投資者の保護が図られていることその他の政令で定める要件に適合する契約の締結

(vi) beyond what is set forth in the preceding items, concluding contracts that satisfy the requirements specified by Cabinet Order, such as that the protection of investors is ensured.

2 前項の規定による運用の方法の選定は、その運用から生ずると見込まれる収益の率、収益の変動の可能性その他の収益の性質が類似していないことその他政令で定める基準に従って行われなければならない。

(2) The selection of investment methods under the provisions of the preceding paragraph must be made in a manner that the characteristics of the expected returns on the investment, such as the expected rate of returns and the possibility of volatility in returns, are not similar, and in accordance with other standards specified by Cabinet Order.

3 企業型運用関連運営管理機関等は、前二項の規定により運用の方法の選定を行うに際しては、資産の運用に関する専門的な知見に基づいて、これを行わなければならない。

(3) When a corporate-type pension plan investment-related operational management institution, etc. selects investment methods pursuant to the provisions of the preceding two paragraphs, it must make the selection based on expert knowledge on investment of assets.

（指定運用方法の選定）

(Selection of a Default Investment Method)

第二十三条の二 企業型運用関連運営管理機関等は、企業型年金規約で定めるところにより、前条第一項の規定により提示する運用の方法のほか、対象運用方法のうちから一の運用の方法を選定し、企業型年金加入者に提示することができる。

Article 23-2 (1) Pursuant to the provisions of the corporate-type pension plan rules a corporate-type pension plan investment-related operational

management institution, etc. may select one investment method from among the subject investment methods and present it to a participant of a corporate-type pension plan, in addition to the investment methods presented pursuant to the provisions of paragraph (1) of the preceding Article.

2 前項の規定により選定した運用の方法（以下「指定運用方法」という。）は、長期的な観点から、物価その他の経済事情の変動により生ずる損失に備え、収益の確保を図るためのものとして厚生労働省令で定める基準に適合するものでなければならない。

(2) The investment method selected pursuant to the provisions of the preceding paragraph (hereinafter referred to as the "default investment method") must be one that complies with the standards specified by Order of the Ministry of Health, Labour and Welfare as those for securing profits from a long-term perspective to provide against losses that may be caused due to changes in prices and other economic situations.

3 前条第三項の規定は、第一項の規定により指定運用方法を選定する場合について準用する。

(3) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the case of selecting a default investment method pursuant to the provisions of paragraph (1).

（運用の方法に係る情報の提供）

(Provision of Information on the Investment Methods)

第二十四条 企業型運用関連運営管理機関等は、厚生労働省令で定めるところにより、第二十三条第一項の規定により提示した運用の方法について、これに関する利益の見込み及び損失の可能性その他の企業型年金加入者等が第二十五条第一項の運用の指図を行うために必要な情報を、当該企業型年金加入者等に提供しなければならない。

Article 24 Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare a corporate-type pension plan investment-related operational management institution, etc. must provide participants or instructors of a corporate-type pension plan with information that is necessary for them to give instructions on investment referred to in Article 25, paragraph (1), such as the expected return and the risk of loss, with regard to the investment methods presented pursuant to the provisions of Article 23, paragraph (1).

（指定運用方法に係る情報の提供）

(Provision of Information on the Default Investment Method)

第二十四条の二 企業型運用関連運営管理機関等は、第二十三条の二第一項の規定により指定運用方法を選定し、提示した場合は、厚生労働省令で定めるところにより、次に掲げる事項に係る情報を企業型年金加入者に提供しなければならない。

Article 24-2 If a corporate-type pension plan investment-related operational management institution, etc. has selected and presented a default investment method pursuant to the provisions of Article 23-2, paragraph (1), pursuant to

the provisions of Order of the Ministry of Health, Labour and Welfare, it must provide a participant of a corporate-type pension plan with information on the following particulars:

一 指定運用方法に関する利益の見込み及び損失の可能性

(i) the expected return and the risk of loss with regard to the default investment method;

二 指定運用方法を選定した理由

(ii) the reason for selecting the default investment method;

三 第二十五条の二第二項の事項

(iii) the particulars referred to in Article 25-2, paragraph (2); and

四 その他厚生労働省令で定める事項

(iv) other particulars specified by Order of the Ministry of Health, Labour and Welfare.

(運用の指図)

(Instructions on Investment)

第二十五条 企業型年金加入者等は、企業型年金規約で定めるところにより、積立金のうち当該企業型年金加入者等の個人別管理資産について運用の指図を行う。

Article 25 (1) Participants or instructors of a corporate-type pension plan are to give instructions on investment with regard to their assets managed per individual of the reserve fund, pursuant to the provisions of the corporate-type pension plan rules.

2 前項の運用の指図（以下この章において単に「運用の指図」という。）は、第二十三条第一項の規定により提示された運用の方法（第二十三条の二第一項の規定により指定運用方法が提示された場合にあっては、当該指定運用方法を含む。以下この条において同じ。）（第二十六条第一項において「提示運用方法」という。）の中から一又は二以上の運用の方法を選択し、かつ、それぞれの運用の方法に充てる額を決定して、これらの事項を企業型記録関連運営管理機関等に示すことによって行うものとする。

(2) The instructions on investment referred to in the preceding paragraph (hereinafter simply referred to as the "instructions on investment" in this Chapter) are to be given by selecting one investment method or two or more investment methods from among the investment methods presented pursuant to the provisions of Article 23, paragraph (1) (if a default investment method has been presented pursuant to the provisions of Article 23-2, paragraph (1), including that default investment method; hereinafter the same applies in this Article) (referred to as the "presented investment methods" in Article 26, paragraph (1)), deciding on the amount to be allocated to each investment method, and indicating these particulars to the corporate-type pension plan records-related operational management institution, etc.

3 企業型記録関連運営管理機関等は、運用の指図を受けたときは、政令で定めるところ

ろにより、同時に行われた運用の指図を第二十三条第一項の規定により提示された運用の方法ごとに取りまとめ、その内容を資産管理機関に通知するものとする。

(3) When a corporate-type pension plan records-related operational management institution, etc. receives instructions on investment, it is to assemble the instructions on investment given at the same time for each investment method presented pursuant to the provisions of Article 23, paragraph (1), and give notice of their contents to the asset management institution, pursuant to the provisions of Cabinet Order.

4 資産管理機関は、前項の通知があったときは、速やかに、同項の通知に従って、それぞれの運用の方法について、契約の締結、変更又は解除その他の必要な措置を行わなければならない。

(4) When an asset management institution receives the notice referred to in the preceding paragraph, it must promptly take necessary measures, such as concluding, changing, or canceling contracts, with regard to the respective investment methods, according to the notice referred to in that paragraph.

(指定運用方法が提示されている場合の運用の指図の特例)

(Special Provisions on Instructions on Investment When a Default Investment Method Has Been Presented)

第二十五条の二 次の各号に掲げる場合の区分に応じ、それぞれ当該各号に定める日から起算して三月以上で企業型年金規約で定める期間（次項において「特定期間」という。）を経過してもなお企業型記録関連運営管理機関等が企業型年金加入者から運用の指図を受けないときは、当該企業型記録関連運営管理機関等は、同項の事項及び当該指定運用方法を当該企業型年金加入者に通知しなければならない。

Article 25-2 (1) If a corporate-type pension plan records-related operational management institution, etc. has not received instructions on investment from a participant of a corporate-type pension plan even after the passage of a period specified by the corporate-type pension plan rules (referred to as the "specified period" in the following paragraph) that is three months or more from the days specified in the following items for the respective categories of cases set forth in those items, the corporate-type pension plan records-related operational management institution, etc. must give notice of the particulars referred to in the following paragraph and the default investment method to the participant of a corporate-type pension plan:

一 第二十三条の二第一項の規定により指定運用方法が提示されている場合であって、企業型年金加入者がある資格を取得したとき、その後最初に事業主掛金又は企業型年金加入者掛金（次号及び第三項において「事業主掛金等」という。）の納付が行われた日

(i) when a default investment method has been presented pursuant to the provisions of Article 23-2, paragraph (1), if a participant of a corporate-type pension plan acquires the status as such: the day on which the employer's



contribution or the participant of a corporate-type pension plan's contribution (referred to as the "employer's contribution, etc." in the following item and paragraph (3)) was paid for the first time after that; and  
二 企業型年金加入者がその資格を取得している場合であって、第二十三条の二第一項の規定により指定運用方法が提示されたとき その後最初に事業主掛金等の納付が行われた日

(ii) when a participant of a corporate-type pension plan has acquired the status as such, if a default investment method is presented pursuant to the provisions of Article 23-2, paragraph (1): the day on which the employer's contribution, etc. was paid for the first time after that.

2 前項の規定による通知を受けた企業型年金加入者が特定期間を経過した日から二週間以上で企業型年金規約で定める期間（次項において「猶予期間」という。）を経過してもなお運用の指図を行わないときは、当該企業型年金加入者は、当該通知に係る指定運用方法を選択し、かつ、当該指定運用方法にその未指図個人別管理資産の全額を充てる運用の指図を行ったものとみなす。

(2) If a participant of a corporate-type pension plan who has received a notice under the provisions of the preceding paragraph does not give instructions on investment even after the passage of a period specified by the corporate-type pension plan rules (referred to as the "grace period" in the following paragraph) that is two weeks or more from the day of passage of the specified period, the participant of a corporate-type pension plan is deemed to have selected the default investment method pertaining to that notice, and to have given an instruction on investment to allot the entire amount of that person's uninstructed assets managed per individual to the default investment method.

3 前項の「未指図個人別管理資産」とは、個人別管理資産のうち、第一項の規定による通知に係る猶予期間が終了する日までに運用の指図が行われていないもの及び同日後に納付される事業主掛金等について運用の指図が行われていないものをいう。

(3) The "uninstructed assets managed per individual" referred to in the preceding paragraph means assets managed per individual for which no instructions on investment have been given by the day on which the grace period pertaining to the notice under the provisions of paragraph (1) ends and those for which no instructions on investment have been given with regard to the employer's contribution, etc. paid after that day.

（運用の方法の除外に係る同意）

#### (Consent to Exclusion of an Investment Method)

第二十六条 企業型運用関連運営管理機関等は、提示運用方法から運用の方法を除外しようとするときは、企業型年金規約で定めるところにより、当該除外しようとする運用の方法を選択して運用の指図を行っている企業型年金加入者等（以下この条において「除外運用方法指図者」という。）（所在が明らかでない者を除く。）の三分の二以上の同意を得なければならない。ただし、当該運用の方法に係る契約の相手方が欠

けたことその他厚生労働省令で定める事由により当該運用の方法を除外しようとするときは、この限りでない。

Article 26 (1) When a corporate-type pension plan investment-related operational management institution, etc. intends to exclude an investment method from the presented investment methods, pursuant to the provisions of the corporate-type pension plan rules, it must obtain consent of two-thirds or more of the participants or instructors of a corporate-type pension plan that have given instructions on investment by selecting the investment method to be excluded (hereinafter referred to as the "instructors using the investment method to be excluded" in this Article) (excluding those whose whereabouts are unknown); provided, however, that this does not apply if the institution, etc. intends to exclude the investment method due to the counterparty to the contract for that investment method ceasing to be available or due to any other grounds specified by Order of the Ministry of Health, Labour and Welfare.

2 企業型運用関連運営管理機関等は、企業型年金規約で定めるところにより、除外運用方法指図者に前項の同意を得るための通知をした日から三週間以上で企業型年金規約で定める期間を経過してもなお除外運用方法指図者から同意又は不同意の意思表示を受けなかった場合は、当該除外運用方法指図者は同項の同意をしたものとみなすことができる。この場合において、当該通知には、その旨を記載しなければならない。

(2) If the instructors using the investment method to be excluded have not manifested their intention of consent or non-consent even after the passage of a period specified by the corporate-type pension plan rules that is three weeks or more from the day of giving notice for obtaining the consent referred to in the preceding paragraph to the instructors using the investment method to be excluded, the corporate-type pension plan investment-related operational management institution, etc. may deem that the instructors using the investment method to be excluded have given the consent referred to in that paragraph, pursuant to the provisions of the corporate-type pension plan rules. In this case, a statement to that effect must have been included in that notice.

3 企業型運用関連運営管理機関等は、第一項の規定により運用の方法を除外したときは、その旨を除外運用方法指図者に通知しなければならない。

(3) When a corporate-type pension plan investment-related operational management institution, etc. has excluded an investment method pursuant to the provisions of paragraph (1), it must give notice to that effect to the instructors using the investment method to be excluded.

4 企業型運用関連運営管理機関等は、除外運用方法指図者の所在が明らかでないため前項の通知をすることができないときは、同項の通知に代えて、当該運用の方法が除外された旨を公告しなければならない。

(4) If a corporate-type pension plan investment-related operational management institution, etc. is unable to give the notice referred to in the preceding paragraph due to the whereabouts of the instructors using the investment

method to be excluded being unknown, it must give public notice to the effect that the investment method has been excluded, in lieu of the notice referred to in that paragraph.

(個人別管理資産額の通知等)

(Notice of the Amount of Assets Managed per Individual)

第二十七条 企業型記録関連運営管理機関等は、毎年少なくとも一回、企業型年金加入者等の個人別管理資産額その他厚生労働省令で定める事項を当該企業型年金加入者等に通知しなければならない。

Article 27 (1) A corporate-type pension plan records-related operational management institution, etc. must give notice to participants or instructors of a corporate-type pension plan about the amount of assets managed per individual and other particulars specified by Order of the Ministry of Health, Labour and Welfare with regard to that participant or instructor of a corporate-type pension plan at least once every year.

2 企業型記録関連運営管理機関等は、企業型年金加入者等に係る掛金の拠出の状況その他の厚生労働省令で定める事項を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って厚生労働省令で定めるものにより、当該企業型年金加入者等が閲覧することができる状態に置かなければならない。

(2) A corporate-type pension plan records-related operational management institution, etc. must make information on the particulars specified by Order of the Ministry of Health, Labour and Welfare, such as the status of contributions, with regard to a participant or instructor of a corporate-type pension plan available for inspection by that participant or instructor of a corporate-type pension plan through a means of using information and communications technology, such as a means of using an electronic data processing system, which is specified by Order of the Ministry of Health, Labour and Welfare.

## 第五節 給付

### Section 5 Benefits

#### 第一款 通則

##### Subsection 1 General Rules

(給付の種類)

(Types of Benefits)

第二十八条 企業型年金の給付（以下この款及び第四十八条の二において「給付」という。）は、次のとおりとする。

Article 28 The benefits of a corporate-type pension plan (hereinafter referred to as "benefits" in this Subsection and Article 48-2) are to be as follows:

一 老齢給付金

(i) old-age benefits;

二 障害給付金

(ii) disability benefits; and

三 死亡一時金

(iii) a lump-sum death benefit.

(裁定)

(Rulings)

第二十九条 給付を受ける権利は、その権利を有する者（以下この節において「受給権者」という。）の請求に基づいて、企業型記録関連運営管理機関等が裁定する。

Article 29 (1) A corporate-type pension plan records-related operational management institution, etc. issues a ruling confirming a person's right to receive benefits at the request of the person who has that right (hereinafter referred to as the "beneficiary" in this Section).

2 企業型記録関連運営管理機関等は、前項の規定により裁定をしたときは、遅滞なく、その内容を資産管理機関に通知しなければならない。

(2) When a corporate-type pension plan records-related operational management institution, etc. has issued a ruling pursuant to the provisions of the preceding paragraph, it must give notice of the contents thereof to the asset management institution without delay.

(給付の額)

(Amount of Benefits)

第三十条 給付の額は、企業型年金規約で定めるところにより算定した額とする。

Article 30 The amount of benefits is the amount calculated pursuant to the provisions of the corporate-type pension plan rules.

(年金給付の支給期間等)

(Term of Payment of Pension Benefits)

第三十一条 給付のうち年金として支給されるもの（次項において「年金給付」という。）の支給は、これを支給すべき事由が生じた月の翌月から始め、権利が消滅した月で終わるものとする。

Article 31 (1) Payment of benefits which are paid as pensions (referred to as "pension benefits" in the following paragraph) is to commence in the month following the month in which the grounds for paying the benefits occurred and end in the month in which the right to receive benefits extinguishes.

2 年金給付の支払期月については、企業型年金規約で定めるところによる。

(2) The payment months of pension benefits are to be in accordance with the provisions of the corporate-type pension plan rules.

(受給権の譲渡等の禁止等)

(Prohibition of Transfer of the Right to Receive Benefits)

第三十二条 給付を受ける権利は、譲り渡し、担保に供し、又は差し押さえることができない。ただし、老齢給付金及び死亡一時金を受ける権利を国税滞納処分（その例による処分を含む。）により差し押さえる場合は、この限りでない。

Article 32 (1) The right to receive benefits may not be transferred, provided as collateral, or seized; provided, however, that this does not apply to a case of seizing the right to receive old-age benefits and a lump-sum death benefit based on a disposition of national tax delinquency (including a disposition governed by the same rules).

2 租税その他の公課は、障害給付金として支給を受けた金銭を標準として、課することができない。

(2) Taxes and other public charges may not be imposed based on money paid as disability benefits.

## 第二款 老齢給付金

### Subsection 2 Old-age Benefits

(支給要件)

(Requirements for Payment)

第三十三条 企業型年金加入者であった者（当該企業型年金に個人別管理資産がある者に限り、当該企業型年金の障害給付金の受給権者又は他の企業型年金の企業型年金加入者を除く。以下この項において同じ。）であって次の各号に掲げるものが、それぞれ当該各号に定める年数又は月数以上の通算加入者等期間を有するときは、その者は、厚生労働省令で定めるところにより、企業型記録関連運営管理機関等に老齢給付金の支給を請求することができる。ただし、企業型年金加入者であった者であって六十歳以上七十五歳未満のものは、通算加入者等期間を有しない場合であっても、企業型年金加入者となった日その他の厚生労働省令で定める日から起算して五年を経過した日から企業型記録関連運営管理機関等に老齢給付金の支給を請求することができる。

Article 33 (1) If a person who was a participant of a corporate-type pension plan (limited to a person who has assets managed per individual under that corporate-type pension plan, and excluding a beneficiary of disability benefits of that corporate-type pension plan or a participant of a corporate-type pension plan of another corporate-type pension plan; hereinafter the same applies in this paragraph) and who is set forth in any of the following items has a total enrollment period of the number of years or months set forth in the respective items or longer, that person is entitled to claim the payment of old-age benefits from a corporate-type pension plan records-related operational management institution, etc., pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare; provided, however, that a person who was a participant of a corporate-type pension plan and who is aged 60 or over but under 75 is entitled to claim the payment of old-age benefits from a corporate-type pension plan records-related operational management institution, etc. from the day on

which five years have passed from the day specified by Order of the Ministry of Health, Labour and Welfare, such as the day on which that person became a participant of a corporate-type pension plan, even if the person does not have that total enrollment period:

一 六十歳以上六十一歳未満の者 十年

(i) a person aged 60 or over but under 61: 10 years;

二 六十一歳以上六十二歳未満の者 八年

(ii) a person aged 61 or over but under 62: eight years;

三 六十二歳以上六十三歳未満の者 六年

(iii) a person aged 62 or over but under 63: six years;

四 六十三歳以上六十四歳未満の者 四年

(iv) a person aged 63 or over but under 64: four years;

五 六十四歳以上六十五歳未満の者 二年

(v) a person aged 64 or over but under 65: two years; or

六 六十五歳以上の者 一月

(vi) a person aged 65 or over: one month.

2 前項の通算加入者等期間とは、政令で定めるところにより同項に規定する者の次に掲げる期間（その者が六十歳に達した日の前日が属する月以前の期間に限る。）を合算した期間をいう。

(2) The total enrollment period referred to in the preceding paragraph means a period totaling the following periods for the person prescribed in that paragraph (limited to the periods in or before the month containing the day preceding the day on which that person reached the age of 60) pursuant to the provisions of Cabinet Order:

一 企業型年金加入者期間

(i) the participant of a corporate-type pension plan period;

二 企業型年金運用指図者期間

(ii) the instructor of a corporate-type pension plan period;

三 個人型年金加入者である期間（以下「個人型年金加入者期間」という。）

(iii) the period during which the person is a participant of an individual-type pension plan (hereinafter referred to as the "participant of an individual-type pension plan period"); and

四 個人型年金運用指図者である期間（以下「個人型年金運用指図者期間」という。）

(iv) the period during which the person is an instructor of an individual-type pension plan investment (hereinafter referred to as the "instructor of an individual-type pension plan investment period").

3 第一項の請求があったときは、資産管理機関は、企業型記録関連運営管理機関等の裁定に基づき、その請求をした者に老齢給付金を支給する。

(3) When the claim referred to in paragraph (1) has been filed, the asset management institution pays old-age benefits to the person who filed the claim,

based on a ruling by the corporate-type pension plan records-related operational management institution, etc.

(七十五歳到達時の支給)

(Payment on Reaching the Age of 75)

第三十四条 企業型年金加入者又は企業型年金加入者であった者（当該企業型年金に個人別管理資産がある者に限る。）が前条の規定により老齢給付金の支給を請求することなく七十五歳に達したときは、資産管理機関は、その者に、企業型記録関連運営管理機関等の裁定に基づいて、老齢給付金を支給する。

Article 34 When a person who is or was a participant of a corporate-type pension plan (limited to a person who has assets managed per individual under the corporate-type pension plan) reaches the age of 75 without claiming the payment of old-age benefits pursuant to the provisions of the preceding Article, the asset management institution pays old-age benefits to that person, based on a ruling by the corporate-type pension plan records-related operational management institution, etc.

(支給の方法)

(Method of Payment)

第三十五条 老齢給付金は、年金として支給する。

Article 35 (1) Old-age benefits are paid as pensions.

2 老齢給付金は、企業型年金規約でその全部又は一部を一時金として支給することができることを定めた場合には、前項の規定にかかわらず、企業型年金規約で定めるところにより、一時金として支給することができる。

(2) If the corporate-type pension plan rules provide that all or part of old-age benefits may be paid in lump sum, old-age benefits may be paid in lump sum pursuant to the provisions of the corporate-type pension plan rules, notwithstanding the provisions of the preceding paragraph.

(失権)

(Loss of Right)

第三十六条 老齢給付金の受給権は、次の各号のいずれかに該当することとなったときは、消滅する。

Article 36 The right to receive old-age benefits extinguishes when the beneficiary falls under any of the following items:

一 受給権者が死亡したとき。

(i) when the beneficiary dies;

二 当該企業型年金の障害給付金の受給権者となったとき。

(ii) when the beneficiary becomes a beneficiary of disability benefits under the corporate-type pension plan; or

三 当該企業型年金に個人別管理資産がなくなったとき。

(iii) when the beneficiary no longer has assets managed per individual under the corporate-type pension plan.

### 第三款 障害給付金

#### Subsection 3 Disability Benefits

(支給要件)

#### (Requirements for Payment)

第三十七条 企業型年金加入者又は企業型年金加入者であった者（当該企業型年金に個人別管理資産がある者に限る。）が、疾病にかかり、又は負傷し、かつ、その疾病又は負傷及びこれらに起因する疾病（以下「傷病」という。）について初めて医師又は歯科医師の診療を受けた日（以下「初診日」という。）から起算して一年六月を経過した日（その期間内にその傷病が治った場合においては、その治った日（その症状が固定し治療の効果が期待できない状態に至った日を含む。）とし、以下「障害認定日」という。）から七十五歳に達する日の前日までの間において、その傷病により政令で定める程度の障害の状態に該当するに至ったときは、その者は、その期間内に企業型記録関連運営管理機関等に障害給付金の支給を請求することができる。

Article 37 (1) If a person who is or was a participant of a corporate-type pension plan (limited to a person who has assets managed per individual under the corporate-type pension plan) has contracted an illness or suffered an injury and has come to have a disability of a degree of severity specified by Cabinet Order due to that injury or illness or an illness caused by that illness or injury (hereinafter referred to as an "illness or injury") during the period from the day on which one year and six months have passed since the day on which the person received the first medical examination from a doctor or dentist for that illness or injury (hereinafter referred to as the "day of initial examination") (if the illness or injury has healed on any day within this period (including a day on which the symptoms thereof have stabilized to a level where no curative effect is expected), the period from that day; the starting day of the period is hereinafter referred to as the "day of disability assessment"), until the day preceding the day on which the person reaches the age of 75, the person is entitled to claim the payment of disability benefits from a corporate-type pension plan records-related operational management institution, etc. during that period.

2 企業型年金加入者又は企業型年金加入者であった者（当該企業型年金に個人別管理資産がある者に限る。）が、疾病にかかり、又は負傷し、かつ、その傷病（以下この項において「基準傷病」という。）に係る初診日において基準傷病以外の傷病により障害の状態にある場合であって、基準傷病に係る障害認定日から七十五歳に達する日の前日までの間において、初めて、基準傷病による障害と他の障害とを併合して前項の政令で定める程度の障害の状態に該当するに至ったとき（基準傷病の初診日が、基準傷病以外の傷病（基準傷病以外の傷病が二以上ある場合は、基準傷病以外の全ての



傷病)の初診日以降であるときに限る。)は、その者は、その期間内に企業型記録関連運営管理機関等に障害給付金の支給を請求することができる。

(2) If a person who is or was a participant of a corporate-type pension plan (limited to a person who has assets managed per individual under the corporate-type pension plan) has contracted an illness or suffered an injury and, as of the day of initial examination for that illness or injury (hereinafter referred to as the "base illness or injury" in this paragraph), had a disability caused by an illness or injury other than the base illness or injury, and if, during the period from the day of disability assessment for the base illness or injury until the day preceding the day on which the person reaches the age of 75, the person has come to have the disability of a degree of severity specified by Cabinet Order referred to in the preceding paragraph, for the first time, by combining the disability caused by the base illness or injury and the other disability (limited to the case where the day of initial examination for the base illness or injury is on or after the day of initial examination for the illness or injury other than the base illness or injury (if there are two or more injuries or illnesses other than the base illness or injury, the days of initial examination for all of the injuries or illnesses other than the base illness or injury)), the person is entitled to claim the payment of disability benefits from a corporate-type pension plan records-related operational management institution, etc. during that period.

3 前二項の請求があったときは、資産管理機関は、企業型記録関連運営管理機関等の裁定に基づき、その請求をした者に障害給付金を支給する。

(3) When the claim referred to in either of the preceding two paragraphs has been filed, the asset management institution pays disability benefits to the person who filed the claim, based on a ruling by the corporate-type pension plan records-related operational management institution, etc.

(支給の方法)

(Method of Payment)

第三十八条 障害給付金は、年金として支給する。

Article 38 (1) Disability benefits are paid as pensions.

2 障害給付金は、企業型年金規約でその全部又は一部を一時金として支給することができることを定めた場合には、前項の規定にかかわらず、企業型年金規約で定めるところにより、一時金として支給することができる。

(2) If the corporate-type pension plan rules provide that all or part of disability benefits may be paid in a lump sum, disability benefits may be paid in a lump sum pursuant to the provisions of the corporate-type pension plan rules, notwithstanding the provisions of the preceding paragraph.

(失権)

(Loss of Right)

第三十九条 障害給付金の受給権は、次の各号のいずれかに該当することとなったときは、消滅する。

Article 39 The right to receive disability benefits extinguishes when the beneficiary falls under any of the following items:

一 受給権者が死亡したとき。

(i) when the beneficiary dies; or

二 当該企業型年金に個人別管理資産がなくなったとき。

(ii) when the beneficiary no longer has assets managed per individual under the corporate-type pension plan.

#### 第四款 死亡一時金

#### Subsection 4 Lump-sum Death Benefit

(支給要件)

(Requirements for Payment)

第四十条 死亡一時金は、企業型年金加入者又は企業型年金加入者であった者（当該企業型年金に個人別管理資産がある者に限る。）が死亡したときに、その者の遺族に、資産管理機関が企業型記録関連運営管理機関等の裁定に基づいて、支給する。

Article 40 When a person who is or was a participant of a corporate-type pension plan (limited to a person who has assets managed per individual under the corporate-type pension plan) dies, the asset management institution pays a lump-sum death benefit to that person's surviving family member, based on a ruling by the corporate-type pension plan records-related operational management institution, etc.

(遺族の範囲及び順位)

(Scope and Order of the Surviving Family Members)

第四十一条 死亡一時金を受けることができる遺族は、次に掲げる者とする。ただし、死亡した者が、死亡する前に、配偶者（届出をしていないが、死亡した者の死亡の当時事実上婚姻関係と同様の事情にあった者を含む。以下この条において同じ。）、子、父母、孫、祖父母又は兄弟姉妹のうちから死亡一時金を受けける者を指定してその旨を企業型記録関連運営管理機関等に対して表示したときは、その表示したところによるものとする。

Article 41 (1) The surviving family member who is eligible to receive a lump-sum death benefit is to be among the following persons; provided, however, that this does not apply if the deceased person had designated the family member who is to receive the lump-sum death benefit from among the person's spouse (including a person with whom notification of marriage has not been made, but who has been in a de facto marital relationship with the deceased person; hereinafter the same applies in this Article), children, father, mother,

grandchildren, grandfather, grandmother, or siblings and had indicated that family member to the corporate-type pension plan records-related operational management institution, etc. before the person's death:

一 配偶者

(i) spouse;

二 子、父母、孫、祖父母及び兄弟姉妹であつて死亡した者の死亡の当時主としてその収入によって生計を維持していたもの

(ii) children, parents, grandchildren, grandparents, and siblings, who had maintained their livelihood mainly on the income of the deceased person as of the time of the person's death;

三 前号に掲げる者のほか、死亡した者の死亡の当時主としてその収入によって生計を維持していた親族

(iii) in addition to the persons set forth in the preceding items, relatives who had maintained their livelihood mainly on the income of the deceased person as of the time of the person's death; and

四 子、父母、孫、祖父母及び兄弟姉妹であつて第二号に該当しないもの

(iv) children, parents, grandchildren, grandfather, grandmother, and siblings, who do not fall under item (ii).

2 前項本文の場合において、死亡一時金を受けることができる遺族の順位は、同項各号の順位により、同項第二号及び第四号に掲げる者のうちにあつては同号に掲げる順位による。この場合において、父母については養父母、実父母の順とし、祖父母については養父母の養父母、養父母の実父母、実父母の養父母、実父母の実父母の順とする。

(2) In the case referred to in the main clause of the preceding paragraph, the order of the surviving family member who is eligible to receive the lump-sum death benefit is based on the order of the items of that paragraph, and for the persons set forth in items (ii) and (iv) of that paragraph, it is based on the order in which the persons are listed in those items. In this case, the order of parents is to be the order of adoptive parents, followed by natural parents, and the order of grandparents is to be the order of adoptive parents of adoptive parents, followed by natural parents of adoptive parents, adoptive parents of natural parents, and then natural parents of natural parents.

3 前項の規定により死亡一時金を受けることができる遺族に同順位者が二人以上あるときは、死亡一時金は、その人数によって等分して支給する。

(3) If there are two or more surviving family members who are eligible to receive a lump-sum death benefit pursuant to the provisions of the preceding paragraph and who are in the same rank of order, the lump-sum death benefit is paid to them by equally dividing the benefit by that number of persons.

4 死亡一時金を受けることができる遺族がないときは、死亡した者の個人別管理資産額に相当する金銭は、死亡した者の相続財産とみなす。

(4) If there is no surviving family member who is eligible to receive a lump-sum

death benefit, money in an amount equivalent to the amount of assets managed per individual relating to the deceased person is deemed to be an estate of the deceased person.

5 死亡一時金を受けることができる者によるその権利の裁定の請求が死亡した者の死亡の後五年間ないときは、死亡一時金を受けることができる遺族はないものとみなして、前項の規定を適用する。

(5) If a person who is eligible to receive a lump-sum death benefit does not file a claim for a ruling to confirm the right to receive the benefit within five years after the death of the deceased person, the provisions of the preceding paragraph apply by deeming that there is no surviving family member who is eligible to receive the lump-sum death benefit.

(欠格)

(Disqualification)

第四十二条 故意の犯罪行為により企業型年金加入者又は企業型年金加入者であった者を死亡させた者は、前条の規定にかかわらず、死亡一時金を受けることができない。企業型年金加入者又は企業型年金加入者であった者の死亡前に、その者の死亡によって死亡一時金を受けるべき者を故意の犯罪行為により死亡させた者についても、同様とする。

Article 42 A person who has caused the death of a person who is or was a participant of a corporate-type pension plan by committing an intentional criminal act may not receive the lump-sum death benefit, notwithstanding the provisions of the preceding Article. The same applies to a person who has, before the death of a person who is or was a participant of a corporate-type pension plan, caused the death of the person who was eligible to receive a lump-sum death benefit upon the death of the person who is or was a participant of a corporate-type pension plan, by committing an intentional criminal act.

#### 第六節 事業主等の行為準則

#### Section 6 Rules of Conduct of the Employer

(事業主の行為準則)

(Rules of Conduct of the Employer)

第四十三条 事業主は、法令、法令に基づいてする厚生労働大臣の処分及び企業型年金規約を遵守し、企業型年金加入者等のため忠実にその業務を遂行しなければならない。

Article 43 (1) An employer must comply with laws and regulations, dispositions made by the Minister of Health, Labour and Welfare based on laws and regulations, and the corporate-type pension plan rules, and loyally perform its duties in the interest of participants or instructors of a corporate-type pension plan.

2 事業主は、企業型年金の実施に係る業務に関し、企業型年金加入者等の氏名、住所、生年月日、個人別管理資産額その他の企業型年金加入者等の個人に関する情報を保管し、又は使用するに当たっては、その業務の遂行に必要な範囲内で当該個人に関する情報を保管し、及び使用しなければならない。ただし、本人の同意がある場合その他正当な事由がある場合は、この限りでない。

(2) When an employer keeps or uses personal information of a participant or instructor of a corporate-type pension plan, such as the name, address, date of birth, and the amount of assets managed per individual relating to the participant or instructor of a corporate-type pension plan, in connection to services relating to implementation of a corporate-type pension plan, the employer must keep or use that personal information within the scope necessary for performing those services; provided, however, that this does not apply if the person's consent has been obtained or if there are other justifiable grounds.

3 事業主は、次に掲げる行為をしてはならない。

(3) An employer must not conduct the following acts:

一 自己又は企業型年金加入者等以外の第三者の利益を図る目的をもって、第七条第一項の規定による運営管理業務の委託に係る契約又は資産管理契約を締結すること。

(i) an act of concluding a contract on entrustment of operational management services under the provisions of Article 7, paragraph (1) or an asset management contract for the purpose of seeking the employer's own benefit or the benefit of a third party other than participants or instructors of a corporate-type pension plan; and

二 前号に掲げるもののほか、企業型年金加入者等の保護に欠けるものとして厚生労働省令で定める行為

(ii) beyond what is set forth in the preceding item, the acts specified by Order of the Ministry of Health, Labour and Welfare as acts that fail to protect participants or instructors of a corporate-type pension plan.

4 事業主（運用関連業務を行う者である場合に限る。）は、次に掲げる行為をしてはならない。

(4) An employer (limited to one that provides investment-related services) must not conduct the following acts:

一 自己又は企業型年金加入者等以外の第三者の利益を図る目的をもって、特定の運用の方法を選定すること。

(i) an act of selecting a specific investment method for the purpose of seeking the employer's own benefit or the benefit of a third party other than participants or instructors of a corporate-type pension plan;

二 前号に掲げるもののほか、企業型年金加入者等の保護に欠けるものとして厚生労働省令で定める行為

(ii) beyond what is set forth in the preceding item, the acts specified by Order of the Ministry of Health, Labour and Welfare as acts that fail to protect

participants or instructors of a corporate-type pension plan.

(資産管理機関の行為準則)

(Rules of Conduct of an Asset Management Institution)

第四十四条 資産管理機関は、法令及び資産管理契約を遵守し、企業型年金加入者等のため忠実にその業務を遂行しなければならない。

Article 44 An asset management institution must comply with laws and regulations and asset management contracts, and loyally perform its duties in the interest of participants or instructors of a corporate-type pension plan.

## 第七節 企業型年金の終了

### Section 7 Termination of a Corporate-type Pension Plan

(企業型年金の終了)

(Termination of a Corporate-type Pension Plan)

第四十五条 企業型年金は、次の各号のいずれかに該当するに至った場合に終了する。

Article 45 A corporate-type pension plan terminates when it comes to fall under any of the following items:

一 次条第一項の承認があったとき。

(i) when the approval referred to in paragraph (1) of the following Article is given;

二 第四十七条の規定により企業型年金規約の承認の効力が失われたとき。

(ii) when the approval for the corporate-type pension plan rules ceases to be effective pursuant to the provisions of Article 47; or

三 第五十二条第二項の規定により企業型年金規約の承認が取り消されたとき。

(iii) when the approval for the corporate-type pension plan rules is rescinded pursuant to the provisions of Article 52, paragraph (2).

第四十六条 事業主は、企業型年金を終了しようとするときは、実施事業所に使用される第一号等厚生年金被保険者の過半数で組織する労働組合があるときは当該労働組合、当該第一号等厚生年金被保険者の過半数で組織する労働組合がないときは当該第一号等厚生年金被保険者の過半数を代表する者の同意を得て、厚生労働大臣の承認を受けなければならない。

Article 46 (1) When an employer intends to terminate a corporate-type pension plan, the employer must obtain approval of the Minister of Health, Labour and Welfare by obtaining the consent of a labor union consisting of the majority of the category I or IV EPI insured persons employed at the place of business implementing the plan, if there is any such labor union, or the consent of the person representative of the majority of the category I or IV EPI insured persons, if there is no labor union consisting of the majority of the category I or IV EPI insured persons.

2 前項の場合において、実施事業所が二以上であるときは、同項の同意は、各実施事業所について得なければならない。

(2) In the case referred to in the preceding paragraph, if there are two or more places of business implementing the plan, the consent referred to in that paragraph must be obtained for each place of business implementing the plan.

3 第四条第二項及び第三項の規定は、第一項の終了の承認の申請があった場合について準用する。

(3) The provisions of Article 4, paragraphs (2) and (3) apply mutatis mutandis to the case where an application for the approval for termination referred to in paragraph (1) has been filed.

第四十七条 事業主（企業型年金を共同して実施している場合にあつては、当該企業型年金を実施している事業主の全部）が次の各号のいずれかに該当するに至った場合は、その実施する企業型年金の企業型年金規約の承認は、その効力を失う。この場合において、それぞれ当該各号に定める者は、当該各号に該当するに至った日（第一号の場合にあつては、その事実を知った日）から三十日以内に、その旨を厚生労働大臣に届け出なければならない。

Article 47 When an employer (if employers jointly implement a corporate-type pension plan, all of the employers implementing the corporate-type pension plan) comes to fall under any of the following items, the approval for the corporate-type pension plan rules of the corporate-type pension plan the employer implements ceases to be effective. In this case, the persons respectively specified in those items must make notification to that effect to the Minister of Health, Labour and Welfare within thirty days from the day on which the employer came to fall under those respective items (in the case of item (i), from the day of coming to know that fact):

一 事業主が死亡したとき その相続人

(i) when the employer dies: the heir of the employer;

二 法人が合併により消滅したとき その法人を代表する役員であつた者

(ii) when a corporation is extinguished by a merger: the person who was an officer representing that corporation;

三 法人が破産手続開始の決定により解散したとき その破産管財人

(iii) when a corporation is dissolved due to an order commencing bankruptcy proceedings: the bankruptcy trustee;

四 法人が合併及び破産手続開始の決定以外の理由により解散したとき その清算人

(iv) when a corporation is dissolved due to a reason other than a merger or an order commencing bankruptcy proceedings: the liquidator; or

五 厚生年金適用事業所の事業主でなくなったとき（前各号に掲げる場合を除く。）

厚生年金適用事業所の事業主であつた個人又は厚生年金適用事業所の事業主であつた法人を代表する役員

(v) when the employer ceases to be an employer with an EPI-applicable place of

business (excluding the cases set forth in the preceding items): the individual who was the employer with an EPI-applicable place of business or an officer representing the corporation which was the employer with an EPI-applicable place of business.

(政令への委任)

(Delegation to Cabinet Order)

第四十八条 この節に定めるもののほか、企業型年金の終了に関し必要な事項は、政令で定める。

Article 48 Beyond what is provided for in this Section, Cabinet Order prescribes the necessary particulars in connection with termination of a corporate-type pension plan.

## 第八節 雑則

### Section 8 Miscellaneous Provisions

(情報収集等業務及び資料提供等業務の委託)

(Entrustment of Information-Collecting Services and Material-Providing Services)

第四十八条の二 事業主は、給付の支給を行うために必要となる企業型年金加入者等に関する情報の収集、整理又は分析の業務（運営管理業務を除く。以下「情報収集等業務」という。）及び企業型年金加入者等による運用の指図に資するために行う資産の運用に関する基礎的な資料の提供その他の必要な措置に係る業務（以下「資料提供等業務」という。）の全部又は一部を、企業年金連合会（確定給付企業年金法第九十一条の二第一項に規定する企業年金連合会をいう。以下同じ。）に委託することができる。

Article 48-2 An employer may entrust all or part of the services to collect, organize, or analyze the information on participants or instructors of a corporate-type pension plan which is necessary for paying benefits (excluding operational management services; hereinafter referred to as "information-collecting services") and the services to take necessary measures, such as providing basic materials on investment of assets, in order to contribute to the instructions on investment by participants or instructors of a corporate-type pension plan (hereinafter referred to as "material-providing services") to the Pension Fund Association (meaning the Pension Fund Association prescribed in Article 91-2, paragraph (1) of the Defined Benefit Corporate Pension Act; the same applies hereinafter).

(企業年金連合会の業務の特例)

(Special Provisions on Services of the Pension Fund Association)

第四十八条の三 企業年金連合会は、確定給付企業年金法の規定による業務のほか、前



条（第七十三条において準用する場合を含む。）の規定による委託を受けて、情報収集等業務及び資料提供等業務を行うことができる。

**Article 48-3** In addition to services under the provisions of the Defined Benefit Corporate Pension Act the Pension Fund Association may provide information-collecting services and material-providing services as entrusted under the provisions of the preceding Article (including as applied mutatis mutandis pursuant to Article 73).

(区分経理)

(Separate Accounting)

第四十八条の四 企業年金連合会は、情報収集等業務及び資料提供等業務に係る経理については、その他の経理と区分して整理しなければならない。

**Article 48-4** The Pension Fund Association must separate the accounting for information-collecting services and material-providing services from other accounting.

(確定給付企業年金法の適用)

(Application of the Defined Benefit Corporate Pension Act)

第四十八条の五 第四十八条の三の規定により企業年金連合会の情報収集等業務又は資料提供等業務が行われる場合には、確定給付企業年金法第二百二十一条中「この法律」とあるのは、「この法律又は確定拠出年金法第四十八条の三」とするほか、同法の規定の適用に関し必要な事項は、政令で定める。

**Article 48-5** When information-collecting services or material-providing services of the Pension Fund Association are provided pursuant to the provisions of Article 48, the term "this Act" in Article 121 of the Defined Benefit Corporate Pension Act is deemed to be replaced with "this Act or Article 48-3 of the Defined Contribution Pension Act", and Cabinet Order prescribes other necessary particulars in connection with application of the provisions of the Defined Benefit Corporate Pension Act.

(運営管理業務に関する帳簿書類)

(Books and Documents Concerning Operational Management Services)

第四十九条 事業主（運営管理業務を行う者である場合に限る。）は、厚生労働省令で定めるところにより、運営管理業務に関する帳簿書類を作成し、これを保存しなければならない。

**Article 49** An employer (limited to one that provides operational management services) must prepare and keep books and documents concerning operational management services, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(報告書の提出)

(Submission of Reports)

第五十条 事業主は、厚生労働省令で定めるところにより、企業型年金に係る業務についての報告書を厚生労働大臣に提出しなければならない。

Article 50 An employer must submit reports on the services relating to the corporate-type pension plan to the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(報告の徴収等)

(Collection of Reports)

第五十一条 厚生労働大臣は、この法律の施行に必要な限度において、事業主に対し、企業型年金の実施状況に関する報告を徴し、又は当該職員をして事業所に立ち入って関係者に質問させ、若しくは実地にその状況を検査させることができる。

Article 51 (1) To the extent necessary for the enforcement of this Act the Minister of Health, Labour and Welfare may collect reports on the status of implementation of a corporate-type pension plan from an employer or have the relevant officials enter the place of business, ask persons concerned questions, or conduct on-site inspection on the status of implementation.

2 前項の規定によって質問及び検査を行う当該職員は、その身分を示す証票を携帯し、かつ、関係者の請求があるときは、これを提示しなければならない。

(2) The officials who ask questions and conduct inspections pursuant to the provisions of the preceding paragraph must carry identification cards showing their official status, and present them when requested by persons concerned.

3 第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority under the provisions of paragraph (1) must not be construed as being granted for criminal investigation purposes.

(事業主に対する監督)

(Supervision over the Employer)

第五十二条 厚生労働大臣は、前条の規定により報告を徴し、又は質問し、若しくは検査した場合において、事業主がその実施する企業型年金に関し法令、企業型年金規約若しくは厚生労働大臣の処分違反していると認めるとき、又は事業主の企業型年金の運営が著しく適正を欠くと認めるときは、期間を定めて、事業主に対し、その違反の是正又は改善のため必要な措置を採るべき旨を命ずることができる。

Article 52 (1) If the Minister of Health, Labour and Welfare collects reports, asks questions, or conducts inspections pursuant to the provisions of the preceding Article, and finds that the employer violates laws or regulations, the corporate-type pension plan rules, or a disposition made by the Minister of Health, Labour and Welfare with regard to a corporate-type pension plan the employer implements, or finds that the employer's operation of a corporate-

type pension plan is extremely inappropriate, the minister may order the employer to take necessary measures for rectifying the violation or making improvement within a specified period.

2 事業主が前項の命令に違反したとき、又は企業型年金の実施状況によりその継続が困難であると認めるときは、厚生労働大臣は、当該事業主の企業型年金規約の承認を取り消すことができる。

(2) If an employer violates the order referred to in the preceding paragraph or if it is found difficult to continue the implementation of a corporate-type pension plan in light of the status of its implementation, the Minister of Health, Labour and Welfare may rescind the approval for the corporate-type pension plan rules of that employer.

(企業年金基金の業務の特例)

(Special Provisions on Services of a Corporate Pension Fund)

第五十三条 企業年金基金は、その規約で定めるところにより、資産管理契約に係る業務を行うことができる。

Article 53 (1) A corporate pension fund may provide services relating to an asset management contract pursuant to the provisions of its rules.

2 企業年金基金は、資産管理契約に係る業務に係る経理については、その他の経理と区分して整理しなければならない。

(2) A corporate pension fund must separate the accounting for services relating to an asset management contract from other accounting.

3 第一項の規定により企業年金基金の業務が行われる場合には、確定給付企業年金法第二百一条中「この法律」とあるのは、「この法律又は確定拠出年金法第五十三条第一項」とするほか、同法の規定の適用に関し必要な事項は、政令で定める。

(3) When services of a corporate pension fund are provided pursuant to the provisions of paragraph (1), the term "this Act" in Article 121 of the Defined Benefit Corporate Pension Act is deemed to be replaced with "this Act or Article 53, paragraph (1) of the Defined Contribution Pension Act", and Cabinet Order prescribes the necessary particulars in connection with application of the provisions of the Defined Benefit Corporate Pension Act.

(他の制度の資産の移換)

(Transfer of Assets from Other Systems)

第五十四条 企業型年金の資産管理機関は、政令で定めるところにより、当該企業型年金の実施事業所において実施される確定給付企業年金、中小企業退職金共済法（昭和三十四年法律第百六十号）の規定による退職金共済又は退職手当制度に係る資産の全部又は一部の移換を受けることができる。

Article 54 (1) Pursuant to the provisions of Cabinet Order an asset management institution of a corporate-type pension plan may receive transfer of all or part of assets relating to a defined benefit corporate pension plan, the retirement

allowance mutual aid under the provisions of the Small and Medium Sized Enterprise Retirement Allowance Cooperative Act (Act No. 160 of 1959), or the retirement allowance system, implemented at the place of business implementing the plan with regard to the relevant corporate-type pension plan.

2 前項の規定により資産管理機関が資産の移換を受けたときは、各企業型年金加入者が当該実施事業所の事業主に使用された期間（当該企業型年金加入者が六十歳に達した日の前日が属する月以前の期間に限る。）その他これに準ずる期間のうち政令で定めるものは、当該企業型年金加入者に係る第三十三条第一項の通算加入者等期間に算入するものとする。

(2) When an asset management institution receives transfer of assets pursuant to the provisions of the preceding paragraph, the period during which each participant of a corporate-type pension plan was employed by the employer of the place of business implementing the plan (limited to the period in or before the month containing the day preceding the day on which the participant of a corporate-type pension plan reached the age of 60) or other period equivalent thereto specified by Cabinet Order is to be included in the total enrollment period referred to in Article 33, paragraph (1) relating to that participant of a corporate-type pension plan.

（脱退一時金相当額等の移換）

(Transfer of an Amount Equivalent to Lump-sum Withdrawal Payment)

第五十四条の二 企業型年金の資産管理機関は、政令で定めるところにより、脱退一時金相当額等（確定給付企業年金の脱退一時金相当額（確定給付企業年金法第八十一条の二第一項に規定する脱退一時金相当額をいう。）又は企業年金連合会の規約で定める積立金（確定給付企業年金法第五十九条に規定する積立金をいう。）をいう。以下同じ。）の移換を受けることができる。

Article 54-2 (1) Pursuant to the provisions of Cabinet Order an asset management institution of a corporate-type pension plan may receive transfer of an amount equivalent to lump-sum withdrawal payment, etc. (an amount equivalent to a lump-sum withdrawal payment (meaning the amount equivalent to a lump-sum withdrawal payment prescribed in Article 81-2, paragraph (1) of the Defined Benefit Corporate Pension Act) of a defined benefit corporate pension plan or the reserve fund (meaning the reserve fund prescribed in Article 59 of the Defined Benefit Corporate Pension Act) specified by the rules of the Pension Fund Association; the same applies hereinafter).

2 前項の規定により資産管理機関が脱退一時金相当額等の移換を受けたときは、各企業型年金加入者等が当該確定給付企業年金の実施事業所の事業主に使用された期間（当該企業型年金加入者が六十歳に達した日の前日が属する月以前の期間に限る。）その他これに準ずる期間のうち政令で定めるものは、当該企業型年金加入者等に係る第三十三条第一項の通算加入者等期間に算入するものとする。

(2) When an asset management institution receives transfer of an amount

equivalent to a lump-sum withdrawal payment, etc. pursuant to the provisions of the preceding paragraph, the period during which each participant of a corporate-type pension plan was employed by the employer of the place of business implementing the plan with regard to the relevant defined benefit corporate pension plan (limited to the period in or before the month containing the day preceding the day on which the participant of a corporate-type pension plan reached the age of 60) or other period equivalent thereto specified by Cabinet Order is to be included in the total enrollment period referred to in Article 33, paragraph (1) relating to that participant of a corporate-type pension plan.

(他の制度の資産等の移換があった場合の運用の指図の特例)

**(Special Provisions on Instructions on Investment When Assets from Other Systems Are Transferred)**

第五十四条の三 第五十四条第一項又は前条第一項の規定により移換される資産又は脱退一時金相当額等がある場合における第二十五条の二の規定の適用については、同条第三項中「及び同日後」とあるのは「、同日後」と、「をいう」とあるのは「及び同日後に第五十四条第一項又は第五十四条の二第一項の規定により移換される資産又は脱退一時金相当額等について運用の指図が行われていないものをいう」とする。

Article 54-3 With regard to the application of Article 25-2 when there are assets or an amount equivalent to a lump-sum withdrawal payment, etc. transferred pursuant to the provisions of Article 54, paragraph (1) or paragraph (1) of the preceding Article, the phrase "and those for which ... after that day" in paragraph (3) of that Article is deemed to be replaced with ", those for which ... after that day," and the phrase "means ... that day" in that paragraph is deemed to be replaced with "means ... that day, and those for which no instructions on investment have been given with regard to the assets or the amount equivalent to lump-sum withdrawal payment, etc. transferred pursuant to the provisions of Article 54, paragraph (1) or Article 54-2, paragraph (1) after that day".

(確定給付企業年金の加入者となった者の個人別管理資産の移換)

**(Transfer of Assets Managed per Individual Relating to a Person Who Became a Participant of a Defined Benefit Corporate Pension Plan)**

第五十四条の四 企業型年金の企業型年金加入者であった者（当該企業型年金に個人別管理資産がある者に限る。）は、確定給付企業年金の加入者の資格を取得した場合であつて、当該確定給付企業年金の規約において、あらかじめ、当該企業型年金の資産管理機関からその個人別管理資産の移換を受けることができる旨が定められているときは、当該企業型年金の資産管理機関にその個人別管理資産の移換を申し出ることができる。

Article 54-4 (1) If a person who was a participant of a corporate-type pension

plan of a corporate-type pension plan (limited to a person who has assets managed per individual under the corporate-type pension plan) acquires the status as a participant of a defined benefit corporate pension plan, and the rules concerning the defined benefit corporate pension plan provides in advance that the assets managed per individual may be transferred from the asset management institution of the corporate-type pension plan, that person may request the asset management institution of the corporate-type pension plan to transfer that person's assets managed per individual.

2 企業型年金の資産管理機関は、前項の規定による申出があったときは、当該確定給付企業年金の資産管理運用機関等（確定給付企業年金法第三十条第三項に規定する資産管理運用機関等をいう。以下同じ。）に当該申出をした者の個人別管理資産を移換するものとする。

(2) If a request under the provisions of the preceding paragraph has been made, the asset management institution of the corporate-type pension plan is to transfer the assets managed per individual relating to the person who made the request to the asset management and investment institution, etc. (meaning the asset management and investment institution, etc. prescribed in Article 30 of the Defined Benefit Corporate Pension Act; the same applies hereinafter) of the defined benefit corporate pension plan.

（企業型年金加入者であった者の個人別管理資産の移換）

(Transfer of Assets Managed per Individual Relating to a Person Who Was a Participant of a Corporate-type Pension Plan)

第五十四条の五 企業型年金の企業型年金加入者であった者（当該企業型年金に個人別管理資産がある者に限り、第十五条第一項第一号に規定する企業型年金運用指図者を除く。）は、企業年金連合会の規約において、あらかじめ、当該企業型年金の資産管理機関からその個人別管理資産の移換を受けることができる旨が定められているときは、当該企業型年金の資産管理機関にその個人別管理資産の移換を申し出ることができる。

Article 54-5 (1) If the rules of the Pension Fund Association provide in advance that the assets managed per individual may be transferred from the asset management institution of the corporate-type pension plan, a person who was a participant of a corporate-type pension plan of the corporate-type pension plan (limited to a person who has assets managed per individual under the corporate-type pension plan, and excluding the instructor of a corporate-type pension plan prescribed in Article 15, paragraph (1), item (i)) may request the asset management institution of the corporate-type pension plan to transfer that person's assets managed per individual.

2 企業型年金の資産管理機関は、前項の規定による申出があったときは、企業年金連合会に当該申出をした者の個人別管理資産を移換するものとする。

(2) If a request under the provisions of the preceding paragraph has been made,

the asset management institution of the corporate-type pension plan is to transfer the assets managed per individual relating to the person who made the request to the Pension Fund Association.

(退職金共済契約の被共済者となった者等の個人別管理資産の移換)

(Transfer of Assets Managed per Individual Relating to Persons Who Became Persons Covered by Mutual Aid under a Retirement Allowance Mutual Aid Contract)

第五十四条の六 実施事業所の事業主が会社法（平成十七年法律第八十六号）その他の法律の規定による合併、会社分割その他の行為として厚生労働省令で定める行為（以下この条において「合併等」という。）をした場合であつて、当該合併等に係る事業主が、当該合併等により企業型年金の企業型年金加入者の資格を喪失した者を中小企業退職金共済法第二条第七項に規定する被共済者として同条第三項に規定する退職金共済契約を締結するときは、当該事業主は、当該企業型年金加入者であつた者の同意を得て、当該企業型年金の資産管理機関に独立行政法人勤労者退職金共済機構（次条において「機構」という。）への当該同意を得た企業型年金加入者であつた者の個人別管理資産の移換を申し出ることができる。

Article 54-6 If an employer with a place of business implementing the plan has conducted a merger, a company split, or an act specified by Order of the Ministry of Health, Labour and Welfare as any other act under the provisions of laws such as the Companies Act (Act No. 86 of 2005) (hereinafter referred to as a "merger, etc." in this Article), and the employer involved in the merger, etc. concludes a retirement allowance mutual aid contract prescribed in Article 2, paragraph (3) of the Small and Medium Sized Enterprise Retirement Allowance Cooperative Act under which the persons who have, as a result of the merger, etc., lost the status as a participant of a corporate-type pension plan in a corporate-type pension plan are as the persons covered by mutual aid prescribed in paragraph (7) of that Article, with the consent of the persons who have been a participant of a corporate-type pension plan, the employer may request the asset management institution of the corporate-type pension plan to transfer the assets managed per individual relating to the persons who have been participants of corporate-type pension plans and have given the consent, to the Organization for Workers' Retirement Allowance Mutual Aid (referred to as the "Organization" in the following Article).

(政令への委任)

(Delegation to Cabinet Order)

第五十四条の七 第五十四条から前条までに定めるもののほか、企業型年金の資産管理機関への資産及び脱退一時金相当額等並びに確定給付企業年金の資産管理運用機関等、企業年金連合会及び機構への個人別管理資産の移換に関し必要な事項は、政令で定める。

Article 54-7 Beyond what is provided for in Article 54 through the preceding Article, Cabinet Order prescribes the necessary particulars in connection with the transfer of assets and an amount equivalent to a lump-sum withdrawal payment, etc. to the asset management institution of a corporate-type pension plan and transfer of assets managed per individual to the asset management and investment institution, etc. of a defined benefit corporate pension plan, the Pension Fund Association, and the Organization.

### 第三章 個人型年金

#### Chapter III Individual-type Pension Plan

##### 第一節 個人型年金の開始

##### Section 1 Commencement of an Individual-type Pension Plan

##### 第一款 個人型年金規約

##### Subsection 1 Individual-type Pension Plan Rules

(規約の承認)

(Approval of Rules)

第五十五条 連合会は、個人型年金に係る規約を作成し、当該規約について厚生労働大臣の承認を受けなければならない。

Article 55 (1) The Association must prepare rules concerning an individual-type pension plan and obtain approval of the Minister of Health, Labour and Welfare for those rules.

2 個人型年金に係る規約においては、次に掲げる事項を定めなければならない。

(2) The rules concerning the individual-type pension plan must provide for the following particulars:

一 連合会の名称及び所在地

(i) the name and address of the Association;

二 第六十条第一項の規定により委託を受けた確定拠出年金運営管理機関（同条第三項の規定により再委託を受けた確定拠出年金運営管理機関を含む。）の名称及び住所並びにその行う業務

(ii) the names, addresses, and the services to be provided by the defined contribution pension plan operational management institutions that have been entrusted pursuant to the provisions of Article 60, paragraph (1) (including defined contribution pension plan operational management institutions that have been re-entrusted pursuant to the provisions of paragraph (3) of that Article);

三 個人型年金加入者及び個人型年金運用指図者（以下「個人型年金加入者等」という。）による確定拠出年金運営管理機関の指定に関する事項

(iii) particulars concerning the designation of a defined contribution pension plan operational management institution by a participant of an individual-type pension plan or an instructor of an individual-type pension plan



investment (hereinafter referred to as a "participant or instructor of an individual-type pension plan");

四 個人型年金加入者が拠出する掛金（以下「個人型年金加入者掛金」という。）の額の決定又は変更の方法その他その拠出に関する事項

(iv) the method for deciding or changing the amount of the contribution to be made by a participant of an individual-type pension plan (hereinafter referred to as the "participant of an individual-type pension plan's contribution") and other particulars concerning the making of the contributions;

四の二 中小事業主（企業型年金及び確定給付企業年金を実施していない厚生年金適用事業所の事業主であつて、その使用する第一号厚生年金被保険者の数が三百人以下のものをいう。以下この章において同じ。）が第六十八条の二第一項の規定により掛金を拠出することを定める場合にあっては、当該掛金の額の決定又は変更の方法その他その拠出に関する事項

(iv)-2 in the case of providing that a small and medium-sized employer (meaning an employer with an EPI-applicable place of business that does not implement a corporate-type pension plan or a defined benefit corporate pension plan, where the number of category I EPI insured person employed by the employer is 300 or less; hereinafter the same applies in this Chapter) may make contributions pursuant to the provisions of Article 68-2, paragraph (1), the method for deciding or changing the amount of the contribution and other matters concerning the making of the contributions;

五 運用の方法の提示及び運用の指図に関する事項

(v) matters concerning the presentation of the investment method and instructions on investment;

五の二 第七十三条において準用する第二十三条の二第一項の規定により指定運用方法を提示することとする場合にあっては、指定運用方法の提示に関する事項

(v)-2 in the case of presenting a default investment method pursuant to the provisions of Article 23-2, paragraph (1) as applied mutatis mutandis pursuant to Article 73, matters concerning presentation of the default investment method;

五の三 第七十三条において準用する第二十六条第一項の規定により運用の方法を除外することとする場合にあっては、除外に係る手続に関する事項

(v)-3 in the case of excluding an investment method pursuant to the provisions of Article 26, paragraph (1) as applied mutatis mutandis pursuant to Article 73, matters concerning the procedure for the exclusion;

六 個人型年金の給付（第八十三条第一項の規定により個人別管理資産が連合会に移換された者（当該移換された日以後に企業型年金加入者の資格を取得した者又は個人型年金加入者若しくは個人型年金運用指図者を除く。第七十三条の二及び第一百三十三条第一項において「連合会移換者」という。）に係る給付を含む。次条第一項第四号において同じ。）の額及びその支給の方法に関する事項

(vi) matters concerning the amount of benefits of the individual-type pension plan (including benefits relating to a person whose assets managed per individual have been transferred to the Association pursuant to the provisions of Article 83, paragraph (1) (excluding a person who acquired the status as a participant of a corporate-type pension plan on or after the day of the transfer, a participant of an individual-type pension plan, or an instructor of an individual-type pension plan investment; referred to as a "person whose assets were transferred to the Association" in Article 73-2 and Article 113, paragraph (1)); the same applies in paragraph (1), item (iv) of the following Article) and the method of payment thereof;

七 個人型年金の実施に要する事務費の負担に関する事項

(vii) matters concerning the bearing of administrative expenses required for implementing the individual-type pension plan; and

八 その他政令で定める事項

(viii) other matters specified by Cabinet Order.

(承認の基準等)

(Standards for Approval)

第五十六条 厚生労働大臣は、前条第一項の承認の申請があった場合において、当該申請に係る規約が次に掲げる要件に適合すると認めるときは、同項の承認をするものとする。

Article 56 (1) When an application for the approval referred to in paragraph (1) of the preceding Article is filed, and the Minister of Health, Labour and Welfare finds that the rules pertaining to the application satisfy the following requirements, the minister is to give the approval referred to in that paragraph:

一 前条第二項各号に掲げる事項が定められていること。

(i) the rules provide for the matters set forth in the items of paragraph (2) of the preceding Article;

二 提示される運用の方法の数及び種類について、第七十三条において準用する第二十三条第一項及び第二項の規定に反しないこと。

(ii) the number and types of the investment methods to be presented do not run counter to the provisions of Article 23, paragraphs (1) and (2) as applied *mutatis mutandis* pursuant to Article 73;

三 個人型年金加入者等による運用の指図は、少なくとも三月に一回、行い得るものであること。

(iii) the rules allow a participant or instructor of an individual-type pension plan to give instructions on investment at least once every three months;

四 個人型年金の給付の額の算定方法が政令で定める基準に合致していること。

(iv) the method for calculating the amount of benefits of the individual-type pension plan conforms to the standards specified by Cabinet Order;

五 その他政令で定める要件

(v) any other requirements specified by Cabinet Order.

2 厚生労働大臣は、前条第一項の承認をしたときは、速やかに、その旨を連合会に通知しなければならない。

(2) When the Minister of Health, Labour and Welfare gives the approval referred to in paragraph (1) of the preceding Article, the minister must promptly give notice to that effect to the Association.

3 連合会は、前条第一項の承認を受けたときは、政令で定めるところにより、同項の承認を受けた規約（以下「個人型年金規約」という。）を公告しなければならない。

(3) When the Association obtains the approval referred to in paragraph (1) of the preceding Article, it must give public notice of the rules for which the approval referred to in that paragraph has been obtained (hereinafter referred to as the "individual-type pension plan rules"), pursuant to the provisions of Cabinet Order.

（規約の変更）

(Changes to the Rules)

第五十七条 連合会は、個人型年金規約の変更（厚生労働省令で定める軽微な変更を除く。）をしようとするときは、その変更について厚生労働大臣の承認を受けなければならない。

Article 57 (1) When the Association intends to make a change to the individual-type pension plan rules (excluding the minor change specified by Order of the Ministry of Health, Labour and Welfare), it must obtain approval of the Minister of Health, Labour and Welfare for that change.

2 前条の規定は、前項の変更の承認の申請があった場合について準用する。

(2) The provisions of the preceding Article apply mutatis mutandis to the case where an application for the approval or a change referred to in the preceding paragraph has been filed.

第五十八条 連合会は、個人型年金規約の変更（前条第一項の厚生労働省令で定める変更に限る。）をしたときは、遅滞なく、これを厚生労働大臣に届け出なければならない。

Article 58 (1) When the Association makes a change to the individual-type pension plan rules (limited to the change specified by Order of the Ministry of Health, Labour and Welfare as referred to in paragraph (1) of the preceding Article), it must give notification of that change to the Minister of Health, Labour and Welfare without delay.

2 第五十六条第三項の規定は、前項の変更について準用する。

(2) The provisions of Article 56, paragraph (3) apply mutatis mutandis to the change referred to in the preceding paragraph.

(個人型年金規約の見直し)

**(Review of the Individual-type Pension Plan Rules)**

第五十九条 連合会は、少なくとも五年ごとに、個人型年金加入者数の動向、企業型年金の実施の状況、国民生活の動向等を勘案し、個人型年金規約の内容について再検討を加え、必要があると認めるときは、個人型年金規約を変更しなければならない。

Article 59 The Association must review the contents of the individual-type pension plan rules in consideration of factors such as the trends in the number of participants of an individual-type pension plans, the status of implementation of the corporate-type pension plan, the trends in the lives of the citizenry, at least once every five years, and if found to be necessary, must make changes to the individual-type pension plan rules.

**第二款 運営管理業務の委託等**

**Subsection 2 Entrustment of Operational Management Services**

(運営管理業務の委託)

**(Entrustment of Operational Management Services)**

第六十条 連合会は、政令で定めるところにより、運営管理業務を確定拠出年金運営管理機関に委託しなければならない。

Article 60 (1) The Association must entrust the operational management services to defined contribution pension plan operational management institutions, pursuant to the provisions of Cabinet Order.

2 確定拠出年金運営管理機関は、正当な理由がある場合を除き、前項の規定による委託に係る契約の締結を拒絶してはならない。

(2) A defined contribution pension plan operational management institution must not refuse to conclude a contract on the entrustment under the provisions of the preceding paragraph, unless there are legitimate grounds for doing so.

3 確定拠出年金運営管理機関は、政令で定めるところにより、第一項の規定により委託を受けた運営管理業務の一部を他の確定拠出年金運営管理機関に再委託することができる。

(3) Pursuant to the provisions of Cabinet Order a defined contribution pension plan operational management institution may re-entrust a part of the operational management services which it has been entrusted with under the provisions of paragraph (1) to another defined contribution pension plan operational management institution.

4 前三項に定めるもののほか、運営管理業務の委託に関し必要な事項は、政令で定める。

(4) Beyond what is provided for in the preceding three paragraphs, Cabinet Order prescribes the necessary particulars in connection with entrustment of operational management services.

(事務の委託)

(Entrustment of Administrative Affairs)

第六十一条 連合会は、政令で定めるところにより、次に掲げる事務を他の者に委託することができる。

Article 61 (1) The Association may entrust the following administrative affairs to another person, pursuant to the provisions of Cabinet Order:

一 次条第一項の申出の受理に関する事務

(i) administrative affairs concerning acceptance of the request referred to in paragraph (1) of the following Article;

二 第六十六条第一項（同条第二項において準用する場合を含む。）の届出の受理に関する事務

(ii) administrative affairs concerning acceptance of the notification referred to in Article 66, paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (2) of that Article);

三 積立金の管理に関する事務

(iii) administrative affairs concerning management of the reserve fund;

四 積立金の運用に関する契約に係る預金通帳、有価証券その他これに類するものの保管に関する事務

(iv) administrative affairs concerning the keeping of the deposit passbooks, securities, and other items equivalent thereto relating to investment of the reserve fund; and

五 その他厚生労働省令で定める事務（個人型年金加入者の資格の確認及び個人型年金加入者掛金の額が第六十九条に規定する拠出限度額の範囲内であることの確認に関する事務を除く。）

(v) other administrative affairs specified by Order of the Ministry of Health, Labour and Welfare (excluding administrative affairs concerning confirmation of the status as a participant of an individual-type pension plan and confirmation of the fact that the amount of the participant of an individual-type pension plan's contribution is within the maximum contribution amount prescribed in Article 69).

2 銀行その他の政令で定める金融機関は、他の法律の規定にかかわらず、前項第一号、第二号及び第五号（厚生労働省令で定める事務に限る。）に掲げる事務を受託することができる。

(2) A financial institution specified by Cabinet Order, such as a bank, may be entrusted with the administrative affairs set forth in items (i), (ii), and (v) of the preceding paragraph (limited to the administrative affairs specified by Order of the Ministry of Health, Labour and Welfare), notwithstanding the provisions of other laws.

## 第二節 個人型年金加入者等

### Section 2 Participants or Instructors of Individual-type Pension Plans

(個人型年金加入者)

**(Participant of an Individual-type Pension Plan)**

第六十二条 次に掲げる者は、厚生労働省令で定めるところにより、連合会に申し出て、個人型年金加入者となることができる。

Article 62 (1) The following persons may become a participant of an individual-type pension plan by making a request to the Association, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:

一 国民年金法（昭和三十四年法律第百四十一号）第七条第一項第一号に規定する第一号被保険者（同法第八十九条第一項（第二号に係る部分に限る。）、第九十条第一項又は第九十条の三第一項の規定により同法の保険料を納付することを要しないものとされている者及び同法第九十条の二第一項から第三項までの規定によりその一部の額につき同法の保険料を納付することを要しないものとされている者（以下これらの者を「保険料免除者」という。）を除く。）

(i) the category I insured prescribed in Article 7, paragraph (1), item (i) of the National Pension Act (Act No. 141 of 1959) (excluding a person who is not required to pay the premiums referred to in that Act pursuant to the provisions of Article 89, paragraph (1) (limited to the part pertaining to item (ii)), Article 90, paragraph (1), or Article 90-3, paragraph (1) of that Act and a person who is not required to pay a part of the amount of the premiums referred to in that Act pursuant to the provisions of Article 90-2, paragraphs (1) through (3) of that Act (these persons are hereinafter referred to as "persons exempted from premium payments"));

二 国民年金法第七条第一項第二号に規定する第二号被保険者（企業型年金加入者掛金を拠出する企業型年金加入者その他政令で定める者（第四項第六号において「企業型掛金拠出者等」という。）を除く。）

(ii) the category II insured prescribed in Article 7, paragraph (1), item (ii) of the National Pension Act (excluding a participant of a corporate-type pension plan who makes a participant of a corporate-type pension plan contributions and other persons specified by Cabinet Order (referred to as a "person, etc. making corporate-type pension plan contributions" in paragraph (4), item (vi)));

三 国民年金法第七条第一項第三号に規定する第三号被保険者

(iii) the category III insured prescribed in Article 7, paragraph (1), item (iii) of the National Pension Act; and

四 国民年金法附則第五条第一項の規定による被保険者（同項第一号に掲げる者を除く。）

(iv) an insured person under the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the National Pension Act (excluding the person set forth in item (i) of that paragraph).

2 次の各号のいずれかに該当する者は、前項の規定にかかわらず、個人型年金加入者

としない。

(2) Notwithstanding the provisions of the preceding paragraph, a person who falls under any of the following items is not to be a participant of an individual-type pension plan:

一 個人型年金の老齢給付金の受給権を有する者又はその受給権を有する者であった者

(i) a person who has or had the right to receive old-age benefits under the individual-type pension plan; or

二 国民年金法又は厚生年金保険法による老齢を支給事由とする年金たる給付その他の老齢又は退職を支給事由とする年金である給付であって政令で定めるものの受給権を有する者

(ii) a person who has the right to receive pension benefits based on old age under the National Pension Act or the Employees' Pension Insurance Act or other pension benefits based on old age or retirement, which are specified by Cabinet Order.

3 個人型年金加入者は、第一項の申出をした日に個人型年金加入者の資格を取得する。

(3) A participant of an individual-type pension plan acquires the status as a participant of an individual-type pension plan on the day on which the person makes the request referred to in paragraph (1).

4 個人型年金加入者は、次の各号のいずれかに該当するに至った日（第一号に該当するに至ったときは、その翌日とし、第四号に該当するに至ったときは、当該保険料を納付することを要しないものとされた月の初日とし、第六号（企業型年金加入者掛金を拠出する企業型年金加入者に限る。）に該当するに至ったときは、企業型年金加入者掛金を拠出した月の初日とする。）に、個人型年金加入者の資格を喪失する。

(4) A participant of an individual-type pension plan loses the status as a participant of an individual-type pension plan on the day on which the person comes to fall under any of the following items (if the person comes to fall under item (i), on the day following that day; if the person comes to fall under item (iv), the first day of the month in which the person became unrequired to pay the premiums; and if the person comes to fall under item (vi) (limited to a participant of a corporate-type pension plan who makes a participant of a corporate-type pension plan's contribution), the first day of the month in which the person made a participant of a corporate-type pension plan's contribution):

一 死亡したとき。

(i) when the person dies;

二 国民年金の被保険者の資格を喪失したとき（前号に掲げる場合を除く。）。

(ii) when the person loses the status as an insured of the national pension (excluding the case set forth in the preceding item);

三 第六十四条第二項の規定により個人型年金運用指図者となったとき。

(iii) when the person becomes an instructor of an individual-type pension plan investment pursuant to the provisions of Article 64, paragraph (2);

四 保険料免除者となったとき。

(iv) when the person becomes exempted from premium payments;

五 農業者年金の被保険者となったとき。

(v) when the person becomes insured under the farmers pension;

六 企業型掛金拠出者等となったとき。

(vi) when the person becomes a person, etc. making corporate-type pension plan contributions;

七 個人型年金の老齢給付金の受給権を有する者となったとき。

(vii) when the person becomes eligible to receive old-age benefits under the individual-type pension plan; or

八 第二項第二号に掲げる者となったとき。

(viii) when the person becomes a person set forth in paragraph (2), item (ii).

5 個人型年金加入者の資格を取得した月にその資格を喪失した者は、その資格を取得した日に遡って、個人型年金加入者でなかったものとみなす。

(5) If a person loses the status as a participant of an individual-type pension plan during the month when the person acquired that status, the person is retroactively deemed not to have been a participant of an individual-type pension plan from the day on which the person acquired the status.

(個人型年金加入者期間)

(Period of a Participant of an Individual-type Pension Plan)

第六十三条 個人型年金加入者期間を計算する場合には、月によるものとし、個人型年金加入者の資格を取得した月からその資格を喪失した月の前月までをこれに算入する。

Article 63 (1) When calculating the period of a participant of an individual-type pension plan, the period is to be calculated on a monthly basis, and the period from the month in which the person acquired the status as a participant of an individual-type pension plan to the month preceding the month in which the person lost the status is to be included in that period.

2 個人型年金加入者の資格を喪失した後、さらにその資格を取得した者については、前後の個人型年金加入者期間を合算する。

(2) With regard to a person who has lost the status as an participant of an individual-type pension plan, but has subsequently acquired that status again, the former and latter participant of an individual-type pension plan periods are to be totaled.

(個人型年金運用指図者)

(Instructor of an Individual-type Pension Plan Investment)

第六十四条 第六十二条第四項各号（第一号及び第三号を除く。）のいずれかに該当するに至ったことにより個人型年金加入者の資格を喪失した者（個人型年金に個人別管理資産がある者に限る。）は、個人型年金運用指図者とする。

Article 64 (1) A person who loses the status as a participant of an individual-



type pension plan due to coming to fall under any of the items of Article 62, paragraph (4) (excluding items (i) and (iii)) (limited to a person who has assets managed per individual under the individual-type pension plan) is to be an instructor of an individual-type pension plan investment.

2 前項の規定によるほか、企業型年金加入者であった者（企業型年金又は個人型年金に個人別管理資産がある者に限る。）又は個人型年金加入者（個人型年金に個人別管理資産がある者に限る。）は、連合会に申し出て、個人型年金運用指図者となることができる。

(2) In addition to the case under the provisions of the preceding paragraph, a person who was a participant of a corporate-type pension plan (limited to a person who has assets managed per individual in the corporate-type pension plan or the individual-type pension plan) or a participant of an individual-type pension plan (limited to a person who has assets managed per individual under the individual-type pension plan) may become an instructor of an individual-type pension plan investment by making a request to the Association.

3 個人型年金運用指図者は、第一項に規定する者については個人型年金加入者の資格を喪失した日に、前項の申出をした者についてはその申出をした日に、それぞれ個人型年金運用指図者の資格を取得する。

(3) The person prescribed in paragraph (1) acquires the status as an instructor of an individual-type pension plan investment on the day of losing the status as a participant of an individual-type pension plan, and the person who makes the request referred to in the preceding paragraph acquires the status as an instructor of an individual-type pension plan investment on the day on which the person makes the request.

4 個人型年金運用指図者は、次の各号のいずれかに該当するに至った日の翌日（第三号に該当するに至ったときは、当該至った日）に、個人型年金運用指図者の資格を喪失する。

(4) An instructor of an individual-type pension plan investment loses the status as an instructor of an individual-type pension plan investment on the day following the day on which the person comes to fall under any of the following items (if the person comes to fall under item (iii), on the day of falling under that item):

一 死亡したとき。

(i) when the person dies;

二 個人型年金に個人別管理資産がなくなったとき。

(ii) when the person no longer has assets managed per individual under the individual-type pension plan; or

三 個人型年金加入者となったとき。

(iii) when the person becomes a participant of an individual-type pension plan.

5 第六十二条第五項の規定は個人型年金運用指図者の資格について、前条の規定は個人型年金運用指図者期間を計算する場合について準用する。

(5) The provisions of Article 62, paragraph (5) apply mutatis mutandis to the status as an instructor of an individual-type pension plan investment, and the provisions of the preceding Article apply mutatis mutandis to the case of calculating the period of an instructor of an individual-type pension plan investment.

(確定拠出年金運営管理機関の指定)

(Designation of a Defined Contribution Pension Plan Operational Management Institution)

第六十五条 個人型年金加入者等は、厚生労働省令で定めるところにより、自己に係る運営管理業務を行う確定拠出年金運営管理機関を指定し、又はその指定を変更するものとする。

Article 65 A participant or instructor of an individual-type pension plan is to designate or change the designation of the defined contribution pension plan operational management institution that is to provide operational management services relating to that person, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(届出)

(Notifications)

第六十六条 個人型年金加入者は、厚生労働省令で定めるところにより、氏名及び住所その他の事項を連合会に届け出なければならない。

Article 66 (1) A participant of an individual-type pension plan must make notification of particulars such as the name and address to the Association, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 前項の規定は、個人型年金運用指図者について準用する。

(2) The provisions of the preceding paragraph apply mutatis mutandis to an instructor of an individual-type pension plan investment.

3 連合会は、第一項（前項において準用する場合を含む。）の届出があったときは、速やかに、その届出があった事項を個人型年金加入者等が指定した記録関連業務を行う確定拠出年金運営管理機関（以下「個人型記録関連運営管理機関」という。）に通知しなければならない。

(3) When the notification referred to in paragraph (1) (including as applied mutatis mutandis pursuant to the preceding paragraph) has been made, the Association must promptly give notice of the particulars of which notification has been made to the defined contribution pension plan operational management institution which provides records-related services and which has been designated by the participant of an individual-type pension plan, etc. (hereinafter referred to as the "individual-type pension plan records-related operational management institution").

(個人型年金加入者等原簿等)

(Participants or Instructors Individual-type Pension Plan Register)

第六十七条 連合会は、厚生労働省令で定めるところにより、個人型年金加入者等に関する原簿を備え、これに個人型年金加入者等の氏名及び住所、資格の取得及び喪失の年月日その他厚生労働省令で定める事項を記録し、これを保存しなければならない。

Article 67 (1) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare the Association must keep a register of participants or instructors individual-type pension plan, record therein the names and addresses, the dates of acquisition and loss of the status, the amounts of assets managed per individual, and other particulars specified by Order of the Ministry of Health, Labour and Welfare with and keep such records.

2 個人型記録関連運営管理機関は、厚生労働省令で定めるところにより、個人型年金加入者等に関する帳簿を備え、これに個人型年金加入者等の氏名及び住所、資格の取得及び喪失の年月日、個人別管理資産額その他厚生労働省令で定める事項を記録し、これを保存しなければならない。

(2) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare an individual-type pension plan records-related operational management institution must keep books on the participants or instructors individual-type pension plan, record therein the names and addresses, the dates of acquisition and loss of the status, the amounts of assets managed per individual, and other particulars specified by Order of the Ministry of Health, Labour and Welfare, and keep such books.

3 個人型年金加入者及び個人型年金加入者であった者（死亡一時金を受けることができる者を含む。）は、連合会又は個人型記録関連運営管理機関に対し、第一項の原簿若しくは前項の帳簿の閲覧を請求し、又は当該原簿若しくは帳簿に記録された事項について照会することができる。この場合においては、連合会及び個人型記録関連運営管理機関は、正当な理由がある場合を除き、閲覧の請求又は照会の回答を拒んではならない。

(3) A person who is or was a participant of an individual-type pension plan (including a person who is eligible to receive a lump-sum death benefit) may make a request for inspection of the register referred to in paragraph (1) or the books referred to in the preceding paragraph or make an inquiry on the particulars recorded in that register or those books to the Association or the individual-type pension plan records-related operational management institution. In this case, the Association and the individual-type pension plan records-related operational management institution must not refuse the request for inspection or refuse to answer the inquiry, unless there are legitimate grounds to do so.

### 第三節 掛金

### Section 3 Contributions

(個人型年金加入者掛金)

(Participant of an Individual-type Pension Plan's Contribution)

第六十八条 個人型年金加入者は、政令で定めるところにより、年一回以上、定期的に掛金を拠出する。

Article 68 (1) A participant of an individual-type pension plan periodically makes contributions at least once a year, pursuant to the provisions of Cabinet Order.

2 個人型年金加入者掛金の額は、個人型年金規約で定めるところにより、個人型年金加入者が決定し、又は変更する。

(2) The amount of the participant of an individual-type pension plan's contribution is decided or changed in accordance with the participant of an individual-type pension plan pursuant to the provisions of the individual-type pension plan rules.

(中小事業主掛金)

(Small and Medium-sized Employer's Contributions)

第六十八条の二 中小事業主は、その使用する第一号厚生年金被保険者（第六十二条第二項各号に該当する者を除く。以下この項において同じ。）である個人型年金加入者が前条第一項の規定により掛金を拠出する場合（第七十条第二項の規定により当該中小事業主を介して納付を行う場合に限る。）は、当該第一号厚生年金被保険者の過半数で組織する労働組合があるときは当該労働組合、当該第一号厚生年金被保険者の過半数で組織する労働組合がないときは当該第一号厚生年金被保険者の過半数を代表する者の同意を得て、政令で定めるところにより、年一回以上、定期的に、掛金を拠出することができる。

Article 68-2 (1) If a participant of an individual-type pension plan who is a category I EPI insured person (excluding the persons set forth in the items of Article 62, paragraph (2); hereinafter the same applies in this paragraph) whom a small and medium-sized employer employs make contributions pursuant to the provisions of paragraph (1) of the preceding Article (limited to the case where they make payments through the small and medium-sized employer pursuant to the provisions of Article 70, paragraph (2)), the small and medium-sized employer may periodically make contributions at least once a year, pursuant to the provisions of Cabinet Order, by obtaining the consent of a labor union consisting of the majority of the category I EPI insured person, if there is any such labor union, or the consent of the person representative of the majority of the category I EPI insured person, if there is no labor union consisting of the majority of the category I EPI insured person.

2 中小事業主は、前項の規定による掛金（以下「中小事業主掛金」という。）を拠出する場合には、中小事業主掛金の拠出の対象となる者について、一定の資格を定める

ことができる。この場合において、中小事業主は、同項の同意を得なければならない。

- (2) If a small and medium-sized employer makes contributions under the provisions of the preceding paragraph (hereinafter referred to as "small and medium-sized employer's contributions"), they may specify certain qualifications to be fulfilled for persons to be subject to the small and medium-sized employer's contributions. In this case, the small and medium-sized employer must obtain the consent referred to in that paragraph.
- 3 中小事業主が前項の資格を定める場合にあつては、当該資格は、特定の者について不当に差別的なものであつてはならない。
- (3) If a small and medium-sized employer specifies the qualifications referred to in the preceding paragraph, those qualifications must not be unreasonably discriminatory against specific persons.
- 4 中小事業主掛金の額は、個人型年金規約で定めるところにより、中小事業主が決定し、又は変更する。
- (4) The amount of the small and medium-sized employer's contribution is decided or changed by the small and medium-sized employer pursuant to the provisions of the individual-type pension plan rules.
- 5 中小事業主は、前項の規定により中小事業主掛金の額を決定し、若しくは変更したとき、又は中小事業主掛金を拠出しないこととなつたときは、厚生労働省令で定めるところにより、中小事業主掛金の拠出の対象となる者に通知しなければならない。
- (5) When a small and medium-sized employer decides or changes the amount of the small and medium-sized employer's contribution pursuant to the provisions of the preceding paragraph, or when it ceases to make small and medium-sized employer's contributions, the small and medium-sized employer must give notice to the persons subject to the small and medium-sized employer's contributions, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- 6 中小事業主が中小事業主掛金を拠出するときは、あらかじめ、厚生労働省令で定めるところにより、その名称、住所その他厚生労働省令で定める事項を厚生労働大臣及び連合会に届け出なければならない。
- (6) When a small and medium-sized employer makes small and medium-sized employer's contributions, the employer must make notification of the employer's name, address, and other matters specified by Order of the Ministry of Health, Labour and Welfare to the Minister of Health, Labour and Welfare and the Association in advance, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- 7 前項の規定による届出をした中小事業主は、その届け出た事項に変更があつたとき、中小事業主掛金を拠出しないこととなつたときその他厚生労働省令で定めるときは、遅滞なく、厚生労働省令で定めるところにより、その旨を厚生労働大臣及び連合会に届け出なければならない。
- (7) If a small and medium-sized employer has made notification under the

provisions of the preceding paragraph and if there has been a change to any matter of which notification was made, or if the employer ceases to make small and medium-sized employer's contributions, or in other cases specified by Order of the Ministry of Health, Labour and Welfare, the employer must make notification to that effect to the Minister of Health, Labour and Welfare and the Association without delay, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(拠出限度額)

**(Maximum Contribution Amount)**

第六十九条 一年間の個人型年金加入者掛金の額（中小事業主が中小事業主掛金を拠出する場合にあっては、個人型年金加入者掛金の額と中小事業主掛金の額との合計額。以下この条において同じ。）の総額は、拠出限度額（一年間に拠出することができる個人型年金加入者掛金の額の総額の上限として、個人型年金加入者の種別（第一号加入者（個人型年金加入者であって、第六十二条第一項第一号に掲げるものをいう。）、第二号加入者（個人型年金加入者であって、同項第二号に掲げるものをいう。以下同じ。）、第三号加入者（個人型年金加入者であって、同項第三号に掲げるものをいう。）又は第四号加入者（個人型年金加入者であって、同項第四号に掲げるものをいう。）の区別をいう。）、国民年金基金の掛金の額、企業型年金加入者又は確定給付企業年金の加入者の資格の有無、事業主掛金の額等を勘案して政令で定める額をいう。）を超えてはならない。

Article 69 The total annual amount of the participant of an individual-type pension plan's contributions (if the small and medium-sized employer makes small and medium-sized employer's contributions, the sum of the amount of the participant of an individual-type pension plan's contributions and the amount of the small and medium-sized employer's contributions; hereinafter the same applies in this Article) must not exceed the maximum contribution amount (meaning the amount specified by Cabinet Order as the maximum total amount of the participant of an individual-type pension plan's contributions that may be made per year, taking into account the category of the participant of an individual-type pension plan (meaning the distinction between a category I participant (meaning an participant of an individual-type pension plan who is the person set forth in Article 62, paragraph (1), item (i)), a category II participant (meaning a participant of an individual-type pension plan who is the person set forth in item (ii) of that paragraph; the same applies hereinafter), a category III participant (meaning a participant of an individual-type pension plan who is the person set forth in item (iii) of that paragraph), or a category IV participant (meaning a participant of an individual-type pension plan who is the person set forth in item (iv) of that paragraph)), the amount of contribution for a national pension fund, whether the participant of an individual-type pension plan has the status as a participant of a corporate-type

pension plan or a defined benefit corporate pension plan, the amount of the employer's contribution, and other factors).

(個人型年金加入者掛金の納付)

(Payment of the Participant of an Individual-type Pension Plan's Contributions)

第七十条 個人型年金加入者は、個人型年金規約で定めるところにより、個人型年金加入者掛金を連合会に納付するものとする。

Article 70 (1) A participant of an individual-type pension plan is to pay the participant of an individual-type pension plan's contribution to the Association pursuant to the provisions of the individual-type pension plan rules.

2 第二号加入者は、厚生労働省令で定めるところにより、前項の納付をその使用される厚生年金適用事業所の事業主を介して行うことができる。

(2) A category II participant makes the payment referred to in the preceding paragraph through the employer with an EPI-applicable place of business that employs the category II participant, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

3 前項の場合において、厚生年金適用事業所の事業主は、正当な理由なく、これを拒否してはならない。

(3) In the case referred to in the preceding paragraph, the employer with an EPI-applicable place of business must not refuse that process without legitimate grounds.

4 連合会は、第一項及び第二項の納付を受けたときは、厚生労働省令で定めるところにより、各個人型年金加入者に係る個人型年金加入者掛金の額を個人型記録関連運営管理機関に通知しなければならない。

(4) When the Association receives the payments referred to in paragraphs (1) and (2), it must give notice of the amount of the participant of an individual-type pension plan's contribution relating to each participant of an individual-type pension plan to the individual-type pension plan records-related operational management institution, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(中小事業主掛金の納付)

(Payment of the Small and Medium-sized Employer's Contributions)

第七十条の二 中小事業主は、第六十八条の二第一項の規定により中小事業主掛金を拠出するときは、個人型年金規約で定めるところにより、連合会に納付するものとする。

Article 70-2 (1) When a small and medium-sized employer makes a small and medium-sized employer's contribution pursuant to the provisions of Article 68-2, paragraph (1), the employer is to pay it to the Association pursuant to the provisions of the individual-type pension plan rules.

2 前条第四項の規定は、連合会が前項の規定により中小事業主掛金の納付を受けた場

合について準用する。

- (2) The provisions of paragraph (4) of the preceding Article apply mutatis mutandis to the case where the Association receives payment of a small and medium-sized employer's contribution pursuant to the provisions of the preceding paragraph.

(個人型年金加入者掛金の源泉控除)

(Deduction of Participant of an Individual-type Pension Plan's Contributions at Source)

第七十一条 第七十条第二項の規定により個人型年金加入者掛金の納付を行う厚生年金適用事業所の事業主は、第二号加入者に対して通貨をもって給与を支払う場合においては、個人型年金加入者掛金を給与から控除することができる。

Article 71 (1) If an employer with an EPI-applicable place of business that pays a participant of an individual-type pension plan's contribution pursuant to the provisions of Article 70, paragraph (2) pays a salary to a category II participant in currency, the employer may deduct the participant of an individual-type pension plan's contribution from the salary.

2 厚生年金適用事業所の事業主は、前項の規定によって個人型年金加入者掛金を控除したときは、個人型年金加入者掛金の控除に関する計算書を作成し、その控除額を第二号加入者に通知しなければならない。

(2) When an employer with an EPI-applicable place of business has deducted a participant of an individual-type pension plan's contribution pursuant to the provisions of the preceding paragraph, the employer must prepare a calculation sheet concerning the deduction of the participant of an individual-type pension plan's contribution, and give notice of the amount deducted to the category II participant.

#### 第四節 個人型年金の終了

#### Section 4 Termination of an Individual-type Pension Plan

第七十二条 個人型年金は、連合会が解散するに至った日に終了する。

Article 72 (1) An individual-type pension plan terminates on the day on which the Association comes to be dissolved.

2 前項に定めるもののほか、個人型年金の終了に関し必要な事項は、政令で定める。

(2) Beyond what is provided for in the preceding paragraph, Cabinet Order prescribes the necessary particulars in connection with termination of an individual-type pension plan.

#### 第五節 企業型年金に係る規定の準用

#### Section 5 Application Mutatis Mutandis of the Provisions on a Corporate-type Pension Plan



第七十三条 前章第四節の規定は積立金のうち個人型年金加入者等の個人別管理資産の運用について、同章第五節の規定は個人型年金の給付について、第四十三条第一項から第三項まで及び第四十八条の二（資料提供等業務に係る部分に限る。以下この条において同じ。）の規定は連合会について準用する。この場合において、第二十二条及び第四十八条の二中「事業主」とあり、並びに第二十五条第三項及び第四項、第二十九条第二項、第三十三条第三項、第三十四条、第三十七条第三項並びに第四十条中「資産管理機関」とあるのは、「連合会」と読み替えるほか、同章第四節及び第五節並びに第四十三条第一項から第三項まで及び第四十八条の二の規定に関し必要な技術的読替えは、政令で定める。

Article 73 The provisions of Section 4 of the preceding Chapter apply mutatis mutandis to investment of the portion of the reserve fund which constitutes the assets managed per individual relating to a participant of an individual-type pension plan, etc., the provisions of Section 5 of that Chapter apply mutatis mutandis to benefits under an individual-type pension plan, and the provisions of Article 43, paragraphs (1) through (3) and Article 48-2 (limited to the part pertaining to material-providing services; hereinafter the same applies in this Article) apply mutatis mutandis to the Association. In this case, the term "an/the employer" in Articles 22 and 84-2 and the term "an/the asset management institution" in Article 25, paragraphs (3) and (4), Article 29, paragraph (2), Article 33, paragraph (3), Article 34, Article 37, paragraph (3), and Article 40 are deemed to be replaced with "the Association", and any other necessary technical replacement of terms concerning the provisions of Sections 4 and 5 of that Chapter, Article 43, paragraphs (1) through (3), and Article 48-2 is specified by Cabinet Order.

第七十三条の二 連合会移換者については、個人型年金加入者であった者とみなして、前条（個人型年金の給付に係る部分に限る。）の規定を適用する。この場合において、同条中「同章第五節の規定」とあるのは、「同章第五節の規定（第三十三条の規定及び障害給付金に係る規定を除く。）」とする。

Article 73-2 With regard to a person whose assets were transferred to the Association, the provisions of the preceding Article (limited to the part pertaining to benefits of an individual-type pension plan) apply by deeming that person to be a person who was a participant of an individual-type pension plan. In this case, the phrase "the provisions of Section 5 of that Chapter" in the preceding Article is deemed to have been replaced with "the provisions of Section 5 of that Chapter (excluding the provisions of Article 33 and the provisions pertaining to disability benefits)."

## 第六節 雑則

### Section 6 Miscellaneous Provisions

(連合会の業務の特例)

(Special Provisions on Services of the Association)

第七十四条 連合会は、国民年金法の規定による業務のほか、第一条に規定する目的を達成するため、この法律の規定による業務を行う。

Article 74 In addition to the services under the provisions of the National Pension Act, the Association provides the services under the provisions of this Act in order to attain the purpose prescribed in Article 1.

(脱退一時金相当額等又は残余財産の移換)

(Transfer of an Amount Equivalent to Lump-sum Withdrawal Payment or Residual Assets)

第七十四条の二 連合会は、政令で定めるところにより、脱退一時金相当額等又は残余財産（確定給付企業年金法第八十九条第六項に規定する残余財産をいう。以下同じ。）の移換を受けることができる。

Article 74-2 (1) The Association may receive transfer of an amount equivalent to lump-sum withdrawal payment, etc. or residual assets (meaning the residual assets prescribed in Article 89, paragraph (6) of the Defined Benefit Corporate Pension Act; the same applies hereinafter), pursuant to the provisions of Cabinet Order.

2 前項の規定により連合会が脱退一時金相当額等又は残余財産の移換を受けたときは、各個人型年金加入者等が当該確定給付企業年金の実施事業所の事業主に使用された期間その他これに準ずる期間（当該個人型年金加入者が六十歳に達した日の前日が属する月以前の期間に限る。）として政令で定めるものは、当該個人型年金加入者等に係る第七十三条の規定により準用する第三十三条第一項の通算加入者等期間に算入するものとする。

(2) When the Association receives transfer of an amount equivalent to lump-sum withdrawal payment, etc. or residual assets pursuant to the provisions of the preceding paragraph, the period during which each participant or instructor of an individual-type pension plan was employed by the employer of the place of business implementing the plan with regard to the relevant defined benefit corporate pension plan or other period equivalent thereto (limited to the period in or before the month containing the day preceding the day on which the participant of an individual-type pension plan reached the age of 60) specified by Cabinet Order is to be included in the total enrollment period referred to in Article 33, paragraph (1) relating to that participant or instructor of an individual-type pension plan.

(脱退一時金相当額等又は残余財産の移換があった場合の運用の指図の特例)

(Special Provisions on Instructions on Investment When an Amount Equivalent to Lump-sum Withdrawal Payment or Residual Assets Are Transferred)

第七十四条の三 第二十五条の二の規定は、前条第一項の規定により移換される脱退一時金相当額等又は残余財産がある場合について準用する。この場合において、第二十五条の二第三項中「納付される事業主掛金等」とあるのは、「第七十四条の二第一項の規定により移換される脱退一時金相当額等又は残余財産」と読み替えるものとする。

Article 74-3 The provisions of Article 25-2 apply mutatis mutandis to a case where an amount equivalent to lump-sum withdrawal payment, etc. or residual assets are transferred pursuant to the provisions of paragraph (1) of the preceding Article. In this case, the phrase "the employer's contribution, etc. paid" in Article 25-2, paragraph (3) is deemed to be replaced with "the amount equivalent to lump-sum withdrawal payment, etc. or the residual assets transferred pursuant to the provisions of Article 74-2, paragraph (1)".

(確定給付企業年金の加入者となった者の個人別管理資産の移換)

(Transfer of Assets Managed per Individual Relating to a Person Who Became a Participant of a Defined Benefit Corporate Pension Plan)

第七十四条の四 個人型年金に個人別管理資産がある者は、確定給付企業年金の加入者の資格を取得した場合であって、当該確定給付企業年金の規約において、あらかじめ、連合会からその個人別管理資産の移換を受けることができる旨が定められているときは、連合会にその個人別管理資産の移換を申し出ることができる。

Article 74-4 (1) If a person who has assets managed per individual under an individual-type pension plan acquires the status as a participant of a defined benefit corporate pension plan, and the rules concerning the defined benefit corporate pension plan provide in advance that the assets managed per individual may be transferred from the Association, that person may request the Association to transfer that person's assets managed per individual.

2 連合会は、前項の規定による申出があったときは、当該確定給付企業年金の資産管理運用機関等に当該申出をした者の個人別管理資産を移換するものとする。

(2) If a request under the provisions of the preceding paragraph has been made, the Association is to transfer the assets managed per individual relating to the person who made the request to the asset management and investment institution, etc. of the defined benefit corporate pension plan.

(政令への委任)

(Delegation to Cabinet Order)

第七十四条の五 前三条に定めるもののほか、連合会への脱退一時金相当額等及び残余財産並びに確定給付企業年金の資産管理運用機関等への個人別管理資産の移換に関し必要な事項は、政令で定める。

Article 74-5 Beyond what is provided for in the preceding three Articles, Cabinet Order prescribes the necessary matters in connection with transfer of an amount equivalent to lump-sum withdrawal payment, etc. and residual assets to the Association and transfer of assets managed per individual to the asset

management and investment institution, etc. of a defined benefit corporate pension plan.

(個人型年金規約策定委員会)

(Committee for Formulation of the Individual-type Pension Plan Rules)

第七十五条 連合会に、個人型年金規約策定委員会（以下「策定委員会」という。）を置く。

Article 75 (1) The committee for formulation of the individual-type pension plan rules (hereinafter referred to as the "formulation committee") is to be established in the Association.

2 連合会は、個人型年金に係る規約を作成し、又は個人型年金規約を変更しようとするときは、策定委員会の議決を経なければならない。

(2) When the Association intends to prepare rules concerning an individual-type pension plan or make a change to the individual-type pension plan rules, it must obtain a resolution by the formulation committee.

3 この法律の規定による連合会の業務に係る次に掲げる事項は、国民年金法第百三十七条の十一第一項の規定にかかわらず、策定委員会の議決を経なければならない。

(3) The following particulars concerning services of the Association under the provisions of this Act require a resolution by the formulation committee, notwithstanding the provisions of Article 137-11, paragraph (1) of the National Pension Act:

一 毎事業年度の予算

(i) the budget for each business year;

二 毎事業年度の事業報告及び決算

(ii) the business report and settlement of accounts for each business year; and

三 その他個人型年金規約で定める事項

(iii) other particulars specified by the individual-type pension plan rules.

4 前三項に定めるもののほか、策定委員会の組織その他策定委員会に関し必要な事項は、政令で定める。

(4) Beyond what is provided for in the preceding three paragraphs, Cabinet Order prescribes particulars concerning the organization of the formulation committee and other necessary particulars in connection with the Formulation Committee.

(区分経理)

(Separate Accounting)

第七十六条 連合会は、この法律の規定により行う業務に係る経理については、その他の経理と区分して整理しなければならない。

Article 76 The Association must separate the accounting for the services it provides pursuant to the provisions of this Act from other accounting.

(国民年金基金の業務の特例)

**(Special Provisions on Services of a National Pension Fund)**

第七十七条 国民年金基金は、連合会の委託を受けて、第六十一条第一項各号に掲げる事務を行うことができる。

Article 77 (1) A national pension fund may provide the administrative affairs set forth in the items of Article 61, paragraph (1) as entrusted by the Association.

2 国民年金基金は、前項の規定により行う業務に係る経理については、その他の経理と区分して整理しなければならない。

(2) A national pension fund must separate the accounting for the services it provides pursuant to the provisions of the preceding paragraph from other accounting.

(個人型年金についての事業主の協力等)

**(Cooperation of the Employer with Regard to an Individual-type Pension Plan)**

第七十八条 厚生年金適用事業所の事業主は、当該厚生年金適用事業所に使用される者が個人型年金加入者である場合には、当該個人型年金加入者に対し、必要な協力をするとともに、法令及び個人型年金規約が遵守されるよう指導等に努めなければならない。

Article 78 (1) If a person employed at an EPI-applicable place of business is a participant of an individual-type pension plan, the employer with the EPI-applicable place of business must provide necessary cooperation to the participant of an individual-type pension plan, and endeavor to provide guidance, etc. to ensure observance of laws and regulations and the individual-type pension plan rules.

2 前項の場合において、国は、厚生年金適用事業所の事業主に対し、必要な指導及び助言を行うことができる。

(2) In the case referred to in the preceding paragraph, the State may provide necessary guidance and advice to the employer with an EPI-applicable place of business.

(国民年金法の適用)

**(Application of the National Pension Act)**

第七十九条 この法律の規定により連合会の業務が行われる場合には、国民年金法百三十七条の十一第一項中「掲げる事項」とあるのは「掲げる事項（第二号から第四号までに掲げる事項にあつては、確定拠出年金法（平成十三年法律第八十八号）の規定による連合会の業務に係るものを除く。）」と、同法百三十七条の十二第二項中「及び国民年金基金制度」とあるのは「並びに国民年金基金制度及び確定拠出年金制度」と、同法百三十七条の十五第二項第四号中「国民年金基金制度」とあるのは「国民年金基金制度及び確定拠出年金制度」と、同法百三十七条の二十三中「規定」とあるのは「規定並びに確定拠出年金法の規定」と、同法百三十八条の表第五号（第二項（第十二条第二項を準用する部分を除く。）、第四項ただし書及び第五

項を除く。)の項中「一時金」とあるのは「一時金(確定拠出年金法の規定により連合会が支給するものを除く。)」と、同法第百四十二条第一項中「規約」とあるのは「規約、確定拠出年金法第五十六条第三項に規定する個人型年金規約(次項において「個人型年金規約」という。)」と、同条第二項中「規約」とあるのは「規約又は個人型年金規約」と、同条第五項中「第一項の命令」とあるのは「第一項の命令(確定拠出年金法の規定による連合会の事業に係るものを除く。)」と、「事業」とあるのは「事業(確定拠出年金法の規定により連合会が行うものを除く。)」と、同法第百四十五条第五号中「この章」とあるのは「この章又は確定拠出年金法」とするほか、同法の規定の適用に関し必要な事項は、政令で定める。

Article 79 (1) When services of the Association are to be provided pursuant to the provisions of this Act, the phrase "The following matters" in Article 137-11, paragraph (1) of the National Pension Act is deemed to be replaced with "The following particulars (for the particulars set forth in items (ii) through (iv), excluding those pertaining to services of the Association under the provisions of the Defined Contribution Pension Act (Act No. 88 of 2001))"; the phrase "and appropriate operation of the national pension fund system" in Article 137-12, paragraph (2) of that Act is deemed to be replaced with "and appropriate operation of the national pension fund system and the defined contribution pension plan system"; the term "the national pension fund system" in Article 137-15, paragraph (2), item (iv) of that Act is deemed to be replaced with "the national pension fund and the defined contribution pension plan"; the phrase "the provisions" in Article 137-23 of that Act is deemed to be replaced with "the provisions and the provisions of the Defined Contribution Pension Act"; the term "lump-sum payment" in the row for Article 105 (excluding paragraph (2) (excluding the part that applies mutatis mutandis to Article 12, paragraph (2)), the proviso to paragraph (4), and paragraph (5)) in the table in Article 138 of that Act is deemed to be replaced with "lump-sum payment (excluding that to be paid by the pursuant to the provisions of the Association Defined Contribution Pension Act)"; the term "the rules" in Article 142, paragraph (1) of that Act is deemed to be replaced with "the rules, the individual-type pension plan rules prescribed in Article 56, paragraph (3) of the Defined Contribution Pension Act (referred to as the "individual-type pension plan rules" in the following paragraph)"; the term "the rules" in paragraph (2) of that Article is deemed to be replaced with "the rules or the individual-type pension plan rules"; the phrase "the order referred to in paragraph (1)" in paragraph (5) of that Article is deemed to be replaced with "the order referred to in paragraph (1) (excluding that pertaining to services of the Association under the provisions of the Defined Contribution Pension Act)"; the term "business" in that paragraph is deemed to be replaced with "business (excluding that conducted by the Association pursuant to the provisions of the Defined Contribution Pension Act)"; the term "this Chapter" in Article 145,

item (v) of this Act is deemed to be replaced with "this Chapter or the Defined Contribution Pension Act"; and Cabinet Order prescribes other necessary particulars in connection with application of the provisions of that Act.

2 第七十七条第一項の規定により国民年金基金の業務が行われる場合には、国民年金法第百四十五条第五号中「この章」とあるのは、「この章又は確定拠出年金法（平成十三年法律第八十八号）第七十七条第一項」とするほか、同法の規定の適用に関し必要な事項は、政令で定める。

(2) When services of a national pension fund are to be provided pursuant to the provisions of Article 77, paragraph (1), the term "this Chapter" in Article 145, item (v) of the National Pension Act is deemed to be replaced with "this Chapter or Article 77, paragraph (1) of the Defined Contribution Pension Act (Act No. 88 of 2001) ", and Cabinet Order prescribes other necessary matters in connection with application of the provisions of that Act.

#### 第四章 個人別管理資産の移換

#### Chapter IV Transfer of Assets Managed per Individual

(企業型年金加入者となった者の個人別管理資産の移換)

(Transfer of Assets Managed per Individual Relating to a Person Who Became a Participant of a Corporate-type Pension Plan)

第八十条 次の各号に掲げる者（当該企業型年金又は個人型年金に個人別管理資産がある者に限る。）が甲企業型年金の企業型年金加入者の資格を取得した場合において、甲企業型年金の企業型記録関連運営管理機関等に対し、その個人別管理資産の移換を申し出たときは、当該各号に定める者は、当該申出をした者の個人別管理資産を甲企業型年金の資産管理機関に移換するものとする。

Article 80 (1) If any of the persons set forth in the following items (limited to a person who has assets managed per individual under the corporate-type pension plan or the individual-type pension plan) acquire the status as a participant of a corporate-type pension plan of the first corporate-type pension plan, and request the corporate-type pension plan records-related operational management institution, etc. of the first corporate-type pension plan to transfer that person's assets managed per individual transfer, the persons specified in the respective items are to transfer the assets managed per individual of the person who made the request to the asset management institution of the first corporate-type pension plan:

一 乙企業型年金の企業型年金加入者又は企業型年金加入者であった者 乙企業型年金の資産管理機関

(i) a person who is or was a participant of a corporate-type pension plan of the second corporate-type pension plan: the asset management institution of the second corporate-type pension plan; or

二 個人型年金加入者又は個人型年金運用指図者 連合会

(ii) a participant of an individual-type pension plan or an instructor of an individual-type pension plan investment: the Association.

2 前項第一号に掲げる者（企業型年金の障害給付金の受給権を有する者を除く。）が甲企業型年金の企業型年金加入者の資格を取得した場合であって、乙企業型年金の企業型年金加入者の資格を喪失した日が属する月の翌月から起算して六月を経過してもなお乙企業型年金に個人別管理資産があるときは、乙企業型年金の資産管理機関は、当該個人別管理資産を甲企業型年金の資産管理機関に移換するものとする。

(2) If the person set forth in item (i) of the preceding paragraph (excluding a person who has the right to receive disability benefits under the corporate-type pension plan) acquires the status as a participant of a corporate-type pension plan of the first corporate-type pension plan, and still has assets managed per individual under the second corporate-type pension plan after the passage of six months from the month following the month containing the day of losing the status as a participant of a corporate-type pension plan of the second corporate-type pension plan, the asset management institution of the second corporate-type pension plan is to transfer the assets managed per individual to the asset management institution of the first corporate-type pension plan.

3 第八十三条第一項の規定によりその個人別管理資産が連合会に移換された者（個人型年金に個人別管理資産がある者に限り、個人型年金加入者及び個人型年金運用指図者を除く。）が甲企業型年金の企業型年金加入者の資格を取得したときは、連合会は、当該資格を取得した者の個人別管理資産を甲企業型年金の資産管理機関に移換するものとする。

(3) If a person whose assets managed per individual have been transferred to the Association pursuant to the provisions of Article 83, paragraph (1) (a person who has assets managed per individual under the individual-type pension plan, and excluding a participant of an individual-type pension plan and an instructor of an individual-type pension plan investment) acquires the status as a participant of a corporate-type pension plan of the first corporate-type pension plan, the Association is to transfer the assets managed per individual relating to the person who has acquired the status to the asset management institution of the first corporate-type pension plan.

4 甲企業型年金の企業型記録関連運営管理機関等は、前三項の規定により当該企業型記録関連運営管理機関等に係る者の個人別管理資産が甲企業型年金の資産管理機関に移換されたときは、その旨を当該個人別管理資産が移換された者に通知しなければならない。

(4) When the assets managed per individual relating to a person pertaining to a corporate-type pension plan records-related operational management institution, etc. of the first corporate-type pension plan have been transferred to the asset management institution of the first corporate-type pension plan pursuant to the preceding three paragraphs, that corporate-type pension plan records-related operational management institution, etc. must give notice to



that effect to the person whose assets managed per individual have been transferred.

(企業型年金加入者となった者の個人別管理資産の移換があった場合の運用の指図の特例)

(Special Provisions on Instructions on Investment If Assets Managed per Individual Relating to a Person Who Became a Participant of a Corporate-type Pension Plan Are Transferred)

第八十一条 前条第一項から第三項までの規定により移換される個人別管理資産がある場合における第二十五条の二の規定の適用については、同条第三項中「及び同日後」とあるのは「、同日後」と、「をいう」とあるのは「及び同日後に第八十条第一項から第三項までの規定により移換される個人別管理資産について運用の指図が行われていないものをいう」とする。

Article 81 With regard to application of the provisions of Article 25-2 when assets managed per individual are transferred pursuant to the provisions of paragraphs (1) through (3) of the preceding Article, the phrase "and those for which ... after that day" in paragraph (3) of that Article is deemed to be replaced with ", those for which ... after that day", and "means ... after that day" in that paragraph is deemed to be replaced with "means ... after that day, and those for which no instructions on investment have been given with regard to the assets managed per individual transferred pursuant to the provisions of Article 80, paragraphs (1) through (3) after that day".

(個人型年金加入者となった者等の個人別管理資産の移換)

(Transfer of Assets Managed per Individual Relating to a Person Who Became a Participant of an Individual-type Pension Plan)

第八十二条 企業型年金の企業型年金加入者であった者（当該企業型年金に個人別管理資産がある者に限る。）が連合会に対し、その個人別管理資産の移換の申出をした場合であって、当該移換の申出と同時に第六十二条第一項若しくは第六十四条第二項の規定による申出をしたとき、又は個人型年金加入者若しくは個人型年金運用指図者であるときは、当該企業型年金の資産管理機関は、当該申出をした者の個人別管理資産を連合会に移換するものとする。

Article 82 (1) If a person who was a participant of a corporate-type pension plan of a corporate-type pension plan (limited to a person who has assets managed per individual under the corporate-type pension plan) requests the Association to transfer the person's assets managed per individual, and concurrently with the request for transfer, makes a request under the provisions of Article 62, paragraph (1) or Article 64, paragraph (2), or if a person is a participant of an individual-type pension plan or an instructor of an individual-type pension plan investment, the asset management institution of the corporate-type pension plan is to transfer the assets managed per individual relating to the

person who made the request to the Association.

2 連合会は、前項の規定により個人別管理資産が連合会に移換されたときは、その旨を当該個人別管理資産が移換された者に通知しなければならない。

(2) When assets managed per individual have been transferred to the Association pursuant to the provisions of the preceding paragraph, the Association must give notice to that effect to the person whose assets managed per individual have been transferred.

(個人型年金加入者となった者等の個人別管理資産の移換があった場合の運用の指図の特例)

(Special Provisions on Instructions on Investment If Assets Managed per Individual Relating to a Person Who Became a Participant of an Individual-type Pension Plan Are Transferred)

第八十二条の二 第二十五条の二の規定は、前条第一項の規定により移換される個人型年金加入者の個人別管理資産がある場合について準用する。この場合において、第二十五条の二第三項中「納付される事業主掛金等」とあるのは、「第八十二条第一項の規定により移換される個人別管理資産」と読み替えるものとする。

Article 82-2 The provisions of Article 25-2 apply mutatis mutandis to the case where assets managed per individual relating to a participant of an individual-type pension plan are transferred pursuant to the provisions of paragraph (1) of the preceding Article. In this case, the phrase "the employer's contribution, etc. paid" in Article 25-2, paragraph (3) is deemed to be replaced with "the assets managed per individual transferred pursuant to the provisions of Article 82, paragraph (1)".

(その他の者の個人別管理資産の移換)

(Transfer of Assets Managed per Individual Relating to Any Other Person)

第八十三条 企業型年金の資産管理機関は、次に掲げる者（当該企業型年金に個人別管理資産がある者に限る。）の個人別管理資産を連合会に移換するものとする。

Article 83 (1) The asset management institution of a corporate-type pension plan is to transfer assets managed per individual relating to any of the following persons (limited to a person who has assets managed per individual under the corporate-type pension plan) to the Association:

一 当該企業型年金の企業型年金加入者であった者であって、その個人別管理資産が当該企業型年金加入者の資格を喪失した日が属する月の翌月から起算して六月以内に第五十四条の四、第五十四条の五、第八十条若しくは第八十二条又は中小企業退職金共済法第三十一条の三の規定により移換されなかったもの（当該企業型年金の企業型年金運用指図者及び次号に掲げる者を除く。）

(i) a person who was a participant of a corporate-type pension plan of the corporate-type pension plan, whose assets managed per individual were not transferred pursuant to the provisions of Articles 54-4, 54-5, 80, or 82 of this

Act or Article 31-3 of the Small and Medium Sized Enterprise Retirement Allowance Cooperative Act within six months from the month following the month containing the day of losing the status as a participant of a corporate-type pension plan (excluding an instructor of a corporate-type pension plan of the corporate-type pension plan and the person set forth in the following item); and

二 当該企業型年金が終了した日において当該企業型年金の企業型年金加入者等であった者であつて、その個人別管理資産が当該企業型年金が終了した日が属する月の翌月から起算して六月以内に第五十四条の四、第五十四条の五、第八十条若しくは第八十二条又は中小企業退職金共済法第三十一条の三の規定により移換されなかったもの

(ii) a person who was a participant of a corporate-type pension plan of the corporate-type pension plan, etc. as of the day on which the corporate-type pension plan terminated, whose assets managed per individual were transferred pursuant to the provisions of Articles 54-4, 54-5, 80, or 82 of this Act or Article 31-3 of the Small and Medium Sized Enterprise Retirement Allowance Cooperative Act within six months from the month following the month containing the day on which the corporate-type pension plan terminated.

2 当該企業型年金の企業型記録関連運営管理機関等は、前項の規定により当該企業型記録関連運営管理機関等に係る者の個人別管理資産が連合会に移換されたときは、その旨を当該個人別管理資産が移換された者に通知しなければならない。

(2) When assets managed per individual relating to a person pertaining to the corporate-type pension plan records-related operational management institution, etc. of the corporate-type pension plan have been transferred to the Association pursuant to the provisions of the preceding paragraph, the corporate-type pension plan records-related operational management institution, etc. must give notice to that effect to the person whose assets managed per individual have been transferred.

3 当該企業型年金の企業型記録関連運営管理機関等は、第一項の規定により個人別管理資産が移換された者の所在が明らかでないため前項の通知をすることができないときは、同項の通知に代えて、当該個人別管理資産が連合会に移換された旨を公告しなければならない。

(3) If the corporate-type pension plan records-related operational management institution, etc. of the corporate-type pension plan is unable to give the notice referred to in the preceding paragraph due to the whereabouts of the person whose assets managed per individual have been transferred pursuant to the provisions of paragraph (1) being unknown, it must give public notice to the effect that the assets managed per individual have been transferred to the Association, in lieu of the notice referred to in that paragraph.

(事業主への資産の返還)

**(Return of Assets to the Employer)**

第八十四条 企業型年金の企業型年金加入者の資格を喪失した者について返還資産額があるときは、その者に係る第五十四条の四、第五十四条の五、第八十条、第八十二条若しくは前条又は中小企業退職金共済法第三十一条の三の規定により当該企業型年金の資産管理機関が移換すべき個人別管理資産は、当該返還資産額を控除した額に相当する資産とする。

Article 84 (1) If there is an amount of assets to be returned with regard to a person who has lost the status as a participant of a corporate-type pension plan of a corporate-type pension plan, the assets managed per individual relating to that person which the asset management institution of the corporate-type pension plan is to transfer pursuant to the provisions of Articles 54-4, 54-5, 80 or 82 or the preceding Article or Article 31-3 of the Small and Medium Sized Enterprise Retirement Allowance Cooperative Act are to be assets equivalent to the amount after deducting the amount of assets to be returned.

2 企業型年金の資産管理機関は、前項に規定する場合においては、返還資産額に相当する金銭を当該返還資産額に係る事業主に返還するものとする。

(2) In the case prescribed in the preceding paragraph, the asset management institution of the corporate-type pension plan is to return money in an amount equivalent to the amount of assets to be returned to the employer pertaining to the amount of assets to be returned.

(政令への委任)

**(Delegation to Cabinet Order)**

第八十五条 この章に定めるもののほか、個人別管理資産の移換に関し必要な事項は、政令で定める。

Article 85 Beyond what is provided for in this Chapter, Cabinet Order prescribes the necessary particulars in connection with transfer of assets managed per individual.

**第五章 確定拠出年金についての税制上の措置等**

**Chapter V Taxation Measures for a Defined Contribution Pension Plan**

(税制上の措置)

**(Taxation Measures)**

第八十六条 確定拠出年金に係る掛金、積立金及び給付については、所得税法（昭和四十年法律第三十三号）、法人税法（昭和四十年法律第三十四号）、相続税法（昭和二十五年法律第七十三号）及び地方税法（昭和二十五年法律第二百二十六号）並びにこれらの法律に基づく命令で定めるところにより、所得税、法人税、相続税並びに道府県民税（都民税を含む。）及び市町村民税（特別区民税を含む。）の課税について必要な措置を講ずる。

Article 86 With regard to contributions, the reserve fund, and benefits pertaining to a defined contribution pension plan, necessary measures on taxation of income tax, corporation tax, inheritance tax, prefectural inhabitants' tax (including Tokyo inhabitants' tax), and municipal inhabitants' tax (including special ward inhabitants' tax) are to be taken pursuant to the provisions of the Income Tax Act (Act No. 33 of 1965), the Corporation Tax Act (Act No. 34 of 1965), the Inheritance Tax Act (Act No. 73 of 1950), and the Local Tax Act (Act No. 226 of 1950), and orders based on these laws.

(指導及び助言)

(Guidance and Advice)

第八十七条 国は、事業主及び連合会に対し、確定拠出年金の実施に関し必要な指導及び助言を行うことができる。

Article 87 The State may provide necessary guidance and advice concerning implementation of a defined contribution pension plan to an employer and the Association.

## 第六章 確定拠出年金運営管理機関

### Chapter VI Defined Contribution Pension Plan Operational Management Institution

#### 第一節 登録

#### Section 1 Registration

(登録)

(Registration)

第八十八条 確定拠出年金運営管理業は、主務大臣の登録を受けた法人でなければ、営んではならない。

Article 88 (1) A defined contribution pension plan operational management business must not be conducted by a person other than a corporation registered by the competent ministers.

2 銀行その他の政令で定める金融機関は、他の法律の規定にかかわらず、前項の登録を受けて確定拠出年金運営管理業を営むことができる。

(2) Notwithstanding the provisions of other laws, a financial institution specified by Cabinet Order, such as a bank, may conduct a defined contribution pension plan operational management business by being registered as referred to in the preceding paragraph.

(登録の申請)

(Application for Registration)

第八十九条 前条第一項の登録を受けようとする者は、次に掲げる事項を記載した登録申請書を主務大臣に提出しなければならない。

Article 89 (1) A person that intends to be registered as referred to in paragraph (1) of the preceding Article must submit a written application for registration containing the following particulars to the competent ministers:

一 商号、名称及び住所

(i) the trade name, name, and address;

二 資本金額（出資の総額及び基金の総額を含む。）

(ii) the amount of stated capital (including the total amount of contributions and the total amount of funds);

三 役員の氏名

(iii) the names of officers;

四 営業所の名称及び所在地

(iv) the name and location of the business office;

五 業務の種類及び方法

(v) the types and methods of services;

六 他に事業を行っているときは、その事業の種類

(vi) if conducting any other business, the type of that business;

七 その他主務省令で定める事項

(vii) other particulars specified by order of the competent ministry.

2 前項の登録申請書には、第九十一条第一項各号のいずれにも該当しないことを誓約する書面その他主務省令で定める書類を添付しなければならない。

(2) The written application for registration referred to in the preceding paragraph must have attached thereto a document in which the person pledges that the person does not fall under any of the items of Article 91, paragraph (1) and other documents specified by order of the competent ministry.

(登録の実施)

(Implementation of Registration)

第九十条 主務大臣は、第八十八条第一項の登録の申請があった場合においては、次条第一項の規定により登録を拒否する場合を除くほか、次に掲げる事項を確定拠出年金運営管理機関登録簿に登録しなければならない。

Article 90 (1) When an application for the registration referred to in Article 88, paragraph (1) has been filed, the competent ministers must register the following particulars in the defined contribution pension plan operational management institution register, except in the case of refusing registration pursuant to the provisions of paragraph (1) of the following Article:

一 前条第一項各号に掲げる事項

(i) the particulars set forth in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) the registration date and the registration number.

2 主務大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を登録申請者

に通知しなければならない。

(2) When the competent ministers have effected registration under the provisions of the preceding paragraph, the ministers must give notice to that effect to the registration applicant without delay.

3 主務大臣は、確定拠出年金運営管理機関登録簿を一般の閲覧に供しなければならない。

(3) The competent ministers must make the defined contribution pension plan operational management institution register available for public inspection.

(登録の拒否)

(Refusal of Registration)

第九十一条 主務大臣は、登録申請者が次の各号のいずれかに該当するとき、又は登録申請書若しくはその添付書類のうちに虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 91 (1) If a registration applicant falls under any of the following items or if a written application for registration or any of its attached documents contains a false statement or lacks statement of a material fact, the competent ministers must refuse the registration:

一 法人でない者

(i) a person that is not a corporation;

二 第百四条第二項の規定により登録を取り消され、その取消の日から五年を経過しない法人

(ii) a corporation whose registration has been rescinded pursuant to the provisions of Article 104, paragraph (2), and for which five years have not elapsed from the day of the rescission;

三 この法律、厚生年金保険法その他政令で定める法律の規定に違反し、罰金の刑に処せられ、その刑の執行を終わり、又は刑の執行を受けることがなくなった日から五年を経過しない法人

(iii) a corporation that has been sentenced to a fine due to violation of any provisions of this Act, the Employees' Pension Insurance Act, or any other law specified by Cabinet Order, and for which five years have not elapsed from the day on which the execution of the sentence was completed or the sentence ceased to be applicable;

四 他に営んでいる事業が公益に反すると認められる法人又は当該事業に係る損失の危険の管理が困難であるために確定拠出年金運営管理業の遂行に支障を生ずると認められる法人

(iv) a corporation whose other business is found to be contrary to the public interest or a corporation for which it is found that implementation of the defined contribution pension plan operational management business would be hindered due to the difficulty in managing the risk of loss pertaining to the business; or

五 その役員のうち、第一百四条第二項の規定による登録の取消しの日前三十日以内に当該取消しに係る確定拠出年金運営管理機関の役員であった者で当該取消しの日から五年を経過しないもの、禁錮以上の刑に処せられ、その刑の執行を終わり、又は刑の執行を受けることがなくなった日から五年を経過しない者その他政令で定める者のある法人

(v) a corporation whose officers include a person who was, within thirty days prior to the day of rescission of registration under the provisions of Article 104, paragraph (2), an officer of the defined contribution pension operational management institution pertaining to the rescission and for whom five years have not elapsed from the day of the rescission, a person who has been sentenced to imprisonment without work or heavier punishment and for whom five years have not elapsed from the day on which the execution of the sentence was completed or the sentence ceased to be applicable, or any other person specified by Cabinet Order.

2 主務大臣は、前項の規定により登録を拒否したときは、遅滞なく、その理由を示して、その旨を登録申請者に通知しなければならない。

(2) When the competent ministers has refused registration pursuant to the provisions of the preceding paragraph, the minister must give notice to that effect to the registration applicant, indicating the reason therefor, without delay.

(変更の届出)

(Notification of a Change)

第九十二条 確定拠出年金運営管理機関は、第八十九条第一項各号に掲げる事項に変更があったときは、その日から二週間以内に、その旨を主務大臣に届け出なければならない。

Article 92 (1) If there has been a change to any of the particulars set forth in the items of Article 89, the defined contribution pension operational management institution must make notification to that effect to the competent ministers within two weeks from that day.

2 主務大臣は、前項の規定による届出を受理したときは、届出があった事項を確定拠出年金運営管理機関登録簿に登録しなければならない。

(2) When the competent ministers receive notification under the provisions of the preceding paragraph, the minister must register the particulars for which the notification was made in the defined contribution pension operational management institution register.

(廃業等の届出等)

(Notification of Business Discontinuance)

第九十三条 確定拠出年金運営管理機関が次の各号のいずれかに該当することとなったときは、当該確定拠出年金運営管理機関の登録は、その効力を失う。この場合におい



て、それぞれ当該各号に定める者は、当該各号に該当するに至った日から三十日以内に、その旨を主務大臣に届け出なければならない。

- Article 93 When a defined contribution pension operational management institution comes to fall under any of the following items, the registration of the defined contribution pension operational management institution ceases to be effective. In this case, the persons respectively specified in those items must make notification to that effect to the competent ministers within thirty days from the day on which the institution came to fall under those respective items:
- 一 合併により消滅したとき 確定拠出年金運営管理機関であった法人を代表する役員
    - (i) when the institution is extinguished by a merger: an officer representing the corporation which was a defined contribution pension operational management institution;
  - 二 破産手続開始の決定により解散したとき 確定拠出年金運営管理機関であった法人の破産管財人
    - (ii) when the institution is dissolved due to an order commencing bankruptcy proceedings: the bankruptcy trustee of the corporation which was a defined contribution pension operational management institution;
  - 三 合併及び破産手続開始の決定以外の理由により解散したとき 確定拠出年金運営管理機関であった法人の清算人
    - (iii) when the institution is dissolved due to a reason other than a merger or an order commencing bankruptcy proceedings: the liquidator of the corporation which was a defined contribution pension operational management institution; or
  - 四 確定拠出年金運営管理業を廃止したとき 確定拠出年金運営管理機関であった法人を代表する役員
    - (iv) when the institution discontinues the defined contribution pension operational management business: an officer representing the corporation which was a defined contribution pension operational management institution.

## 第二節 業務

### Section 2 Services

(標識の掲示)

(Posting of Signs)

第九十四条 確定拠出年金運営管理機関は、営業所ごとに、公衆の見やすい場所に、主務省令で定める様式の標識を掲示しなければならない。

Article 94 (1) A defined contribution pension operational management institution must post a sign in the form specified by order of the competent ministry in a place easily visible to the public at each business office.

2 確定拠出年金運営管理機関以外の者は、前項の標識又はこれに類似する標識を掲示してはならない。

(2) No person other than a defined contribution pension operational management institution may post the sign referred to in the preceding paragraph or a sign similar thereto.

(名義貸しの禁止)

(Prohibition of Name Lending)

第九十五条 確定拠出年金運営管理機関は、自己の名義をもって、他人に確定拠出年金運営管理業を営ませてはならない。

Article 95 A defined contribution pension operational management institution must not let another person conduct a defined contribution pension operational management business using the institution's name.

(書類の閲覧)

(Inspection of Documents)

第九十六条 確定拠出年金運営管理機関は、主務省令で定めるところにより、その業務の状況を記載した書類を営業所ごとに備え置き、加入者等の求めに応じ、これを閲覧させなければならない。

Article 96 A defined contribution pension operational management institution must keep documents stating the status of its services at each business office and have participants or instructors inspect the rules at their request, pursuant to the provisions of order of the competent ministry.

(加入者等の運用の指図に資する措置)

(Measures That Contribute to Instructions on Investment by Participants or Instructors)

第九十七条 確定拠出年金運営管理機関は、事業主又は連合会の委託を受けて、第二十二条第一項（第七十三条において準用する場合を含む。）の規定による資産の運用に関する基礎的な資料の提供その他の必要な措置を行うことができる。

Article 97 A defined contribution pension operational management institution may take necessary measures, such as providing basic materials on investment of assets under the provisions of Article 22, paragraph (1) (including as applied mutatis mutandis pursuant to Article 73), as entrusted by the employer or the Association.

(業務の引継ぎ)

(Handing Over Services)

第九十八条 確定拠出年金運営管理機関は、次の各号のいずれかに該当するときは、政令で定めるところにより、委託又は再委託を受けた運営管理業務の全部又は一部を当該運営管理業務を承継する他の確定拠出年金運営管理機関に引き継がなければならない。

い。

Article 98 When a defined contribution pension operational management institution falls under any of the following items, it must hand over all or part of the operational management services it has been entrusted or re-entrusted with to another defined contribution pension operational management institution that succeeds to the operational management services, pursuant to the provisions of Cabinet Order:

一 第七条第一項若しくは第二項又は第六十条第一項若しくは第三項の規定による運営管理業務の委託に係る契約（以下「運営管理契約」という。）の変更又は解除があったとき。

(i) when there is a change to or cancelation of a contract on entrustment of operational management services under the provisions of Article 7, paragraph (1) or (2) or Article 60, paragraph (1) or (3) (hereinafter referred to as "operational management contract");

二 第六十五条の規定による指定の変更があったとき。

(ii) when there is a change to designation under the provisions of Article 65;

三 第九十三条の規定により登録が効力を失ったとき。

(iii) when registration ceases to be effective pursuant to the provisions of Article 93; or

四 第一百四条第二項の規定により登録が取り消されたとき。

(iv) when registration is rescinded pursuant to the provisions of Article 104, paragraph (2).

（確定拠出年金運営管理機関の行為準則）

(Rules of Conduct of a Defined Contribution Pension Operational Management Institution)

第九十九条 確定拠出年金運営管理機関は、法令、法令に基づいてする主務大臣の処分及び運営管理契約を遵守し、加入者等のため忠実にその業務を遂行しなければならない。

Article 99 (1) A defined contribution pension operational management institution must observe laws and regulations, dispositions made by the competent ministers based on laws and regulations, and the operational management contract, and loyally perform its duties in the interest of the participants or instructors.

2 確定拠出年金運営管理機関は、第七条第一項若しくは第六十条第一項の規定による委託又は第七条第二項若しくは第六十条第三項の規定による再委託を受けた企業型年金又は個人型年金の実施に係る業務に関し、加入者等の氏名、住所、生年月日、個人別管理資産額その他の加入者等の個人に関する情報を保管し、又は使用するに当たっては、その業務の遂行に必要な範囲内で当該個人に関する情報を保管し、及び使用しなければならない。ただし、本人の同意がある場合その他正当な事由がある場合は、この限りでない。

(2) When a defined contribution pension operational management institution keeps or uses personal information of a participant or instructor, such as the name, address, date of birth, and the amount of assets managed per individual relating to the participant or instructor, in connection to services relating to implementation of a corporate-type pension plan or an individual-type pension plan as entrusted under the provisions of Article 7, paragraph (1) or Article 60, paragraph (1) or as re-entrusted under the provisions of Article 7, paragraph (2) or Article 60, paragraph (3), the institution must keep or use that personal information within the scope necessary for performing those services; provided, however, that this does not apply if the person's consent has been obtained or if there are other justifiable grounds.

第百条 確定拠出年金運営管理機関は、次に掲げる行為をしてはならない。

Article 100 A defined contribution pension operational management institution must not conduct the following acts:

一 運営管理契約を締結するに際し、その相手方に対して、加入者等の損失の全部又は一部を負担することを約すること。

(i) an act of promising the counterparty, when concluding an operational management contract, to bear all or part of losses incurred by a participant or instructor, when concluding the contract;

二 運営管理契約を締結するに際し、その相手方に対して、加入者等又は当該相手方に特別の利益を提供することを約すること。

(ii) an act of promising the counterparty, when concluding an operational management contract, to provide special benefits to a participant or instructor or the counterparty;

三 運用関連業務に関し生じた加入者等の損失の全部若しくは一部を補てんし、又は当該業務に関し生じた加入者等の利益に追加するため、当該加入者等又は第三者に対し、財産上の利益を提供し、又は第三者をして提供させること（自己の責めに帰すべき事故による損失の全部又は一部を補てんする場合を除く。）。

(iii) an act of providing or having a third party provide economic benefits to a participant or instructor, or a third party in order to compensate for all or part of losses incurred by the participant or instructor in relation to investment-related services or to add to the benefits of the participant or instructor arising in relation to the services (excluding the case of compensating for all or part of losses incurred due to grounds attributable to the institution);

四 運営管理契約の締結について勧誘をするに際し、又はその解除を妨げるため、運営管理業務に関する事項であって、運営管理契約の相手方の判断に影響を及ぼすこととなる重要なものとして政令で定めるものにつき、故意に事実を告げず、又は不実のことを告げること。

(iv) an act of, when soliciting an operational management contract or in order

to prevent cancelation of the contract, intentionally failing to disclose facts or disclosing false facts with regard to a particular concerning operational management services that is specified by Cabinet Order as a material particular that would affect the determinations of the counterparty to the operational management contract;

五 自己又は加入者等以外の第三者の利益を図る目的をもって、特定の運用の方法を加入者等に対し提示すること。

(v) an act of presenting a specific investment method to a participant or instructor for the purpose of seeking the institution's own benefit or the benefit of a third party other than the participants or instructors;

六 加入者等に対して、提示した運用の方法のうち特定のものについて指図を行うこと、又は指図を行わないことを勧めること（当該確定拠出年金運営管理機関が金融商品取引法（昭和二十三年法律第二十五号）第二条第九項に規定する金融商品取引業者その他確定拠出年金運営管理業以外の事業を営む者として行うことを明示して行う場合を除く。）。

(vi) an act of recommending a participant or instructor to give instructions or not to give instructions with regard to a specific investment method from among the methods that were presented (excluding the case of conducting such act by indicating that the defined contribution pension operational management institution conducts such act as the financial instruments business operator prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) or a person that conducts a business other than the defined contribution pension operational management business); and

七 前各号に掲げるもののほか、加入者等の保護に欠け、若しくは確定拠出年金運営管理業の公正を害し、又は確定拠出年金運営管理業の信用を失墜させるおそれのあるものとして主務省令で定める行為

(vii) beyond what is set forth in the preceding items, the acts specified by order of the competent ministry as acts that fail to protect participants or instructors or that are likely to harm the fairness of the defined contribution pension operational management business or cause a loss of confidence in the defined contribution pension operational management business.

### 第三節 監督

#### Section 3 Supervision

（業務に関する帳簿書類）

(Books and Documents Concerning Services)

第百一条 確定拠出年金運営管理機関は、主務省令で定めるところにより、その業務に関する帳簿書類を作成し、これを保存しなければならない。

Article 101 A defined contribution pension operational management institution

must prepare and keep books and documents concerning its services, pursuant to the provisions of order of the competent ministry.

(報告書の提出)

(Submission of Reports)

第百二条 確定拠出年金運営管理機関は、主務省令で定めるところにより、その業務についての報告書を主務大臣に提出しなければならない。

Article 102 A defined contribution pension operational management institution must submit reports on its services to the competent ministers, pursuant to the provisions of order of the competent ministry.

(報告の徴収等)

(Collection of Reports)

第百三条 主務大臣は、この法律の施行に必要な限度において、確定拠出年金運営管理機関に対し、その業務の状況に関する報告を徴し、又は当該職員をして確定拠出年金運営管理機関の営業所に立ち入って関係者に質問させ、若しくは実地にその状況を検査させることができる。

Article 103 (1) To the extent necessary for the enforcement of this Act the competent ministers may collect reports on the status of services from a defined contribution pension operational management institution or have the relevant officials enter the business office of the defined contribution pension operational management institution, ask persons concerned questions, or conduct on-site inspection on the status of services.

2 第五十一条第二項及び第三項の規定は、前項の規定による質問及び検査について準用する。

(2) The provisions of Article 51, paragraphs (2) and (3) apply mutatis mutandis to the asking of questions and the conducting of inspections under the provisions of the preceding paragraph.

(確定拠出年金運営管理機関に対する監督)

(Supervision over the Defined Contribution Pension Operational Management Institution)

第百四条 主務大臣は、確定拠出年金運営管理機関の業務の運営に関し、加入者等の利益を害する事実があると認めるときは、加入者等の保護のため必要な限度において、当該確定拠出年金運営管理機関に対し、業務の種類及び方法の変更その他業務の運営の改善に必要な措置を採るべきことを命ずることができる。

Article 104 (1) If the competent ministers find that there is a fact that harms the interests of participants or instructors in connection with the operation of services of a defined contribution pension operational management institution, the ministers may order the defined contribution pension operational management institution to change the type or method of services or to take

other necessary measures for improving the operation of services, to the extent necessary for protection of the participants or instructors.

2 主務大臣は、確定拠出年金運営管理機関が次の各号のいずれかに該当するときは、六月以内の期間を定めて確定拠出年金運営管理業の全部若しくは一部の停止を命じ、又は第八十八条第一項の登録を取り消すことができる。

(2) If a defined contribution pension operational management institution falls under any of the following items, the competent ministers may order the suspension of all or part of the defined contribution pension operational management business for a specified period of not more than six months or rescind the registration referred to in Article 88, paragraph (1):

一 第九十一条第一項第三号又は第五号のいずれかに該当するに至ったとき。

(i) if the institution comes to fall under either of Article 91, paragraph (1), item (iii) or (v);

二 不正の手段により第八十八条第一項の登録を受けたとき。

(ii) if the institution was registered as referred to in Article 88, paragraph (1) by wrongful means;

三 その行う確定拠出年金運営管理業に関して、この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したとき。

(iii) if the institution violates this Act or an order based on this Act, or a disposition based on these in connection with its defined contribution pension operational management business; or

四 確定拠出年金運営管理業の継続が困難であると認めるとき。

(iv) if it is found to be difficult to continue the defined contribution pension operational management business.

(登録の抹消)

(Deletion of Registration)

第百五条 主務大臣は、第九十三条の規定により登録がその効力を失ったとき、又は前条第二項の規定により登録を取り消したときは、当該登録を抹消しなければならない。

Article 105 When a registration ceases to be effective pursuant to the provisions of Article 93 or when the competent ministers rescind a registration pursuant to the provisions of paragraph (2) of the preceding Article, the minister must delete the registration.

(監督処分公告)

(Public Notice of a Supervisory Disposition)

第百六条 主務大臣は、第百四条第二項の規定による処分をしたときは、主務省令で定めるところにより、その旨を公告しなければならない。

Article 106 When the competent ministers make a disposition under the provisions of Article 104, paragraph (2), the minister must give public notice to that effect pursuant to the provisions of order of the competent ministry.

(政令への委任)

(Delegation to Cabinet Order)

第一百七条 この節に定めるもののほか、確定拠出年金運営管理機関の監督に関し必要な事項は、政令で定める。

Article 107 Beyond what is provided for in this Section, Cabinet Order prescribes the necessary particulars in connection with supervision over a defined contribution pension operational management institution.

#### 第四節 雑則

#### Section 4 Miscellaneous Provisions

(企業年金基金及び国民年金基金の業務の特例)

(Special Provisions on Services of a Corporate Pension Fund and a National Pension Fund)

第一百八条 企業年金基金及び国民年金基金は、第八十八条第一項の登録を受けて、確定拠出年金運営管理機関となることができる。

Article 108 (1) A corporate pension fund and a national pension fund may become a defined contribution pension operational management institution by being registered as referred to in Article 88, paragraph (1).

2 企業年金基金及び国民年金基金は、前項の規定により行う業務に係る経理については、その他の経理と区分して整理しなければならない。

(2) A corporate pension fund and a national pension fund must separate the accounting for the services to be provided pursuant to the provisions of the preceding paragraph from other accounting.

3 第一項の規定により企業年金基金の業務が行われる場合には、確定給付企業年金法第二百一条中「この法律」とあるのは、「この法律又は確定拠出年金法第八十八条第一項」とするほか、同法の規定の適用に関し必要な事項は、政令で定める。

(3) When services of a corporate pension fund are provided pursuant to the provisions of paragraph (1), the term "this Act" in Article 121 of the Defined Benefit Corporate Pension Act is deemed to be replaced with "this Act or Article 108, paragraph (1) of the Defined Contribution Pension Act," and Cabinet Order prescribes other necessary particulars in connection with application of the provisions of the Defined Benefit Corporate Pension Act.

4 第一項の規定により国民年金基金の業務が行われる場合には、国民年金法第四百十五号第五号中「この章」とあるのは、「この章又は確定拠出年金法（平成十三年法律第八十八号）第八十八条第一項」とするほか、同法の規定の適用に関し必要な事項は、政令で定める。

(4) When services of a national pension fund are provided pursuant to the provisions of paragraph (1), the term "this Chapter" in Article 145, item (v) of the National Pension Act is deemed to be replaced with "this Chapter or the



Defined Contribution Pension Act (Act No. 88 of 2001)" and Cabinet Order prescribes other necessary matters in connection with application of the provisions of the National Pension Act.

第百九条 削除

Article 109 Deleted.

## 第七章 雑則

### Chapter VII Miscellaneous Provisions

(期間の計算)

(Calculation of Periods of Time)

第百十条 この法律又はこの法律に基づく命令に規定する期間の計算については、この法律に別段の規定がある場合を除くほか、民法（明治二十九年法律第八十九号）の期間に関する規定を準用する。

Article 110 Unless otherwise provided for in this Act, the provisions of the Civil Code (Act No. 89 of 1896) concerning periods of time apply mutatis mutandis to the calculation of the periods of time prescribed in this Act and orders based on this Act.

(資料の提供)

(Provision of Materials)

第百十一条 厚生労働大臣又は厚生年金保険法第二条の五第一項に規定する実施機関（厚生労働大臣を除く。）は、連合会に対して、この法律の規定による業務を行うために必要な加入者等に係る厚生年金保険又は国民年金の被保険者の資格に関する資料その他の厚生労働省令で定める資料を、提供することができるものとする。

Article 111 The Minister of Health, Labour and Welfare or the implementing organization prescribed in Article 2-5, paragraph (1) of the Employees' Pension Insurance Act (excluding the Minister of Health, Labour and Welfare) may provide the Association with the materials specified by Order of the Ministry of Health, Labour and Welfare, such as material concerning the status of a participant or instructor as an insured covered by employees' pension insurance or national pension, which are necessary for providing services under the provisions of this Act.

(書類等の提出)

(Submission of Documents)

第百十二条 確定拠出年金運営管理機関（記録関連業務を行う事業主を含む。）は、必要があると認めるときは、給付の受給権を有する者（以下「受給権者」という。）に対して、障害の状態に関する書類その他の物件の提出を求めることができる。

Article 112 If a defined contribution pension operational management

institution (including an employer that provides records-related services) finds it to be necessary, it may request a person who has the right to receive benefits (hereinafter referred to as a "beneficiary") to submit articles, such as documents, concerning the state of disability.

(届出)

(Notification)

第百十三条 企業型年金運用指図者、個人型年金加入者、個人型年金運用指図者又は連合会移換者（当該企業型年金又は個人型年金に個人別管理資産がある者に限る。）が死亡したときは、戸籍法（昭和二十二年法律第二百二十四号）の規定による死亡の届出義務者は、十日以内に、その旨を連合会（企業型年金運用指図者であつて当該企業型年金に個人別管理資産があるものが死亡した場合にあつては、当該企業型年金の企業型記録関連運営管理機関等）に届け出なければならない。

Article 113 (1) When an instructor of a corporate-type pension plan, a participant of an individual-type pension plan, an instructor of an individual-type pension plan investment, or a person whose assets were transferred to the Association (limited to a person who has assets managed per individual under the corporate-type pension plan or the individual-type pension plan) dies, the person whose duty is to submit a notification of death under the provisions of the Family Register Act (Act No. 224 of 1947) must make notification to that effect to the Association (if an instructor of a corporate-type pension plan who has assets managed per individual under the corporate-type pension plan dies, the notification must be made to the corporate-type pension plan records-related operational management institution, etc. of the corporate-type pension plan) within ten days.

2 第六十六条第三項の規定は、連合会が前項の届出を受理した場合について準用する。

(2) The provisions of Article 66, paragraph (3) apply mutatis mutandis to the case where the Association receives the notification referred to in the preceding paragraph.

(主務大臣等)

(Competent Ministers)

第百十四条 前章における主務大臣は、政令で定めるところにより、厚生労働大臣及び内閣総理大臣とする。

Article 114 (1) The competent ministers in the preceding Chapter are the Minister of Health, Labour and Welfare and the Prime Minister, pursuant to the provisions of Cabinet Order.

2 この法律における主務省令は、政令で定めるところにより、厚生労働大臣又は内閣総理大臣の発する命令とする。

(2) An order of the competent ministry in this Act is an order issued by the Minister of Health, Labour and Welfare or the Prime Minister, pursuant to the

provisions of Cabinet Order.

3 この法律に規定する厚生労働大臣の権限は、厚生労働省令で定めるところにより、地方厚生局長に委任することができる。

(3) The authority of the Minister of Health, Labour and Welfare prescribed in this Act may be delegated to the Director-General of a regional bureau of health and welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

4 前項の規定により地方厚生局長に委任された権限は、厚生労働省令で定めるところにより、地方厚生支局長に委任することができる。

(4) The authority delegated to the Director-General of the Regional Bureau of Health and Welfare pursuant to the provisions of the preceding paragraph may be delegated to the Director-General of a regional branch bureau of health and welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

5 内閣総理大臣は、前章の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

(5) The Prime Minister delegates the authority under the provisions of the preceding Chapter (excluding that specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

6 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。

(6) A part of the authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph may be delegated to the Director-General of the Local Finance Bureau or the Director-General of a local finance branch bureau, pursuant to the provisions of Cabinet Order.

(財務大臣への資料提出等)

(Submission of Materials to the Minister of Finance)

第百十五条 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、確定拠出年金運営管理業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 115 If the Minister of Finance finds it to be necessary for planning or drafting a system pertaining to defined contribution pension operational management business in connection with a financial failure resolution system or financial crisis management under the jurisdiction of the minister, the minister may request the Prime Minister to submit necessary materials and explanations.

(実施規定)

(Provisions on Implementation)

第百十六条 この法律に特別の規定があるものを除くほか、前章の実施のための手続その他その執行について必要な細則は主務省令で、その他この法律の実施のための手続その他その執行について必要な細則は厚生労働省令で定める。

Article 116 Except as otherwise provided for in this Act, order of the competent ministry prescribes the procedures for implementing the preceding Chapter and other necessary detailed regulations regarding its enforcement, and Order of the Ministry of Health, Labour and Welfare prescribes other procedures for implementing this Act and other necessary detailed regulations regarding its enforcement.

(経過措置)

(Transitional Measures)

第百十七条 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 117 In the case of establishing, amending, or repealing an order based on this Act, required transitional measures (including transitional measures on penal provisions) may be specified by that order to the extent judged to be reasonably necessary for establishment, amendment, or repeal.

## 第八章 罰則

### Chapter VIII Penal Provisions

第百十八条 次の各号のいずれかに該当する者は、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 118 A person that falls under any of the following items is punished by imprisonment for not more than three years or a fine of not more than three million yen, or both:

一 第八十八条第一項の登録を受けずに確定拠出年金運営管理業を営んだ者

(i) a person that conducts a defined contribution pension operational management business without being registered as referred to in Article 88, paragraph (1);

二 不正の手段により第八十八条第一項の登録を受けた者

(ii) a person that is registered as referred to in Article 88, paragraph (1) by a wrongful means;

三 第九十五条の規定に違反して、他人に確定拠出年金運営管理業を営ませた者

(iii) a person that has another person conduct a defined contribution pension operational management business, in violation of the provisions of Article 95;  
or

四 第百条第一号から第三号までの規定に違反して、これらの規定に掲げる行為をした者

- (iv) a person that commits any of the acts set forth in Article 100, items (i) through (iii), in violation of these provisions.

第百十九条 次の各号のいずれかに該当する者は、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 119 A person that falls under any of the following items is punished by imprisonment for not more than one year or a fine of not more than one million yen, or both:

- 一 第百条第四号の規定に違反して、故意に事実を告げず、又は不実のことを告げた者

(i) a person that intentionally fails to disclose facts or discloses false facts, in violation of the provisions of Article 100, item (iv); or

- 二 第百四条第二項の規定による業務の停止の命令に違反して、確定拠出年金運営管理業を営んだ者

(ii) a person that conducts a defined contribution pension operational management business, in violation of an order to suspend business under the provisions of Article 104, paragraph (2).

第百二十条 次の各号のいずれかに該当する者は、六月以下の懲役又は五十万円以下の罰金に処する。

Article 120 A person that falls under any of the following items is punished by imprisonment for not more than six months or a fine of not more than five hundred thousand yen:

- 一 第五十一条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の陳述をし、若しくは同項の規定による検査を拒み、妨げ、若しくは忌避した者

(i) a person that fails to make a report under the provisions of Article 51, paragraph (1) or makes a false report, or that fails to answer a question by a relevant official under the provisions of that paragraph or makes a false statement, or that refuses, obstructs, or evades an inspection under the provisions of that paragraph;

- 二 第八十九条第一項の登録申請書又は同条第二項の書類に虚偽の記載をして提出した者

(ii) a person that makes a false statement in the written application for registration referred to in Article 89, paragraph (1) or the document referred to in paragraph (2) of that Article, and submits it;

- 三 第百一条の規定による帳簿書類の作成若しくは保存をせず、又は虚偽の帳簿書類を作成した者

(iii) a person that fails to prepare or keep books and documents under the provisions of Article 101, or prepares false books and documents;

- 四 第百二条の規定による報告書を提出せず、又は虚偽の記載をした報告書を提出し

た者

(iv) a person that fails to submit a report under the provisions of Article 102 or submits a report containing a false statement; or

五 第百三条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の陳述をし、若しくは同項の規定による検査を拒み、妨げ、若しくは忌避した者

(v) a person that fails to make a report under the provisions of Article 103, paragraph (1) or makes a false report, or that fails to answer a question by a relevant official under the provisions of that paragraph or makes a false statement, or that refuses, obstructs, or evades an inspection under the provisions of that paragraph.

第百二十一条 次の各号のいずれかに該当する者は、五十万円以下の罰金に処する。

Article 121 A person that falls under any of the following items is punished by a fine of not more than five hundred thousand yen:

一 第九十二条第一項の規定による届出をせず、又は虚偽の届出をした者

(i) a person that fails to make notification under the provisions of Article 92, paragraph (1) or makes false notification;

二 第九十四条第一項の規定に違反した者

(ii) a person that violates the provisions of Article 94, paragraph (1);

三 第九十四条第二項の規定に違反して、同条第一項の規定による標識又はこれに類似する標識を掲示した者

(iii) a person that posts a sign under the provisions of Article 94, paragraph (1) or posts a sign similar thereto, in violation of the provisions of that Article paragraph (2);

四 第九十六条の規定に違反して、書類を備え置かず、若しくは加入者等の求めに応じて閲覧させず、又は虚偽の記載のある書類を備え置き、若しくは加入者等に閲覧させた者

(iv) a person that fails to keep documents or does not allow a participant or instructor to inspect documents at their request, or that keeps or has a participant or instructor inspect documents containing a false statement, in violation of the provisions of Article 96; or

五 第百四条第一項の規定による命令に違反した者

(v) a person that violates an order under the provisions of Article 104, paragraph (1).

第百二十二条 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て、第百十八条から前条までの違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 122 If the representative of a corporation or an agent, employee, or any other worker of a corporation or individual commits a violation of any of the

provisions from Article 118 through the preceding Article in connection with the services of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine referred to in the relevant Article.

第百二十三条 次の各号のいずれかに該当する者は、二十万円以下の過料に処する。

Article 123 A person that falls under any of the following items is punished by a fine of not more than two hundred thousand yen:

- 一 第六条第一項の規定に違反して、届出をせず、又は虚偽の届出をした者  
(i) a person that fails to make notification or makes false notification, in violation of the provisions of Article 6, paragraph (1);
- 二 第二十六条第三項（第七十三条において準用する場合を含む。）の規定に違反して、通知をしない者  
(ii) a person that fails to give notice, in violation of the provisions of Article 26, paragraph (3) (including as applied mutatis mutandis pursuant to Article 73);
- 三 第二十六条第四項（第七十三条において準用する場合を含む。）の規定に違反して、公告を怠り、又は虚偽の公告をした者  
(iii) a person that fails to give public notice or gives false public notice, in violation of the provisions of Article 26, paragraph (4) (including as applied mutatis mutandis pursuant to Article 73);
- 四 第四十九条の規定による帳簿書類の作成若しくは保存をせず、又は虚偽の帳簿書類を作成した者  
(iv) a person that fails to prepare or keep books and documents under the provisions of Article 49 or prepares false books and documents;
- 五 第五十条の規定に違反して、報告をせず、又は虚偽の報告をした者  
(v) a person that fails to make a report or makes a false report, in violation of the provisions of Article 50;
- 六 第五十二条第一項の規定による命令に違反した者  
(vi) a person that violates an order under the provisions of Article 52, paragraph (1);
- 七 第五十八条第一項の規定に違反して、届出をせず、又は虚偽の届出をした者  
(vii) a person that fails to make notification or makes false notification, in violation of the provisions of Article 58, paragraph (1);
- 八 第八十条第四項、第八十二条第二項又は第八十三条第二項の規定に違反して、通知をしない者  
(viii) a person that fails to give notice, in violation of the provisions of Article 80, paragraph (4), Article 82, paragraph (2), or Article 83, paragraph (2); or
- 九 第八十三条第三項の規定に違反して、公告を怠り、又は虚偽の公告をした者  
(ix) a person that fails to give public notice or gives false public notice, in violation of the provisions of Article 83, paragraph (3).

第二百二十四条 次の各号のいずれかに該当する者は、十万円以下の過料に処する。

Article 124 A person that falls under any of the following items is punished by a fine of not more than one hundred thousand yen:

一 第十六条第一項の規定に違反して、通知をしない者

(i) a person that fails to give notice, in violation of the provisions of Article 16, paragraph (1);

二 第十六条第二項の規定に違反して、申出をせず、又は虚偽の申出をした者

(ii) a person that fails to make a report or makes a false report, in violation of the provisions of Article 16, paragraph (2); or

三 第四十七条、第六十六条第一項、第九十三条又は第百十三条第一項の規定に違反して、届出をせず、又は虚偽の届出をした者

(iii) a person that fails to make notification or makes false notification, in violation of the provisions of Article 47, Article 66, paragraph (1), Article 93, or Article 103, paragraph (1).

#### 附 則 [抄]

#### Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十三年十月一日から施行する。ただし、附則第十五条中地方税法第三十四条第一項第四号及び第三百十四条の二第一項第四号の改正規定並びに附則第十六条の規定は、平成十四年四月一日から施行する。

Article 1 This Act comes into effect as of October 1, 2001; provided, however, that the provisions of Article 15 of the Supplementary Provisions amending Article 34, paragraph (1), item (iv) and Article 314-2, paragraph (1), item (iv) of the Local Tax Act and the provisions of Article 16 of the Supplementary Provisions come into effect as of April 1, 2002.

(経過措置)

(Transitional Measures)

第二条 この法律の施行の日（以下「施行日」という。）から国民年金法等の一部を改正する法律（平成十二年法律第十八号）附則第一条第三号に定める日前までの間における第六十二条第一項及び第三項の規定の適用については、同条第一項第一号中「第九十条の三第一項」とあるのは「第九十条の二第一項」と、「されている者及び第九十条の二第一項の規定によりその半額につき同法の保険料を納付することを要しないものとされている者」とあるのは「されている者」と、同条第三項第六号中「若しくは第九十条の三第一項」とあるのは「又は第九十条の二第一項」と、「されたとき、又は第九十条の二第一項の規定によりその半額につき同法の保険料を納付することを要しないものとされたとき」とあるのは「されたとき」とする。



Article 2 (1) With regard to application of the provisions of Article 62, paragraphs (1) and (3) during the period from the day on which the Act comes into effect (hereinafter referred to as "effective date") through before the day specified by Article 1, item (iii) of the Supplementary Provisions of the Act Partially Amending the National Pension Act (Act No. 18 of 2000), the term "Article 90-3, paragraph (1)" in Article 62, paragraph (1), item (i) is deemed to be replaced with "Article 90-2, paragraph (1) ", the phrase "a person who ... of that Act and a person who is not required to pay a half of the amount of the premiums referred to in that Act pursuant to the provisions of Article 90-2, paragraphs (1)" in Article 62, paragraph (1), item (i) is deemed to be replaced with "a person who ... of that Act", the phrase "or Article 90-3, paragraph (1)" in Article 62, paragraph (3), item (vi) is deemed to be replaced with "or Article 90-2, paragraph (1) ", and the phrase "when the person becomes a person ... of that Act or a person who is not required to pay a half of the amount of the premiums referred to in that Act pursuant to the provisions of Article 90-2, paragraph (1) of that Act" in Article 62, paragraph (3), item (vi) is deemed to be replaced with "when the person becomes a person ... of that Act".

2 施行日から平成十四年三月三十一日までの間における第七十九条第一項の規定の適用については、同項中「第百五条（第二項（第十二条第二項を準用する部分を除く。）及び第五項を除く。）」とあるのは、「第百五条」とする。

(2) With regard to application of the provisions of Article 79, paragraph (1) during the period from the effective date through March 31, 2002, the phrase "Article 105 (excluding paragraph (2) (excluding the part that applies mutatis mutandis Article 12, paragraph (2)) and paragraph (5))" in Article 79, paragraph (1) is deemed to be replaced with "Article 105".

(脱退一時金)

(Lump-sum Withdrawal Payment)

第二条の二 当分の間、次の各号のいずれにも該当する企業型年金加入者であった者又は第一号及び第三号並びに次条第一項各号（第七号を除く。）のいずれにも該当する企業型年金加入者であった者は、当該企業型年金の企業型記録関連運営管理機関等に、脱退一時金の支給を請求することができる。

Article 2-2 (1) Until otherwise provided for by law, a person who was a participant of a corporate-type pension plan that falls under all of the following items or a person who was a participant of a corporate-type pension plan that falls under all of items (i) and (iii) and the items of paragraph (1) of the following Article (excluding item (vii)) is entitled to claim a lump-sum withdrawal payment from the corporate-type pension plan records-related operational management institution, etc. of the corporate-type pension plan:

一 企業型年金加入者、企業型年金運用指図者、個人型年金加入者又は個人型年金運用指図者でないこと。

- (i) the person is not a participant of a corporate-type pension plan, an instructor of a corporate-type pension plan, a participant of an individual-type pension plan, or an instructor of an individual-type pension plan investment;
- 二 当該請求した日における個人別管理資産の額として政令で定めるところにより計算した額が政令で定める額以下であること。
- (ii) the amount calculated pursuant to the provisions of Cabinet Order as the amount of assets managed per individual is not more than the amount specified by Cabinet Order; and
- 三 最後に当該企業型年金加入者の資格を喪失した日が属する月の翌月から起算して六月を経過していないこと。
- (iii) six months have not passed from the month following the month containing the day of last losing the status as a participant of a corporate-type pension plan.
- 2 前項の請求があったときは、当該企業型年金の資産管理機関は、当該企業型記録関連運営管理機関等の裁定に基づき、その請求をした者に脱退一時金を支給する。
- (2) When the claim referred to in the preceding paragraph has been filed, the asset management institution of the corporate-type pension plan makes a lump-sum withdrawal payment to the person who filed the claim based on a ruling by the corporate-type pension plan records-related operational management institution, etc.
- 3 脱退一時金の額は、第一項の請求をした者の個人別管理資産額として政令で定める額とする。
- (3) The amount of a lump-sum withdrawal payment is the amount specified by Cabinet Order as the amount of assets managed per individual relating to the person who filed the claim referred to in paragraph (1).
- 4 脱退一時金の支給を受けたときは、その支給を受けた者の支給を受けた月の前月までの企業型年金加入者期間及び企業型年金運用指図者期間並びに個人型年金加入者期間及び個人型年金運用指図者期間は、第三十三条第二項の規定にかかわらず、同条第一項の通算加入者等期間に算入しない。
- (4) If a person receives a lump-sum withdrawal payment, the participant of a corporate-type pension plan period and instructor of a corporate-type pension plan period, as well as participant of an individual-type pension plan period and instructor of an individual-type pension plan investment period until the month preceding the month of receiving the payment for that person are not included in the total enrollment period referred to in Article 33, paragraph (1), notwithstanding the provisions of paragraph (2) of that Article.
- 5 企業型年金加入者であった者が第一項の請求をした場合における第八十三条第一項第一号の規定の適用については、同号中「六月以内」とあるのは、「六月以内（当該企業型年金加入者であった者が附則第二条の二第一項の請求をした日の属する月の初日から同条第二項の裁定を受けた日の属する月の末日までの期間を除く。）」とする。

- (5) With regard to application of the provisions of Article 83, paragraph (1), item (i) in when a person who was a participant of a corporate-type pension plan files the claim referred to in paragraph (1), the phrase "within six months" in Article 83, paragraph (1), item (i) is deemed to be replaced with "within six months (excluding the period from the first day of the month containing the day on which the person who was a participant of a corporate-type pension plan files the claim referred to in Article 2-2, paragraph (1) of the Supplementary Provisions through the last day of the month containing the day on which the person receives the ruling referred to in paragraph (2) of that Article)".

第三条 当分の間、次の各号のいずれにも該当する者は、個人型年金運用指図者にあつては個人型記録関連運営管理機関に、個人型年金運用指図者以外の者にあつては連合会に、それぞれ脱退一時金の支給を請求することができる。

Article 3 (1) Until otherwise provided for by law, a person who falls under all of the following items is entitled to claim a lump-sum withdrawal payment from the individual-type pension plan records-related operational management institution in the case of an instructor of an individual-type pension plan investment and from the Association in the case of a person other than an instructor of an individual-type pension plan investment:

一 六十歳未満であること。

(i) the person is under the age of 60;

二 企業型年金加入者でないこと。

(ii) the person is not a participant of a corporate-type pension plan;

三 第六十二条第一項各号に掲げる者に該当しないこと。

(iii) the person is not any of the persons set forth in the items of Article 62, paragraph (1);

四 国民年金法附則第五条第一項第三号に掲げる者に該当しないこと。

(iv) the person is not any of the persons set forth in Article 5, paragraph (1), item (iii) of the Supplementary Provisions of the National Pension Act;

五 障害給付金の受給権者でないこと。

(v) the person is not a beneficiary of disability benefits;

六 その者の通算拠出期間（企業型年金加入者期間（第五十四条第二項及び第五十四条の二第二項の規定により第三十三条第一項の通算加入者等期間に算入された期間がある者にあつては、当該期間を含む。）及び個人型年金加入者期間（個人型年金加入者が納付した掛金に係る個人型年金加入者期間に限るものとし、第七十四条の二第二項の規定により算入された第七十三条の規定により準用する第三十三条第一項の通算加入者等期間がある者にあつては、当該期間を含む。）を合算した期間をいう。）が政令で定める期間内であること又は請求した日における個人別管理資産の額として政令で定めるところにより計算した額が政令で定める額以下であること。

(vi) the person's total contribution period (meaning the period combining the

participant of a corporate-type pension plan period (in the case of a person for whom there is a period that was included in the total enrollment period referred to in Article 33, paragraph (1) pursuant to the provisions of Article 54, paragraph (2) and Article 54-2, paragraph (2), including that period) and the participant of an individual-type pension plan period (limited to the participant of an individual-type pension plan period pertaining to the contributions made by a participant of an individual-type pension plan, and in the case of a person for whom there is a period that was included, pursuant to the provisions of Article 74-2, paragraph (2), in the total enrollment period referred to in Article 33, paragraph (1) as applied mutatis mutandis pursuant to the provisions of Article 73, including that period) is within the period specified by Cabinet Order or the amount calculated pursuant to the provisions of Cabinet Order as the amount of assets managed per individual is not more than the amount specified by Cabinet Order; and  
七 最後に企業型年金加入者又は個人型年金加入者の資格を喪失した日から起算して二年を経過していないこと。

(vii) two years have not passed from the day of losing the status as a participant of a corporate-type pension plan or a participant of an individual-type pension plan.

2 前項の請求があったときは、連合会は、個人型年金運用指図者にあつては個人型記録関連運営管理機関の裁定に基づき、個人型年金運用指図者以外の者にあつては自己の裁定に基づき、その請求をした者に脱退一時金を支給する。

(2) When the claim referred to in the preceding paragraph has been filed, the Association makes a lump-sum withdrawal payment to the person who filed the claim based on a ruling by the individual-type pension plan records-related operational management institution in the case of an instructor of an individual-type pension plan investment and based on a ruling by the Association in the case of a person other than an instructor of an individual-type pension plan investment.

3 企業型年金加入者であつた者（個人型年金運用指図者を除く。）は、第一項の請求は、第六十四条第二項の申出と同時にを行うものとする。

(3) When a person who was a participant of a corporate-type pension plan (excluding an instructor of an individual-type pension plan investment) files the claim referred to in paragraph (1), the person is to file it concurrently with the request referred to in Article 64, paragraph (2).

4 脱退一時金の額は、第一項の請求をした者の個人別管理資産額として政令で定める額とする。

(4) The amount of a lump-sum withdrawal payment is the amount specified by Cabinet Order as the amount of assets managed per individual relating to the person who filed the claim referred to in paragraph (1).

5 脱退一時金の支給を受けたときは、その支給を受けた者の支給を受けた月の前月ま

での企業型年金加入者期間及び企業型年金運用指図者期間並びに個人型年金加入者期間及び個人型年金運用指図者期間は、第三十三条第二項の規定にかかわらず、同条第一項の通算加入者等期間に算入しない。

- (5) If a person receives a lump-sum withdrawal payment, the participant of a corporate-type pension plan period and instructor of a corporate-type pension plan period, as well as the participant of an individual-type pension plan period and instructor of an individual-type pension plan investment period until the month preceding the month of receiving the payment for that person are not included in the total enrollment period referred to in Article 33, paragraph (1), notwithstanding the provisions of paragraph (2) of that Article.

(検討)

(Reviews)

第四条 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を勘案し、必要があると認めるときは、この法律の規定について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 4 When five years pass after this Act comes into effect, and the government finds it to be necessary in consideration of the status of enforcement of this Act, the government is to review the provisions of this Act, and take necessary measures based on the results of the review.

附 則 [平成十三年六月六日法律第三十九号] [抄]

**Supplementary Provisions [Act No. 39 of June 6, 2001] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十四年一月一日から施行する。ただし、附則第十八条及び第三十七条の規定は公布の日から、附則第三十八条の規定は平成十四年四月一日から施行する。

Article 1 This Act comes into effect as of January 1, 2002; provided, however, that the provisions of Articles 18 and 37 of the Supplementary Provisions come into effect as of the date of promulgation, and the provisions of Article 38 of the Supplementary Provisions come into effect as of April 1, 2002.

附 則 [平成十三年六月十五日法律第五十号] [抄]

**Supplementary Provisions [Act No. 50 of 2001] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十四年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2002.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第三十七条 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 37 Prior laws continue to govern the applicability of penal provisions to acts committed before the enforcement of this Act (with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, those provisions).

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三十八条 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 38 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in line with the enforcement of this Act.

附 則 〔平成十三年六月二十九日法律第九十四号〕〔抄〕

**Supplementary Provisions [Act No. 94 of June 29, 2001] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十四年一月一日から施行する。

Article 1 This Act comes into effect as of January 1, 2002.

附 則 〔平成十三年七月四日法律第百一号〕〔抄〕

**Supplementary Provisions [Act No. 101 of July 4, 2001] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十四年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2002.

附 則 〔平成十四年七月三十一日法律第九十八号〕〔抄〕

**Supplementary Provisions [Act No. 98 of July 31, 2002] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公社法の施行の日から施行する。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 as of the day on which the Public Corporation Act comes into effect; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 第一章第一節（別表第一から別表第四までを含む。）並びに附則第二十八条第二項、第三十三条第二項及び第三項並びに第三十九条の規定 公布の日

(i) the provisions of Chapter I, Section 1 (including appended tables 1 through 4) and the provisions of Article 28, paragraph (2), Article 33, paragraphs (2) and (3), and Article 39 of the Supplementary Provisions: the date of promulgation;

（確定拠出年金法の一部改正に伴う経過措置）

(Transitional Measures Associated with Partial Amendment of the Defined Contribution Pension Act)

第三十七条 公社は、施行日において確定拠出年金法第八十八条第一項の登録を受けたものとみなす。

Article 37 (1) The public corporation is deemed to have been registered as referred to in Article 88, paragraph (1) of the Defined Contribution Pension Act on the effective date.

2 公社は、施行日から一月以内に、前項の規定により登録を受けたものとみなされる確定拠出年金法第二条第七項に規定する確定拠出年金運営管理業について、同法第八十九条第一項各号に掲げる事項を記載した書類その他厚生労働省令・内閣府令で定める書類を厚生労働大臣及び内閣総理大臣に提出するものとする。

(2) The public corporation is to submit to the Minister of Health, Labour and Welfare and the Prime Minister a document containing the particulars set forth in the items of Article 89, paragraph (1) of the Defined Contribution Pension Act and other documents specified by Order of the Ministry of Health, Labour and Welfare and Cabinet Office Order with regard to the defined contribution pension operational management business prescribed in Article 2, paragraph (7) of that Act for which the public corporation is deemed to have been registered pursuant to the provisions of the preceding paragraph, within one month from the effective date.

3 内閣総理大臣は、前項の規定による権限を金融庁長官に委任する。

(3) The Prime Minister delegates the authority under the provisions of the preceding paragraph to the Commissioner of the Financial Services Agency.

4 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。

(4) A part of the authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph may be delegated to the Director-General of the Local Finance Bureau or the Director-General of a local finance branch bureau, pursuant to the provisions of Cabinet

Order.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第三十八条 施行日前にした行為並びにこの法律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 38 Prior laws continue to govern the applicability of penal provisions to acts committed before the effective date and to acts committed on or after the effective date when prior laws are to continue to govern the applicability pursuant to the provisions of this Act, or when prior laws are to 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)

(Delegation of Other Transitional Measures to Cabinet Order)

第三十九条 この法律に規定するもののほか、公社法及びこの法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 39 Beyond what is provided for in this Act, Cabinet Order prescribes the necessary transitional measures (including transitional measures concerning penal provisions) associated with the enforcement of the Public Corporation Act and this Act.

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 as of the day on which 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, paragraphs (8), (16), and (21), Article 8, paragraph (3), and Article 13 of the Supplementary Provisions) comes into effect.

(罰則の適用等に関する経過措置)

(Transitional Measures Concerning Application of Penal Provisions)

第十二条 施行日前にした行為並びに附則第二条第一項、第三条第一項、第四条、第五条第一項、第九項、第十七項、第十九項及び第二十一項並びに第六条第一項及び第三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 12 (1) Prior laws continue to govern the applicability of penal provisions to acts committed before the effective date and to acts committed on or after the effective date when prior laws are to continue to govern the applicability pursuant to the provisions of Article 2, paragraph (1), Article 3, paragraph (1), Article 4, Article 5, paragraphs (1), (9), (17), (19), and (21), and Article 6, paragraphs (1) and (3) of the Supplementary Provisions.

5 施行日前にされた破産の宣告、再生手続開始の決定、更生手続開始の決定又は外国倒産処理手続の承認の決定に係る届出、通知又は報告の義務に関するこの法律による改正前の証券取引法、測量法、国際観光ホテル整備法、建築士法、投資信託及び投資法人に関する法律、電気通信事業法、電気通信役務利用放送法、水洗炭業に関する法律、不動産の鑑定評価に関する法律、外国証券業者に関する法律、積立式宅地建物販売業法、銀行法、貸金業の規制等に関する法律、浄化槽法、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、遊漁船業の適正化に関する法律、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、不動産特定共同事業法、保険業法、資産の流動化に関する法律、債権管理回収業に関する特別措置法、新事業創出促進法、建設工事に係る資材の再資源化等に関する法律、著作権等管理事業法、マンションの管理の適正化の推進に関する法律、確定給付企業年金法、特定製品に係るフロン類の回収及び破壊の実施の確保等に関する法律、社債等の振替に関する法律、確定拠出年金法、使用済自動車の再資源化等に関する法律、信託業法及び特定目的会社による特定資産の流動化に関する法律等の一部を改正する法律附則第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同法第一条の規定による改正前の特定目的会社による特定資産の流動化に関する法律の規定並びにこれらの規定に係る罰則の適用については、なお従前の例による。

(5) Prior laws continue to govern the applicability of the provisions of the following laws before the amendment by this Act and the penal provisions relating to those provisions with regard to the obligation of making a notification, giving a notice, or making a report concerning a declaration of bankruptcy, an order commencing rehabilitation proceedings, an order commencing reorganization proceedings, or an order of recognition of foreign insolvency proceedings made before the effective date: the Securities and Exchange Act, Survey Act, Act on Development of International Tourist Hotels, Act on Architects and Building Engineers, Act on Investment Trusts and Investment Corporations, Telecommunications Business Act, Act on Broadcast on Telecommunications Services, Act on Coal Washing Operations, Act on Real Estate Appraisal, Act on Foreign Securities Dealers, Advanced-Installment Type Building Lots and Building Sales Business Act, Banking Act, Act on Controls on Money Lending, Purification Tank Act, Act on Regulation of Investment Advisory Business Pertaining to Securities, Act on Regulation of Mortgage Security Business, Financial Futures Transaction Act, Act on

Regulation of Sportfishing Boat Service, e Act on Regulation on Advanced Payment Certificate, Act on Regulation of Commodity Investment, Act on Specified Joint Real Estate Ventures, Insurance Business Act, Act on the Securitization of Assets, Act on Special Measures Concerning Claim Management and Collection Business, Act for Facilitating the Creation of New Business, Construction Material Recycling Act, Act on Copyright Management, Act on Advancement of Proper Condominium Management, Defined-Benefit Corporate Pension Act, Act on Ensuring the Implementation of Recovery and Destruction of Fluorocarbons Concerning Products, Act on Book Entry of Corporate Bonds and Shares, Defined Contribution Pension Act, Act on Recycling of End-of-Life Vehicles, Trust Business Act, and Act on the Securitization of Specified Assets by Special Purpose Companies before its amendment by the provisions of Article 1 of the Act Partially Amending the Act on the Securitization of Specified Assets by Special Purpose Companies, which is to remain in force pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions of that Act.

(政令への委任)

(Delegation to 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必要な経過措置は、政令で定める。

Article 14 Beyond what is provided for in Article 2 of these Supplementary Provisions through the preceding Article, Cabinet Order prescribes the necessary transitional measures in relation to the enforcement of this Act.

附 則 〔平成十六年六月十一日法律第百四号〕 〔抄〕

**Supplementary Provisions [Act No. 104 of June 11, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十六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、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of October 1, 2004; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 第二条、第八条、第十五条、第二十二條、第二十八條、第三十二條、第三十六條、第三十九條、第四十二條、第四十四條の二、第四十九條、第五十一條及び第五十二條並びに附則第四条、第十七條から第二十四條まで、第三十四條から第三十八條まで、第五十七條、第五十八條及び第六十條から第六十四條までの規定 平成十七年四月一日

(i) the provisions of Articles 2, 8, 15, 22, 28, 32, 36, 39, 42, 44-2, 49, 51, and 52

and the provisions of Article 4, Articles 17 through 24, Articles 34 through 38, Articles 57 and 58, and Articles 60 through 64 of the Supplementary

Provisions: April 1, 2005;

二 第九条、第十六条、第二十条、第二十三条、第二十九条、第三十七条、第四十条及び第四十六条並びに附則第三十九条、第四十条、第五十九条及び第六十七条から第七十二条までの規定 平成十七年十月一日

(ii) the provisions of Articles 9, 16, 20, 23, 29, 37, 40, and 46 and the provisions of Articles 39, 40, and 59, and Articles 67 through 72 of the Supplementary

Provisions: October 1, 2005;

三 略

(iii) omitted; and

四 第四条、第十一条、第十八条、第四十一条、第四十三条、第四十八条及び第五十条並びに附則第九条第二項、第十条、第十三条第六項、第十四条、第五十六条の表平成十八年度（附則第一条第四号に掲げる規定の施行の日の属する月以後の期間に限る。）から特定年度の前年度までの各年度の項及び第六十五条の規定 平成十八年七月一日

(iv) the provisions of Articles 4, 11, 18, 41, 43, 48, and 50 and the provisions of Article 9, paragraph (2), Article 10, Article 13, paragraph (6), Article 14, the rows for each fiscal year from FY2006 (limited to the period in and after the month containing the day on which the provisions set forth in Article 1, item (iv) of the Supplementary Provisions come into effect) through the fiscal year preceding a specific fiscal year in the table in Article 56, and Article 65 of the Supplementary Provisions: July 1, 2006.

(検討)

(Reviews)

第三条 政府は、社会保障制度に関する国会の審議を踏まえ、社会保障制度全般について、税、保険料等の負担と給付の在り方を含め、一体的な見直しを行いつつ、これとの整合を図り、公的年金制度について必要な見直しを行うものとする。

Article 3 (1) In light of the Diet's deliberations on social security systems, the government is to revise the overall social security systems in an integrated manner, including desirable burdens, such as taxes and insurance premiums, and benefits and to also make necessary revisions of the public pension systems in consistency with it.

2 前項の公的年金制度についての見直しを行うに当たっては、公的年金制度の一元化を展望し、体系の在り方について検討を行うものとする。

(2) When making revisions of the public pension systems as referred to in the preceding paragraph, the government is to review the desirable structure of the systems with a view to integrating the public pension systems.

3 短時間労働者に対する厚生年金保険法の適用については、就業形態の多様化の進展を踏まえ、被用者としての年金保障を充実する観点及び企業間における負担の公平を

図る観点から、社会経済の状況、短時間労働者が多く就業する企業への影響、事務手続の効率性、短時間労働者の意識、就業の実態及び雇用への影響並びに他の社会保障制度及び雇用に関する施策その他の施策との整合性に配慮しつつ、企業及び被用者の雇用形態の選択にできる限り中立的な仕組みとなるよう、この法律の施行後五年を目途として、総合的に検討が加えられ、その結果に基づき、必要な措置が講ぜられるものとする。

- (3) With regard to application of the Employees' Pension Insurance Act to part-time workers, given the increased diversification of working styles, a comprehensive review is to be made approximately five years after this Act comes into effect, and necessary measures are to be taken based on the results of the review, from the viewpoint of enhancing pension coverage as employees and the viewpoint of achieving fairness in the burdens between enterprises, while giving consideration to the social and economic situations, the impact on enterprises where a large number of part-time workers are employed, the efficiency of administrative procedures, awareness of part-time workers, the actual conditions of employment, and impact on employment, as well as consistency with other policies, such as policies on other social security systems and employment, and ensuring that the structure would be as neutral as possible to the selection of working styles by enterprises and employees.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第七十三条 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）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 73 Prior laws continue to govern the applicability of penal provisions to acts committed 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).

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第七十四条 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は、政令で定める。

Article 74 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in line with the enforcement of this Act.

附 則 〔平成十六年六月十八日法律第百二十六号〕 〔抄〕

Supplementary Provisions [Act No. 126 of June 18, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、協定の効力発生の日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the day on which the Agreement takes effect; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 略

(i) omitted;

二 附則第四十一条の規定 国民年金法等の一部を改正する法律（平成十六年法律第百四号）の公布の日又は公布日のいずれか遅い日

(ii) the provisions of Article 41 of the Supplementary Provisions: the date of promulgation of the Act Partially Amending the National Pension Act (Act No. 104 of 2004) or the promulgation date, whichever comes later.

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 as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation (hereinafter referred to as the "effective date").

(処分等の効力)

(Effects 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 With regard to any acts conducted, such as dispositions made or procedures taken, pursuant to the provisions of the respective laws (including orders based on them; hereinafter the same applies in this Article) before the enforcement of this Act, for which there are corresponding provisions in the provisions of the respective laws after the amendment are deemed to have been conducted pursuant to the corresponding provisions of the respective laws after the amendment, unless otherwise provided for by the Supplementary Provisions.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第二百二十二条 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 continue to govern the applicability of penal provisions to acts committed prior to the enforcement of this Act and to acts committed on or after the enforcement of this Act that are to continue to be governed by prior laws pursuant to these Supplementary Provisions as well as those that are to continue to be effective pursuant to these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to 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 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in line with the enforcement of this Act.

附 則 〔平成十七年四月一日法律第二十五号〕〔抄〕

**Supplementary Provisions [Act No. 25 of April 1, 2005] [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 as of April 1, 2005.

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 as of the day on which the Postal Service Privatization Act comes into effect.

(確定拠出年金法の一部改正に伴う経過措置)

(Transitional Measures Associated with Partial Amendment of the Defined Contribution Pension Act)

第百十一条 この法律の施行前にされた第百十八条の規定による改正前の確定拠出年金法（以下この条において「旧法」という。）第二十五条第一項（旧法第七十三条にお

いて準用する場合を含む。)の規定による旧法第二十三条第一項第一号又は第四号(旧法第七十三条において準用する場合を含む。)に掲げる運用の方法を運用の方法とする運用の指図は、第百十八条の規定による改正後の確定拠出年金法(以下この条において「新法」という。)第二十五条第一項(新法第七十三条において準用する場合を含む。)の規定による新法第二十三条第一項第一号又は第四号(新法第七十三条において準用する場合を含む。)に掲げる運用の方法を運用の方法とする運用の指図とみなす。

Article 111 (1) An instruction on investment given before the enforcement of this Act under the provisions of Article 25, paragraph (1) of the Defined Contribution Pension Act before the amendment by Article 118 (hereinafter referred to as the "former Act" in this Article) (including that paragraph as applied mutatis mutandis pursuant to Article 73 of the former Act) that uses the investment method set forth in Article 23, paragraph (1), item (i) or (iv) of the former Act (including as applied mutatis mutandis pursuant to Article 73 of the former Act) as its investment method is deemed to be an instruction on investment given under the provisions of Article 25, paragraph (1) of the Defined Contribution Pension Act after the amendment by Article 118 (hereinafter referred to as the "new Act" in this Article) (including that paragraph as applied mutatis mutandis pursuant to Article 73 of the new Act) that uses the investment method set forth in Article 23, paragraph (1), item (i) or (iv) of the new Act (including as applied mutatis mutandis pursuant to Article 73 of the new Act) as its investment method.

2 この法律の施行前に、旧法第六章の規定により、旧公社に対して行い、又は旧公社が行った処分、手続その他の行為は、整備法等に別段の定めがあるものを除き、新法の相当する規定により郵便貯金銀行に対して行い、又は郵便貯金銀行が行った処分、手続その他の行為とみなす。

(2) With regard to any acts conducted, such as dispositions made or procedures taken, against or by the former public corporation pursuant to the provisions of Chapter VI of the former Act before the enforcement of this Act are deemed to be acts conducted, such as dispositions made or procedures taken, against or by a postal savings bank pursuant to the corresponding provisions of the new Act, unless otherwise provided for by the Development Act or other laws or regulations.

(罰則に関する経過措置)

(Transitional Measures Concerning 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 continue to govern the applicability of penal provisions to the following acts: acts committed prior to the enforcement of this Act; acts committed after the enforcement of this Act if prior laws are to continue to govern the applicability pursuant to the provisions of these Supplementary Provisions; acts committed before the lapse of the provisions of Article 38-8 (limited to the part pertaining to items (ii) and (iii)) of the former Postal Money Order Act if prior laws are to remain in force pursuant to the provisions of Article 9, paragraph (1) of the Supplementary Provisions after the enforcement of this Act; acts committed before the lapse of the provisions of Article 70 (limited to the part pertaining to items (ii) and (iii)) of the former Postal Money Order Act if prior laws are to remain in force pursuant to the provisions of Article 13, paragraph (1) of the Supplementary Provisions after the enforcement of this Act; acts committed before the lapse of the provisions of Article 8 (limited to the part pertaining to item (ii)) of the former Act on the Entrustment of Postal Transfer Deposit and Contribution if prior laws are to remain in force pursuant to the provisions of Article 27, paragraph (1) of the Supplementary Provisions after the enforcement of this Act; acts committed before the lapse of the provisions of Article 70 (limited to the part pertaining to item (ii)) of the former Public Corporation Act if prior laws are to remain in force pursuant to the provisions of Article 39, paragraph (2) of the Supplementary Provisions after the enforcement of this Act; acts committed before the lapse of the provisions of Article 71 and Article 72 (limited to the part pertaining to item (xv)) of the former Public Corporation Act if prior laws are to remain in force pursuant to the provisions of Article 42, paragraph (1) of the Supplementary Provisions after the enforcement of this Act; and acts committed before the specified date pertaining to the postal savings bank prescribed in Article 104 of the Postal Service Privatization Act if the provisions of Article 2, paragraph (2) of the Supplementary Provisions apply.

附 則 〔平成十八年三月三十一日法律第二十号〕 〔抄〕

Supplementary Provisions [Act No. 20 of March 31, 2006] [Extract]



(施行期日)

(Effective Date)

第一条 この法律は、平成十八年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2006.

附 則 [平成十八年六月十四日法律第六十六号] [抄]

**Supplementary Provisions [Act No. 66 of June 14, 2006] [Extract]**

この法律は、平成十八年証券取引法改正法の施行の日から施行する。

This Act comes into effect as of the day on which the 2006 Act Amending the Securities and Exchange Act comes into effect.

附 則 [平成十九年七月六日法律第百九号] [抄]

**Supplementary Provisions [Act No. 109 of July 6, 2007] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成二十二年四月一日までの間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 as of the day specified by Cabinet Order no later than April 1, 2010; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 附則第三条から第六条まで、第八条、第九条、第十二条第三項及び第四項、第二十九条並びに第三十六条の規定、附則第六十三条中健康保険法等の一部を改正する法律（平成十八年法律第八十三号）附則第十八条第一項の改正規定、附則第六十四条中特別会計に関する法律（平成十九年法律第二十三号）附則第二十三条第一項、第六十七条第一項及び第百九十一条の改正規定並びに附則第六十六条及び第七十五条の規定 公布の日

(i) the provisions of Articles 3 through 6, Articles 8 and 9, Article 12, paragraphs (3) and (4), and Articles 29 and 36 of the Supplementary Provisions; the provisions of Article 63 of the Supplementary Provisions amending Article 18, paragraph (1) of the Supplementary Provisions of the Act Partially Amending the Health Insurance Act (Act No. 83 of 2006); the provisions of Article 64 of the Supplementary Provisions amending Article 23, paragraph (1), Article 67, paragraph (1), and Article 191 of the Supplementary Provisions of the Act on Special Accounts (Act No. 23 of 2007); and the provisions of Articles 66 and 75 of the Supplementary Provisions: the date of promulgation;

(処分、申請等に関する経過措置)

(Transitional Measures Concerning Dispositions, Applications)

第七十三条 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。以下同じ。）の施行前に法令の規定により社会保険庁長官、地方社会保険事務局長又は社会保険事務所長（以下「社会保険庁長官等」という。）がした裁定、承認、指定、認可その他の処分又は通知その他の行為は、法令に別段の定めがあるもののほか、この法律の施行後は、この法律の施行後の法令の相当規定に基づいて、厚生労働大臣、地方厚生局長若しくは地方厚生支局長又は機構（以下「厚生労働大臣等」という。）がした裁定、承認、指定、認可その他の処分又は通知その他の行為とみなす。

Article 73 (1) Any disposition, such as a ruling, approval, designation, or authorization, or any act, such as a notice, made or conducted by the Commissioner of the Social Insurance Agency, the Director-General of a regional social insurance bureau or the head of a social insurance office (hereinafter referred to as the "Commissioner of the Social Insurance Agency, etc.") pursuant to the provisions of laws and regulations before the enforcement of this Act (with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, the respective provisions; the same applies hereinafter), is deemed, after the enforcement of the Act, to be a ruling, approval, designation, or authorization, or any act, such as a notice, made or conducted by the Minister of Health, Labour and Welfare, the Director-General of a regional bureau of health and welfare, the Director-General of a regional branch bureau of health and welfare, or the Japan Pension Service (hereinafter referred to as the "Minister of Health, Labour and Welfare, etc.") based on the corresponding provisions of the respective laws and regulations after the enforcement of this Act, except as otherwise provided for by laws and regulations.

2 この法律の施行の際現に法令の規定により社会保険庁長官等に対してされている申請、届出その他の行為は、法令に別段の定めがあるもののほか、この法律の施行後は、この法律の施行後の法令の相当規定に基づいて、厚生労働大臣等に対してされた申請、届出その他の行為とみなす。

(2) Any act, such as an application or notification, already conducted or made against the Commissioner of the Social Insurance Agency, etc. pursuant to the provisions of laws and regulations at the time of the enforcement of this Act is deemed, after the enforcement of this Act, to be an act, such as an application or notification, conducted or made against the Minister of Health, Labour and Welfare, etc. based on the corresponding provisions of the respective laws and regulations after the enforcement of this Act, except as otherwise provided for by laws and regulations.

3 この法律の施行前に法令の規定により社会保険庁長官等に対し報告、届出、提出その他の手続をしなければならないとされている事項で、施行日前にその手続がされていないものについては、法令に別段の定めがあるもののほか、この法律の施行後は、

これを、この法律の施行後の法令の相当規定により厚生労働大臣等に対して、報告、届出、提出その他の手続をしなければならないとされた事項についてその手続がされていないものとみなして、この法律の施行後の法令の規定を適用する。

(3) With regard to the particulars for which reports, notifications, submissions, or other procedures were required to be conducted or made to the Commissioner of the Social Insurance Agency, etc. pursuant to the provisions of laws and regulations before the enforcement of this Act, and for which those procedures were not conducted before the effective date of this Act, the provisions of the respective laws and regulations after the enforcement of this Act apply, after the enforcement of this Act, by deeming them to be particulars for which reports, notifications, submissions, or other procedures are required to be conducted or made to the Minister of Health, Labour and Welfare, etc. pursuant to the corresponding provisions of the respective laws and regulations after the enforcement of this Act, and for which those procedures have not been conducted, except as otherwise provided for in the laws and regulations.

4 なお従前の例によることとする法令の規定により、社会保険庁長官等がすべき裁定、承認、指定、認可その他の処分若しくは通知その他の行為又は社会保険庁長官等に対してすべき申請、届出その他の行為については、法令に別段の定めがあるもののほか、この法律の施行後は、この法律の施行後の法令の規定に基づく権限又は権限に係る事務の区分に応じ、それぞれ、厚生労働大臣等がすべきものとし、又は厚生労働大臣等に対してすべきものとする。

(4) Any disposition, such as a ruling, approval, designation, or authorization, or any act, such as a notice, to be made or conducted by the Commissioner of the Social Insurance Agency, etc., or any act, such as an application or notification to be conducted or made against the Commissioner of the Social Insurance Agency, etc., pursuant to the provisions of laws and regulations of which application is to be continued to be governed by prior laws, is deemed, after the enforcement of this Act, to be one to be made or conducted by the Minister of Health, Labour and Welfare, etc. or to be conducted or made against the Minister of Health, Labour and Welfare, etc. according to the classification of the authority or the administrative affairs pertaining to the authority based on the provisions of the respective laws and regulations after the enforcement of this Act, except as otherwise provided for by laws and regulations.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第七十四条 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 74 Prior laws continue to govern the applicability of penal provisions to acts committed before the enforcement of this Act and to acts committed after

the enforcement of this Act when prior laws are to continue to govern the applicability pursuant to the provisions of these Supplementary Provisions.

(政令への委任)

(Delegation to Cabinet Order)

第七十五条 この附則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は、政令で定める。

Article 75 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in relation to the enforcement of this Act.

附 則 〔平成十九年七月六日法律第百十号〕 〔抄〕

Supplementary Provisions [Act No. 110 of July 6, 2007] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十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、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of April 1, 2008; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 第一条、第六条、第十三条、第十六条及び第十九条並びに附則第二十三条、第二十五条、第二十七条及び第二十八条の規定 公布の日

(i) the provisions of Articles 1, 6, 13, 16, and 19 and the provisions of Articles 23, 25, 27, and 28 of the Supplementary Provisions: the date of promulgation; 二～五 略

(ii) through (v) omitted;

六 第五条及び第十条並びに附則第十八条及び第十九条の規定 平成二十三年四月一日

(vi) the provisions of Articles 5 and 10 and the provisions of Articles 18 and 19 of the Supplementary Provisions: April 1, 2011.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第二十七条 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。次条において同じ。）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 27 Prior laws continue to govern the applicability of penal provisions to acts committed before the enforcement of this Act (with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, those provisions; the same applies in the following Article).

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第二十八条 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 28 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in line with the enforcement of this Act.

附 則 〔平成十九年七月六日法律第百十一号〕〔抄〕

**Supplementary Provisions [Act No. 111 of July 6, 2007] [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 as of the date of promulgation.

附 則 〔平成二十二年三月三十一日法律第十九号〕〔抄〕

**Supplementary Provisions [Act No. 19 of March 31, 2010] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成二十二年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2010.

附 則 〔平成二十三年八月十日法律第九十三号〕〔抄〕

**Supplementary Provisions [Act No. 93 of August 10, 2011] [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。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

- 一 第四条中確定拠出年金法目次の改正規定（「第二十一条」を「第二十一条の三」に改める部分に限る。）、同法第三条第三項第七号の次に一号を加える改正規定、同法第四条第一項第三号の次に一号を加える改正規定、同法第十九条及び第二十条の改正規定並びに同法第二章第三節中第二十一条の次に二条を加える改正規定並びに附則第八条の規定 平成二十四年一月一日

(i) the provisions of Article 4 amending the table of contents of the Defined

Contribution Pension Act (limited to the part amending "Article 21" to "Article 21-3"), the provisions adding one item after Article 3, paragraph (3), item (vii) of that Act, the provisions adding one item after Article 4, paragraph (1), item (iii) of that Act, the provisions amending Articles 19 and 20 of that Act, and the provisions adding two Articles after Article 21 in Chapter II, Section 3 of that Act, and the provisions of Article 8 of the Supplementary Provisions: January 1, 2012;

二～四 略

(ii) through (iv) omitted;

五 第四条中確定拠出年金法目次の改正規定（「第七十三条」を「第七十三条・第七十三条の二」に改める部分に限る。）、同法第三条第一項の改正規定、同条第三項第六号の改正規定、同号の次に一号を加える改正規定、同法第四条第一項第二号の次に一号を加える改正規定、同法第九条第一項、第十一条第六号、第十五条第一項、第五十四条第二項、第五十四条の二第二項及び第五十五条第二項第六号の改正規定、同法第三章第五節中第七十三条の次に一条を加える改正規定並びに同法附則第三条第一項の改正規定並びに附則第四条、第五条及び第十条の規定 公布の日から起算して二年六月を超えない範囲内において政令で定める日

(v) the provisions of Article 4 amending the table of contents of the Defined Contribution Pension Act (limited to the part amending "Article 73" to "Articles 73 and 73-2"), the provisions amending Article 3, paragraph (1) of that Act, the provisions amending paragraph (3), item (vi) of that Article, the provisions adding one item after that item, the provisions adding one item after Article 4, paragraph (1), item (ii) of that Act, the provisions amending Article 9, paragraph (1), Article 11, item (vi), Article 15, paragraph (1), Article 54, paragraph (2), Article 54-2, paragraph (2), and Article 55, paragraph (2), item (vi) of that Act, the provisions adding one Article after Article 73 in Chapter III, Section 5 of that Act, the provisions amending Article 3, paragraph (1) of the Supplementary Provisions of that Act, and the provisions of Articles 4, 5, and 10 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding two years and six months from the date of promulgation.

(確定拠出年金の連合会移換者に関する経過措置)

(Transitional Measures Concerning a Person Whose Assets Were Transferred to the Association under a Defined Contribution Pension Plan)

第四条 第四条の規定による改正後の確定拠出年金法第五十五条第二項第六号に規定する連合会移換者が、附則第一条第五号に掲げる規定の施行前に既に七十歳に達している場合における第四条の規定による改正後の確定拠出年金法第七十三条の二の規定により読み替えて適用する同法第七十三条において読み替えて準用する同法第三十四条の規定の適用については、同条中「が前条の規定により老齢給付金の支給を請求することなく七十歳に達したときは」とあるのは、「について、国民年金及び企業年金等

による高齢期における所得の確保を支援するための国民年金法等の一部を改正する法律（平成二十三年法律第九十三号）附則第一条第五号に掲げる規定が施行されたときは」とする。

Article 4 With regard to application of the provisions of Article 34 of the Defined Contribution Pension Act after the amendment by the provisions of Article 4, as applied mutatis mutandis pursuant to Article 73 of that Act following the deemed replacement of terms, to be applied pursuant to the provisions of Article 73-2 of that Act when the person whose assets were transferred to the Association prescribed in Article 55, paragraph (2), item (vi) of the Defined Contribution Pension Act after the amendment by Article 4 has already reached the age of 70 before the enforcement of the provisions set forth in Article 1, item (v) of the Supplementary Provisions, the phrase "When a person who is ... ( ... pension plan) reaches the age of 70 without claiming the payment of old-age benefits pursuant to the provisions of the preceding Article" in Article 34 of that Act is deemed to be replaced with "When the provisions set forth in Article 1, item (v) of the Supplementary Provisions of the Act Partially Amending the National Pension Act for Supporting Securing of Income in Old Age Through the National Pension, Corporate Pensions (Act No. 93 of 2011) come into effect with regard to a person who is ... ( ... pension plan)".

（確定拠出年金法による脱退一時金に関する経過措置）

(Transitional Measures Concerning a Lump-Sum Withdrawal Payment under the Defined Contribution Pension Act)

第五条 第四条の規定による改正後の確定拠出年金法附則第三条第一項の規定は、附則第一条第五号に掲げる規定の施行前に既に企業型年金加入者の資格を喪失している者（次項に規定する者を除く。）についても、適用する。

Article 5 (1) The provisions of Article 3, paragraph (1) of the Supplementary Provisions of the Defined Contribution Pension Act after the amendment by Article 4 also apply to a person who had already lost the status as a participant of a corporate-type pension plan before the enforcement of the provisions set forth in Article 1, item (v) of the Supplementary Provisions (excluding the person prescribed in the following paragraph).

2 附則第一条第五号に掲げる規定の施行の際現に第四条の規定による改正後の確定拠出年金法附則第三条第一項に規定する継続個人型年金運用指図者である者であって、同項第四号、第五号及び第七号に該当するものは、附則第一条第五号に掲げる規定の施行の日から二年間は、同法第六十六条第三項に規定する個人型記録関連運営管理機関に、同法附則第三条第一項の脱退一時金の支給を請求することができる。

(2) A person who was already the continuous instructor of an individual-type pension plan investment prescribed in Article 3, paragraph (1) of the Supplementary Provisions of the Defined Contribution Pension Act after the amendment by Article 4 at the time of enforcement of the provisions set forth

in Article 1, item (v) of the Supplementary Provisions and who falls under items (iv), (v), and (vii) of Article 3, paragraph (1) of the Supplementary Provisions of that Act is entitled to claim the payment of the lump-sum withdrawal payment referred to in Article 3, paragraph (1) of the Supplementary Provisions of that Act from the individual-type pension plan records-related operational management institution prescribed in Article 66, paragraph (3) of that Act for two years from the day on which the provisions set forth in Article 1, item (v) of the Supplementary Provisions come into effect.

(政令への委任)

(Delegation to Cabinet Order)

第六条 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 6 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in line with the enforcement of this Act.

附 則 〔平成二十三年八月三十日法律第百七号〕〔抄〕

**Supplementary Provisions [Act No. 107 of August 30, 2011] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成二十三年十月一日から施行する。

Article 1 This Act comes into effect as of October 1, 2011.

附 則 〔平成二十三年十二月十四日法律第百二十二号〕〔抄〕

**Supplementary Provisions [Act No. 122 of December 14, 2011] [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 as of the day specified by Cabinet Order within a period not exceeding two months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 附則第六条、第八条、第九条及び第十三条の規定 公布の日

(i) the provisions of Articles 6, 8, 9, and 13 of the Supplementary Provisions: the date of promulgation;



附 則 〔平成二十四年三月三十一日法律第二十四号〕 〔抄〕  
Supplementary Provisions [Act No. 24 of March 31, 2012] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十四年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2012.

附 則 〔平成二十四年八月二十二日法律第六十二号〕 〔抄〕  
Supplementary Provisions [Act No. 62 of August 22, 2012] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十九年八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 as of August 1, 2017; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 附則第二条の二から第二条の四まで、第五十七条及び第七十一条の規定 公布の日

(i) Articles 2-2 through 2-4 and Articles 57 and 71 of the Supplementary Provisions: the date of promulgation;

二・三 略

(ii) and (iii) omitted;

四 第一条の規定（前号に掲げる改正規定を除く。）、第三条中厚生年金保険法第二十一条第三項の改正規定、同法第二十三条の二第一項にただし書を加える改正規定、同条の次に一条を加える改正規定、同法第二十四条、第二十六条、第三十七条、第四十四条の三、第五十二条第三項及び第八十一条の二の改正規定、同条の次に一条を加える改正規定、同法第八十一条の三第二項、第九十八条第三項、第百条の四第一項、第百条の十第一項第二十九号、第百三十九条及び第百四十条の改正規定、同法附則第四条の二、第四条の三第一項、第四条の五第一項及び第九条の二の改正規定、同法附則第二十九条第一項第四号を削る改正規定並びに同法附則第三十二条第二項第三号の改正規定、第四条中昭和六十年国民年金等改正法附則第十八条第五項及び第四十三条第十二項の改正規定、第八条中平成十六年国民年金等改正法附則第十九条第二項の改正規定、第十条中国家公務員共済組合法第四十二条、第四十二条の二第二項、第七十三条の二、第七十八条の二及び第百条の二の改正規定、同条の次に一条を加える改正規定、同法第百二条第一項の改正規定、同法附則第十二条第九項及び第十二条の四の二の改正規定並びに同法附則第十三条の十第一項第四号を削る改正規定、第十五条中地方公務員等共済組合法第八十条の二及び第百十四条の二の改正規定、同条の次に一条を加える改正規定、同法第百十六条第一項及び第百四十四条の十二第一項の改正規定、同法附則第十八条第八項及び第二十条の二の改

正規定並びに同法附則第二十八条の十三第一項第四号を削る改正規定、第十九条の規定（私立学校教職員共済法第三十九条第三号の改正規定を除く。）、第二十四条中協定実施特例法第八条第三項の改正規定（「附則第七条第一項」を「附則第九条第一項」に改める部分を除く。）及び協定実施特例法第十八条第一項の改正規定、第二十五条の規定（次号に掲げる改正規定を除く。）並びに第二十六条の規定（次号に掲げる改正規定を除く。）並びに次条第一項並びに附則第四条から第七条まで、第九条から第十二条まで、第十八条から第二十条まで、第二十二条から第三十四条まで、第三十七条から第三十九条まで、第四十二条から第四十四条まで、第四十七条から第五十条まで、第六十一条、第六十四条から第六十六条まで及び第七十条の規定 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

(iv) the provisions of Article 1 (excluding the provisions amending the provisions set forth in the preceding item); in Article 3, the provisions amending Article 21, paragraph (3) of the Employees' Pension Insurance Act, the provisions adding a proviso to Article 23-2, paragraph (1) of that Act, the provisions adding one Article after that Article, the provisions amending Articles 24, 26, 37, and 44-3, Article 52, paragraph (3), and Article 81-2 of that Act, the provisions adding one Article after that Article, the provisions amending Article 81-3, paragraph (2), Article 98, paragraph (3), Article 100-4, paragraph (1), Article 100-10, paragraph (1), item (xxix), and Articles 139 and 140 of that Act, the provisions amending Article 4-2, Article 4-3, paragraph (1), Article 4-5, paragraph (1), and Article 9-2 of the Supplementary Provisions of that Act, the provisions deleting Article 29, paragraph (1), item (iv) of the Supplementary Provisions of that Act, and the provisions amending Article 32, paragraph (2), item (iii) of the Supplementary Provisions of that Act; in Article 4, the provisions amending Article 18, paragraph (5) and Article 43, paragraph (12) of the Supplementary Provisions of the 1985 Act Amending the National Pension; in Article 8, the provisions amending Article 19, paragraph (2) of the Supplementary Provisions of the 2004 Act Amending the National Pension; in Article 10, the provisions amending Article 42, Article 42-2, paragraph (2), and Articles 73-2, 78-2, and 100-2 of the National Public Officers Mutual Aid Association Act, the provisions adding one Article after Article 100-2 of that Act, the provisions amending Article 102, paragraph (1) of that Act, the provisions amending Article 12, paragraph (9) and Article 12-4-2 of the Supplementary Provisions of that Act, and the provisions deleting Article 13-10, paragraph (1), item (iv) of the Supplementary Provisions of that Act; in Article 15, the provisions amending Articles 80-2 and 114-2 of the Local Public Officers Mutual Aid Association Act, the provisions adding one Article after Article 114-2 of that Act, the provisions amending Article 116, paragraph (1) and Article 144-12, paragraph (1) of that Act, the provisions amending Article 18, paragraph (8) and Article 20-2 of the Supplementary

Provisions of that Act, and the provisions deleting Article 28-13, paragraph (1), item (iv) of the Supplementary Provisions of that Act; the provisions of Article 19 (excluding the provisions amending Article 39, item (iii) of the Private School Personnel Mutual Aid Association Act); in Article 24, the provisions amending Article 8, paragraph (3) of the Act on Special Provisions for Enforcement of Agreements (excluding the part amending "Article 7, paragraph (1) of the Supplementary Provisions" to "Article 9, paragraph (1) of the Supplementary Provisions"), and the provisions amending Article 18, paragraph (1) of the Act on Special Provisions for Enforcement of Agreements; the provisions of Article 25 (excluding the amending provisions set forth in the following item), and the provisions of Article 26 (excluding the amending provisions set forth in the following item); and the provisions of paragraph (1) of the following Article; and the provisions of Articles 4 through 7, Articles 9 through 12, Articles 18 through 20, Articles 22 through 34, Articles 37 through 39, Articles 42 through 44, Articles 47 through 50, Article 61, Articles 64 through 66, and Article 70 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding two years from the date of promulgation; and

五 第三条中厚生年金保険法第十二条に一号を加える改正規定並びに同法第二十条第一項及び第二十一条第一項の改正規定、第八条中平成十六年国民年金等改正法附則第三条第三項を削る改正規定、第十条中国家公務員共済組合法第二条第一項の改正規定、第十五条中地方公務員等共済組合法第二条第一項の改正規定、第十九条の二の規定、第二十五条中健康保険法第三条、第四十一条第一項及び附則第五条の三の改正規定、第二十六条中船員保険法第二条第九項第一号の改正規定並びに第二十七条から第二十九条までの規定並びに次条第二項並びに附則第十六条、第十七条、第四十五条、第四十六条、第五十一条から第五十六条まで、第五十九条、第六十条及び第六十七条の規定 平成二十八年十月一日

(v) in Article 3, the provisions adding one item to Article 12 of the Employees' Pension Insurance Act, and the provisions amending Article 20, paragraph (1) and Article 21, paragraph (1) of that Act; in Article 8, the provisions deleting Article 3, paragraph (3) of the Supplementary Provisions of the 2004 Act Amending the National Pension; in Article 10, the provisions amending Article 2, paragraph (1) of the National Public Officers Mutual Aid Association Act; in Article 15, the provisions amending Article 2, paragraph (1) of the Local Public Officers Mutual Aid Association Act; the provisions of Article 19-2; in Article 25, the provisions amending Article 3 and Article 41, paragraph (1) of the Health Insurance Act and Article 5-3 of the Supplementary Provisions of that Act; in Article 26, the provisions amending Article 2, paragraph (9), item (i) of the Mariners Insurance Act; and the provisions of Articles 27 through 29; and the provisions of paragraph (2) of the following Article and Articles 16, 17, 45, 46, 51 through 56, 59, 60, and 67

of the Supplementary Provisions: October 1.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第七十一条 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 71 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in line with the enforcement of this Act.

附 則 〔平成二十四年八月二十二日法律第六十三号〕〔抄〕

**Supplementary Provisions [Act No. 63 of August 22, 2012] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成二十七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、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of October 1, 2015; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 次条並びに附則第三条、第二十八条、第百五十九条及び第百六十条の規定 公布の日

(i) the provisions of the following Article, Articles 3, 28, 159, and 160 of the Supplementary Provisions: the date of promulgation;

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第百六十条 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 160 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in line with the enforcement of this Act.

附 則 〔平成二十四年十一月二十六日法律第九十八号〕〔抄〕

**Supplementary Provisions [Act No. 98 of November 26, 2012] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成二十七年十月一日から施行する。ただし、第三条並びに次条及び附則第九条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of October 1, 2015; provided, however,

that the provisions of Article 3 and the following Article and the provisions of Article 9 of the Supplementary Provisions come into effect as of the date of promulgation.

**附 則**〔平成二十五年五月三十一日法律第二十六号〕〔抄〕  
**Supplementary Provisions [Act No. 26 of May 31, 2013] [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 as of the date of promulgation.

**附 則**〔平成二十五年六月二十六日法律第六十三号〕〔抄〕  
**Supplementary Provisions [Act No. 63 of June 26, 2013] [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。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 as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 第四条中国民年金法等の一部を改正する法律附則第二十条及び第六十四条の改正規定、第五条中国民年金法等の一部を改正する法律附則第十九条第二項の改正規定並びに次条並びに附則第三百三十九条、第四百三十三条、第四百六条及び第五百三十三条の規定 公布の日

(i) in Article 4, the provisions amending Articles 20 and 64 of the Supplementary Provisions of the Act Partially Amending the National Pension Act; in Article 5, the provisions amending Article 19, paragraph (2) of the Supplementary Provisions of the Act Partially Amending the National Pension Act; and the provisions of the following Article and Articles 139, 143, 146, and 153 of the Supplementary Provisions: the date of promulgation

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第一百五十一条 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 151 Prior laws continue to govern the applicability of penal provisions to acts committed before the enforcement of this Act.

(その他の経過措置の政令への委任)

**(Delegation of Other Transitional Measures to Cabinet Order)**

第一百五十三条 この附則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（罰則に関する経過措置を含む。）は、政令で定める。

Article 153 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures (including transitional measures concerning penal provisions) in relation to the enforcement of this Act.

附 則 〔平成二十七年五月七日法律第十七号〕〔抄〕

**Supplementary Provisions [Act No. 17 of May 7, 2015] [Extract]**

(施行期日)

**(Effective Date)**

第一条 この法律は、平成二十八年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2016.

附 則 〔平成二十七年五月二十九日法律第三十一号〕〔抄〕

**Supplementary Provisions [Act No. 31 of May 29, 2015] [Extract]**

(施行期日)

**(Effective Date)**

第一条 この法律は、平成三十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、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of April 1, 2018; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 第一条の規定、第五条中健康保険法第九十条第二項及び第九十五条第六号の改正規定、同法第一百五十三条第一項の改正規定、同法附則第四条の四の改正規定、同法附則第五条の改正規定、同法附則第五条の二の改正規定、同法附則第五条の三の改正規定並びに同条の次に四条を加える改正規定、第七条中船員保険法第七十条第四項の改正規定及び同法第八十五条第二項第三号の改正規定、第八条の規定並びに第十二条中社会保険診療報酬支払基金法第十五条第二項の改正規定並びに次条第一項並びに附則第六条から第九条まで、第十五条、第十八条、第二十六条、第五十九条、第六十二条及び第六十七条から第六十九条までの規定 公布の日

(i) the provisions of Article 1; in Article 5, the provisions amending Article 90, paragraph (2) and Article 95, item (vi) of the Health Insurance Act, the provisions amending Article 153, paragraph (1) of that Act, the provisions amending Article 4-4 of the Supplementary Provisions of that Act, the provisions amending Article 5 of the Supplementary Provisions of that Act,

the provisions amending Article 5-2 of the Supplementary Provisions of that Act; the provisions of Article 5-3 of the Supplementary Provisions of that Act, and the provisions adding four Articles after that Article; in Article 7, the provisions amending Article 70, paragraph (4) of the Mariners Insurance Act, and the provisions amending Article 85, paragraph (2), item (iii) of that Act; the provisions of Article 8; and in Article 12, the provisions amending Article 15, paragraph (2) of the Act on Social Insurance Medical Fee Payment Fund; and the provisions of paragraph (1) of the following Article and Articles 6 through 9, Articles 15, 18, 26, 59, 62, and 67 through 69 of the Supplementary Provisions: the date of promulgation;

附 則 〔平成二十八年六月三日法律第六十六号〕 〔抄〕

Supplementary Provisions [Act No. 66 of June 3, 2016] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十九年一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 as of January 1, 2017; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 附則第十条の規定 公布の日

(i) the provisions of Article 10 of the Supplementary Provisions: the date of promulgation;

二 第一条の規定、第四条中確定給付企業年金法第七十八条の次に一条を加える改正規定並びに同法第七十九条及び第八十二条の二の改正規定並びに第六条中公的年金制度の健全性及び信頼性の確保のための厚生年金保険法等の一部を改正する法律附則第四十条第八項及び第四十一条第三号の改正規定並びに附則第九条の規定 平成二十八年七月一日

(ii) the provisions of Article 1; in Article 4, the provisions adding one Article after Article 78 of the Defined Benefit Corporate Pension Act, and the provisions amending Articles 79 and 82 of that Act; and in Article 6, the provisions amending Article 40, paragraph (8) and Article 41, item (iii) of the Supplementary Provisions of the Act Partially Amending the Employees' Pension Insurance Act to Ensure the Soundness and Reliability of the Public Pension System; and the provisions of Article 9 of the Supplementary Provisions: July 1, 2016;

三 第二条中確定拠出年金法第三条第三項第七号、第十九条から第二十一条の三まで、第五十五条第二項第四号及び第六十八条の改正規定、同法第六十九条の改正規定（「個人型年金加入者掛金の額は」を「一年間の個人型年金加入者掛金の額の総額は」に、「一月につき」を「一年間に」に改め、「額の」の下に「総額の」を加え

る部分に限る。) 、同法第七十条第一項及び第七十一条第一項の改正規定並びに附則第四条の規定 平成三十年一月一日

(iii) in Article 2, the provisions amending Article 3, paragraph (3), item (vii), Articles 19 through 21-3, Article 55, paragraph (2), item (iv), and Article 68 of the Defined Contribution Pension Act, the provisions amending Article 69 of that Act (limited to the part amending "amount of the participant of an individual-type pension plan's contributions" to "total annual amount of the participant of an individual-type pension plan's contributions", "per month" to "per year", and "the maximum amount of" to "the maximum total amount of"), and the provisions amending Article 70, paragraph (1) and Article 71, paragraph (1) of that Act; and the provisions of Article 4 of the Supplementary Provisions: January 1, 2018;

四 第三条の規定、第四条の規定（第二号に掲げる改正規定を除く。） 、第五条の規定並びに第六条中公的年金制度の健全性及び信頼性の確保のための厚生年金保険法等の一部を改正する法律附則第五条第三項の表改正後確定給付企業年金法第八十八条の項の次に一項を加える改正規定、同表改正後確定拠出年金法第四条第一項第二号の項を改める改正規定及び同表改正後確定拠出年金法第五十四条の二第二項の項の次に一項を加える改正規定並びに附則第五条から第七条までの規定 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

(iv) the provisions of Article 3; the provisions of Article 4 (excluding the amending provisions set forth in item (ii)); the provisions of Article 5; in Article 6, the provisions adding one row after the row for Article 88 of the Defined Benefit Corporate Pension Act in the table as amended in Article 5, paragraph (3) of the Supplementary Provisions of the Act Partially Amending the Employees' Pension Insurance Act to Ensure the Soundness and Reliability of the Public Pension System, the provisions amending the row for Article 4, paragraph (1), item (ii) of the Defined Contribution Pension Act in that table as amended, and the provisions adding one row after the row for Article 54-2, paragraph (2) of the Defined Contribution Pension Act in that table as amended; and the provisions of Articles 5 through 7 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第二条 この法律（附則第一条第二号から第四号まで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は、なお従前の例による。

Article 2 Prior laws continue to govern the applicability of penal provisions to acts committed before the enforcement of this Act (with regard to the



provisions set forth in Article 1, items (ii) through (iv) of the Supplementary Provisions, those provisions; hereinafter the same applies in this Article), and to acts committed after the enforcement of this Act when prior laws are to continue to govern the applicability pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三条 附則第三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必要な経過措置は、政令で定める。

Article 3 Beyond what is provided for in Article 3 of the Supplementary Provisions through the preceding Article, Cabinet Order prescribes the necessary transitional measures in relation to the enforcement of this Act.

第四条 附則第一条第三号に掲げる規定の施行の日の属する月の前月以前の月分の第二条の規定（同号に掲げる改正規定に限る。）による改正前の確定拠出年金法第三条第三項第七号に規定する事業主掛金、同項第七号の二に規定する企業型年金加入者掛金及び同法第五十五条第二項第四号に規定する個人型年金加入者掛金の納付及び給与からの控除については、なお従前の例による。

Article 4 Prior laws continue to govern the payment and the deduction from salaries of the employer's contribution prescribed in Article 3, paragraph (3), item (vii) of the Defined Contribution Pension Act before the amendment by the provisions of Article 2 (limited to the amending provisions set forth in Article 1, item (iii) of the Supplementary Provisions), the participant of a corporate-type pension plan's contribution prescribed in item (vii)-2 of Article 3, paragraph (3) of that Act, and the participant of an individual-type pension plan's contribution prescribed in Article 55, paragraph (2), item (iv) of that Act for the month preceding the month containing the day on which the provisions set forth in Article 1, item (iii) of the Supplementary Provisions come into effect and earlier months.

(第三条の規定による確定拠出年金法の一部改正に伴う経過措置)

(Transitional Measures Associated with the Partial Amendment of the Defined Contribution Pension Act by Article 3)

第五条 附則第一条第四号に掲げる規定の施行の日（以下「第四号施行日」という。）前に第三条の規定による改正前の確定拠出年金法（次項及び第三項において「改正前確定拠出年金法」という。）第三条第一項の承認の申請をした者の当該申請に係る申請書に添付すべき書類については、なお従前の例による。

Article 5 (1) Prior laws continue to govern the documents to be attached to a written application pertaining to an application for the approval referred to in Article 3, paragraph (1) of the Defined Contribution Pension Act before the

amendment by the provisions of Article 3 (referred to as the "Defined Contribution Pension Act before the amendment" in the following paragraph and paragraph (3)) submitted by a person who filed that application before the day on which the provisions set forth in Article 1, item (iv) of the Supplementary Provisions come into effect (hereinafter referred to as the "effective date of item (iv)").

2 第四号施行日前に納付されることとされている改正前確定拠出年金法第三条第三項第七号に規定する事業主掛金、同項第七号の二に規定する企業型年金加入者掛金及び改正前確定拠出年金法第五十五条第二項第四号に規定する個人型年金加入者掛金に係る運用の方法の選定及び提示、運用の指図並びに運用の方法の除外については、なお従前の例による。

(2) Prior laws continue to govern the selection and presentation of investment methods, instructions on investment, and exclusion of any investment method with regard to the employer's contribution prescribed in Article 3, paragraph (3), item (vii) of the Defined Contribution Pension Act before the amendment, the participant of a corporate-type pension plan's contribution prescribed in item (vii)-2 of that paragraph, and the participant of an individual-type pension plan's contribution prescribed in Article 55, paragraph (2), item (iv) of the Defined Contribution Pension Act before the amendment, which are to be paid before the effective date of item (iv).

3 第四号施行日から起算して五年を超えない期間内において、附則第一条第四号に掲げる規定の施行の際現に改正前確定拠出年金法第二十三条第一項（改正前確定拠出年金法第七十三条において準用する場合を含む。）の規定により同項の企業型運用関連運営管理機関等（改正前確定拠出年金法第七十三条において同項の規定を準用する場合にあっては、改正前確定拠出年金法第五十五条第二項第三号の個人型年金加入者等に係る改正前確定拠出年金法第二条第七項第二号に規定する運用関連業務を行う改正前確定拠出年金法第三条第三項第四号の確定拠出年金運営管理機関。以下この項において同じ。）が提示している運用の方法の数が、第三条の規定による改正後の確定拠出年金法（以下この項及び次項において「改正後確定拠出年金法」という。）第二十三条第一項（改正後確定拠出年金法第七十三条において準用する場合を含む。）の政令で定める数を超える場合における当該企業型運用関連運営管理機関等に係る同項の規定の適用については、同項中「企業型年金加入者等による適切な運用の方法の選択に資するための上限として政令で定める数」とあるのは、「確定拠出年金法等の一部を改正する法律（平成二十八年法律第六十六号）附則第一条第四号に掲げる規定の施行の際現に同法第三条の規定による改正前の第二十三条第一項の規定により企業型年金加入者等に提示している運用の方法の数」とする。

(3) Within a period not exceeding five years from the item (iv) effective date, if the number of investment methods already presented by the corporate-type pension plan investment-related operational management institution, etc. referred to in Article 23, paragraph (1) of the Defined Contribution Pension Act before the amendment (when applying mutatis mutandis the provisions of that

paragraph pursuant to Article 73 of the Defined Contribution Pension Act before the amendment, the defined contribution pension operational management institution referred to in Article 3, paragraph (3), item (iv) of the Defined Contribution Pension Act before the amendment which provides the investment-related services prescribed in Article 2, paragraph (7), item (ii) of the Defined Contribution Pension Act before the amendment in relation to the participant or instructor of an individual-type pension plan referred to in Article 55, paragraph (2), item (iii) of the Defined Contribution Pension Act before the amendment; hereinafter the same applies in this paragraph) pursuant to the provisions of that paragraph (including as applied mutatis mutandis pursuant to Article 73 of the Defined Contribution Pension Act before the amendment) at the time of the enforcement of the provisions set forth in Article 1, item (iv) of the Supplementary Provisions exceeds the number specified by Cabinet Order referred to in Article 23, paragraph (1) of the Defined Contribution Pension Act after the amendment by Article 3 (hereinafter referred to as the "Defined Contribution Pension Act after the amendment" in this paragraph and the following paragraph) (including as applied mutatis mutandis pursuant to Article 73 of the Defined Contribution Pension Act after the amendment), and if applying the provisions of Article 23, paragraph (1) of that Act in relation to that corporate-type pension plan investment-related operational management institution, etc., the phrase "the number specified by Cabinet Order as the maximum number for contributing to appropriate selection of an investment method by corporate-type pension plan participants or instructors" in that paragraph is deemed to be replaced with "the number of investment methods already presented to corporate-type pension plan participants or instructors pursuant to the provisions of Article 23, paragraph (1) before the amendment by Article 3 of the Act Partially Amending the Defined Contribution Pension Act (Act No. 66 of 2016) at the time of enforcement of the provisions set forth in Article 1, item (iv) of the Supplementary Provisions of that Act".

4 改正後確定拠出年金法第五十四条の五の規定は、第四号施行日以後に行われる同条に規定する合併等について適用する。

(4) The provisions of Article 54-5 of the Defined Contribution Pension Act after the amendment apply to the merger, etc. prescribed in that Article that is conducted on or after the item (iv) effective date.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第九条 この法律（附則第一条第二号から第四号まで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

の適用については、なお従前の例による。

**Article 9** Prior laws continue to govern the applicability of penal provisions to acts committed before the enforcement of this Act (with regard to the provisions set forth in Article 1, items (ii) through (iv) of the Supplementary Provisions, those provisions; hereinafter the same applies in this Article), and to acts committed after the enforcement of this Act when prior laws are to continue to govern the applicability pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第十条 附則第三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必要な経過措置は、政令で定める。

**Article 10** Beyond what is provided for in Article 3 of the Supplementary Provisions through the preceding Article, Cabinet Order prescribes the necessary transitional measures in relation to the enforcement of this Act.

附 則 〔平成二十八年十一月二十四日法律第八十四号〕〔抄〕

**Supplementary Provisions [Act No. 84 of November 24, 2016] [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 as of the date of promulgation.

附 則 〔平成二十八年十二月二十六日法律第百十四号〕〔抄〕

**Supplementary Provisions [Act No. 114 of December 26, 2016] [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。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 as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 略

(i) omitted;

二 第七条の規定 平成二十九年四月一日

(ii) the provisions of Article 7: April 1, 2017;

附 則 〔令和二年六月五日法律第四十号〕〔抄〕

## Supplementary Provisions [Act No. 40 of June 5, 2020] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、令和四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 as of April 1, 2022; provided, however, that the provisions set forth in the following items come into effect as of the days respectively specified in those items:

一 第一条中国民年金法第八十七条第三項の改正規定、第四条中厚生年金保険法第百条の三の改正規定、同法第百条の十第一項の改正規定（同項第十号の改正規定を除く。）及び同法附則第二十三条の二第一項の改正規定、第六条の規定、第十一条の規定（第五号に掲げる改正規定を除く。）、第十二条の規定（第六号に掲げる改正規定を除く。）、第十三条の規定（同号に掲げる改正規定を除く。）、第二十条中確定給付企業年金法第三十六条第二項第一号の改正規定、第二十一条中確定拠出年金法第四十八条の三、第七十三条及び第八十九条第一項第三号の改正規定、第二十四条中公的年金制度の健全性及び信頼性の確保のための厚生年金保険法等の一部を改正する法律附則第三十八条第三項の表改正後確定拠出年金法第四十八条の二の項及び第四十条第八項の改正規定、第二十九条中健康保険法附則第五条の四、第五条の六及び第五条の七の改正規定、次条第二項から第五項まで及び附則第十二条の規定、附則第四十二条中国民年金法等の一部を改正する法律（昭和六十年法律第三十四号。次号及び附則第四十二条から第四十五条までにおいて「昭和六十年国民年金等改正法」という。）附則第二十条及び第六十四条の改正規定、附則第五十五条中被用者年金制度の一元化等を図るための厚生年金保険法等の一部を改正する法律（平成二十四年法律第六十三号。以下「平成二十四年一元化法」という。）附則第二十三条第三項、第三十六条第六項、第六十条第六項及び第八十五条の改正規定、附則第五十六条の規定、附則第九十五条中行政手続における特定の個人を識別するための番号の利用等に関する法律（平成二十五年法律第二十七号）別表第二の百七の項の改正規定並びに附則第九十七条の規定 公布の日

(i) in Article 1, the provisions amending Article 87, paragraph (3) of the National Pension Act; in Article 4, the provisions amending Article 100-3 of the Employees' Pension Insurance Act, the provisions amending Article 100-10, paragraph (1) of that Act (excluding the provisions amending item (x) of that paragraph), and the provisions amending Article 23-2, paragraph (1) of the Supplementary Provisions of that Act; the provisions of Article 6; the provisions of Article 11 (excluding the amending provisions set forth in item (v)); the provisions of Article 12 (excluding the amending provisions set forth in item (vi)); the provisions of Article 13 (excluding the amending provisions set forth in item (vi)); in Article 20, the provisions amending Article 36, paragraph (2), item (i) of the Defined Benefit Corporate Pension Act; in Article 21, the provisions amending Articles 48-3 and 73 and Article 89,

paragraph (1), item (iii) of the Defined Contribution Pension Act; in Article 24, the provisions amending the row for Article 48-2 of the Defined Contribution Pension Act in the table as amended in Article 38, paragraph (3) of the Act Partially Amending the Employees' Pension Insurance Act to Ensure the Soundness and Reliability of the Public Pension System and Article 40, paragraph (8); in Article 29, the provisions amending Articles 5-4, 5-6, and 5-7 of the Supplementary Provisions of the Health Insurance Act; the provisions of paragraphs (2) through (5) of the following Article and Article 12 of the Supplementary Provisions; in Article 42 of the Supplementary Provisions, the provisions amending Articles 20 through 64 of the Supplementary Provisions of the Act Partially Amending the National Pension Act, etc. (Act No. 34 of 1985; referred to as the "1985 Act Amending the National Pension" in the following item and Articles 42 through 45 of the Supplementary Provisions); in Article 55 of the Supplementary Provisions, the provisions amending Article 23, paragraph (3), Article 36, paragraph (6), Article 60, paragraph (6), and Article 85 of the Supplementary Provisions of the Act Partially Amending the Employees' Pension Insurance Act for Integrating the Employees' Pension Systems (Act No. 63 of 2012; hereinafter referred to as the "2012 Integration Act"); the provisions of Article 56 of the Supplementary Provisions; in Article 95 of the Supplementary Provisions, the provisions amending row 107 in appended table 2 of the Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures (Act No. 27 of 2013); and the provisions of Article 97 of the Supplementary Provisions: the date of promulgation;

二 略

(ii) omitted;

三 第二十一条中確定拠出年金法第三条第五項第二号、第六条第一項及び第五十五条第二項第四号の二の改正規定 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) in Article 21, the provisions amending Article 3, paragraph (5), item (ii), Article 6, paragraph (1), and Article 55, paragraph (2), item (iv)-2 of the Defined Contribution Pension Act: the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation;

四 略

(iv) omitted;

五 第一条の規定（第一号に掲げる改正規定を除く。）、第四条中厚生年金保険法附則第二十九条第四項の改正規定、第七条の規定、第十一条中政府管掌年金事業等の運営の改善のための国民年金法等の一部を改正する法律附則第十四条第一項第二号の改正規定、第十五条中国家公務員共済組合法第九十九条、第一百零二条第三項及び第二百二十四条の三の改正規定並びに同法附則第二十条の二第四項の改正規定（同項の表第一百零一条第二項の項の改正規定を除く。）、第二十一条中確定拠出年金法附則

第三条第一項第三号の改正規定、附則第三条から第五条まで、第十条、第二十八条、第四十六条及び第四十七条の規定、附則第四十九条中厚生年金保険法等の一部を改正する法律（平成八年法律第八十二号。第九号及び附則第四十九条において「平成八年厚生年金等改正法」という。）附則第五十四条の改正規定並びに附則第五十五条中平成二十四年一元化法附則第四十九条第四号の改正規定 令和三年四月一日

(v) the provisions of Article 1 (excluding the amending provisions set forth in item (i)); in Article 4, the provisions amending Article 29, paragraph (4) of the Supplementary Provisions of the Employees' Pension Insurance Act; the provisions of Article 7; in Article 11, the provisions amending Article 14, paragraph (1), item (ii) of the Supplementary Provisions of the Act Partially Amending the National Pension Act for Improving Operation of the Government-Administered Pension Business; in Article 15, the provisions amending Article 99, Article 102, paragraph (3), and Article 124-3 of the National Public Officers Mutual Aid Association Act, and the provisions amending Article 20-2, paragraph (4) of the Supplementary Provisions of that Act (excluding the provisions amending the row for Article 111, paragraph (2) in the table in that paragraph); in Article 21, the provisions amending Article 3, paragraph (1), item (iii) of the Supplementary Provisions of the Defined Contribution Pension Act; the provisions of Articles 3 through 5 and Articles 10, 28, 46, and 47 of the Supplementary Provisions; in Article 49 of the Supplementary Provisions, the provisions amending Article 54 of the Supplementary Provisions of the Act Partially Amending the Employees' Pension Insurance Act (Act No. 82 of 1996; referred to as the "1996 Act Amending the Employees' Pension" in item (ix) and Article 49 of the Supplementary Provisions); and in Article 55 of the Supplementary Provisions, the provisions amending Article 49, item (iv) of the Supplementary Provisions of the 2012 Integration Act: April 1, 2021;

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(vi) omitted;

七 第二十条の規定（第一号に掲げる改正規定を除く。）、第二十二条の規定、第二十四条中公的年金制度の健全性及び信頼性の確保のための厚生年金保険法等の一部を改正する法律附則第五条第三項の表の改正規定（同表改正後厚生年金保険法第百条の十第一項第十号の項の改正規定を除く。）、同法附則第三十八条第二項の表の改正規定、同条第三項の表の改正規定（同表改正後厚生年金保険法第百条の十第一項第十号の項及び改正後確定拠出年金法第四十八条の二の項の改正規定を除く。）、同法附則第四十条第二項及び第四十一条第二号の改正規定、同法附則第四十九条の次に一条を加える改正規定並びに同法附則第五十一条、第五十二条、第五十七条から第五十九条まで、第七十一条第二項及び第九十三条の改正規定、第二十六条中独立行政法人農業者年金基金法第十一条、第十三条及び第四十五条第一項の改正規定、同法附則第二条第一項の改正規定（「当分の間」の下に「、第二十八条第一項の規定にかかわらず」を加える部分を除く。）、同条の次に一条を加える改正規定、同

法附則第三条第一項の改正規定（「当分の間」の下に「、第三十一条第一項の規定にかかわらず」を加える部分及び「第三十一条第一項ただし書」を「同項ただし書」に改める部分を除く。）並びに同条第二項の改正規定、附則第二十六条、第二十九条から第三十三条まで及び第八十九条から第九十一条までの規定並びに附則第九十二条中住民基本台帳法（昭和四十二年法律第八十一号）別表第一の七十七の四の項の改正規定 令和四年五月一日

(vii) the provisions of Article 20 (excluding the amending provisions set forth in item (i)); the provisions of Article 22; in Article 24, the provisions amending the table in Article 5, paragraph (3) of the Act Partially Amending the Employees' Pension Insurance Act to Ensure the Soundness and Reliability of the Public Pension System (excluding the provisions amending the row for Article 100-10, paragraph (1), item (x) of the Employees' Pension Insurance Act in that table as amended); the provisions amending the table in Article 38, paragraph (2) of the Supplementary Provisions of that Act; the provisions amending the table in paragraph (3) of that Article (excluding the provisions amending the row for Article 100-10, paragraph (1), item (x) of the Employees' Pension Insurance Act and the row for Article 48-2 of the Defined Contribution Pension Act after the amendment in that table as amended); the provisions amending Article 40, paragraph (2) and Article 41, item (ii) of the Supplementary Provisions of that Act; the provisions adding one Article after Article 49 of the Supplementary Provisions of that Act, and the provisions amending Articles 51, 52, and 57 through 59, Article 71, paragraph (2), and Article 93 of the Supplementary Provisions of that Act; in Article 26, the provisions amending Articles 11 and 13 and Article 45, paragraph (1) of the Act on the Farmers Pension Fund, Independent Administrative Agency, the provisions amending Article 2, paragraph (1) of the Supplementary Provisions of that Act (excluding the part adding ", notwithstanding the provisions of Article 28, paragraph (1)" after "until otherwise provided for by law"), the provisions adding one Article after Article 2 of the Supplementary Provisions of that Act, the provisions amending Article 3, paragraph (1) of the Supplementary Provisions of that Act (excluding the part adding ", notwithstanding the provisions of Article 31, paragraph (1)" after "until otherwise provided for by law" and the part amending "the proviso to Article 31, paragraph (1)" to "the proviso to that paragraph"), and the provisions amending Article 3, paragraph (2) of the Supplementary Provisions of that Act; the provisions of Articles 26, 29 through 33, and 89 through 91 of the Supplementary Provisions; and in Article 92 of the Supplementary Provisions, the provisions amending row 77-4 in appended table 1 of the Residential Basic Book Act (Act No. 81 of 1967): May 1, 2022;

八 第四条中厚生年金保険法第六条第一項第一号及び第十二条並びに附則第四条の二



の改正規定、第九条の規定、第十五条中国国家公務員共済組合法第二条第一項第一号、第四十条、第七十二条、第一百条の二及び第二百五条から第二十六条の二まで並びに附則第二十条の二第一項及び第二十条の六第一項の改正規定、第十七条中地方公務員等共済組合法第二条第一項第一号、第四十三条、第七十四条、第一百三条第一項及び第一百四十一条から第一百四十二条まで並びに附則第四十条の三の二の改正規定、第十九条中私立学校教職員共済法第二十二条第二項の改正規定、第二十三条の規定、第二十九条の規定（第一号に掲げる改正規定を除く。）並びに次条第六項並びに附則第十四条、第十九条及び第二十四条の規定 令和四年十月一日

(viii) in Article 4, the provisions amending Article 6, paragraph (1), item (i) and Article 12 of the Employees' Pension Insurance Act and Article 4-2 of the Supplementary Provisions of that Act; the provisions of Article 9; in Article 15, the provisions amending Article 2, paragraph (1), item (i) and Articles 40, 72, 102-2, and 125 through 126-2 of the National Public Officers Mutual Aid Association Act and Article 20-2, paragraph (1) and Article 20-6, paragraph (1) of the Supplementary Provisions of that Act; in Article 17, the provisions amending Article 2, paragraph (1), item (i), Articles 43 and 74, Article 103, paragraph (1), and Articles 141 through 142 of the Local Public Officers Mutual Aid Association Act and Article 40-3-2 of the Supplementary Provisions of that Act; in Article 19, the provisions amending Article 22, paragraph (2) of the Private School Personnel Mutual Aid Association Act; the provisions of Article 23; the provisions of Article 29 (excluding the amending provisions set forth in item (i)); and the provisions of paragraph (6) of the following Article and Articles 14, 19, and 24 of the Supplementary Provisions: October 1, 2022.

(検討)

(Review)

第二条 政府は、この法律の施行後速やかに、この法律による改正後のそれぞれの法律の施行の状況等を勘案し、公的年金制度を長期的に持続可能な制度とする取組を更に進め、社会経済情勢の変化に対応した保障機能を一層強化し、並びに世代間及び世代内の公平性を確保する観点から、公的年金制度及びこれに関連する制度について、持続可能な社会保障制度の確立を図るための改革の推進に関する法律（平成二十五年法律第百十二号）第六条第二項各号に掲げる事項及び公的年金制度の所得再分配機能の強化その他必要な事項（次項及び第四項に定める事項を除く。）について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 (1) Promptly after this Act comes into effect, the government is to conduct a review on the particulars set forth in the items of Article 6, paragraph (2) of the Act on Promotion of Reform for Establishing a Sustainable Social Security System (Act No. 112 of 2013) as well as reinforcement of the income redistribution function of the public pension system and other necessary particulars (excluding the particulars specified in the following

paragraph and paragraph (4)) with regard to the public pension system and systems related thereto, from the viewpoint of further promoting initiatives for making the public pension system a system that is sustainable in the long term, further reinforcing the security functions that correspond to changes in socioeconomic situations, and ensuring fairness between and within generations, in consideration of the status of enforcement of the respective laws after the amendment by this Act, and is to take necessary measures based on the results of the review.

5 政府は、国民が高齢期における所得の確保に係る自主的な努力を行うに当たって、これに対する支援を公平に受けられるようにする等その充実を図る観点から、個人型確定拠出年金及び国民年金基金の加入の要件、個人型確定拠出年金に係る拠出限度額及び中小事業主掛金を拠出できる中小事業主の範囲等について、税制上の措置を含め全般的な検討を加え、その結果に基づいて必要な措置を講ずるものとする。

(5) The government is to conduct an overall review, including taxation measures, on particulars such as the requirements for participation in an individual-type defined contribution pension plan and a national pension fund, the maximum contribution amount for an individual-type defined contribution pension plan, and the scope of small and medium-sized employers that can contribute to small and medium-sized employer's contributions, from the viewpoint of enhancing citizens' voluntary efforts to secure income in old age, such as enabling them to receive support for such efforts fairly, and is to take necessary measures based on the results of the review.

6 政府は、前条第八号に掲げる規定の施行後五年を目途として、当該規定による改正後の確定拠出年金法の施行の状況等を勘案し、同法の規定に基づく規制の在り方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。

(6) Approximately five years after the enforcement of the provisions set forth in item (viii) of the preceding Article, the government is to review the desirable form of regulations based on the provisions of the Defined Contribution Pension Act after the amendment by those provisions, in consideration of the status of enforcement of that Act, and if found to be necessary, take necessary measures based on the results of the review.

(確定拠出年金法による老齢給付金に関する経過措置)

(Transitional Measures Concerning Old-age Benefits under the Defined Contribution Pension Act)

第二十七条 第二十一条の規定による改正後の確定拠出年金法第三十四条（同法第七十三条において準用する場合を含む。）の規定は、施行日の前日において、七十歳に達していない者について適用する。

Article 27 The provisions of Article 34 of the Defined Contribution Pension Act after the amendment by the provisions of Article 21 (including as applied

mutatis mutandis pursuant to Article 73 of that Act) apply to a person who has not reached the age of 70 on the day preceding the effective date.

(確定拠出年金法による脱退一時金に関する経過措置)

(Transitional Measures Concerning a Lump-sum Withdrawal Payment under the Defined Contribution Pension Act)

第二十八条 第二十一条の規定による改正後の確定拠出年金法附則第三条の規定は、第五号施行日前に既に企業型年金加入者（確定拠出年金法第二条第八項に規定する企業型年金加入者をいう。以下同じ。）又は個人型年金加入者（確定拠出年金法第二条第十項に規定する個人型年金加入者をいう。附則第三十二条において同じ。）の資格を喪失している者についても、適用する。

Article 28 The provisions of Article 3 of the Supplementary Provisions of the Defined Contribution Pension Act after the amendment by the provisions of Article 21 also apply to a person who had already lost the status as a participant of a corporate-type pension plan (meaning the participant of a corporate-type pension plan prescribed in Article 2, paragraph (8) of the Defined Contribution Pension Act; the same applies hereinafter) or a participant of an individual-type pension plan (meaning the participant of an individual-type pension plan prescribed in Article 2, paragraph (10) of the Defined Contribution Pension Act; the same applies in Article 32 of the Supplementary Provisions) before the item (v) effective date.

(確定拠出年金の加入者の資格に関する経過措置)

(Transitional Measures Concerning the Status as a Participant of a Defined Contribution Pension Plan)

第二十九条 附則第一条第七号に掲げる規定の施行の際現に企業型年金（確定拠出年金法第二条第二項に規定する企業型年金をいう。）の老齢給付金（同法第二十八条第一号の老齢給付金をいう。）の受給権を有する企業型年金加入者については、第二十二条の規定による改正後の確定拠出年金法（以下「第七号新確定拠出年金法」という。）第十一条第六号の規定は適用せず、第七号施行日以後も引き続き企業型年金加入者とする。

Article 29 With regard to a participant of a corporate-type pension plan who already has the right to receive old-age benefits (meaning the old-age benefits referred to in Article 28, item (i) of that Act) under a corporate-type pension plan (meaning the corporate-type pension plan prescribed in Article 2, paragraph (2) of the Defined Contribution Pension Act) at the time of enforcement of the provisions set forth in Article 1, item (vii) of the Supplementary Provisions, the provisions of Article 11, item (vi) of the Defined Contribution Pension Act after the amendment by the provisions of Article 22 (hereinafter referred to as the "item (vii) new Defined Contribution Pension Act") do not apply, and the person continues to be a participant of a corporate-

type pension plan on and after the item (vii) effective date.

(企業型年金加入者であった者の個人別管理資産の企業年金連合会への移換に関する経過措置)

(Transitional Measures Concerning a Transfer of Assets Managed per Individual Relating to a Person Who Was a Participant of a Corporate-type Pension Plan to the Pension Fund Association)

第三十条 第七号新確定拠出年金法第五十四条の五第一項の規定は、第七号施行日以後に第七号新確定拠出年金法第十一条の規定により企業型年金加入者の資格を喪失した者について適用する。

Article 30 The provisions of Article 54-5, paragraph (1) of the item (vii) new Defined Contribution Pension Act apply to a person who loses the status as a participant of a corporate-type pension plan pursuant to the provisions of Article 11 of the item (vii) new Defined Contribution Pension Act on or after the effective date of item (vii).

(第七号新確定拠出年金法による脱退一時金に関する経過措置)

(Transitional Measures Concerning a Lump-Sum Withdrawal Payment under the Item (vii) New Defined Contribution Pension Act)

第三十一条 第七号新確定拠出年金法附則第二条の二の規定は、第七号施行日前に既に企業型年金加入者の資格を喪失している者についても、適用する。

Article 31 The provisions of Article 2-2 of the Supplementary Provisions of the item (vii) new Defined Contribution Pension Act also apply to a person who had already lost the status as a participant of a corporate-type pension plan before the effective date of item (vii).

第三十二条 第七号新確定拠出年金法附則第三条の規定は、第七号施行日前に既に企業型年金加入者又は個人型年金加入者の資格を喪失している者についても、適用する。

Article 32 The provisions of Article 3 of the Supplementary Provisions of the item (vii) new Defined Contribution Pension Act also apply to a person who had already lost the status as a participant of a corporate-type pension plan or a participant of an individual-type pension plan before the item (vii) effective date.

(企業型年金加入者であった者の個人別管理資産の存続連合会への移換に関する経過措置)

(Transitional Measures Concerning a Transfer of Assets Managed per Individual Relating to a Person Who Was a Participant of a Corporate-type Pension Plan to a Surviving Association)

第三十三条 第二十四条の規定による改正後の公的年金制度の健全性及び信頼性の確保のための厚生年金保険法等の一部を改正する法律附則第三十八条第三項の規定により

読み替えて適用する第七号新確定拠出年金法第五十四条の五第一項の規定は、第七号施行日以後に第七号新確定拠出年金法第十一条の規定により企業型年金加入者の資格を喪失した者について適用する。

Article 33 The provisions of Article 54-5, paragraph (1) of the item (vii) new Defined Contribution Pension Act as applied pursuant to the provisions of Article 38, paragraph (3) of the Supplementary Provisions of the Act Partially Amending the Employees' Pension Insurance Act to Ensure the Soundness and Reliability of the Public Pension System after the amendment by Article 24, following the deemed replacement of terms, apply to a person who loses the status as a participant of a corporate-type pension plan pursuant to the provisions of Article 11 of the item (vii) new Defined Contribution Pension Act on or after the item (vii) effective date.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第四十一条 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 41 Prior laws continue to govern the applicability of penal provisions to acts committed before the enforcement of this Act and to acts committed after the enforcement of this Act when prior laws are to continue to govern the applicability pursuant to the provisions of these Supplementary Provisions.

(受給権の保護の例外に関する経過措置)

(Transitional Measures Concerning Exception to Protection of the Right to Receive Benefits)

第八十条 この法律の施行の際現に担保に供されている年金である給付若しくは補償又は保険給付遅延特別加算金若しくは給付遅延特別加算金の支給を受ける権利は、施行日以後も、なお従前の例により担保に供することができる。

Article 80 (1) Any right to receive payment of benefits as pensions, compensations, special additional amounts to delayed insurance benefits, or special additional amounts to delayed benefits that was already provided as collateral at the time of the enforcement of this Act may be provided as collateral in accordance with prior laws on and after the effective date.

2 附則第三十六条第一項、第七十条第一項及び第七十一条第一項に規定する申込みに係る年金である給付若しくは補償又は保険給付遅延特別加算金若しくは給付遅延特別加算金の支給を受ける権利は、施行日以後も、なお従前の例により担保に供することができる。

(2) The right to receive payment of benefits as pensions, compensations, special additional amounts to delayed insurance benefits, or special additional amounts to delayed benefits relating to the offer prescribed in Article 36,

paragraph (1), Article 70, paragraph (1), and Article 71, paragraph (1) of the Supplementary Provisions may be provided as collateral in accordance with prior laws on and after the effective date.

3 附則第五十五条の規定による改正後の平成二十四年一元化法附則第二百二十二条の規定により附則第六十九条の規定による改正後の株式会社日本政策金融公庫が行う恩給担保金融に関する法律第二条第一項に規定する恩給等とみなされる給付（平成二十四年一元化法附則第四十一条第一項及び第六十五条第一項に規定する年金たる給付に限る。）を受ける権利については、第四条の規定による改正前の厚生年金保険法第四十一条第一項の規定は、なおその効力を有する。

(3) With regard to the right to receive benefits (limited to the benefits as pensions prescribed in Article 41, paragraph (1) and Article 65, paragraph (1) of the Supplementary Provisions of the 2012 Integration Act) that are deemed to be the public officers pension, etc. prescribed in Article 2, paragraph (1) of the Act on Loans Rendered by Japan Finance Corporation Secured by Public Officers Pension after the amendment by the provisions of Article 69 of the Supplementary Provisions pursuant to the provisions of Article 122 of the Supplementary Provisions of the 2012 Integration Act after the amendment by the provisions of Article 55 of the Supplementary Provisions, the provisions of Article 41, paragraph (1) of the Employees' Pension Insurance Act before the amendment by the provisions of Article 4 remain in force.

（政令への委任）

(Delegation to Cabinet Order)

第九十七条 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（罰則に関する経過措置を含む。）は、政令で定める。

Article 97 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures (including transitional measures concerning penal provisions) in line with the enforcement of this Act.