

# 資金決済に関する法律 Payment Services Act

(平成二十一年六月二十四日法律第五十九号)  
(Act No. 59 of June 24, 2009)

## 第一章 総則（第一条—第二条の二）

### Chapter I General Provisions (Article 1 through Article 2-2)

## 第二章 前払式支払手段

### Chapter II Prepaid Payment Instruments

#### 第一節 総則（第三条・第四条）

##### Section 1 General Provisions (Article 3 and Article 4)

#### 第二節 自家型発行者（第五条・第六条）

##### Section 2 Issuer of Prepaid Payment Instruments for Its Own Business (Article 5 and Article 6)

#### 第三節 第三者型発行者（第七条—第十二条）

##### Section 3 Issuer of Prepaid Payment Instruments for Third-Party Business (Article 7 through Article 12)

#### 第四節 業務（第十三条—第二十一条の三）

##### Section 4 Business (Article 13 through Article 21-3)

#### 第五節 監督（第二十二条—第二十九条）

##### Section 5 Supervision (Article 22 through Article 29)

#### 第六節 雑則（第二十九条の二—第三十六条）

##### Section 6 Miscellaneous Provisions (Article 29-2 through Article 36)

## 第三章 資金移動

### Chapter III Funds Transfers

#### 第一節 総則（第三十六条の二—第四十二条）

##### Section 1 General Provisions (Article 36-2 through Article 42)

#### 第二節 業務（第四十三条—第五十一条の四）

##### Section 2 Business (Article 43 through Article 51-4)

#### 第三節 監督（第五十二条—第五十八条）

##### Section 3 Supervision (Article 52 through Article 58)

#### 第四節 雑則（第五十八条の二—第六十二条の二）

##### Section 4 Miscellaneous Provisions (Article 58-2 through Article 62-2)

## 第三章の二 電子決済手段等

### Chapter III-2 Electronic Payment Instruments

#### 第一節 総則（第六十二条の三—第六十二条の九）

##### Section 1 General Provisions (Article 62-3 through Article 62-9)

#### 第二節 業務（第六十二条の十一—第六十二条の十七）

##### Section 2 Business (Article 62-10 through Article 62-17)

第三節 監督（第六十二条の十八—第六十二条の二十四）

Section 3 Supervision (Article 62-18 through Article 62-24)

第四節 雑則（第六十二条の二十五—第六十三条）

Section 4 Miscellaneous Provisions (Article 62-25 through Article 63)

第三章の三 暗号資産

Chapter III-3 Cryptoassets

第一節 総則（第六十三条の二—第六十三条の七）

Section 1 General Provisions (Article 63-2 through Article 63-7)

第二節 業務（第六十三条の八—第六十三条の十二）

Section 2 Business (Article 63-8 through Article 63-12)

第三節 監督（第六十三条の十三—第六十三条の十九）

Section 3 Supervision (Article 63-13 through Article 63-19)

第四節 雑則（第六十三条の十九の二—第六十三条の二十二）

Section 4 Miscellaneous Provisions (Article 63-19-2 through Article 63-22)

第四章 為替取引分析

Chapter IV Funds Transfer Transaction Analysis

第一節 総則（第六十三条の二十三—第六十三条の二十六）

Section 1 General Provisions (Article 63-23 through Article 63-26)

第二節 業務（第六十三条の二十七—第六十三条の三十一）

Section 2 Business (Article 63-27 through Article 63-31)

第三節 監督（第六十三条の三十二—第六十三条の三十七）

Section 3 Supervision (Article 63-32 through Article 63-37)

第四節 雑則（第六十三条の三十八—第六十三条の四十二）

Section 4 Miscellaneous Provisions (Article 63-38 through Article 63-42)

第四章の二 資金清算

Chapter IV-2 Clearing for Funds Transfer Transactions

第一節 総則（第六十四条—第六十八条）

Section 1 General Provisions (Article 64 through Article 68)

第二節 業務（第六十九条—第七十五条）

Section 2 Business (Article 69 through Article 75)

第三節 監督（第七十六条—第八十二条）

Section 3 Supervision (Article 76 through Article 82)

第四節 雑則（第八十三条—第八十六条）

Section 4 Miscellaneous Provisions (Article 83 through Article 86)

第五章 認定資金決済事業者協会（第八十七条—第九十八条）

Chapter V Certified Associations for Payment Service Providers (Article 87 through Article 98)

第六章 指定紛争解決機関（第九十九条—第一百一条）

Chapter VI Designated Dispute Resolution Organizations (Article 99 through Article 101)

第七章 雑則（第一百二条—第一百六条）

Chapter VII Miscellaneous Provisions (Article 102 through Article 106)

第八章 罰則（第七條—第十八條）

Chapter VIII Penal Provisions (Article 107 through Article 118)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、資金決済に関するサービスの適切な実施を確保し、その利用者等を保護するとともに、当該サービスの提供の促進を図るため、前払式支払手段の発行、銀行等以外の者が行う為替取引、電子決済手段の交換等、暗号資産の交換等、為替取引に関する分析及び銀行等の間で生じた為替取引に係る債権債務の清算について、登録その他の必要な措置を講じ、もって資金決済システムの安全性、効率性及び利便性の向上に資することを目的とする。

Article 1 The purpose of this Act is to enforce registration and provide other necessary measures with respect to the issuance of prepaid payment instruments, or funds transfer transactions carried out by persons other than deposit-taking institutions, exchange of electronic payment instruments, etc., exchange of cryptoassets, etc., analysis on funds transfer transactions, and the clearing of funds transfer transactions between deposit-taking institutions, in order to ensure the appropriate provision of payment services, and protection of the users, etc. thereof, and to promote the provision of those services, thereby contributing to the improvement of the safety, efficiency, and convenience of the payment and settlement system.

(定義)

(Definitions)

第二条 この法律において「前払式支払手段発行者」とは、第三条第六項に規定する自家型発行者及び同条第七項に規定する第三者型発行者をいう。

Article 2 (1) The term "issuer of prepaid payment instruments" as used in this Act means an issuer of prepaid payment instruments for its own business as prescribed in Article 3, paragraph (6) and an issuer of prepaid payment instruments for third-party business specified in Article 3, paragraph (7).

2 この法律において「資金移動業」とは、銀行等以外の者が為替取引を業として営むことをいう。

(2) The term "funds transfer services" as used in this Act means funds transfer transactions carried out by persons other than deposit-taking institutions in the course of trade.

3 この法律において「資金移動業者」とは、第三十七条の登録を受けた者をいう。

(3) The term "funds transfer service provider" as used in this Act means a person who has been registered referred to in Article 37.

4 この法律において「外国資金移動業者」とは、この法律に相当する外国の法令の規定により当該外国において第三十七条の登録と同種類の登録（当該登録に類するその他の行政処分を含む。）を受けて為替取引を業として営む者をいう。

(4) The term "foreign funds transfer service provider" as used in this Act means a person who has been registered and carries out funds transfer transactions in the course of trade in a foreign state, whose registration type is same as the one referred to in Article 37 pursuant to the provisions of laws and regulations of that foreign state comparable to this Act (including other administrative dispositions similar to that registration).

5 この法律において「電子決済手段」とは、次に掲げるものをいう。

(5) The term "electronic payment instrument" as used in this Act means any of the following:

一 物品等を購入し、若しくは借り受け、又は役務の提供を受ける場合に、これらの代価の弁済のために不特定の者に対して使用することができ、かつ、不特定の者を相手方として購入及び売却を行うことができる財産的価値（電子機器その他の物に電子的方法により記録されている通貨建資産に限り、有価証券、電子記録債権法（平成十九年法律第百二号）第二条第一項に規定する電子記録債権、第三条第一項に規定する前払式支払手段その他これらに類するものとして内閣府令で定めるもの（流通性その他の事情を勘案して内閣府令で定めるものを除く。）を除く。次号において同じ。）であって、電子情報処理組織を用いて移転することができるもの（第三号に掲げるものに該当するものを除く。）

(i) property value (limited to currency-denominated assets recorded on an electronic device or any other object by electronic means, and excluding securities, the electronically recorded monetary claims prescribed in Article 2, paragraph (1) of the Electronically Recorded Monetary Claims Act (Act No. 102 of 2007), the prepaid payment instruments prescribed in Article 3, paragraph (1), and assets specified by Cabinet Office Order as being similar to these (excluding those specified by Cabinet Office Order in consideration of transferability and other factors); the same applies in the following item) which can be used in relation to unspecified persons for the purpose of paying consideration for the purchase or leasing of goods, etc. or the receipt of provision of services and can also be purchased from and sold to unspecified persons acting as counterparties, and which can be transferred by using an electronic data processing system (excluding those falling under the category set forth in item (iii)); and

二 不特定の者を相手方として前号に掲げるものと相互に交換を行うことができる財産的価値であって、電子情報処理組織を用いて移転することができるもの（次号に掲げるものに該当するものを除く。）

(ii) property value which can be mutually exchanged with what is set forth in the preceding item with unspecified persons acting as counterparties, and which can be transferred by using an electronic data processing system (excluding those falling under the category set forth in the following item);

三 特定信託受益権

(iii) specified beneficial interest in a trust; and

四 前三号に掲げるものに準ずるものとして内閣府令で定めるもの

(iv) anything specified by Cabinet Office Order as being equivalent to what is set forth in the preceding three items.

6 この法律において「物品等」とは、物品その他の財産的価値（本邦通貨及び外国通貨を除く。）をいう。

(6) The term "goods, etc." as used in this Act means goods and other property value (excluding the Japanese currency and foreign currencies).

7 この法律において「通貨建資産」とは、本邦通貨若しくは外国通貨をもって表示され、又は本邦通貨若しくは外国通貨をもって債務の履行、払戻しその他これらに準ずるもの（以下この項において「債務の履行等」という。）が行われることとされている資産をいう。この場合において、通貨建資産をもって債務の履行等が行われることとされている資産は、通貨建資産とみなす。

(7) The term "currency-denominated assets" as used in this Act means assets which are denominated in the Japanese currency or a foreign currency, or for which performance of obligations, refund, or anything equivalent thereto (hereinafter referred to as "performance of obligations, etc." in this paragraph) is supposed to be made in the Japanese currency or a foreign currency. In this case, assets for which performance of obligations, etc. is supposed to be made by means of currency-denominated assets are deemed to be currency-denominated assets.

8 この法律において「有価証券」とは、金融商品取引法（昭和二十三年法律第二十五号）第二条第一項に規定する有価証券又は同条第二項の規定により有価証券とみなされる権利（電子記録債権法第二条第一項に規定する電子記録債権に該当するものを除く。）をいう。

(8) The term "securities" as used in this Act means the securities prescribed in Article 2, paragraph (1) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) or rights that are deemed to be securities pursuant to the provisions of paragraph (2) of that Article (excluding those falling under the category of electronically recorded monetary claims prescribed in Article 2, paragraph (1) of the Electronically Recorded Monetary Claims Act).

9 この法律において「特定信託受益権」とは、金銭信託の受益権（電子情報処理組織を用いて移転することができる財産的価値（電子機器その他の物に電子的方法により記録されるものに限る。）に表示される場合に限る。）であって、受託者が信託契約により受け入れた金銭の全額を預貯金により管理するものであることその他内閣府令で定める要件を満たすものをいう。

(9) The term "specified beneficial interest in a trust" as used in this Act means a beneficial interest in a money trust (limited to cases where it is indicated on a property value (limited to one that is recorded on an electronic device or any other object by electronic means) which can be transferred by using an electronic data processing system), for which the trustee manages the amount of money accepted under a trust agreement by means of deposits or savings and which satisfies other requirements specified by Cabinet Office Order.

10 この法律において「電子決済手段等取引業」とは、次に掲げる行為のいずれかを業として行うことをいい、「電子決済手段の交換等」とは、第一号又は第二号に掲げる行為をいい、「電子決済手段の管理」とは、第三号に掲げる行為をいう。

(10) The term "electronic payment instruments services" as used in this Act means carrying out any of the following acts in the course of trade, the term "exchange of electronic payment instruments, etc." as used in this Act means the act set forth in item (i) or (ii), and the term "management of electronic payment instruments" as used in this Act means the act set forth in item (iii):

一 電子決済手段の売買又は他の電子決済手段との交換

(i) purchase and sale of an electronic payment instrument or exchange with another electronic payment instrument;

二 前号に掲げる行為の媒介、取次ぎ又は代理

(ii) intermediary, brokerage or agency services for the act set forth in the preceding item;

三 他人のために電子決済手段の管理をすること（その内容等を勘案し、利用者の保護に欠けるおそれが少ないものとして内閣府令で定めるものを除く。）。

(iii) management of electronic payment instruments on behalf of another person (excluding that specified by Cabinet Office Order as being less likely to weaken the protection of users in consideration of their content and other related factors);

四 資金移動業者の委託を受けて、当該資金移動業者に代わって利用者（当該資金移動業者との間で為替取引を継続的に又は反復して行うことを内容とする契約を締結している者に限る。）との間で次に掲げる事項のいずれかを電子情報処理組織を使用する方法により行うことについて合意をし、かつ、当該合意に基づき為替取引に関する債務に係る債権の額を増加させ、又は減少させること。

(iv) an act, as entrusted by a funds transfer service provider, of entering into an agreement with a user (limited to a person that has concluded a contract with the funds transfer service provider under which funds transfer transactions are carried out on an ongoing or recurring basis) to carry out any of the following by means of using an electronic data processing system, and increasing or decreasing the amount of claims pertaining to obligations relating to funds transfer transactions based on the agreement, on behalf of the funds transfer service provider:

イ 当該契約に基づき資金を移動させ、当該資金の額に相当する為替取引に関する

債務に係る債権の額を減少させること。

(a) transferring funds based on the contract, and decreasing the amount of claims pertaining to obligations relating to funds transfer transactions by an amount equivalent to the amount of the transferred funds; or

ロ 為替取引により受け取った資金の額に相当する為替取引に関する債務に係る債権の額を増加させること。

(b) increasing the amount of claims pertaining to obligations relating to funds transfer transactions by an amount equivalent to the amount of funds received through a funds transfer transaction.

1 1 この法律において「電子決済手段関連業務」とは、電子決済手段の交換等又は電子決済手段の管理をいう。

(11) The term "electronic payment instruments-related business" as used in this Act means exchange of electronic payment instruments, etc. or management of electronic payment instruments.

1 2 この法律において「電子決済手段等取引業者」とは、第六十二条の三の登録を受けた者をいう。

(12) The term "electronic payment instruments service provider" as used in this Act means a person who has been registered referred to in Article 62-3.

1 3 この法律において「外国電子決済手段等取引業者」とは、この法律に相当する外国の法令の規定により当該外国において第六十二条の三の登録と同種類の登録（当該登録に類するその他の行政処分を含む。）を受けて電子決済手段等取引業を行う者又は当該外国の法令に準拠して第十項第四号に掲げる行為に相当する行為を業として行う者をいう。

(13) The term "foreign electronic payment instruments service provider" as used in this Act means a person who has been registered and carries out electronic payment instruments services in a foreign state, whose registration type is same as the one referred to in Article 62-3, pursuant to the provisions of laws and regulations of that foreign state comparable to this Act (including other administrative dispositions similar to that registration) or a person who engages in the act equivalent to the act set forth in paragraph (10), item (iv) in the course of trade based on laws and regulations of that foreign state.

1 4 この法律において「暗号資産」とは、次に掲げるものをいう。ただし、金融商品取引法第二十九条の二第一項第八号に規定する権利を表示するものを除く。

(14) The term "cryptoasset" as used in this Act means any of the following; provided, however, that those indicating the rights prescribed in Article 29-2, paragraph (1), item (viii) of the Financial Instruments and Exchange Act are excluded:

一 物品等を購入し、若しくは借り受け、又は役務の提供を受ける場合に、これらの代価の弁済のために不特定の者に対して使用することができ、かつ、不特定の者を相手方として購入及び売却を行うことができる財産的価値（電子機器その他の物に電子的方法により記録されているものに限り、本邦通貨及び外国通貨、通貨建資産

並びに電子決済手段（通貨建資産に該当するものを除く。）を除く。次号において同じ。）であって、電子情報処理組織を用いて移転することができるもの

(i) property value (limited to that which is recorded on an electronic device or any other object by electronic means, and excluding the Japanese currency, foreign currencies, currency-denominated assets, and electronic payment instruments (excluding those falling under the category of currency-denominated assets); the same applies in the following item) which can be used in relation to unspecified persons for the purpose of paying consideration for the purchase or leasing of goods, etc. or the receipt of provision of services and can also be purchased from and sold to unspecified persons acting as counterparties, and which can be transferred by using an electronic data processing system; and

二 不特定の者を相手方として前号に掲げるものと相互に交換を行うことができる財産的価値であって、電子情報処理組織を用いて移転することができるもの

(ii) property value which can be mutually exchanged with what is set forth in the preceding item with unspecified persons acting as counterparties, and which can be transferred by using an electronic data processing system.

15 この法律において「暗号資産交換業」とは、次に掲げる行為のいずれかを業として行うことをいい、「暗号資産の交換等」とは、第一号又は第二号に掲げる行為をいい、「暗号資産の管理」とは、第四号に掲げる行為をいう。

(15) The term "cryptoasset exchange services" as used in this Act means carrying out any of the following acts in the course of trade, the term "exchange of cryptoassets, etc." as used in this Act means the act set forth in item (i) or (ii), and the term "management of cryptoassets" as used in this Act means the act set forth in item (iv):

一 暗号資産の売買又は他の暗号資産との交換

(i) purchase and sale of a cryptoasset or exchange with another cryptoasset;

二 前号に掲げる行為の媒介、取次ぎ又は代理

(ii) intermediary, brokerage or agency services for the act set forth in the preceding item;

三 その行う前二号に掲げる行為に関して、利用者の金銭の管理をすること。

(iii) management of users' money, carried out by persons in connection with their acts set forth in the preceding two items; and

四 他人のために暗号資産の管理をすること（当該管理を業として行うことにつき他の法律に特別の規定のある場合を除く。）。

(iv) management of cryptoassets on behalf of another person (excluding cases where the relevant management in the course of trade is governed by special provisions of other Acts).

16 この法律において「暗号資産交換業者」とは、第六十三条の二の登録を受けた者をいう。

(16) The term "cryptoasset exchange service provider" as used in this Act means



a person who has been registered referred to in Article 63-2.

17 この法律において「外国暗号資産交換業者」とは、この法律に相当する外国の法令の規定により当該外国において第六十三条の二の登録と同種類の登録（当該登録に類するその他の行政処分を含む。）を受けて暗号資産交換業を行う者をいう。

(17) The term "foreign cryptoasset exchange service provider" as used in this Act means a person who has been registered and carries out cryptoasset exchange services in a foreign state, whose registration type is same as the one referred to in Article 63-2, pursuant to the provisions of laws and regulations of that foreign state comparable to this Act (including other administrative dispositions similar to that registration).

18 この法律において「為替取引分析業」とは、複数の金融機関等（銀行等その他の政令で定める者をいう。以下同じ。）の委託を受けて、当該金融機関等の行う為替取引（これに準ずるものとして主務省令で定めるものを含む。以下この項及び第四章において同じ。）に関し、次に掲げる行為のいずれかを業として行うことをいう。

(18) The term "funds transfer transaction analysis services" as used in this Act means engaging in any of the following acts, as entrusted by multiple financial institutions, etc. (meaning banks and other persons specified by Cabinet Order; the same applies hereinafter), with regard to funds transfer transactions (including transactions specified by order of the competent ministry as being equivalent thereto; hereinafter the same applies in this paragraph and Chapter IV) carried out by the financial institutions, etc.:

一 当該為替取引が外国為替及び外国貿易法（昭和二十四年法律第二百二十八号）第十七条各号（同法第十七条の三その他政令で定める規定において準用する場合を含む。）に掲げる支払等（同法第八条に規定する支払等をいう。）に係る為替取引に該当するかどうかを分析し、その結果を当該金融機関等に通知すること。

(i) analyzing whether the relevant funds transfer transaction constitutes a funds transfer transaction related to the payment or receipt of payment (meaning the payment or receipt of payment prescribed in Article 8 of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949)) set forth in the items of Article 17 of that Act (including as applied mutatis mutandis pursuant to Article 17-3 of that Act and other provisions specified by Cabinet Order), and notifying the financial institutions, etc. of the analysis results;

二 当該為替取引が国際連合安全保障理事会決議第千二百六十七号等を踏まえ我が国が実施する国際テロリストの財産の凍結等に関する特別措置法（平成二十六年法律第二百二十四号）第九条に規定する公告国際テロリストその他これに準ずる者として主務省令で定める者に係る為替取引に該当するかどうかを分析し、その結果を当該金融機関等に通知すること。

(ii) analyzing whether the relevant funds transfer transaction constitutes a funds transfer transaction related to an international terrorist subject to public notice prescribed in Article 9 of the Act on Special Measures Concerning Asset Freezing, etc. of International Terrorists Conducted by

Japan Taking into Consideration United Nations Security Council Resolution 1267, etc. (Act No. 124 of 2014) or a person specified by order of the competent ministry as being equivalent thereto, and notifying the financial institutions, etc. of the analysis results; and

三 当該為替取引について犯罪による収益の移転防止に関する法律（平成十九年法律第二十二号）第八条第一項の規定による判断を行うに際し必要となる分析を行い、その結果を当該金融機関等に通知すること。

(iii) conducting analysis as required when making a determination under the provisions of Article 8, paragraph (1) of the Act on Prevention of Transfer of Criminal Proceeds (Act No. 22 of 2007) regarding the relevant funds transfer transaction, etc., and notifying the financial institutions, etc. of the analysis results.

19 この法律において「為替取引分析業者」とは、第六十三条の二十三の許可を受けた者をいう。

(19) The term "funds transfer transaction analysis service provider" as used in this Act means a person who has obtained the license referred to in Article 63-23.

20 この法律において「資金清算業」とは、為替取引に係る債権債務の清算のため、債務の引受け、更改その他の方法により、銀行等の間で生じた為替取引に基づく債務を負担することを業として行うことをいう。

(20) The term "clearing services for interbank funds transfer" as used in this Act means acts of bearing obligations under funds transfer transactions arising between deposit-taking institutions in the course of trade by way of the assumption of an obligation, novation or other means for the purpose of clearing claims and debts relating to the funds transfer transactions.

21 この法律において「資金清算機関」とは、第六十四条第一項の免許を受けた者をいう。

(21) The term "clearing institution for interbank funds transfer" as used in this Act means a person who has obtained the license referred to in Article 64, paragraph (1).

22 この法律において「認定資金決済事業者協会」とは、第八十七条の規定による認定を受けた一般社団法人をいう。

(22) The term "certified association for payment service providers" as used in this Act means a general incorporated association that has been certified pursuant to the provisions of Article 87.

23 この法律において「指定紛争解決機関」とは、第九十九条第一項の規定による指定を受けた者をいう。

(23) The term "designated dispute resolution organization" as used in this Act means a person who has been designated pursuant to the provisions of Article 99, paragraph (1).

24 この法律において「紛争解決等業務」とは、苦情処理手続（資金移動業（第三十

六条の二第四項に規定する特定資金移動業を除く。以下この項において同じ。) 、電子決済手段等取引業又は暗号資産交換業に関する苦情を処理する手続をいう。) 及び紛争解決手続(資金移動業、電子決済手段等取引業又は暗号資産交換業に関する紛争で当事者が和解をすることができるものについて訴訟手続によらずに解決を図る手続をいう。第百条第三項を除き、以下同じ。) に係る業務並びにこれに付随する業務をいう。

(24) The term "dispute resolution services" as used in this Act means services involved in complaint processing procedures (meaning procedures for processing complaints concerning funds transfer services (excluding the specified funds transfer services prescribed in Article 36-2, paragraph (4); hereinafter the same applies in this paragraph), electronic payment instruments services or cryptoasset exchange services) and dispute resolution procedures (meaning procedures for resolving a dispute concerning funds transfer services, electronic payment instruments services or cryptoasset exchange services between parties who agree to seek a settlement without following litigation proceedings; hereinafter the same applies except in Article 100, paragraph (3)), as well as services incidental thereto.

25 この法律において「紛争解決等業務の種別」とは、紛争解決等業務に係る資金移動業務(資金移動業者が営む為替取引に係る業務をいう。第五十一条の四第一項第一号において同じ。)、電子決済手段等取引業務(電子決済手段等取引業者が行う第十項各号に掲げる行為に係る業務をいう。第六十二条の十六第一項第一号において同じ。)及び暗号資産交換業務(暗号資産交換業者が行う第十五項各号に掲げる行為に係る業務をいう。第六十三条の十二第一項第一号において同じ。)の種別をいう。

(25) The term "categories of dispute resolution services" as used in this Act means categories of funds transfer business (meaning businesses involved in funds transfer transactions carried out by a funds transfer service provider; the same applies in Article 51-4, paragraph (1), item (i)), electronic payment instruments business (meaning businesses involved in any of the acts set forth in the items of paragraph (10) performed by an electronic payment instruments service provider; the same applies in Article 62-16, paragraph (1), item (i)), or cryptoasset exchange business (meaning businesses involved in any of the acts set forth in the items of paragraph (15) performed by a cryptoasset exchange service provider; the same applies in Article 63-12, paragraph (1), item (i)) which are related to dispute resolution services.

26 この法律において「信託会社等」とは、信託業法(平成十六年法律第百五十四号)第二条第二項に規定する信託会社若しくは同条第六項に規定する外国信託会社又は金融機関の信託業務の兼営等に関する法律(昭和十八年法律第四十三号)第一条第一項の認可を受けた金融機関(次項において「信託銀行等」という。)をいう。

(26) The term a "trust company, etc." as used in this Act means a trust company prescribed in Article 2, paragraph (2) of the Trust Business Act (Act No. 154 of 2004) or a foreign trust company prescribed in paragraph (6) of that Article, or

a financial institution that has obtained the authorization referred to in Article 1, paragraph (1) of the Act on Engagement in Trust Business by Financial Institutions (Act No. 43 of 1943) (referred to as a "trust bank, etc." in the following paragraph).

27 この法律において「特定信託会社」とは、特定信託受益権を発行する信託会社等（信託銀行等を除く。）のうち政令で定めるものをいう。

(27) The term "specified trust company" as used in this Act means a trust company, etc. issuing specified beneficial interests in a trust (excluding a trust bank, etc.), which is specified by Cabinet Order.

28 この法律において「特定信託為替取引」とは、特定信託受益権の発行による為替取引をいう。

(28) The term "funds transfer transaction in specified trusts" as used in this Act means a funds transfer transaction carried out through the issuance of beneficial interests in a trust.

29 この法律において「銀行等」とは、次に掲げる者をいう。

(29) The term "deposit-taking institutions" as used in this Act means any of the following persons:

一 銀行法（昭和五十六年法律第五十九号）第二条第一項に規定する銀行

(i) a bank specified in Article 2, paragraph (1) of the Banking Act (Act No. 59 of 1981);

二 長期信用銀行法（昭和二十七年法律第百八十七号）第二条に規定する長期信用銀行

(ii) a long-term credit bank specified in Article 2 of the Long-Term Credit Bank Act (Act No. 187 of 1952);

三 信用金庫

(iii) a credit union;

四 信用金庫連合会

(iv) a federation of shinkin banks;

五 労働金庫

(v) a labor bank;

六 労働金庫連合会

(vi) a federation of labor banks;

七 信用協同組合

(vii) a credit cooperative;

八 中小企業等協同組合法（昭和二十四年法律第百八十一号）第九条の九第一項第一号の事業を行う協同組合連合会

(viii) a federation of credit cooperatives that engages in the business referred to in Article 9-9, paragraph (1), item (i) of the Small and Medium Sized Enterprise Cooperatives Act (Act No. 181 of 1949);

九 農業協同組合法（昭和二十二年法律第百三十二号）第十条第一項第三号の事業を行う農業協同組合

(ix) an agricultural cooperative that engages in the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act (Act No. 132 of 1947);

十 農業協同組合法第十条第一項第三号の事業を行う農業協同組合連合会

(x) a federation of agricultural cooperatives that engages in the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act;

十一 水産業協同組合法（昭和二十三年法律第二百四十二号）第十一条第一項第四号の事業を行う漁業協同組合

(xi) a fisheries cooperative that engages in the business referred to in Article 11, paragraph (1), item (iv) of the Fisheries Cooperatives Act (Act No. 242 of 1948);

十二 水産業協同組合法第八十七条第一項第四号の事業を行う漁業協同組合連合会

(xii) a federation of fisheries cooperatives that engages in the business referred to in Article 87, paragraph (1), item (iv) of the Fisheries Cooperatives Act;

十三 水産業協同組合法第九十三条第一項第二号の事業を行う水産加工業協同組合

(xiii) a fishery processing cooperative that engages in the business referred to in Article 93, paragraph (1), item (ii) of the Fisheries Cooperatives Act;

十四 水産業協同組合法第九十七条第一項第二号の事業を行う水産加工業協同組合連合会

(xiv) a federation of fishery processing cooperatives that engages in the business referred to in Article 97, paragraph (1), item (ii) of the Fisheries Cooperatives Act;

十五 農林中央金庫

(xv) the Norinchukin Bank; and

十六 株式会社商工組合中央金庫

(xvi) the Shoko Chukin Bank Limited.

30 この法律において「破産手続開始の申立て等」とは、破産手続開始の申立て、再生手続開始の申立て、更生手続開始の申立て、特別清算開始の申立て又は外国倒産処理手続の承認の申立て（外国の法令上これらに相当する申立てを含む。）をいう。

(30) The term "petition for commencement of bankruptcy proceedings, etc." as used in this Act means a petition for commencement of bankruptcy proceedings, rehabilitation proceedings, reorganization proceedings or special liquidation, or a petition for recognition of foreign insolvency proceedings (including filing of a petition equivalent thereto under laws and regulations of a foreign state).

31 この法律において「銀行法等」とは、銀行法、長期信用銀行法、信用金庫法（昭和二十六年法律第二百三十八号）、労働金庫法（昭和二十八年法律第二百二十七号）、中小企業等協同組合法、協同組合による金融事業に関する法律（昭和二十四年法律第百八十三号）、農業協同組合法、水産業協同組合法、農林中央金庫法（平成十三年法律第九十三号）又は株式会社商工組合中央金庫法（平成十九年法律第七十四号）をいう。

(31) The term "Banking Act, etc." as used in this Act means any of the following: the Banking Act, the Long-Term Credit Bank Act, the Shinkin Bank Act (Act No. 238 of 1951), the Labor Bank Act (Act No. 227 of 1953), the Small and Medium Sized Enterprise Cooperatives Act, the Act on Financial Businesses by Cooperative (Act No. 183 of 1949), the Agricultural Cooperatives Act, the Fisheries Cooperatives Act, the Norinchukin Bank Act (Act No. 93 of 2001) and the Shoko Chukin Bank Limited Act (Act No. 74 of 2007).

第二条の二 金銭債権を有する者（以下この条において「受取人」という。）からの委託、受取人からの金銭債権の譲受けその他これらに類する方法により、当該金銭債権に係る債務者又は当該債務者からの委託（二以上の段階にわたる委託を含む。）その他これに類する方法により支払を行う者から弁済として資金を受け入れ、又は他の者に受け入れさせ、当該受取人に当該資金を移動させる行為（当該資金を当該受取人に交付することにより移動させる行為を除く。）であつて、受取人が個人（事業として又は事業のために受取人となる場合におけるものを除く。）であることその他の内閣府令で定める要件を満たすものは、為替取引に該当するものとする。

Article 2-2 An act, which is entrusted by a person who has a monetary claim (hereinafter referred to as a "beneficiary" in this Article), acquisition of monetary claim from a beneficiary, or other method similar to these of receiving funds or having another person receive funds as performance from a debtor pertaining to the monetary claim or a person who makes a payment entrusted by that debtor (including those under multi-tier entrustment arrangements) or other method similar to this, thereby having those funds transferred to that beneficiary (excluding an act of transferring those funds by delivering them to that beneficiary), which satisfies the requirements specified by Cabinet Office Order, including that a beneficiary is an individual (excluding an individual in the case where the individual serves as a beneficiary as a business or for the purpose of business), is deemed to fall under the categories of funds transfer transactions.

## 第二章 前払式支払手段

### Chapter II Prepaid Payment Instruments

#### 第一節 総則

##### Section 1 General Provisions

(定義)

(Definitions)

第三条 この章において「前払式支払手段」とは、次に掲げるものをいう。

Article 3 (1) The term "prepaid payment instruments" as used in this Chapter means any of the following instruments:

一 証票、電子機器その他の物（以下この章において「証票等」という。）に記載さ

れ、又は電磁的方法（電子的方法、磁気的方法その他の人の知覚によって認識することができない方法をいう。以下この項において同じ。）により記録される金額（金額を度その他の単位により換算して表示していると認められる場合の当該単位数を含む。以下この号及び第三項において同じ。）に応ずる対価を得て発行される証票等又は番号、記号その他の符号（電磁的方法により証票等に記録される金額に応ずる対価を得て当該金額の記録の加算が行われるものを含む。）であって、その発行する者又は当該発行する者が指定する者（次号において「発行者等」という。）から物品等を購入し、若しくは借り受け、又は役務の提供を受ける場合に、これらの代価の弁済のために提示、交付、通知その他の方法により使用することができるもの

(i) certificates, electronic devices, or other items (hereinafter referred to as "certificates, etc." in this Chapter) or numbers, markings, or other signs (including additions to the amount recorded in the certificate, etc. by electronic or magnetic means in exchange for the receipt of consideration equivalent to the additional amount recorded) issued in exchange for the receipt of consideration equivalent to the amount (if the amount is found each time to be converted to and indicated as an amount indicated in another unit, include the number of that unit; the same applies hereinafter in this item and in paragraph (3)) recorded in the certificate, etc. or recorded using electronic or magnetic means (meaning in electronic form, magnetic form, or any other form that is impossible to perceive by the human senses alone; the same applies hereinafter in this paragraph) which can be used for the purpose of paying consideration for the purchase or leasing of goods, etc. or the receipt of provision of services from the issuer or the person designated by the issuer (referred to as the "issuer, etc." in the following item) by way of presentation, delivery, notification, or other means;

二 証票等に記載され、又は電磁的方法により記録される物品等又は役務の数量に応ずる対価を得て発行される証票等又は番号、記号その他の符号（電磁的方法により証票等に記録される物品等又は役務の数量に応ずる対価を得て当該数量の記録の加算が行われるものを含む。）であって、発行者等に対して、提示、交付、通知その他の方法により、当該物品等の給付又は当該役務の提供を請求することができるもの

(ii) certificates, etc. or numbers, markings, or other signs issued in exchange for the receipt of consideration equivalent to the quantity of goods, etc. or services recorded in the certificate, etc. or recorded using electronic or magnetic means (including additions to the quantity of goods, etc. or services recorded in the certificate, etc. by electronic or magnetic means in exchange for the receipt of consideration equivalent to the recorded additional quantity) which can be used for the purpose of claiming the delivery or provision of those goods, etc. or services from the issuer, etc. by way of presentation, delivery, notification, or other means.

2 この章において「基準日未使用残高」とは、前払式支払手段を発行する者が毎年三月三十一日及び九月三十日（以下この章において「基準日」という。）までに発行した全ての前払式支払手段の当該基準日における未使用残高（次の各号に掲げる前払式支払手段の区分に応じ当該各号に定める金額をいう。）の合計額として内閣府令で定めるところにより算出した額をいう。

(2) The term "unused balance on the base date" as used in this Chapter means the amount calculated pursuant to the provisions of Cabinet Office Order as the total of the unused balances arising from all the prepaid payment instruments issued by an issuer thereof by March 31 and September 30 (hereinafter referred to as the "base date" in this Chapter) each year and outstanding as of the relevant base date (meaning the amount specified in each of the following items according to the categories of prepaid payment instruments set forth therein):

一 前項第一号の前払式支払手段 当該基準日において代価の弁済に充てることができる金額

(i) prepaid payment instruments specified in item (i) of the preceding paragraph: The amount that is available for the payment of consideration as of the base date; and

二 前項第二号の前払式支払手段 当該基準日において給付又は提供を請求することができる物品等又は役務の数量を内閣府令で定めるところにより金銭に換算した金額

(ii) prepaid payment instruments specified in item (ii) of the preceding paragraph: The monetary amounts obtained by converting the quantity of goods, etc. or services into the equivalent amounts that can be claimed as of the base date pursuant to the provisions of Cabinet Office Order.

3 この章において「支払可能金額等」とは、第一項第一号の前払式支払手段にあってはその発行された時において代価の弁済に充てることができる金額をいい、同項第二号の前払式支払手段にあってはその発行された時において給付又は提供を請求することができる物品等又は役務の数量をいう。

(3) The term "amount available for payment, etc." as used in this Chapter means the amount that is available for the payment of consideration at the time of issuance of the prepaid payment instruments specified in paragraph (1), item (i) or the quantity of goods, etc. or services that can be claimed at the time of issuance of the prepaid payment instruments specified in paragraph (1), item (ii).

4 この章において「自家型前払式支払手段」とは、前払式支払手段を発行する者（当該発行する者と政令で定める密接な関係を有する者（次条第五号及び第三十二条において「密接関係者」という。）を含む。以下この項において同じ。）から物品等の購入若しくは借受けを行い、若しくは役務の提供を受ける場合に限り、これらの代価の弁済のために使用することができる前払式支払手段又は前払式支払手段を発行する者に対してのみ、物品等の給付若しくは役務の提供を請求することができる前払式支払



手段をいう。

(4) The term "prepaid payment instruments for their own business" as used in this Chapter means prepaid payment instruments that can be used for the purpose of paying consideration for the purchase or leasing of goods, etc. or the receipt of provision of services only from the issuer of prepaid payment instruments (including persons who have a close relationship specified by Cabinet Office Order with the issuer (hereinafter referred to as "closely related persons" in item (v) of the following Article and Article 32); the same applies in this paragraph) or those prepaid payment instruments that can be used for the purpose of claiming the delivery or provision of those goods, etc. or services only from the issuer of prepaid payment instruments.

5 この章において「第三者型前払式支払手段」とは、自家型前払式支払手段以外の前払式支払手段をいう。

(5) The term "prepaid payment instruments for third-party business" as used in this Chapter means prepaid payment instruments other than prepaid payment instruments for their own business.

6 この章において「自家型発行者」とは、第五条第一項の届出書を提出した者（第三十三条第一項の規定による発行の業務の全部の廃止の届出をした者であつて、第二十条第一項の規定による払戻しを完了した者を除く。）をいう。

(6) The term an "issuer of prepaid payment instruments for its own business" as used in this Chapter means a person who has submitted the written notice specified in Article 5, paragraph (1) (excluding those who have submitted a written notice of discontinuation of the entire issuance business pursuant to the provisions of Article 33, paragraph (1) and have completed the refund specified in Article 20, paragraph (1)).

7 この章において「第三者型発行者」とは、第七条の登録を受けた法人をいう。

(7) The term an "issuer of prepaid payment instruments for third-party business" as used in this Chapter means a corporation that has been registered referred to in Article 7.

8 この章において「高額電子移転可能型前払式支払手段」とは、次に掲げるものをいう。

(8) The term "high-value electronically transferable prepaid payment instruments" as used in this Chapter means the following:

一 第三者型前払式支払手段のうち、その未使用残高（第一項第一号の前払式支払手段にあつては代価の弁済に充てることのできる金額をいい、同項第二号の前払式支払手段にあつては給付又は提供を請求することのできる物品等又は役務の数量を内閣府令で定めるところにより金銭に換算した金額をいう。以下この号及び次項並びに第十一条の二第一項第一号において同じ。）が前払式支払手段記録口座に記録されるものであつて、電子情報処理組織を用いて移転をすることができるもの（移転が可能な一件当たりの未使用残高の額又は移転が可能な一定の期間内の未使用残高の総額が高額であることその他の前払式支払手段の利用者の保護に欠け、又は前払

式支払手段の発行の業務の健全かつ適切な運営に支障を及ぼすおそれがあるものとして内閣府令で定める要件を満たすものに限る。)

(i) prepaid payment instruments for third-party business for which the unused balance (meaning the amount that is available for the payment of consideration in the case of the prepaid payment instruments referred to in paragraph (1), item (i), and the monetary amounts obtained by converting the quantity of goods, etc. or services into the equivalent amounts that can be claimed pursuant to the provisions of Cabinet Office Order in the case of the prepaid payment instruments referred to in item (ii) of that paragraph; hereinafter the same applies in this item, the following paragraph, and Article 11-2, paragraph (1), item (i)) is recorded in a prepaid payment instruments record account, and which can be transferred by using an electronic data processing system (limited to prepaid payment instruments which satisfy the requirements specified by Cabinet Office Order as being likely to weaken the protection of users of prepaid payment instruments or hinder the sound and appropriate management of the business of issuing prepaid payment instruments, including the requirement that the amount of unused balance per transferable instrument or the total amount of unused balance within a certain transferable period is a high value); and

二 前号に掲げるものに準ずるものとして内閣府令で定めるもの

(ii) anything specified by Cabinet Office Order as being equivalent to what is set forth in the preceding item.

9 この章において「前払式支払手段記録口座」とは、前払式支払手段発行者が自ら発行した前払式支払手段ごとにその内容の記録を行う口座（当該口座に記録される未使用残高の上限額が高額として内閣府令で定める額を超えるものであることその他内閣府令で定める要件を満たすものに限る。）をいう。

(9) The term "prepaid payment instruments record account" as used in this Chapter means an account in which an issuer of prepaid payment instruments records the details of each prepaid payment instrument issued thereby (limited to those which satisfy the requirement that the maximum amount of unused balance recorded in the account is in excess of the amount specified by Cabinet Office Order as a high value and any other requirements specified by Cabinet Office Order).

10 この章において「基準期間」とは、基準日の翌日から次の基準日までの期間をいう。

(10) The term "record period" as used in this Chapter means a period from the day following the base date to the next base date.

(適用除外)

(Exclusion from Application)

第四条 次に掲げる前払式支払手段については、この章の規定は、適用しない。

Article 4 The provisions of this Chapter do not apply to the following prepaid payment instruments:

- 一 乗車券、入場券その他これらに準ずるものであって、政令で定めるもの  
(i) passenger tickets, admission tickets, and those similar thereto specified by Cabinet Order;
- 二 発行の日から政令で定める一定の期間内に限り使用できる前払式支払手段  
(ii) prepaid payment instruments that can be used only during a certain period from the date of issuance specified by Cabinet Order;
- 三 国又は地方公共団体（次号において「国等」という。）が発行する前払式支払手段  
(iii) prepaid payment instruments issued by the State or local governments (hereinafter referred to as the "State, etc." in the following item);
- 四 法律により直接に設立された法人、特別の法律により特別の設立行為をもって設立された法人又は特別の法律により地方公共団体が設立者となって設立された法人であって、その資本金又は出資の額の全部が国等からの出資によるものその他の国等に準ずるものとして政令で定める法人が発行する前払式支払手段  
(iv) prepaid payment instruments issued by corporations specified by Cabinet Order as being equivalent to the State, etc., including corporations that have been established directly pursuant to the Act, corporations established by a special act of incorporation pursuant to the special Act, or corporations established by a local government pursuant to the special Act that are wholly owned by the State, etc.;
- 五 専ら発行する者（密接関係者を含む。）の従業員に対して発行される自家型前払式支払手段（専ら当該従業員が使用することとされているものに限る。）その他これに類するものとして政令で定める前払式支払手段  
(v) prepaid payment instruments for their own business issued only to the employees of the issuer (including closely related persons) (limited to those to be used only by those employees) and other prepaid payment instruments specified by Cabinet Order as being similar thereto;
- 六 割賦販売法（昭和三十六年法律第百五十九号）その他の法律の規定に基づき前受金の保全のための措置が講じられている取引に係る前払式支払手段として政令で定めるもの  
(vi) prepaid payment instruments specified by Cabinet Order as those pertaining to transactions that are subject to measures to protect advances pursuant to the provisions of the Installment Sales Act (Act No. 159 of 1961) and other Acts; and
- 七 その利用者のために商行為となる取引においてのみ使用することとされている前払式支払手段  
(vii) prepaid payment instruments that are intended to be used only in a transaction that constitutes a commercial transaction for the users of prepaid payment instruments.

## 第二節 自家型発行者

### Section 2 Issuer of Prepaid Payment Instruments for Its Own Business

(自家型発行者の届出)

(Notification of Issuer of Prepaid Payment Instruments for Its Own Business)

第五条 前払式支払手段を発行する法人（人格のない社団又は財団であつて代表者又は管理人の定めのあるものを含む。）又は個人のうち、自家型前払式支払手段のみを発行する者は、基準日においてその自家型前払式支払手段の基準日未使用残高がその発行を開始してから最初に基準額（第十四条第一項に規定する基準額をいう。）を超えることとなったときは、内閣府令で定めるところにより、次に掲げる事項を記載した届出書を内閣総理大臣に提出しなければならない。自家型前払式支払手段の発行の業務の全部を廃止した後再びその発行を開始したときも、同様とする。

Article 5 (1) A corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated) or an individual who issues prepaid payment instruments which are all prepaid payment instruments for their own business must, pursuant to the provisions of Cabinet Office Order, submit a written notice containing the following particulars to the Prime Minister when the unused balance on the base date of its prepaid payment instruments for their own business as of the base date has exceeded the standard amount (meaning the standard amount specified in Article 14, paragraph (1)) for the first time since the corporation commenced to issue prepaid payment instruments for their own business. The same applies to cases in which the corporation restarted to issue prepaid payment instruments for their own business after discontinuing the whole of the business of issuing prepaid payment instruments for their own business:

一 氏名、商号又は名称及び住所

(i) name, trade name or other name and address;

二 法人にあつては、資本金又は出資の額

(ii) in cases of a corporation, the amount of capital or contribution;

三 前払式支払手段の発行の業務に係る営業所又は事務所の名称及び所在地

(iii) name and location of the business office or office for the business of issuing prepaid payment instruments;

四 法人（人格のない社団又は財団であつて代表者又は管理人の定めのあるものを含む。）にあつては、その代表者又は管理人の氏名

(iv) in cases of a corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated), name of the representative person or administrator;

五 当該基準日における基準日未使用残高

(v) unused balance on the base date as of the relevant base date;

六 前払式支払手段の種類、名称及び支払可能金額等

(vi) the type, the name, and the amount available for payment, etc. of the prepaid payment instruments;

七 物品等の購入若しくは借受けを行い、若しくは役務の提供を受ける場合にこれらの代価の弁済のために使用し、又は物品等の給付若しくは役務の提供を請求することができる期間又は期限が設けられているときは、当該期間又は期限

(vii) if a specified period of time which is available for the purpose of paying consideration for the purchase or renting of goods, etc. or the receipt of services being provided or for the purpose of claiming the delivery or provision of the goods, etc. or services, or the expiry date is set for the prepaid payment instruments, the period of time or due date;

八 前払式支払手段の発行の業務の内容及び方法

(viii) content and means of the business of issuing prepaid payment instruments;

九 前払式支払手段の発行の業務の一部を第三者に委託する場合にあっては、当該委託に係る業務の内容並びにその委託先の氏名又は商号若しくは名称及び住所

(ix) if a part of the business of issuing prepaid payment instruments is entrusted to a third party, the details of the business pertaining to the entrustment, the name or trade name or other name and address of the third party to whom the business of issuing prepaid payment instruments is entrusted;

十 前払式支払手段の発行及び利用に関する利用者からの苦情又は相談に応ずる営業所又は事務所の所在地及び連絡先

(x) location and contact address of the business office or office that handles complaints from the users about the issuance and use of prepaid payment instruments or provide consultations for the users; and

十一 その他内閣府令で定める事項

(xi) other particulars specified by Cabinet Office Order.

2 前項の届出書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(2) Documents concerning finance and other documents specified by Cabinet Office Order must be attached to the written notice referred to in the preceding paragraph.

3 自家型発行者は、第一項各号（第五号を除く。）に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(3) When any of the particulars set forth in the items of paragraph (1) (excluding item (v)) are changed, the issuer of prepaid payment instruments for its own business must notify the Prime Minister to that effect without delay.

(自家型発行者名簿)

(Register of Issuers of Prepaid Payment Instruments for Its Own Business)

第六条 内閣総理大臣は、自家型発行者について、自家型発行者名簿を作成し、これを公衆の縦覧に供しなければならない。

Article 6 The Prime Minister must create a register of issuers of prepaid payment instruments for its own business and make it available for public inspection.

### 第三節 第三者型発行者

#### Section 3 Issuer of Prepaid Payment Instruments for Third-Party Business

(第三者型発行者の登録)

(Registration of Issuer of Prepaid Payment Instruments for Third-Party Business)

第七条 第三者型前払式支払手段の発行の業務は、内閣総理大臣の登録を受けた法人でなければ、行ってはならない。

Article 7 No person may engage in the business of issuing prepaid payment instruments for third-party business unless the person is a corporation who has been registered by the Prime Minister.

(登録の申請)

(Application for Registration)

第八条 前条の登録を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した登録申請書を内閣総理大臣に提出しなければならない。

Article 8 (1) A person who intends to obtain registration referred to in the preceding Article must, pursuant to the provisions of Cabinet Office Order, submit a written application for registration containing the following particulars to the Prime Minister:

一 商号又は名称及び住所

(i) trade name or other name, and address;

二 資本金又は出資の額

(ii) the amount of capital or contribution;

三 前払式支払手段の発行の業務に係る営業所又は事務所の名称及び所在地

(iii) name and location of the business office or office pertaining to the business of issuing prepaid payment instruments;

四 役員の名又は名称

(iv) names of officers;

五 前払式支払手段の種類、名称及び支払可能金額等

(v) the type, the name, and the amount available for payment, etc. of the prepaid payment instruments;

六 物品等の購入若しくは借受けを行い、若しくは役務の提供を受ける場合にこれらの代価の弁済のために使用し、又は物品等の給付若しくは役務の提供を請求するこ

- とができる期間又は期限が設けられているときは、当該期間又は期限
- (vi) if a specified period of time which is available for the purpose of paying consideration for the purchase or renting of goods, etc. or the receipt of the service being provided or for the purpose of claiming the delivery or provision of those goods, etc. or services, or the expiry date is set for the prepaid payment instruments, the period of time or due date;
- 七 前払式支払手段の発行の業務の内容及び方法
- (vii) the details and means of the business of issuing prepaid payment instruments;
- 八 前払式支払手段の発行の業務の一部を第三者に委託する場合にあっては、当該委託に係る業務の内容並びにその委託先の氏名又は商号若しくは名称及び住所
- (viii) if a part of the business of issuing prepaid payment instruments is entrusted to a third party, the details of the business pertaining to the entrustment, the name or trade name or other name and address of the third party to whom the business of issuing prepaid payment instruments is entrusted;
- 九 前払式支払手段の発行及び利用に関する利用者からの苦情又は相談に応ずる営業所又は事務所の所在地及び連絡先
- (ix) location and contact address of the business office or office that handles complaints from the users about the issuance and use of prepaid payment instruments or provide consultations for the users; and
- 十 その他内閣府令で定める事項
- (x) other particulars specified by Cabinet Office Order.
- 2 前項の登録申請書には、第十条第一項各号に該当しないことを誓約する書面、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。
- (2) A document in which the applicant pledges that the applicant does not fall under any of the items of Article 10, paragraph (1), documents concerning finance, and other documents specified by Cabinet Office Order must be attached to the application for registration referred to in the preceding paragraph.

(第三者型発行者登録簿)

(Register of Issuers of Prepaid Payment Instruments for Third-Party Business)

第九条 内閣総理大臣は、第七条の登録の申請があつたときは、次条第一項の規定によりその登録を拒否する場合を除くほか、次に掲げる事項を第三者型発行者登録簿に登録しなければならない。

Article 9 (1) The Prime Minister must, when an application for registration referred to in Article 7 is filed, register the following particulars to the register of issuers of prepaid payment instruments for third-party business, except when the Minister refuses the 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) particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) date of registration and registration number.

2 内閣総理大臣は、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) If the Prime Minister registers the particulars under the provisions of the preceding paragraph, the Minister must notify the applicant to that effect without delay.

3 内閣総理大臣は、第三者型発行者登録簿を公衆の縦覧に供しなければならない。

(3) The Prime Minister must make the register of issuers of prepaid payment instruments for third-party business available for public inspection.

(登録の拒否)

(Refusal of Registration)

第十条 内閣総理大臣は、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重要な事項について虚偽の記載があり、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 10 (1) The Prime Minister must refuse registration when an applicant falls under any of the following items, or a written application for registration or its accompanying documents contain a false statement about important particulars, or lack a statement about important particulars:

一 法人でないもの（外国の法令に準拠して設立された法人で国内に営業所又は事務所を有しないものを含む。）

(i) a person other than a corporation (including a corporation established under the laws and regulations of a foreign state who does not have a business office or office in Japan);

二 次のいずれにも該当しない法人

(ii) a corporation that does not fall under any of the following items:

イ 純資産額が、発行する前払式支払手段の利用が可能な地域の範囲その他の事情に照らして政令で定める金額以上である法人

(a) a corporation whose amount of net assets exceeds the amount of money specified by Cabinet Order in light of the geographical scope within which the prepaid payment instruments issued by the corporation can be used and other circumstances; or

ロ 営利を目的としない法人で政令で定めるもの

(b) a not-for-profit corporation specified by Cabinet Order;

三 前払式支払手段により購入若しくは借受けを行い、若しくは給付を受けることができる物品等又は提供を受けることができる役務が、公の秩序又は善良の風俗を害し、又は害するおそれがあるものでないことを確保するために必要な措置を講じていない法人



(iii) a corporation which has not taken necessary measures for ensuring that goods, etc. or services that one can purchase or rent, or which one can receive the delivery or provision of by using prepaid payment instruments do not cause harm to or are not likely to cause harm to public order or morals;

四 加盟店（前払式支払手段により購入若しくは借受けを行い、若しくは給付を受けることができる物品等の販売者若しくは貸出人又は提供を受けることができる役務の提供者をいう。第三十二条において同じ。）に対する支払を適切に行うために必要な体制の整備が行われていない法人

(iv) a corporation which has not established a system that is necessary for making payments to member shops (meaning a seller or lender of goods, etc. that one can purchase or rent or of which one can receive the delivery of by using prepaid payment instruments or a provider of services of which one can receive the provision of by using prepaid payment instruments; the same applies in Article 32) appropriately;

五 この章の規定を遵守するために必要な体制の整備が行われていない法人

(v) a corporation which has not established a system that is necessary for ensuring compliance with the provisions of this Chapter;

六 他の第三者型発行者が現に用いている商号若しくは名称と同一の商号若しくは名称又は他の第三者型発行者と誤認されるおそれのある商号若しくは名称を用いようとする法人

(vi) a corporation which intends to use a trade name or other name that is identical to the one currently being used by another issuer of prepaid payment instruments for third-party business or that may be misidentified as another issuer of prepaid payment instruments for third-party business;

七 第二十七条第一項若しくは第二項の規定により第七条の登録を取り消され、又はこの法律（この章の規定及び当該規定に係る第八章の規定に限る。以下この項において同じ。）に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類するその他の行政処分を含む。第九号ホにおいて同じ。）を取り消され、その取消の日から三年を経過しない法人

(vii) a corporation whose registration referred to in Article 7 has been revoked pursuant to the provisions of Article 27, paragraph (1) or (2), or had its registration of the same type in a foreign state (including other administrative dispositions similar to the registration; the same applies in item (ix), (e)) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act (limited to the provisions of this Chapter and the provisions of Chapter VIII that are related thereto; hereinafter the same applies in this paragraph), and for which three years have not passed from the date of revocation;

八 この法律又はこの法律に相当する外国の法令の規定により罰金の刑（これに相当する外国の法令による刑を含む。次号ニにおいて同じ。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない

法人

(viii) a corporation which has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this; the same applies in (d) of the following item) pursuant to the provisions of this Act or laws and regulations of a foreign state equivalent to this Act, and for which three years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

九 役員のうち次のいずれかに該当する者のある法人

(ix) a corporation whose officers include a person who falls under any of the following items:

イ 心身の故障のため前払式支払手段の発行の業務に係る職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties pertaining to the business of issuing prepaid payment instruments due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない者

(c) a person who has been sentenced to imprisonment or heavier punishment (including an equivalent punishment pursuant to laws and regulations of a foreign state), and for whom three years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ この法律又はこの法律に相当する外国の法令の規定により罰金の刑に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない者

(d) a person who has been punished by a fine pursuant to the provisions of this Act or laws and regulations of a foreign state equivalent to this Act, and for whom three years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ホ 第三者型発行者が第二十七条第一項若しくは第二項の規定により第七条の登録を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録を取り消された場合において、その取消しの日前三十日以内にその法人の役員であった者で、当該取消しの日から三年を経過しない者その他これに準ずるものとして政令で定める者

(e) if an issuer of prepaid payment instruments for third-party business had its registration referred to in Article 7 revoked pursuant to the provisions of Article 27, paragraph (1) or (2), or a corporation had its registration of the same type in a foreign state revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who was an officer of the corporation at any time during the thirty days prior to the revocation date and for whom three years have not passed from that date or a person specified by Cabinet Order as a person similar thereto.

2 内閣総理大臣は、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) If the Prime Minister refuses the registration pursuant to the provisions of the preceding paragraph, the Minister must notify the applicant to that effect by indicating the reason therefor without delay.

(変更の届出)

(Notification of Changes)

第十一条 第三者型発行者は、第八条第一項各号に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

Article 11 (1) If any of the particulars set forth in the items of Article 8, paragraph (1) are changed, the issuer of prepaid payment instruments for third-party business must notify the Prime Minister to that effect without delay.

2 内閣総理大臣は、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第三者型発行者登録簿に登録しなければならない。

(2) If the Prime Minister accepts a notification referred to in the preceding paragraph, the Minister must register the informed particulars in the register of issuers of prepaid payment instruments for third-party business.

(業務実施計画の届出)

(Notification of Business Implementation Plans)

第十一条の二 前払式支払手段発行者は、高額電子移転可能型前払式支払手段を発行しようとするときは、内閣府令で定めるところにより、あらかじめ、次に掲げる事項を記載した業務実施計画を内閣総理大臣に届け出なければならない。

Article 11-2 (1) When an issuer of prepaid payment instruments intends to issue high-value electronically transferable prepaid payment instruments, in advance, the issuer must notify the Prime Minister of a business implementation plan stating the following particulars, pursuant to the provisions of Cabinet Office Order:

一 当該高額電子移転可能型前払式支払手段に係る前払式支払手段記録口座に記録される未使用残高の上限額を定める場合にあつては、当該上限額

(i) the maximum amount of unused balance to be recorded in a prepaid

payment instruments record account related to the high-value electronically transferable prepaid payment instruments, if the maximum amount is specified;

二 当該高額電子移転可能型前払式支払手段の発行の業務を行うために使用する電子情報処理組織の管理の方法

(ii) the method of management of an electronic data processing system to be used to conduct the business of issuing the high-value electronically transferable prepaid payment instruments; and

三 その他高額電子移転可能型前払式支払手段の利用者の保護を図り、及び高額電子移転可能型前払式支払手段の発行の業務の健全かつ適切な運営を確保するために必要な事項として内閣府令で定める事項

(iii) other particulars specified by Cabinet Office Order as particulars necessary for protecting the users of high-value electronically transferable prepaid payment instruments and ensuring the sound and appropriate management of the business of issuing high-value electronically transferable prepaid payment instruments.

2 前払式支払手段発行者は、前項の規定により届け出た業務実施計画を変更しようとするときは、内閣府令で定めるところにより、あらかじめ、内閣総理大臣に届け出なければならない。

(2) When an issuer of prepaid payment instruments intends to make a change to the business implementation plan notified pursuant to the provisions of the preceding paragraph, in advance the issuer must notify the Prime Minister of the change pursuant to the provisions of Cabinet Office Order.

(名義貸しの禁止)

(Prohibition of Name Lending)

第十二条 第三者型発行者は、自己の名義をもって、他人に第三者型前払式支払手段の発行の業務を行わせてはならない。

Article 12 An issuer of prepaid payment instruments for third-party business must not have another person conduct the business of issuing prepaid payment instruments for third-party business in the name of the issuer of prepaid payment instruments for third-party business.

#### 第四節 業務

#### Section 4 Business

(利用者の保護等に関する措置)

(Measures for Protecting Users)

第十三条 前払式支払手段発行者は、前払式支払手段を発行する場合には、内閣府令で定めるところにより、次に掲げる事項に関する情報を利用者に提供しなければならない。

Article 13 (1) When issuing prepaid payment instruments, an issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, provide users with information on the following particulars:

一 氏名、商号又は名称

(i) name, trade name or other name;

二 前払式支払手段の支払可能金額等

(ii) amount available for payment, etc. of the prepaid payment instruments;

三 物品等の購入若しくは借受けを行い、若しくは役務の提供を受ける場合にこれらの代価の弁済のために使用し、又は物品等の給付若しくは役務の提供を請求することができる期間又は期限が設けられているときは、当該期間又は期限

(iii) if a specified period of time which is available for the purpose of paying consideration for the purchase or renting of goods, etc. or the receipt of services being provided or for the purpose of claiming the delivery or provision of those goods, etc. or services, or the due date is set for the prepaid payment instruments, the period of time or due date;

四 前払式支払手段の発行及び利用に関する利用者からの苦情又は相談に応ずる営業所又は事務所の所在地及び連絡先

(iv) location and contact address of the business office or office that handles complaints from the users about the issuance and use of prepaid payment instruments or provide consultations for the users; and

五 その他内閣府令で定める事項

(v) other particulars specified by Cabinet Office Order.

2 前払式支払手段発行者が加入する認定資金決済事業者協会が当該前払式支払手段発行者に係る前項第四号に掲げる事項を前払式支払手段の利用者に周知する場合その他の内閣府令で定める場合には、当該前払式支払手段発行者は、同項の規定にかかわらず、当該事項について同項の規定による情報の提供をすることを要しない。

(2) Notwithstanding the provisions of the preceding paragraph, if the certified association for payment service providers of which the issuer of prepaid payment instruments is a member makes public to the users of prepaid payment instruments the particulars listed in item (iv) of the preceding paragraph pertaining to the issuer of prepaid payment instruments or in other cases specified by Cabinet Office Order, the issuer of prepaid payment instruments is not required to provide information as prescribed in that paragraph with regard to those particulars.

3 前払式支払手段発行者は、第一項に規定するもののほか、内閣府令で定めるところにより、前払式支払手段の利用者の保護を図り、及び前払式支払手段の発行の業務の健全かつ適切な運営を確保するために必要な措置を講じなければならない。

(3) Beyond what is provided for in paragraph (1), an issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, take necessary measures for protecting the users of prepaid payment instruments and ensuring sound and appropriate management of business of issuing

prepaid payment instruments.

(発行保証金の供託)

(Making Security Deposits for Issuance)

第十四条 前払式支払手段発行者は、基準日未使用残高が政令で定める額（以下この章において「基準額」という。）を超えるときは、当該基準日未使用残高の二分の一の額（以下この章において「要供託額」という。）以上の額に相当する額の発行保証金を、内閣府令で定めるところにより、主たる営業所又は事務所の最寄りの供託所に供託しなければならない。

Article 14 (1) If the unused balance on the base date exceeds the amount specified by Cabinet Order (hereinafter referred to as the "standard amount" in this Chapter), an issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, make security deposits for issuance to the official depository nearest to its principal business office or office in an amount equivalent to not less than half the amount of the unused balance on the base date (hereinafter referred to as the "amount required for deposit" in this Chapter).

2 前払式支払手段発行者は、第三十一条第一項の権利の実行の終了その他の事実の発生により、発行保証金の額（次条に規定する保全金額及び第十六条第一項に規定する信託財産の額の合計額を含む。第十八条第二号及び第二十三条第一項第三号において同じ。）がその事実が発生した日の直前の基準日における要供託額（第二十条第一項の規定による払戻しの手続又は第三十一条第一項の権利の実行の手続が終了した日の直前の基準日にあつては、これらの手続に係る前払式支払手段がないものとみなして内閣府令で定める方法により計算された額）に不足することとなったときは、内閣府令で定めるところにより、その不足額について供託を行い、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) If, due to completion of the procedure for the fulfillment of the right prescribed in Article 31, paragraph (1) or the occurrence of other facts, the amount of security deposits for issuance (including the total amount of the secured amount prescribed in the following Article and the amount of trust property prescribed in Article 16, paragraph (1); the same applies in Article 18, item (ii) and Article 23, paragraph (1), item (iii)) is less than the amount required for deposit as of the base date immediately preceding the day on which those issues occurred (or the amount calculated as if the Prepaid Payment Instruments pertaining to those procedures did not exist in accordance with the method specified by Cabinet Office Order as of the base date immediately preceding the day on which the refund procedure prescribed in Article 20, paragraph (1) or the procedure for the fulfillment of the right prescribed in Article 31, paragraph (1) was completed), an issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, deposit the shortage and notify the Prime Minister to that effect without delay.

3 発行保証金は、国債証券、地方債証券その他の内閣府令で定める債券（社債、株式等の振替に関する法律（平成十三年法律第七十五号）第二百七十八条第一項に規定する振替債を含む。第十六条第三項において同じ。）をもってこれに充てることができる。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) Security deposits for issuance may be paid in national government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Order (including book-entry transfer bonds specified in Article 278, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001); the same applies in Article 16, paragraph (3)). In this case, the appraised value of those bond certificates is determined pursuant to the provisions of Cabinet Office Order.

（発行保証金保全契約）

(Guarantee Contracts for Security Deposits for Issuance)

第十五条 前払式支払手段発行者は、政令で定めるところにより、発行保証金保全契約（政令で定める要件を満たす銀行等その他政令で定める者が前払式支払手段発行者のために内閣総理大臣の命令に応じて発行保証金を供託する旨の契約をいう。以下この章において同じ。）を締結し、その旨を内閣総理大臣に届け出たときは、当該発行保証金保全契約の効力の存する間、保全金額（当該発行保証金保全契約において供託されることとなっている金額をいう。第十七条において同じ。）につき、発行保証金の全部又は一部の供託をしないことができる。

Article 15 If an issuer of prepaid payment instruments has concluded a guarantee contract for security deposits for issuance (meaning a contract in which a deposit-taking institution satisfying the requirements specified by Cabinet Order or any other person specified by Cabinet Order promises that security deposits for issuance will be made on behalf of the issuer of prepaid payment instruments in response to an order by the Prime Minister; the same applies in this Chapter) and has notified the Minister to that effect, pursuant to the provisions of Cabinet Order, it may choose not to deposit all or part of the security deposits for issuance with regard to the secured amount (meaning the amount of money to be deposited under the guarantee contract for security deposits for issuance; the same applies in Article 17) limited to the period during which the contract remains in force.

（発行保証金信託契約）

(Trust Agreements for Security Deposits for Issuance)

第十六条 前払式支払手段発行者は、信託会社等との間で、発行保証金信託契約（当該信託会社等が内閣総理大臣の命令に応じて信託財産を発行保証金の供託に充てることを信託の目的として当該信託財産の管理その他の当該目的の達成のために必要な行為をすべき旨の信託契約をいう。以下この章において同じ。）を締結し、その旨を内閣総理大臣に届け出たときは、当該発行保証金信託契約に基づき信託財産が信託されて

いる間、当該信託財産の額につき、発行保証金の全部又は一部の供託をしないことができる。

Article 16 (1) If an issuer of prepaid payment instruments concludes a trust agreement of security deposits for issuance with a trust company, etc. (meaning a trust agreement whose purpose is to apply the trust property to assign security deposits for issuance in response to an order by the Prime Minister and the provisions which prescribe that the trust company, etc. is to carry out necessary acts including the management of the trust property for the achievement of the purpose; the same applies hereinafter in this Chapter) and notifies the Minister to that effect, it may choose not to deposit all or part of the security deposits for issuance with regard to the amount of the trust property, for the period during which the trust property is entrusted based on the trust agreement for security deposits for issuance.

2 発行保証金信託契約は、次に掲げる事項をその内容とするものでなければならない。

(2) A trust agreement for security deposits for issuance must prescribe the following particulars:

一 発行保証金信託契約を締結する前払式支払手段発行者が発行する前払式支払手段の保有者を受益者とする事。

(i) the beneficiaries of the trust agreement for security deposits for issuance must be the holders of prepaid payment instruments issued by the issuer of prepaid payment instruments who is the party to the trust agreement for security deposits for issuance;

二 受益者代理人を置いている事。

(ii) an agent of the beneficiaries must be appointed;

三 内閣総理大臣の命令に応じて、信託会社等が信託財産を換価し、供託をすること。

(iii) a trust company, etc. must realize the trust property and deposit the proceeds thereof in response to an order by the Prime Minister; and

四 その他内閣府令で定める事項

(iv) other particulars specified by Cabinet Office Order.

3 発行保証金信託契約に基づき信託される信託財産の種類は、金銭若しくは預貯金（内閣府令で定めるものに限る。）又は国債証券、地方債証券その他の内閣府令で定める債券に限るものとする。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) The types of trust properties to be entrusted pursuant to a trust agreement for security deposits for issuance are limited to money, bank deposits and savings (limited to those specified by Cabinet Office Order), or national government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Order. In this case, the appraised value of those bond certificates is determined pursuant to the provisions of Cabinet Office Order.



(供託命令)

**(Deposit Orders)**

第十七条 内閣総理大臣は、前払式支払手段の利用者の利益の保護のために必要があると認めるときは、発行保証金保全契約若しくは発行保証金信託契約を締結した前払式支払手段発行者又はこれらの契約の相手方に対し、保全金額又は信託財産を換価した額の全部又は一部を供託すべき旨を命ずることができる。

Article 17 If the Prime Minister finds it necessary for the protection of the interests of users of prepaid payment instruments, the Minister may order an issuer of prepaid payment instruments who has concluded a guarantee contract for security deposits for issuance or a trust agreement for security deposits for issuance or the counterparty thereto to deposit all or part of the secured amount or the amount of proceeds from the trust property that have been realized.

(発行保証金の取戻し等)

**(Recovery of Security Deposits for Issuance)**

第十八条 発行保証金は、次の各号のいずれかに該当する場合には、政令で定めるところにより、その全部又は一部を取り戻すことができる。

Article 18 All or part of the security deposits for issuance may be recovered, pursuant to the provisions of Cabinet Order, if the user falls under any of the following items:

一 基準日未使用残高が基準額以下であるとき。

(i) if the unused balance on the base date is not more than the standard amount;

二 発行保証金の額が要供託額を超えるとき。

(ii) if the amount of the security deposits for issuance exceeds the amount required for deposit;

三 第三十一条第一項の権利の実行の手続が終了したとき。

(iii) if the procedure for the fulfillment of the right referred to in Article 31, paragraph (1) has been completed; and

四 前三号に掲げるもののほか、前払式支払手段の利用者の利益の保護に支障がない場合として政令で定める場合

(iv) beyond what is set forth in the preceding three items, the cases specified by Cabinet Order, as the cases in which the interests of users of prepaid payment instruments are adequately protected.

(発行保証金の保管替えその他の手続)

**(Change of Official Depository for Security Deposits for Issuance and Other Procedures)**

第十九条 この節に規定するもののほか、前払式支払手段発行者の主たる営業所又は事務所の所在地の変更に伴う発行保証金の保管替えその他発行保証金の供託に関し必要

な事項は、内閣府令・法務省令で定める。

**Article 19** Beyond what is provided for in this Section, a change of the official depository for security deposits for issuance due to a change in the location of the principal business office or office of an issuer of prepaid payment instruments and other particulars necessary for the making of security deposits for issuance is prescribed by Cabinet Office Order and Ministry of Justice Order.

(保有者に対する前払式支払手段の払戻し)

(Refunding Prepaid Payment Instruments to Holders' Accounts)

第二十条 前払式支払手段発行者は、次の各号のいずれかに該当するときは、前払式支払手段の保有者に、当該前払式支払手段の残高として内閣府令で定める額を払い戻さなければならない。

**Article 20** (1) If an issuer of prepaid payment instruments falls under any of the following items, the issuer must refund the outstanding balance of those prepaid payment instruments specified by Cabinet Office Order to the holder's account:

一 前払式支払手段の発行の業務の全部又は一部を廃止した場合（相続又は事業譲渡、合併若しくは会社分割その他の事由により当該業務の承継が行われた場合を除く。）

(i) if the issuer of prepaid payment instruments discontinues all or part of the business of issuing prepaid payment instruments (excluding cases where the business has been handed over to the successor due to inheritance, transfer of business, a merger or company split, or for other reasons);

二 当該前払式支払手段発行者が第三者型発行者である場合において、第二十七条第一項又は第二項の規定により第七条の登録を取り消されたとき。

(ii) if the issuer of prepaid payment instruments is the issuer of prepaid payment instruments for third-party business, when it has had its registration referred to in Article 7 revoked pursuant to the provisions of Article 27, paragraph (1) or (2); or

三 その他内閣府令で定める場合

(iii) other cases specified by Cabinet Office Order.

2 前払式支払手段発行者は、前項の規定により払戻しをしようとする場合には、内閣府令で定めるところにより、次に掲げる事項を公告するとともに、当該事項に関する情報を当該払戻しに係る前払式支払手段の保有者に提供しなければならない。

(2) If an issuer of prepaid payment instruments intends to refund the amount pursuant to the provisions of the preceding paragraph, the issuer must give public notice of the following particulars and provide the information concerning those particulars to the holders of the prepaid payment instruments subject to the refund, pursuant to the provisions of Cabinet Office Order:

一 当該払戻しをする旨

- (i) a statement to the effect that the amount will be refunded;  
二 当該払戻しに係る前払式支払手段の保有者は、六十日を下らない一定の期間内に債権の申出をすべきこと。
- (ii) a statement to the effect that the holders of the prepaid payment instruments subject to the refund must file a request for claims within a certain period of not less than sixty days;  
三 前号の期間内に債権の申出をしない前払式支払手段の保有者は、当該払戻しの手続から除斥されるべきこと。
- (iii) a statement to the effect that the holders of the prepaid payment instruments who fail to file a request for claims within the period referred to in the preceding item must be excluded from the procedure for the refund;  
and  
四 その他内閣府令で定める事項
- (iv) other particulars specified by Cabinet Office Order.
- 3 会社法（平成十七年法律第八十六号）第九百四十条第一項（第三号に係る部分に限る。）及び第三項の規定は、前払式支払手段発行者（会社に限る。）が電子公告（同法第二条第三十四号に規定する電子公告をいう。次項において同じ。）により前項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。
- (3) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (iii)) and Article 940, paragraph (3) of the Companies Act (Act No. 86 of 2005) apply mutatis mutandis to cases where an issuer of prepaid payment instruments (limited to companies) gives public notice under the preceding paragraph by way of electronic public notice (meaning electronic public notice specified in Article 2, item (xxxiv) of that Act; the same applies in the following paragraph). In this case, any necessary technical replacement of terms is specified by Cabinet Order.
- 4 会社法第九百四十条第一項（第三号に係る部分に限る。）及び第三項、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条並びに第九百五十五条の規定は、前払式支払手段発行者（外国会社に限る。）が電子公告により第二項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。
- (4) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (iii)) and Article 940, paragraph (3), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953, and Article 955 of the Companies Act apply mutatis mutandis to cases where an issuer of prepaid payment instruments (limited to foreign companies) gives public notice under paragraph (2) by way of electronic public notice. In this case, any necessary technical replacement of terms is specified by Cabinet Order.
- 5 前払式支払手段発行者は、第一項各号に掲げる場合を除き、その発行する前払式支払手段について、保有者に払戻しをしてはならない。ただし、払戻金額が少額である

場合その他の前払式支払手段の発行の業務の健全な運営に支障が生ずるおそれがない場合として内閣府令で定める場合は、この限りでない。

- (5) An issuer of prepaid payment instruments must not refund any amount with regard to the prepaid payment instruments that it issues to the holders thereof except in cases set forth in the items of paragraph (1); provided, however, that this does not apply to cases where the amount to be refunded is small or other cases where the sound management of the business of issuing prepaid payment instruments is not hindered, as specified by Cabinet Office Order.

(情報の安全管理)

(Management of Information Security)

第二十一条 前払式支払手段発行者は、内閣府令で定めるところにより、その発行の業務に係る情報の漏えい、滅失又はき損の防止その他の当該情報の安全管理のために必要な措置を講じなければならない。

Article 21 An issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, take measures necessary for preventing leakage, loss, or damage to information pertaining to the business of issuing prepaid payment instruments and other measures for ensuring security management of the relevant information.

(委託先に対する指導)

(Guidance of Entrusted Parties)

第二十一条の二 前払式支払手段発行者は、前払式支払手段の発行の業務の一部を第三者に委託（二以上の段階にわたる委託を含む。）をした場合には、内閣府令で定めるところにより、当該委託に係る業務の委託先に対する指導その他の当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 21-2 If an issuer of prepaid payment instruments entrusts (including those under multi-tier entrustment arrangements) part of the business of issuing prepaid payment instruments to a third party, the issuer of prepaid payment instruments must provide guidance to the third party to whom the relevant business has been entrusted and take other measures necessary for ensuring the proper and steady operation of the business pursuant to the provisions of Cabinet Office Order.

(苦情処理に関する措置)

(Complaint Processing Measures)

第二十一条の三 前払式支払手段発行者は、前払式支払手段の発行及び利用に関する利用者からの苦情の適切かつ迅速な処理のために必要な措置を講じなければならない。

Article 21-3 An issuer of prepaid payment instruments must take measures necessary to appropriately and promptly process complaints from the users about the issuance and use of prepaid payment instruments in an appropriate

and prompt manner.

## 第五節 監督

### Section 5 Supervision

(帳簿書類)

(Books and Documents)

第二十二條 前払式支払手段発行者は、内閣府令で定めるところにより、その前払式支払手段の発行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 22 An issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, prepare and maintain the books of accounts and documents on its business of issuing prepaid payment instruments.

(報告書)

(Written Reports)

第二十三條 前払式支払手段発行者は、基準日ごとに、内閣府令で定めるところにより、次に掲げる事項を記載した前払式支払手段の発行の業務に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 23 (1) An issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, prepare a written report on the business of issuing prepaid payment instruments containing the following particulars as of the each base date, and submit it to the Prime Minister:

一 当該基準日を含む基準期間において発行した前払式支払手段の発行額

(i) the amount of prepaid payment instruments issued during the record period including the relevant base date;

二 当該基準日における前払式支払手段の基準日未使用残高

(ii) the unused balance on the base date of prepaid payment instruments as of the relevant base date;

三 当該基準日未使用残高に係る発行保証金の額

(iii) the amount of the security deposits for issuance pertaining to the unused balance on the base date; and

四 その他内閣府令で定める事項

(iv) other particulars specified by Cabinet Office Order.

2 前項の報告書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(2) Documents concerning finance and other documents specified by Cabinet Office Order must be attached to the written report referred to in the preceding paragraph.

3 自家型発行者については、基準日未使用残高が基準額以下となった基準日の翌日から当該基準日以後の基準日であって再び基準日未使用残高が基準額を超えることとなった基準日の前日までの間の基準日については、第一項の規定は、適用しない。

(3) In the case of issuers of prepaid payment instruments for its own business, the provisions of paragraph (1) do not apply to Base Dates falling within a period from the day immediately following the Base Date on which the Unused Base Date Balance decreased to the standard amount to the day immediately preceding the subsequent Base Date on which the Unused Base Date Balance again exceeded the Standard Amount.

(立入検査等)

(On-Site Inspections)

第二十四条 内閣総理大臣は、前払式支払手段発行者の発行の業務の健全かつ適切な運営を確保するために必要があると認めるときは、当該前払式支払手段発行者に対し当該前払式支払手段発行者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該前払式支払手段発行者の営業所、事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 24 (1) If the Prime Minister finds it necessary for ensuring sound and appropriate management of the business of issuing prepaid payment instruments of an issuer of prepaid payment instruments, the Minister may order the issuer of prepaid payment instruments to submit reports or materials that can be used as reference for its business or property, or have officials enter the business office, office or other facility of that issuer of prepaid payment instruments, ask questions about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、前払式支払手段発行者の発行の業務の健全かつ適切な運営を確保するため特に必要があると認めるときは、その必要の限度において、当該前払式支払手段発行者から業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条及び第三十二条において同じ。）に対し当該前払式支払手段発行者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該前払式支払手段発行者から業務の委託を受けた者の施設に立ち入らせ、当該前払式支払手段発行者の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the Prime Minister finds it particularly necessary for ensuring sound and appropriate management of the business of issuing prepaid payment instruments of an issuer of prepaid payment instruments, the Minister may order a person to whom business has been entrusted by the issuer of prepaid payment instruments (including persons to whom the business has been entrusted by the entrusted person (including those under multi-tier entrustment arrangements); hereinafter the same applies in this Article and Article 32) to submit reports or materials that can be used as reference for the business or property of the issuer of prepaid payment instruments, or have officials enter the facility of a person to whom business has been entrusted by

the issuer of prepaid payment instruments, ask questions about the status of the business or property of the issuer of prepaid payment instruments or inspect its books and documents or other items, to the extent necessary for the Minister.

3 前項の前払式支払手段発行者から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by an issuer of prepaid payment instruments referred to in the preceding paragraph may, if there are reasonable grounds, refuse to submit reports or materials, or to respond to the inquiry or the inspection under the provisions of that paragraph.

(業務改善命令)

(Order to Improve Business Operations)

第二十五条 内閣総理大臣は、前払式支払手段発行者の前払式支払手段の発行の業務の健全かつ適切な運営を確保するために必要があると認めるときは、その必要の限度において、当該前払式支払手段発行者に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 25 If the Prime Minister finds it necessary for ensuring the sound and appropriate management of the business of issuing repaid payment instruments of an issuer of prepaid payment instruments, the Minister may order that an issuer of prepaid payment instruments to take measures necessary to improve the operation of its business or its financial status or other measures necessary for the supervision, to the extent necessary for the Minister.

(自家型発行者に対する業務停止命令)

(Order to Suspend Business Given to Issuers of Prepaid Payment Instruments for Its Own Business)

第二十六条 内閣総理大臣は、自家型発行者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その発行の業務の全部又は一部の停止を命ずることができる。

Article 26 If an issuer of prepaid payment instruments for its own business falls under any of the following items, the Prime Minister may order the issuer of prepaid payment instruments for their own business to suspend all or part of its business of issuing prepaid payment instruments, by setting a period for suspension not exceeding six months:

一 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。

(i) the issuer of prepaid payment instruments for their own business violates this Act or an order under this Act, or a disposition based this Act or an order; or

二 その発行する前払式支払手段に係る第三十一条第一項の権利の実行が行われるお

それがあある場合において、当該前払式支払手段の利用者の被害の拡大を防止することが必要であると認められるとき。

- (ii) if the right specified in Article 31, paragraph (1) pertaining to the prepaid payment instruments issued by the issuer of prepaid payment instruments for their own business is likely to be fulfilled, when the Prime Minister finds it necessary to prevent the spread of damage to the users of those prepaid payment instruments.

(第三者型発行者に対する登録の取消し等)

**(Revocation of Registration of Issuers of Prepaid Payment Instruments for Third-Party Business)**

第二十七条 内閣総理大臣は、第三者型発行者が次の各号のいずれかに該当するときは、第七条の登録を取り消し、又は六月以内の期間を定めてその第三者型前払式支払手段の発行の業務の全部若しくは一部の停止を命ずることができる。

Article 27 (1) If an issuer of prepaid payment instruments for third-party business falls under any of the following items, the Prime Minister may revoke its registration referred to in Article 7 or order the issuer of prepaid payment instruments for third-party business to suspend all or part of its business of issuing prepaid payment instruments for third-party business, by setting a period for suspension not exceeding six months:

一 第十条第一項各号に該当することとなったとき。

- (i) the issuer of prepaid payment instruments for third-party business falls under any of the items of Article 10, paragraph (1);

二 不正の手段により第七条の登録を受けたとき。

- (ii) the issuer of prepaid payment instruments for third-party business is registered referred to in Article 7 through wrongful means;

三 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) the issuer of prepaid payment instruments for third-party business violates this Act or an order under this Act, or a disposition based on this Act or an order; or

四 その発行する前払式支払手段に係る第三十一条第一項の権利の実行が行われるおそれがあある場合において、当該前払式支払手段の利用者の被害の拡大を防止することが必要であると認められるとき。

- (iv) if the right specified in Article 31, paragraph (1) pertaining to the prepaid payment instruments issued by the third-party issue is likely to be fulfilled, when the Prime Minister finds it necessary to prevent the spread of damage to the users of those prepaid payment instruments.

2 内閣総理大臣は、第三者型発行者の営業所若しくは事務所の所在地を確知できないとき、又は第三者型発行者を代表する役員が所在地を確知できないときは、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過しても当該第三者型発行者から申出がないときは、当該第三者型発行者の第七条の登録を取り消



すことができる。

(2) If the Prime Minister is unable to ascertain the locations of business offices or offices of an issuer of prepaid payment instruments for third-party business or the whereabouts of the officer representing the issuer of prepaid payment instruments for third-party, the Minister, pursuant to the provisions of Cabinet Office Order, may issue a public notice of that fact and revoke the registration of the issuer of prepaid payment instruments for third-party business under Article 7 if no application is made by the issuance after thirty days have passed since the day of the public notice.

3 前項の規定による処分については、行政手続法（平成五年法律第八十八号）第三章の規定は、適用しない。

(3) The provisions of Chapter III of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to a disposition referred to in the preceding paragraph.

（登録の抹消）

(Deletion of Registration)

第二十八条 内閣総理大臣は、前条第一項若しくは第二項の規定により第七条の登録を取り消したとき、又は第三十三条第二項の規定により第七条の登録がその効力を失ったときは、当該登録を抹消しなければならない。

Article 28 If the Prime Minister has revoked the registration referred to in Article 7 pursuant to provisions of paragraph (1) or (2) of the preceding Article or when the registration referred to in Article 7 has ceased to be effective pursuant to the provisions of Article 33, paragraph (2), the Minister must delete that registration.

（監督処分 of 公告）

(Public Notice of Supervisory Dispositions)

第二十九条 内閣総理大臣は、第二十六条又は第二十七条第一項若しくは第二項の規定による処分をしたときは、内閣府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 29 If the Prime Minister implements a disposition pursuant to the provisions of Article 26, or Article 27, paragraph (1) or (2), the Minister must give public notice to that effect pursuant to the provisions of Cabinet Office Order.

## 第六節 雑則

### Section 6 Miscellaneous Provisions

（基準日に係る特例）

(Special Provisions for Base Date)

第二十九条の二 前払式支払手段発行者が、内閣府令で定めるところにより、この項の

規定の適用を受けようとする旨その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出した場合には、当該届出書を提出した日後における当該前払式支払手段発行者についての第三条第二項の規定の適用については、同項中「及び九月三十日」とあるのは、「、六月三十日、九月三十日及び十二月三十一日」として、この章の規定を適用する。この場合において、必要な技術的読替えは、政令で定める。

Article 29-2 (1) If an issuer of prepaid payment instruments, pursuant to the provisions of Cabinet Office Order, submits a written notice containing a statement that the issuer seeks the application of the provisions of this paragraph to the issuer and other particulars specified by Cabinet Office Order to the Prime Minister, with regard to the application of the provisions of Article 3, paragraph (2) to the issuer of prepaid payment instruments after the submission date of the written notice, the provisions of this Chapter are applied to the person by replacing the phrase "and September 30" in Article 3, paragraph (2) with ", June 30, September 30, and December 31". In this case, any necessary technical replacement of terms is specified by Cabinet Order.

2 前項の規定の適用を受けている前払式支払手段発行者が、内閣府令で定めるところにより、同項の規定の適用を受けることをやめようとする旨その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出した場合には、当該前払式支払手段発行者については、当該届出書を提出した日（当該提出した日の属する基準期間が特例基準日（毎年六月三十日及び十二月三十一日をいう。）の翌日から次の通常基準日（毎年三月三十一日及び九月三十日をいう。以下この項において同じ。）までの期間である場合にあっては、当該通常基準日。以下この項において同じ。）後は、前項の規定は、適用しない。ただし、当該前払式支払手段発行者が、当該提出した日後新たに同項の届出書を提出したときは、この限りでない。

(2) If an issuer of prepaid payment instruments to whom the provisions of the preceding paragraph are applied, pursuant to the provisions of Cabinet Office Order, submits a written notice containing a statement that the issuer no longer seeks the application of the provisions of that paragraph to the issuer and other particulars specified by Cabinet Office Order to the Prime Minister, the provisions of the preceding paragraph do not apply to the issuer after the submission date of the written notice (if the record period including the submission date falls within the period from the day following the special base date (meaning June 31 and December 31 of each year) to the next ordinary base date (meaning March 31 and September 30 of each year; hereinafter the same applies in this paragraph)); provided, however, that this does not apply if the issuer of prepaid payment instruments submits another written notice referred to in that paragraph after the submission date.

3 第一項の規定の適用を受けている前払式支払手段発行者は、同項の届出書を提出した日から起算して政令で定める期間を経過した日以後でなければ、前項本文の届出書を提出することができない。

(3) An issuer of prepaid payment instruments to whom the provisions of

paragraph (1) are applied may submit a written notice referred to in the main clause of the preceding paragraph only on or after the day on which a period specified by Cabinet Order has passed from the submission date of a written notice referred to in paragraph (1).

4 第二項本文の届出書を提出した前払式支払手段発行者は、当該届出書を提出した日から起算して政令で定める期間を経過した日以後でなければ、第一項の届出書を提出することができない。

(4) An issuer of prepaid payment instruments who has submitted a written notice referred to in the main clause of paragraph (2) may submit a written notice referred to in paragraph (1) only on or after the day on which a period specified by Cabinet Order has passed from the submission date of a written notice referred to in the main clause of paragraph (2).

(自家型前払式支払手段の発行の業務の承継に係る特例)

(Special Provisions Pertaining to Succession of Business of Issuing Prepaid Payment Instruments for Their Own Business)

第三十条 前払式支払手段発行者以外の者が相続又は事業譲渡、合併若しくは会社分割その他の事由により前払式支払手段発行者から自家型前払式支払手段の発行の業務を承継した場合（第三者型前払式支払手段の発行の業務を承継した場合を除く。）において、当該業務の承継に係る自家型前払式支払手段の承継が行われた日の直前の基準日未使用残高が基準額を超えるときは、当該前払式支払手段発行者以外の者を当該自家型前払式支払手段を発行する自家型発行者とみなして、この法律（第五条を除く。）の規定を適用する。

Article 30 (1) If a person other than an issuer of prepaid payment instruments has succeeded to the business of issuing prepaid payment instruments for its own business from an issuer of prepaid payment instruments by way of inheritance, transfer of business, merger or company split, or for other reasons (excluding cases where the person has succeeded to the business of issuing prepaid payment instruments for third-party business), if the unused balance on the base date on the base date immediately preceding the date of succession of prepaid payment instruments for their own business pertaining to the succession of the business exceeded the standard amount, the person other than an issuer of prepaid payment instruments is deemed to be an issuer of prepaid payment instruments for their own business who has issued the prepaid payment instruments for its own business, and the provisions of this Act (excluding Article 5) applies to that person.

2 前項の規定により自家型発行者とみなされた者は、内閣府令で定めるところにより、遅滞なく、次に掲げる事項を記載した届出書を内閣総理大臣に提出しなければならない。

(2) A person who is deemed to be an issuer of prepaid payment instruments for its own business pursuant to the provisions of the preceding paragraph must

submit a written notice containing the following particulars to the Prime Minister without delay, pursuant to the provisions of Cabinet Office Order:

一 自家型前払式支払手段の発行の業務を承継した旨

(i) a statement that the person has succeeded the business of issuing prepaid payment instruments for their own business;

二 第五条第一項第一号から第四号までに掲げる事項

(ii) particulars listed in Article 5, paragraph (1), items (i) through (iv);

三 自家型前払式支払手段の承継が行われた日の直前の基準日未使用残高

(iii) the unused balance on the base date on the base date immediately preceding the date of succession of prepaid payment instruments for their own business; and

四 承継した自家型前払式支払手段に係る第五条第一項第六号から第十一号までに掲げる事項

(iv) particulars listed in Article 5, paragraph (1), items (vi) through (xi) pertaining to the succeeded prepaid payment instruments for their own business.

3 前項の届出書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(3) Documents concerning finance and other documents specified by Cabinet Office Order must be attached to the written notice referred to in the preceding paragraph.

4 第一項の規定により自家型発行者とみなされた者は、第二項第二号又は第四号に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(4) If any of the particulars set forth in paragraph (2), item (ii) or item (iv) are changed, the person who is deemed to be an issuer of prepaid payment instruments for its own business pursuant to the provisions of paragraph (1) must notify the Prime Minister to that effect without delay.

(発行保証金の還付)

(Return of Security Deposits for Issuance)

第三十一条 前払式支払手段の保有者は、前払式支払手段に係る債権に関し、当該前払式支払手段に係る発行保証金について、他の債権者に先立ち弁済を受ける権利を有する。

Article 31 (1) A holder of prepaid payment instruments has the right to receive, in preference over other creditors, payments with regard to claims pertaining to prepaid payment instruments for the return of the security deposits for issuance pertaining to those prepaid payment instruments.

2 内閣総理大臣は、次の各号のいずれかに該当する場合において、前払式支払手段の保有者の利益の保護を図るために必要があると認めるときは、前項の権利を有する者に対し、六十日を下らない一定の期間内に内閣総理大臣に債権の申出をすべきこと及

びその期間内に債権の申出をしないときは当該公示に係る発行保証金についての権利の実行の手続から除斥されるべきことを公示しなければならない。

(2) In the case falling under any of the following items, when the Prime Minister finds it necessary for the protection of the interests of holders of prepaid payment instruments, the Minister must give a public notice that persons holding the right specified in the preceding paragraph must file their claims with the Prime Minister within a certain period not less than sixty days and that they must be excluded from the procedures for the fulfillment of the right to the return of the security deposits for issuance pertaining to the public notice unless they file their claims within the relevant period:

一 前項の権利の実行の申立てがあったとき。

(i) when a petition is filed for the fulfillment of the right specified in the preceding paragraph; or

二 前払式支払手段発行者について破産手続開始の申立て等が行われたとき。

(ii) when a petition for commencement of bankruptcy proceedings, etc. is filed against an issuer of prepaid payment instruments.

3 内閣総理大臣は、内閣府令で定めるところにより、第一項の権利の実行に関する事務を銀行等その他の政令で定める者（次項及び第五項において「権利実行事務代行者」という。）に委託することができる。

(3) The Prime Minister may, pursuant to the provisions of Cabinet Office Order, entrust the administrative functions related to the fulfillment of the right specified in paragraph (1) to a deposit-taking institution or any other person specified by Cabinet Order (referred to as "agents for a regional finance office that distribute security deposits to holders of prepaid payment instruments" in the following paragraph and in paragraph (5)).

4 権利実行事務代行者は、他の法律の規定にかかわらず、前項の規定により委託を受けた業務を行うことができる。

(4) Notwithstanding the provisions of any other Acts, any agents for a regional finance office that distributes security deposits to holders of prepaid payment instruments may conduct the business of performing the administrative functions entrusted pursuant to the provisions of the preceding paragraph.

5 第三項の規定により業務の委託を受けた権利実行事務代行者又はその役員若しくは職員であつて当該委託を受けた業務に従事する者は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

(5) With regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions to an agents for a regional finance office that distributes security deposits to holders of prepaid payment instruments to whom business has been entrusted pursuant to the provisions of paragraph (3) or its officers or employees engaging in entrusted business are deemed to be officials engaged in public service pursuant to laws and regulations.

6 第二項から前項までに規定するもののほか、第一項の権利の実行に関し必要な事項

は、政令で定める。

(6) Beyond what is provided for in paragraph (2) through the preceding paragraph, particulars necessary for the fulfillment of the right referred to in paragraph (1) are specified by Cabinet Order.

(発行保証金の還付への協力)

(Cooperation for Return of Security Deposits for Issuance)

第三十二条 前払式支払手段発行者から発行の業務の委託を受けた者、密接関係者、加盟店その他の当該前払式支払手段発行者の関係者は、当該前払式支払手段発行者が発行した前払式支払手段に係る前条第一項の権利の実行に関し内閣総理大臣から必要な協力を求められた場合には、これに応ずるよう努めるものとする。

Article 32 If a person to whom the business of issuing prepaid payment instruments has been entrusted by an issuer of prepaid payment instruments, or a closely related person, member shop or any other related person of the issuer of prepaid payment instruments is requested by the Prime Minister to extend their cooperation necessary for the fulfillment of the right specified in paragraph (1) of the preceding Article pertaining to the prepaid payment instruments issued by the issuer of prepaid payment instruments, the person is to endeavor to respond to the request.

(廃止の届出等)

(Notification of Discontinuation of Business)

第三十三条 前払式支払手段発行者は、次の各号のいずれかに該当する場合には、遅滞なく、内閣総理大臣に届け出なければならない。

Article 33 (1) If an issuer of prepaid payment instruments falls under any of the following items, it must notify the Prime Minister to that effect without delay:

一 前払式支払手段の発行の業務の全部又は一部を廃止したとき。

(i) when the issuer of prepaid payment instruments has discontinued all or part of the business of issuing prepaid payment instruments; or

二 第三十一条第二項第二号に掲げるとき。

(ii) when the issuer of prepaid payment instruments falls under Article 31, paragraph (2), item (ii).

2 第三者型発行者が第三者型前払式支払手段の発行の業務の全部を廃止したときは、当該第三者型発行者の第七条の登録は、その効力を失う。

(2) When an issuer of prepaid payment instruments for third-party business has discontinued all or part of the business of issuing prepaid payment instruments for third-party business, the registration of the issuer of prepaid payment instruments for third-party business referred to in Article 7 ceases to be effective.

(登録の取消し等に伴う債務の履行の完了等)

(Completion of Performance of Obligations Due to Revocation of Registration)

第三十四条 第三者型発行者について、第二十七条第一項若しくは第二項の規定により第七条の登録が取り消されたとき、又は前条第二項の規定により第七条の登録が効力を失ったときは、当該第三者型発行者であった者は、その発行した第三者型前払式支払手段に係る債務の履行を完了する目的の範囲内においては、なお第三者型発行者とみなす。

Article 34 With regard to an issuer of prepaid payment instruments for third-party business, when the registration referred to in Article 7 is revoked pursuant to provisions of Article 27, paragraph (1) or (2) or ceased to be effective pursuant to the provisions of paragraph (2) of the preceding Article, the person who has been an issuer of prepaid payment instruments for third-party business is deemed to be an issuer of prepaid payment instruments for third-party business within the scope of the purpose of completing the performance of obligations pertaining to the prepaid payment instruments for third-party business issued by the person.

(銀行等に関する特例)

(Special Provisions for Deposit-Taking Institutions)

第三十五条 政令で定める要件を満たす銀行等その他政令で定める者に該当する前払式支払手段発行者については、第十四条第一項の規定は、適用しない。

Article 35 The provisions of Article 14, paragraph (1) do not apply to an issuer of prepaid payment instruments who is a deposit-taking institution satisfying the requirements specified by Cabinet Order or any other person specified by Cabinet Order.

(外国において発行される前払式支払手段の勧誘の禁止)

(Prohibition on Solicitation of Prepaid Payment Instruments Issued in Foreign Countries)

第三十六条 外国において前払式支払手段の発行の業務を行う者は、国内にある者に対して、その外国において発行する前払式支払手段の勧誘をしてはならない。

Article 36 A person conducting the business of issuing prepaid payment instruments in a foreign state must not solicit a person in Japan for prepaid payment instruments issued by the person in the foreign state.

### 第三章 資金移動

#### Chapter III Funds Transfers

##### 第一節 総則

##### Section 1 General Provisions

(定義)

(Definitions)

第三十六条の二 この章において「第一種資金移動業」とは、資金移動業（特定資金移動業を除く。第四項を除き、以下同じ。）のうち、第二種資金移動業及び第三種資金移動業以外のものをいう。

Article 36-2 (1) The term "type I funds transfer services" as used in this Act means funds transfer services (excluding the specified funds transfer services; hereinafter the same applies except in paragraph (4)) other than type II funds transfer services and type III funds transfer services.

2 この章において「第二種資金移動業」とは、資金移動業のうち、少額として政令で定める額以下の資金の移動に係る為替取引のみを業として営むこと（第三種資金移動業を除く。）をいう。

(2) The term "type II funds transfer services" as used in this Act means funds transfer services to handle only funds transfer transactions for the transfer of funds at amounts not exceeding the amount specified as a small amount by Cabinet Order in the course of trade (excluding type III funds transfer services).

3 この章において「第三種資金移動業」とは、資金移動業のうち、特に少額として政令で定める額以下の資金の移動に係る為替取引のみを業として営むことをいう。

(3) The term "type III funds transfer services" as used in this Act means funds transfer services to handle only funds transfer transactions for the transfer of funds at amounts not exceeding the amount specified as a particularly small amount by Cabinet Order in the course of trade.

4 この章において「特定資金移動業」とは、資金移動業のうち、特定信託為替取引のみを業として営むことをいう。

(4) The term "specified funds transfer services" as used in this Chapter means funds transfer services to handle only funds transfer transactions in specified trusts in the course of trade.

（資金移動業者の登録）

(Registration of Funds Transfer Service Providers)

第三十七条 内閣総理大臣の登録を受けた者は、銀行法第四条第一項及び第四十七条第一項の規定にかかわらず、資金移動業を営むことができる。

Article 37 Notwithstanding the provisions of Article 4, paragraph (1) and Article 47, paragraph (1) of the Banking Act, a person registered by the Prime Minister may provide the funds transfer service.

（特定信託会社に関する特例）

(Special Provisions for Specified Trust Companies)

第三十七条の二 特定信託会社は、第四十条第一項第七号及び第八号に該当しない場合には、銀行法第四条第一項及び第四十七条第一項の規定にかかわらず、特定資金移動業を営むことができる。

Article 37-2 (1) Notwithstanding the provisions of Article 4, paragraph (1) and



Article 47, paragraph (1) of the Banking Act, a specified trust company may provide specified funds transfer services if it does not fall under Article 40, paragraph (1), items (vii) and (viii).

2 特定信託会社が前項の規定により特定資金移動業を営む場合においては、特定資金移動業を資金移動業と、当該特定信託会社を資金移動業者とそれぞれみなして、第二条第二十四項及び第二十五項、第三十九条、第四十条の二、第四十一条（第一項及び第二項を除く。）、第四十二条、第四十九条から第五十一条まで、第五十一条の四から第五十三条（第二項各号及び第三項各号を除く。）まで、第五十四条から第五十六条第一項まで、第五十八条、第六十一条、第六十二条第一項、第六十二条の八、第五章、第六章、第一百条並びに第一百三十三条の規定並びにこれらの規定に係る第八章の規定を適用する。この場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とするほか、必要な技術的読替えは、政令で定める。

(2) If a specified trust company provides specified funds transfer services pursuant to the provisions of the preceding paragraph, specified funds transfer services are deemed to be funds transfer services and the relevant specified trust company is deemed to be a funds transfer service provider, respectively, and the provisions of Article 2, paragraphs (24) and (25), Article 39, Article 40-2, Article 41 (excluding paragraphs (1) and (2)), Article 42, Articles 49 through 51, Article 51-4 through Article 53 (excluding the items of paragraph (2) and the items of paragraph (3)), Article 54 through Article 56, paragraph (1), Article 58, Article 61, Article 62, paragraph (1), Article 62-8, Chapter V, Chapter VI, Article 102, and Article 103, and the provisions of Chapter VIII that are relevant to those provisions apply. In this case, the terms or phrases listed in the middle column of the table below in the provisions as listed in the left-hand column of that table are deemed to be replaced with the respective terms or phrases listed in the right-hand column of that table; and any other necessary technical replacement of terms is specified by Cabinet Order:

第二条第二十五項 Article 2, paragraph (25)	資金移動業務 funds transfer business	特定資金移動業務 specified funds transfer business
--	--------------------------------------	--

第三十九条第一項 Article 39, paragraph (1)	第三十七条の登録の申請があつたときは、次条第一項の規定によりその登録を拒否する場合を除くほか when an application for registration referred to in Article 37 is filed,..., except when refusing the registration pursuant to the provisions of paragraph (1) of the following Article	第三十七条の二第三項の規定による届出があつたときは when a notification under the provisions of Article 37-2, paragraph (3) is made
	資金移動業者登録簿に登録し register the following particulars in the register of funds transfer service providers	特定信託会社名簿に登録し record the following particulars in the register of specified trust companies
第三十九条第一項第一号 Article 39, paragraph (1), item (i)	前条第一項各号に掲げる particulars listed in the items of paragraph (1) of the preceding Article	当該届出をした者に係る特定資金移動業の内容及び方法その他内閣府令で定める details and method of the specified funds transfer services concerning the person who made the notification, and other particulars specified by Cabinet Office Order
第三十九条第一項第二号 Article 39, paragraph (1), item (ii)	登録年月日及び登録番号 date of registration and registration number	届出年月日及び届出受理番号 date of notification and notification acceptance number
第三十九条第二項 Article 39, paragraph (2)	登録を registered	登載を recorded
	登録申請者 registration applicant	第三十七条の二第三項の規定による届出をした者 person who made a notification under the provisions of Article 37-2, paragraph (3)

第三十九条第三項 Article 39, paragraph (3)	資金移動業者登録簿 register of funds transfer service providers	特定信託会社名簿 register of specified trust companies
第四十条の二第一項 Article 40-2, paragraph (1)	第一種資金移動業を type I funds transfer services	少額として政令で定める額を超える資金の移動に係る特定信託為替取引を業として fund transfer transactions in specified trusts involving the transfer of funds beyond the amount specified by Cabinet Order as a small amount, in the course of trade
第四十一条第三項 Article 41, paragraph (3)	第三十八条第一項第八号に掲げる事項 particulars set forth in Article 38, paragraph (1), item (viii)	特定資金移動業の内容及び方法 details and method of the specified funds transfer services
第四十一条第四項 Article 41, paragraph (4)	第三十八条第一項各号 items of Article 38, paragraph (1)	第三十九条第一項第一号 Article 39, paragraph (1), item (i)
	のいずれかに変更 any of the particulars...are changed	に変更 the particulars...are changed

	<p>除き、同項第七号に掲げる事項の変更にあつては、一の種別の資金移動業の全部を廃止したことによるものに限る</p> <p>excluding changes to the details of the specified business, etc., and in the case of a change in the particulars set forth in item (vii) of that paragraph, limited to the change due to the discontinuation of the whole funds transfer service of the same category</p>	<p>除く</p> <p>excluding</p>
<p>第四十一条第五項</p> <p>Article 41, paragraph (5)</p>	<p>資金移動業者登録簿に登録し</p> <p>register the following particulars in the register of funds transfer service providers</p>	<p>特定信託会社名簿に記載し</p> <p>record the following particulars in the register of specified trust companies</p>
<p>第五十一条</p> <p>Article 51</p>	<p>提供、利用者から受け入れた資金のうち為替取引に用いられないと認められるものを保有しないための措置</p> <p>provide information about fees and other terms and conditions of contracts related to the funds transfer services and take measures not to hold part of funds received from users that is found unlikely to be used for fund transfer transactions</p>	<p>提供</p> <p>provide information about fees and other terms and conditions of contracts related to the funds transfer services</p>

第五十一条の四第一項 第一号 Article 51-4, paragraph (1), item (i)	指定資金移動業務紛争 解決機関 designated dispute resolution organizations for funds transfer services	指定特定資金移動業務 紛争解決機関 designated dispute resolution organizations for specified funds transfer services
	が資金移動業務 is a funds transfer service	が特定資金移動業務 is a specified funds transfer service
第五十一条の四第一項 第二号、第二項及び第 三項第二号 Article 51-4, paragraph (1), item (ii), paragraph (2), and paragraph (3), item (ii)	指定資金移動業務紛争 解決機関 designated dispute resolution organization for funds transfer services	指定特定資金移動業務 紛争解決機関 designated dispute resolution organization for specified funds transfer services
第五十三条第二項 Article 53, paragraph (2)	次の各号に掲げる資金 移動業者の区分に応 じ、当該各号に定める specified in the following items in accordance with the respective types of funds transfer service providers set forth therein	特定信託為替取引に関 し負担する債務の額に 関する concerning the amount of obligations to be borne in relation to fund transfer transactions in specified trusts
第五十三条第三項 Article 53, paragraph (3)	次の各号に掲げる資金 移動業者の区分に応 じ、当該各号に specified in the following items in accordance with the respective types of funds transfer service providers set forth therein	財務に関する書類その 他の内閣府令で concerning finance and other documents specified by Cabinet Office Order
第五十六条第一項 Article 56, paragraph (1)	次の各号のいずれか any of the following items	第三号又は第四号 item (iii) or (iv)
	第三十七条の登録を取 り消し revoke its registration referred to in Article 37	特定資金移動業の廃止 を命じ order discontinuance of specified funds transfer services

<p>第五十六条第一項第三号 Article 56, paragraph (1), item (iii)</p>	<p>第一種資金移動業を type I funds transfer service</p>	<p>同項に規定する少額として政令で定める額を超える資金の移動に係る特定信託為替取引を業として fund transfer transactions in specified trusts involving the transfer of funds beyond the amount specified by Cabinet Order as a small amount as prescribed in that paragraph, in the course of trade</p>
<p>第五十八条 Article 58</p>	<p>第五十六条第一項又は第二項 Article 56, paragraph (1) or (2)</p>	<p>第五十六条第一項 Article 56, paragraph (1)</p>
<p>第六十一条第一項第二号 Article 61, paragraph (1), item (ii)</p>	<p>第五十九条第二項第二号に掲げる the funds transfer service provider falls under Article 59, paragraph (2), item (ii)</p>	<p>当該特定信託会社について破産手続開始の申立て等が行われた a petition for commencement of bankruptcy proceedings, etc. is filed against the specified trust company</p>
<p>第六十一条第二項 Article 61, paragraph (2)</p>	<p>当該資金移動業者の第三十七条の登録は、その効力を失う。この場合において、当該 the registration of the funds transfer service provider referred to in Article 37 ceases to be effective. In this case, a person</p>	<p>当該 a person who</p>

第六十一条第五項 Article 61, paragraph (5)	を除く excluding cases where...	及び新たな受託者（信託会社等に該当するものに限る。）が就任した場合を除く excluding cases where... and cases where a new trustee (limited to one that falls under the category of trust company, etc.) is appointed
第六十一条第六項 Article 61, paragraph (6)	外国資金移動業者 foreign funds transfer service provider	外国信託会社（信託業法第二条第六項に規定する外国信託会社をいう。次項において同じ。） foreign trust company (meaning the foreign trust company prescribed in Article 2, paragraph (6) of the Trust Business Act; the same applies in the following paragraph)
	同法 that Act	会社法 the Companies Act
第六十一条第七項 Article 61, paragraph (7)	外国資金移動業者 foreign funds transfer service provider	外国信託会社 foreign trust company
第六十二条第一項 Article 62, paragraph (1)	又は第二項の規定により第三十七条の登録を取り消された when the registration referred to in Article 37 has been revoked pursuant to provisions of Article 56, paragraph (1) or (2)	の規定による特定資金移動業の廃止の命令を受けたときその他政令で定める when the funds transfer service provider receives an order to discontinue specified funds transfer services pursuant to the provisions of Article 56, paragraph (1) or in cases specified by Cabinet Order

<p>第百一条第二項の表第二條第二十八項の項 Row of Article 2, paragraph (28) in the table of Article 101, paragraph (2)</p>	<p>第三十六條の二第一項 Article 36-2, paragraph (1)</p>	<p>第三十六條の二第四項 Article 36-2, paragraph (4)</p>
<p>第百一条第二項の表第二條第三十一項の項及び第五十二條の七十三第三項第二号の項 Row of Article 2, paragraph (31) and row of Article 52-73, paragraph (3), item (ii) in the table of Article 101, paragraph (2)</p>	<p>資金移動業務 funds transfer business</p>	<p>特定資金移動業務 specified funds transfer business</p>
<p>第百八條第一号 Article 108, item (i)</p>	<p>第三十六條の二第一項に規定する第一種資金移動業を type I funds transfer service prescribed in Article 36-2, paragraph (1)</p>	<p>同項に規定する少額として政令で定める額を超える資金の移動に係る特定信託為替取引を業として fund transfer transactions in specified trusts involving the transfer of funds beyond the amount specified by Cabinet Order as a small amount as prescribed in that paragraph, in the course of trade</p>

3 特定信託会社は、第一項の規定により特定資金移動業を営もうとするときは、内閣府令で定めるところにより、第四十條第一項第七号及び第八号に該当しないことを誓約する書面、特定資金移動業を適正かつ確実に遂行する体制の整備に関する事項を記載した書類その他の内閣府令で定める書類を添付して、その旨、特定資金移動業の内容及び方法その他内閣府令で定める事項を内閣総理大臣に届け出なければならない。

(3) When a specified trust company intends to provide specified funds transfer services pursuant to the provisions of paragraph (1), the specified trust company must notify the Prime Minister of this intention, the details and method of the specified funds transfer services, and other particulars specified



by Cabinet Office Order, by attaching a document in which the company pledges that it does not fall under Article 40, paragraph (1), items (vii) and (viii), documents containing particulars concerning the establishment of a system for ensuring the provision of specified funds transfer services in a proper and steady manner, and other documents specified by Cabinet Office Order, pursuant to the provisions of Cabinet Office Order.

4 第一項の規定により特定資金移動業を営む特定信託会社は、当該特定資金移動業に係る特定信託受益権の受益者が信託契約期間中に当該特定信託受益権について信託の元本の全部又は一部の償還を請求した場合には、遅滞なく、当該特定信託受益権に係る信託契約の一部を解約することによりその請求に応じなければならない。ただし、利用者の保護に欠けるおそれが少ない場合として内閣府令で定める場合は、この限りでない。

(4) If a beneficiary of beneficial interest in a specified trust involved in specified funds transfer services requests the full or partial redemption of the principal of the trust for the beneficial interest in the specified trust during the term of the trust agreement, a specified trust company that provides the specified funds transfer services pursuant to the provisions of paragraph (1) must meet the request without delay by cancelling part of the trust agreement for the beneficial interest in the specified trust; provided, however, that this does not apply in cases specified by Cabinet Office Order as being less likely to weaken the protection of users.

(登録の申請)

(Application for Registration)

第三十八条 第三十七条の登録を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した登録申請書を内閣総理大臣に提出しなければならない。

Article 38 (1) A person who intends to be registered as referred to in Article 37 must, pursuant to the provisions of Cabinet Office Order, submit a written application for registration containing the following particulars to the Prime Minister:

一 商号及び住所

(i) trade name and address;

二 資本金の額

(ii) amount of capital;

三 資金移動業に係る営業所の名称及び所在地

(iii) name and location of the business office pertaining to the funds transfer service;

四 取締役及び監査役（監査等委員会設置会社にあつては取締役とし、指名委員会等設置会社にあつては取締役及び執行役とし、外国資金移動業者にあつては外国の法令上これらに相当する者とする。）の氏名

(iv) name of company director and company auditor (company director(s) in

cases of a company with audit and supervisory committee, etc.; company director(s) and executive officer(s) in cases of a company with nominating committee, etc.; and persons equivalent thereto pursuant to laws and regulations of a foreign state in cases of a foreign funds transfer service provider);

五 会計参与設置会社にあつては、会計参与の氏名又は名称

(v) in cases of a company with accounting advisors, names of accounting advisors;

六 外国資金移動業者にあつては、国内における代表者の氏名

(vi) in cases of a foreign funds transfer service provider, name of the representative person in Japan;

七 資金移動業の種別（第一種資金移動業、第二種資金移動業及び第三種資金移動業の種別をいう。以下この章及び第百七条第六号において同じ。）

(vii) categories of funds transfer services (meaning the categories of type I funds transfer services, type II funds transfer services, and type III funds transfer services; hereinafter the same applies in this Chapter and Article 107, item (vi));

八 資金移動業の内容及び方法

(viii) details and means of the funds transfer service;

九 資金移動業の一部を第三者に委託する場合にあつては、当該委託に係る業務の内容並びにその委託先の氏名又は商号若しくは名称及び住所

(ix) if part of the funds transfer service is entrusted to a third party, the details of the business pertaining to the entrustment and the name or trade name or other name and address of the third party to whom the funds transfer services are entrusted;

十 他に事業を行っているときは、その事業の種類

(x) type of the businesses, if the service provider conducts other business; and

十一 その他内閣府令で定める事項

(xi) other particulars specified by Cabinet Office Order.

2 前項の登録申請書には、第四十条第一項各号に該当しないことを誓約する書面、財務に関する書類、資金移動業を適正かつ確実に遂行する体制の整備に関する事項を記載した書類その他の内閣府令で定める書類を添付しなければならない。

(2) A document in which the applicant pledges that the applicant does not fall under any of the items of Article 40, paragraph (1), documents concerning finance, documents containing particulars concerning the establishment of a system for ensuring the provision of funds transfer services in a proper and steady manner, and other documents specified by Cabinet Office Order must be attached to the application for registration referred to in the preceding paragraph.

(資金移動業者登録簿)

(Register of Funds Transfer Service Providers)

第三十九条 内閣総理大臣は、第三十七条の登録の申請があったときは、次条第一項の規定によりその登録を拒否する場合を除くほか、次に掲げる事項を資金移動業者登録簿に登録しなければならない。

Article 39 (1) The Prime Minister must, when an application for registration referred to in Article 37 is filed, register the following particulars in the register of funds transfer service providers, except when refusing the 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) particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) date of registration and registration number.

2 内閣総理大臣は、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 Prime Minister registered the particulars under the provisions of the preceding paragraph, the Minister must notify the applicant to that effect without delay.

3 内閣総理大臣は、資金移動業者登録簿を公衆の縦覧に供しなければならない。

(3) The Prime Minister must make the register of funds transfer service providers available for public inspection.

(登録の拒否)

(Refusal of Registration)

第四十条 内閣総理大臣は、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重要な事項について虚偽の記載があり、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 40 (1) The Prime Minister must refuse registration when an applicant falls under any of the following items, or a written application for registration or its accompanying documents contain false statements about important particulars, or lack any statement about important particulars:

一 株式会社又は外国資金移動業者（国内に営業所を有する外国会社に限る。）でないもの

(i) a person other than a stock company or a foreign funds transfer service provider (limited to a foreign company that has a business office in Japan);

二 外国資金移動業者にあつては、国内における代表者（国内に住所を有するものに限る。）のない法人

(ii) a foreign funds transfer service provider that is a corporation who does not have a representative person in Japan (limited to a person who is domiciled in Japan);

三 資金移動業を適正かつ確実に遂行するために必要と認められる財産的基礎を有し

- ない法人
- (iii) a corporation which lacks the sufficient financial foundation that is necessary for the provision of funds transfer services in a proper and steady manner;
- 四 資金移動業を適正かつ確実に遂行する体制の整備が行われていない法人
- (iv) a corporation which has not established a system for the provision of funds transfer services in a proper and steady manner;
- 五 この章の規定を遵守するために必要な体制の整備が行われていない法人
- (v) a corporation which has not established a system that is necessary for ensuring compliance with the provisions of this Chapter;
- 六 他の資金移動業者が現に用いている商号と同一の商号又は他の資金移動業者と誤認されるおそれのある商号を用いようとする法人
- (vi) a corporation which intends to use a trade name that is identical to the one currently being used by another funds transfer service provider or that may be misidentified as another funds transfer service provider;
- 七 第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消され、第六十二条の二十二第一項若しくは第二項の規定により第六十二条の三の登録を取り消され、第六十三条の三十七第一項若しくは第二項の規定により第六十三条の二十三の許可を取り消され、若しくは第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消され、又はこの法律若しくは銀行法等に相当する外国の法令の規定により当該外国において受けている同種類の登録、許可若しくは免許（当該登録、許可又は免許に類するその他の行政処分を含む。）を取り消され、その取消しの日から五年を経過しない法人
- (vii) a corporation which had its registration referred to in Article 37 revoked pursuant to the provisions of Article 56, paragraph (1) or (2), had its registration referred to in Article 62-3 revoked pursuant to the provisions of Article 62-22, paragraph (1) or (2), had the permission referred to in Article 63-23 revoked pursuant to the provisions of Article 63-37, paragraph (1) or (2), or had its license under the provisions of Article 64, paragraph (1) revoked pursuant to the provisions of Article 82, paragraph (1) or (2), or had the registration, permission or license of the same type in a foreign state (including other administrative dispositions similar to the registration, permission or license) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act or the Banking Act, etc., and for which five years have not passed from the date of the revocation;
- 八 第三十七条の二第二項の規定により読み替えて適用する第五十六条第一項の規定による特定資金移動業の廃止の命令を受け、若しくは第六十二条の八第二項の規定により読み替えて適用する第六十二条の二十二第一項の規定による電子決済手段等取引業の廃止の命令を受け、又はこの法律若しくは銀行法等に相当する外国の法令の規定によるこれらの業務と同種類の業務の廃止の命令を受け、これらの命令の日から五年を経過しない法人

(viii) a corporation which received an order to discontinue specified funds transfer services pursuant to the provisions of Article 56, paragraph (1) as applied pursuant to Article 37-2, paragraph (2) following the deemed replacement of terms, received an order to discontinue electronic payment instruments services pursuant to the provisions of Article 62-22, paragraph (1) as applied pursuant to Article 62-8, paragraph (2) following the deemed replacement of terms, or received an order to discontinue the same type of services as these services pursuant to the provisions of laws and regulations of a foreign state that are equivalent to this Act or the Banking Act, etc., and for which five years have not elapsed from the date of the order;

九 この法律、銀行法等、金融機関の信託業務の兼営等に関する法律、出資の受入れ、預り金及び金利等の取締りに関する法律（昭和二十九年法律第百九十五号）若しくは信託業法又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人

(ix) a corporation which has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Act on Engagement in Trust Business by Financial Institutions, the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates (Act No. 195 of 1954), or the Trust Business Act, or laws and regulations of a foreign state equivalent thereto, and for which five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

十 他に行う事業が公益に反すると認められる法人

(x) a corporation whose other business is found to be against the public interest;

十一 取締役、監査役若しくは執行役又は会計参与（外国資金移動業者にあつては、外国の法令上これらに相当する者又は国内における代表者とする。以下この章において「取締役等」という。）のうちに次のいずれかに該当する者のある法人

(xi) a corporation that employs a person who is a company director, company auditor, executive officer, or accounting advisor (meaning a person equivalent thereto under laws and regulations of a foreign state or representative persons in Japan in cases of a foreign funds transfer service provider; hereinafter referred to as a "company director, etc." in this Chapter) falling under any of the following items:

イ 心身の故障のため資金移動業に係る職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties pertaining to funds transfer services due to a mental or physical disorder;

- ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者
- (b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;
- ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者
- (c) a person who has been sentenced to imprisonment or heavier punishment (including equivalent punishment pursuant to laws and regulations of a foreign state), and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;
- ニ この法律、銀行法等、金融機関の信託業務の兼営等に関する法律、出資の受入れ、預り金及び金利等の取締りに関する法律、暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）若しくは信託業法又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者
- (d) a person who has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, etc., the Act on Engagement in Trust Business by Financial Institutions, the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates, the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991), or the Trust Business Act, or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed; or
- ホ 資金移動業者が第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類するその他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にその法人の取締役等であった者で、当該取消しの日から五年を経過しない者その他これに準ずるものとして政令で定める者
- (e) if a funds transfer service provider had its registration referred to in Article 37 revoked pursuant to the provisions of Article 56, paragraph (1) or (2), or a corporation had the registration of the same type in a foreign state (including other administrative dispositions similar to the registration) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who was a company

director, etc. of the corporation at any time during the thirty days prior to the date of the revocation and for whom five years have not passed from the relevant date or a person similar thereto specified by Cabinet Order.

2 内閣総理大臣は、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 Prime Minister refuses the registration pursuant to the provisions of the preceding paragraph, the Minister must notify the applicant to that effect by indicating the reason without delay.

(業務実施計画の認可)

(Approval of Business Implementation Plans)

第四十条の二 資金移動業者は、第一種資金移動業を営もうとするときは、次に掲げる事項を記載した業務実施計画を定め、内閣府令で定めるところにより、内閣総理大臣の認可を受けなければならない。その変更（内閣府令で定める軽微な変更を除く。）をしようとするときも、同様とする。

Article 40-2 (1) When a funds transfer service provider intends to provide type I funds transfer services, the funds transfer service provider must formulate a business implementation plan containing the following particulars and obtain authorization of the Prime Minister, pursuant to the provisions of Cabinet Office Order. The same applies when a funds transfer service provider intends to change the business implementation plan (excluding minor changes specified by Cabinet Office Order):

一 為替取引により移動させる資金の額の上限額を定める場合にあっては、当該上限額

(i) if the funds transfer service provider sets the maximum amount of funds to transfer in funds transfer transactions, that upper limit;

二 為替取引を行うために使用する電子情報処理組織の管理の方法

(ii) the method of the management of an electronic data processing system to be used for funds transfer transactions; and

三 その他内閣府令で定める事項

(iii) other particulars specified by Cabinet Office Order.

2 資金移動業者は、前項に規定する内閣府令で定める軽微な変更をしたときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) When a funds transfer service provider has made any minor change specified by Cabinet Office Order as prescribed in the preceding paragraph, the funds transfer service provider must notify the Prime Minister to that effect.

3 内閣総理大臣は、その必要の限度において、第一項の認可に条件を付し、及びこれを変更することができる。

(3) The Prime Minister may set requirements for the approval referred to in paragraph (1) and change those requirements, to the extent necessary for the approval.

(変更登録等)

**(Registration of Changes)**

第四十一条 資金移動業者は、第三十八条第一項第七号に掲げる事項の変更（新たな種類の資金移動業を営もうとすることによるものに限る。）をしようとするときは、内閣府令で定めるところにより、内閣総理大臣の変更登録を受けなければならない。

Article 41 (1) When a funds transfer service provider intends to change any of the particulars set forth in Article 38, paragraph (1), item (vii) (limited to changes due to its intention to provide a new type of funds transfer service), the funds transfer service provider must have the change registered by the Prime Minister, pursuant to the provisions of Cabinet Office Order.

2 第三十八条から第四十条までの規定は、前項の変更登録について準用する。この場合において、第三十八条第一項中「次に掲げる」とあるのは「変更に係る」と、同条第二項中「第四十条第一項各号」とあるのは「第四十条第一項各号（第一号、第二号及び第六号から第十一号までを除く。）」と、第三十九条第一項中「次に掲げる」とあるのは「変更に係る」と、第四十条第一項中「次の各号」とあるのは「次の各号（第一号、第二号及び第六号から第十一号までを除く。）」と読み替えるものとする。

(2) The provisions of Articles 38 through 40 apply mutatis mutandis to the registration of change referred to in the preceding paragraph. In this case, the term the "following particulars" in Article 38, paragraph (1) is replaced with the "particulars pertaining to the change", the term "any of the items of Article 40, paragraph (1)" in paragraph (2) of that Article is replaced with "any of the items of Article 40, paragraph (1) (excluding items (i), (ii) and (vi) through (xi))", the term the "following particulars" in Article 39, paragraph (1) is replaced with the "particulars pertaining to the change", and the term "any of the following items" in Article 40, paragraph (1) is replaced with "any of the items of Article 40, paragraph (1) (excluding items (i), (ii) and (vi) through (xi))".

3 資金移動業者は、第三十八条第一項第八号に掲げる事項の変更のうち資金移動業の利用者の保護に欠け、又は資金移動業の適正かつ確実な遂行に支障を及ぼすおそれが大きいものとして内閣府令で定める変更（次項において「特定業務内容等の変更」という。）をしようとするときは、あらかじめ、その旨を内閣総理大臣に届け出なければならない。

(3) When a funds transfer service provider intends to make any changes that are specified by Cabinet Office Order as those that are likely to weaken the protection of users of funds transfer services or hinder the proper and steady provision of funds transfer services (referred to "changes to the details of specified business, etc." in the following paragraph) which are the particulars set forth in Article 38, paragraph (1), item (viii), the funds transfer service provider must notify the Prime Minister to that effect in advance.

4 資金移動業者は、第三十八条第一項各号に掲げる事項のいずれかに変更（特定業務



内容等の変更を除き、同項第七号に掲げる事項の変更にあつては、一の種別の資金移動業の全部を廃止したことによるものに限る。)があつたときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(4) When any of the particulars set forth in the items of Article 38, paragraph (1) (excluding changes to the details of the specified business, etc., and in the case of a change in the particulars set forth in item (vii) of that paragraph, limited to the change due to the discontinuation of the whole funds transfer service of the same category) are changed, the funds transfer service provider must notify the Prime Minister to that effect without delay.

5 内閣総理大臣は、前二項の規定による届出を受理したときは、届出があつた事項を資金移動業者登録簿に登録しなければならない。

(5) When the Prime Minister accepts a notification under the provisions of the preceding two paragraphs, the Minister must register the informed particulars in the register of funds transfer service providers.

(名義貸しの禁止)

(Prohibition of Name Lending)

第四十二条 資金移動業者は、自己の名義をもって、他人に資金移動業を営ませてはならない。

Article 42 A funds transfer service provider must not have another person provide the funds transfer services in the name of the funds transfer service provider.

## 第二節 業務

### Section 2 Business

(履行保証金の供託)

(Making Security Deposits for Providing Funds Transfer Services)

第四十三条 資金移動業者は、次の各号に掲げる資金移動業の種別に応じ、当該各号に定めるところにより、資金移動業の種別ごとに履行保証金をその本店（外国資金移動業者である資金移動業者にあつては、国内における主たる営業所。第四十八条において同じ。）の最寄りの供託所に供託しなければならない。

Article 43 (1) A funds transfer service provider must make security deposits for providing funds transfer services to the official depository nearest to its head office (in cases of a funds transfer service provider that is a foreign funds transfer service provider, its principal business office in Japan; the same applies in Article 48) for each category of funds transfer services set forth in the following items as specified therein in accordance with the category of funds transfer service:

一 第一種資金移動業 各営業日における第一種資金移動業に係る要履行保証額以上の額に相当する額の履行保証金を、当該各営業日から一週間以内で内閣府令で定め

る期間内において資金移動業者が定める期間内に供託すること。

(i) type I funds transfer services: make security deposits in an amount equivalent to an amount not less than the amount required for security deposit for providing funds transfer services as of each business day during a period set by the funds transfer service provider within the period specified by Cabinet Office Order not exceeding one week from the relevant business day; or

二 第二種資金移動業又は第三種資金移動業 一週間以内で資金移動業の種別ごとに資金移動業者が定める期間ごとに、当該期間における第二種資金移動業又は第三種資金移動業に係る要履行保証額の最高額以上の額に相当する額の履行保証金を、当該期間の末日（第四十五条の二第四項及び第五項並びに第四十七条第一号において「基準日」という。）から一週間以内で内閣府令で定める期間内において資金移動業の種別ごとに資金移動業者が定める期間内に供託すること。

(ii) type II funds transfer services or type III funds transfer services: make security deposits in an amount equivalent to an amount not less than the maximum amount of the amount required for security deposit for providing funds transfer services pertaining to type II funds transfer services or type III funds transfer services during a period not exceeding one week set by the funds transfer service provider for each category of funds transfer services, for the respective periods, during a period set by the funds transfer service provider within the period specified by Cabinet Office Order not exceeding one week from the last day of the former period (referred to as the "Base Date" in Article 45-2, paragraphs (4) and (5) and Article 47, item (i)).

2 前項各号の「要履行保証額」とは、資金移動業の種別ごとの各営業日における未達債務の額（資金移動業者がその行う為替取引に関し負担する債務の額であって内閣府令で定めるところにより算出した額をいう。以下この章において同じ。）と第五十九条第一項の権利の実行の手続に関する費用の額として内閣府令で定めるところにより算出した額の合計額（第四十五条の二第一項の規定の適用を受けている資金移動業者が営む第三種資金移動業にあつては、第三種資金移動業に係る各営業日における未達債務の額から当該各営業日における未達債務の額に同項に規定する預貯金等管理割合を乗じて得た額を控除した額と第五十九条第一項の権利の実行の手続に関する費用の額として内閣府令で定めるところにより算出した額の合計額）をいう。ただし、当該合計額が小規模な資金移動業者がその行う為替取引に関し負担する債務の履行を確保するために必要な額として政令で定める額以下である場合には、当該政令で定める額とする。

(2) The term "amount required for security deposit for providing funds transfer services" as used in the items of the preceding paragraph means the total amount of outstanding obligations in the process of being transferred (meaning an amount, calculated pursuant to the provisions of Cabinet Office Order, of obligations borne by a funds transfer service provider in relation to funds transfer transactions carried out by the funds transfer service provider;

hereinafter the same applies in this Chapter) as of each business day for each category of funds transfer service and an amount calculated pursuant to the provisions of Cabinet Office Order as the amount of costs pertaining to the procedure for the fulfillment of the right specified in Article 59, paragraph (1) (for type III funds transfer services by a funds transfer service provider to whom the provisions of Article 45-2, paragraph (1) are applied, the total amount obtained by deducting the amount of outstanding obligations in the process of being transferred pertaining to type III funds transfer services as of each business day multiplied by the rate of management by bank deposits or savings specified in that paragraph from the amount of outstanding obligations in the process of being transferred as of each of those business days, and the amount calculated pursuant to the provisions of Cabinet Office Order as the amount of costs pertaining to the procedure for the fulfillment of the right specified in Article 59, paragraph (1)); provided, however, that if the total is not more than the amount specified by Cabinet Order as being necessary for ensuring the performance of obligations borne by a small-scale funds transfer service provider in relation to funds transfer transactions carried out by the small-scale funds transfer service provider, the amount required for security deposit for providing funds transfer services is the amount specified by the relevant Cabinet Order.

3 履行保証金は、国債証券、地方債証券その他の内閣府令で定める債券（社債、株式等の振替に関する法律第二百七十八条第一項に規定する振替債を含む。第四十五条第三項において同じ。）をもってこれに充てることができる。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) National government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Order (including transfer bonds prescribed in Article 278, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares; the same applies in Article 45, paragraph (3)) may be deposited to fulfill the security deposits for providing funds transfer services requirement. In this case, the appraised value of those bond certificates is determined pursuant to the provisions of Cabinet Office Order.

（履行保証金保全契約）

(Guarantee Contracts for Security Deposits for Providing Funds Transfer Services)

第四十四条 資金移動業者は、政令で定めるところにより、その営む資金移動業の種別ごとに履行保証金保全契約（政令で定める要件を満たす銀行等その他政令で定める者が資金移動業者のために内閣総理大臣の命令に応じて履行保証金を供託する旨の契約をいう。以下この章において同じ。）を締結し、その旨を内閣総理大臣に届け出たときは、当該履行保証金保全契約の効力の存する間、保全金額（当該履行保証金保全契

約において供託されることとなっている金額をいう。以下この章において同じ。)につき、当該種別の資金移動業に係る履行保証金の全部又は一部の供託をしないことができる。

Article 44 When a funds transfer service provider concludes a guarantee contract for security deposits of providing funds transfer services (meaning a contract in which a deposit-taking institution satisfying the requirements specified by Cabinet Order or any other person specified by Cabinet Order promises that security deposits for providing funds transfer services will be made on behalf of the funds transfer service provider in response to an order by the Prime Minister; the same applies in this Chapter) for each category of funds transfer service that it provides and has notified the Minister to that effect, pursuant to the provisions of Cabinet Order, it may choose not to make all or part of the security deposits for providing funds transfer services for the relevant category of funds transfer service with regard to the secured amount (meaning the amount of money to be deposited under the guarantee contract for security deposits for providing funds transfer services; hereinafter the same applies in this Chapter) limited to the period during which the contract remains in force.

(履行保証金信託契約)

(Trust Agreements for Security Deposits for Providing Funds Transfer Services)

第四十五条 資金移動業者は、信託会社等との間で、その営む資金移動業の種別ごとに履行保証金信託契約（当該信託会社等が内閣総理大臣の命令に応じて信託財産を履行保証金の供託に充てることを信託の目的として当該信託財産の管理その他の当該目的の達成のために必要な行為をすべき旨の信託契約をいう。以下この章において同じ。）を締結し、その旨を内閣総理大臣に届け出たときは、当該履行保証金信託契約に基づき信託財産が信託されている間、当該信託財産の額につき、当該種別の資金移動業に係る履行保証金の全部又は一部の供託をしないことができる。

Article 45 (1) If a funds transfer service provider concludes a trust agreement for security deposits for providing funds transfer services with a trust company, etc. (meaning a trust agreement whose purpose is to apply trust property to security deposits for providing funds transfer services in response to an order by the Prime Minister, which states that the trust company, etc. carries out necessary acts including the management of trust property for achieving the purpose of the trust; the same applies hereinafter in this Chapter) for each category of funds transfer service that it provides and has notified the Minister to that effect, it may choose not to make all or part of the security deposits for providing funds transfer services for the relevant category of funds transfer service with regard to the amount of trust property during the period in which the trust property is entrusted pursuant to the trust agreement for security

deposits for providing funds transfer services.

2 履行保証金信託契約は、次に掲げる事項をその内容とするものでなければならない。

(2) A trust agreement for security deposits for providing funds transfer services must provide the following particulars:

一 履行保証金信託契約を締結する資金移動業者が行う為替取引（当該履行保証金信託契約に係る種別の資金移動業に係るものに限る。）の利用者を受益者とする事。

(i) the beneficiaries of the trust agreement for security deposits for providing funds transfer services are to be the users of funds transfer transactions carried out by the funds transfer service provider who is the party to the trust agreement for security deposits for providing funds transfer services (limited to funds transfer transactions for the category of funds transfer service pertaining to the trust agreement for security deposits for providing funds transfer services);

二 受益者代理人を置いていること。

(ii) an agent of the beneficiaries is appointed;

三 内閣総理大臣の命令に応じて、信託会社等が信託財産を換価し、供託をすること。

(iii) a trust company, etc. realizes the trust property and deposits the proceeds thereof in response to an order by the Prime Minister; and

四 その他内閣府令で定める事項

(iv) other particulars specified by Cabinet Office Order.

3 履行保証金信託契約に基づき信託される信託財産の種類は、金銭若しくは預貯金（内閣府令で定めるものに限る。）又は国債証券、地方債証券その他の内閣府令で定める債券に限るものとする。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) The types of the trust properties entrusted pursuant to a trust agreement for security deposits for providing funds transfer services are to be limited to money, bank deposits and savings (limited to those specified by Cabinet Office Order), or national government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Order. In this case, the appraised value of those bond certificates is determined pursuant to the provisions of Cabinet Office Order.

（預貯金等による管理）

(Management by Bank Deposits or Savings)

第四十五条の二 資金移動業者（第三種資金移動業を営む者に限る。）は、内閣府令で定めるところにより、次に掲げる事項を記載した届出書を内閣総理大臣に提出したときは、第一号に掲げる日以後、第三種資金移動業に係る履行保証金の全部又は一部の供託をしないことができる。この場合において、当該資金移動業者は、第三種資金移動業に係る各営業日における未達債務の額に第二号に掲げる割合（当該割合を変更したときは、その変更後のもの。以下この条及び第五十九条第一項において「預貯金等管理割合」という。）を乗じて得た額以上の額に相当する額の金銭を第一号に規定す

る預貯金等管理方法により管理しなければならない。

Article 45-2 (1) When a funds transfer service provider (limited to a person providing type III funds transfer services) has submitted a written notice containing the following particulars to the Prime Minister, pursuant to the provisions of Cabinet Office Order, it may choose not to make all or part of the security deposits for providing type III funds transfer services on or after the day set forth in item (i). In this case, the funds transfer service provider must manage money in the amount equivalent to the amount not less than the amount obtained by multiplying the amount of outstanding obligations in the process of being transferred pertaining to type III funds transfer services as of each business day by the rate set forth in item (ii) (when the rate is changed, the rate that has been changed; hereinafter referred to as the "rate for managing bank deposits or savings" in this Article and Article 59, paragraph (1)) by using the method for managing bank deposits or savings specified in item (i):

一 第三種資金移動業に係る各営業日における未達債務の額の全部又は一部に相当する額の金銭を、銀行等に対する預貯金（この項の規定により管理しなければならないものとされている金銭であることがその預貯金口座の名義により明らかなものに限る。）により管理する方法その他の内閣府令で定める方法（以下この条及び第五十三条第二項第二号において「預貯金等管理方法」という。）により管理することを開始する日

(i) the day on which the management of money in the amount equivalent to all or part of the amount of outstanding obligations in the process of being transferred pertaining to type III funds transfer services commences as of each business day by the method for managing bank deposits or savings (limited to bank deposits or savings, which is obvious from the name of the account holder, that the money must be managed pursuant to the provisions of this paragraph) or by another method specified by Cabinet Office Order (hereinafter referred to as the "method for managing bank deposits or savings" in this Article and Article 53, paragraph (2), item (ii));

二 第三種資金移動業に係る未達債務の額のうち預貯金等管理方法により管理する額の当該未達債務の額に対する割合

(ii) the percentage of the amount of outstanding obligations in the process of being transferred pertaining to type III funds transfer services that is to be managed by the method for managing bank deposits or savings to the total amount thereof; and

三 その他内閣府令で定める事項

(iii) other particulars specified by Cabinet Office Order.

2 前項の規定の適用を受けている資金移動業者は、預貯金等管理方法による管理の状況について、内閣府令で定めるところにより、定期的に、公認会計士（公認会計士法（昭和二十三年法律第百三号）第十六条の二第五項に規定する外国公認会計士を含む。

以下同じ。)又は監査法人の監査を受けなければならない。

(2) A funds transfer service provider to whom the provisions of the preceding paragraph are applied must undergo a periodic audit by a certified public accountant (including foreign certified public accountant specified in Article 16-2, paragraph (5) of the Certified Public Accountants Act (Act No. 103 of 1948); the same applies hereinafter) or by an audit corporation, with regard to the aspects of management by using the method for managing bank deposits or savings, pursuant to the provisions of Cabinet Office Order.

3 第一項の規定の適用を受けている資金移動業者は、預貯金等管理割合その他内閣府令で定める事項の変更をしようとするときは、内閣府令で定めるところにより、あらかじめ、当該変更を行う日その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出しなければならない。

(3) When a funds transfer service provider to whom the provisions of paragraph (1) are applied intends to change the rate of management by bank deposits or savings or other particulars specified by Cabinet Office Order, the funds transfer service provider must submit a written notice containing the day on which the change is to be made and other particulars specified by Cabinet Office Order to the Prime Minister in advance, pursuant to the provisions of Cabinet Office Order.

4 預貯金等管理割合を引き下げる変更は、前項の届出書に記載された当該変更を行う日における第三種資金移動業に係る履行保証金の額、保全金額及び前条第一項に規定する信託財産の額の合計額が、当該日の直前の基準日における第三種資金移動業に係る要供託額（第一項の規定の適用を受けている資金移動業者が当該変更をする場合にその営む第三種資金移動業について第四十三条第一項の規定により供託しなければならないこととなる履行保証金の額をいう。）以上である場合に限り、行うことができる。

(4) A change to lower the rate of management by bank deposits or savings may be made only in the case where the total amount of security deposits for providing funds transfer services, the secured amount and the amount of trust property specified in paragraph (1) of the preceding Article pertaining to type III funds transfer services as of the day on which the change to be made that is notified in a written notice referred to in the preceding paragraph exceeds the amount required for deposit pertaining to type III funds transfer services (meaning the amount of security deposits for providing type III funds transfer services, which must be made by a funds transfer service provider to whom the provisions of paragraph (1) are applied must deposit for type III funds transfer services it provides, when making the relevant change, under the provisions of Article 43, paragraph (1)) as of the base date immediately preceding that day.

5 第一項の規定の適用を受けている資金移動業者は、内閣府令で定めるところにより、同項の規定の適用を受けることをやめる日（以下この項において「預貯金等管理終了日」という。）その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出

して、第一項の規定の適用を受けることをやめることができる。ただし、預貯金等管理終了日における第三種資金移動業に係る履行保証金の額、保全金額及び前条第一項に規定する信託財産の額の合計額が、当該預貯金等管理終了日の直前の基準日における第三種資金移動業に係る要供託額（当該資金移動業者が第一項の規定の適用を受けることをやめる場合にその営む第三種資金移動業について第四十三条第一項の規定により供託しなければならないこととなる履行保証金の額をいう。）を下回るときは、この限りでない。

(5) A funds transfer service provider to whom the provisions of the preceding paragraph are applied may terminate the application of the provisions of that paragraph by submitting a written notice containing the day on which the application of the provisions of that paragraph ends (hereinafter referred to as the "day on which the management by bank deposits or savings ends" in this paragraph) and other particulars specified by Cabinet Office Order to the Prime Minister, pursuant to the provisions of Cabinet Office Order; provided, however, that this does not apply when the total amount of security deposits for providing funds transfer services, the secured amount and the amount of trust property specified in paragraph (1) of the preceding Article pertaining to type III funds transfer services as of the day on which the management by bank deposits or savings ends is less than the amount required for deposit pertaining to type III funds transfer services (meaning the amount of security deposits for providing type III funds transfer services that the funds transfer service provider must deposit for type III funds transfer services it provides, when terminating the application of the provisions of paragraph (1), under the provisions of Article 43, paragraph (1)) as of a base date immediately preceding that day on which the management by bank deposits or savings ends.

(供託命令)

(Order to Deposit)

第四十六条 内閣総理大臣は、資金移動業の利用者の利益の保護のために必要があると認めるときは、履行保証金保全契約若しくは履行保証金信託契約を締結した資金移動業者又はこれらの契約の相手方に対し、保全金額又は信託財産を換価した額の全部又は一部を供託すべき旨を命ずることができる。

Article 46 When the Prime Minister finds it necessary for the protection of the interests of users of funds transfer services, the Minister may order a funds transfer service provider who has concluded a guarantee contract for security deposits for providing funds transfer services or trust agreement for security deposits for providing funds transfer services or the counterparty thereto to deposit all or part of the secured amount or the amount of proceeds from the trust property that has been realized.

(履行保証金の取戻し)



(Recovery of Security Deposits for Providing Funds Transfer Services)

第四十七条 一の種別の資金移動業に係る履行保証金は、次の各号のいずれかに該当する場合には、政令で定めるところにより、その全部又は一部を取り戻すことができる。

Article 47 All or part of the security deposits for providing only one type of funds transfer service may be recovered, pursuant to the provisions of Cabinet Order, if any of the requirements specified in the following items are satisfied:

一 直前の基準日（第一種資金移動業にあつては、各営業日）における要供託額（資金移動業者が第四十三条第一項の規定により供託しなければならない履行保証金の額をいう。）が、当該基準日における履行保証金の額、保全金額及び第四十五条第一項に規定する信託財産の額の合計額を下回るとき。

(i) when the amount required for deposit (meaning the amount of security deposits for providing funds transfer services which must be made by a funds transfer service provider, pursuant to the provisions of Article 43, paragraph (1)) as of the immediately preceding base date (for type I funds transfer services, as of each business day) is less than the total amount of security deposits for providing funds transfer services, the secured amount, and the amount of trust property specified in Article 45, paragraph (1) as of that base date;

二 第五十九条第一項の権利の実行の手続が終了したとき。

(ii) when the procedure for the fulfillment of the right specified in Article 59, paragraph (1) is completed; and

三 為替取引に関し負担する債務の履行を完了した場合として政令で定める場合

(iii) the case specified by Cabinet Order, as the case in which the performance of obligations borne in relation to funds transfer transactions is completed.

(履行保証金の保管替えその他の手続)

(Change of Official Depository for Security Deposits for Providing Funds Transfer Services and Other Procedures)

第四十八条 この節に規定するもののほか、資金移動業者の本店の所在地の変更に伴う履行保証金の保管替えその他履行保証金の供託に関し必要な事項は、内閣府令・法務省令で定める。

Article 48 Beyond what is provided for in this Section, a change of official depository for security deposits for providing funds transfer services due to the change of the location of the head office of a funds transfer service provider and other particulars necessary for making the security deposits for providing funds transfer services are prescribed by Cabinet Office Order and Ministry of Justice Order.

(情報の安全管理)

(Management of Information Security)

第四十九条 資金移動業者は、内閣府令で定めるところにより、資金移動業に係る情報

の漏えい、滅失又はき損の防止その他の当該情報の安全管理のために必要な措置を講じなければならない。

**Article 49** A funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, take necessary measures for preventing leakage, loss, or damage of information pertaining to the funds transfer services and otherwise ensuring safe control of the handling of that information.

(委託先に対する指導)

(Guidance of Entrusted Parties)

第五十条 資金移動業者は、資金移動業の一部を第三者に委託（二以上の段階にわたる委託を含む。）をした場合には、内閣府令で定めるところにより、当該委託に係る業務の委託先に対する指導その他の当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

**Article 50** If a funds transfer service provider entrusts (including the case under multi-tier entrustment arrangements) part of the funds transfer service to a third party, the funds transfer service provider must provide guidance to the third party to whom the relevant business has been entrusted and take other measures necessary for ensuring the operation of the business in a proper and steady manner pursuant to the provisions of Cabinet Office Order.

(利用者の保護等に関する措置)

(Measures for Customer Protection)

第五十一条 資金移動業者は、内閣府令で定めるところにより、銀行等が行う為替取引との誤認を防止するための説明、手数料その他の資金移動業に係る契約の内容についての情報の提供、利用者から受け入れた資金のうち為替取引に用いられないことがないと認められるものを保有しないための措置その他の資金移動業の利用者の保護を図り、及び資金移動業の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

**Article 51** A funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, provide explanation to prevent users from mistaking its business for funds transfer transactions carried out by a Deposit-Taking Institution, and provide information about fees and other terms and conditions of contracts related to the funds transfer services and take measures not to hold part of funds received from users that is found unlikely to be used for funds transfer transactions or other measures necessary for protecting the users of funds transfer services and ensuring the proper and secure conduct of funds transfer services.

(第一種資金移動業に関し負担する債務の制限)

(Restrictions on Obligations to be Borne in Relation to Type I Funds Transfer Services)

第五十一条の二 資金移動業者（第一種資金移動業を営む者に限る。次項において同じ。）は、第一種資金移動業の各利用者に対し、移動する資金の額、資金を移動する日その他の内閣府令で定める事項が明らかでない為替取引（第一種資金移動業に係るものに限る。同項において同じ。）に関する債務を負担してはならない。

Article 51-2 (1) A funds transfer service provider (limited to a person providing type I funds transfer services; the same applies in the following paragraph) must not bear obligations in relation to funds transfer transactions (limited to funds transfer transactions pertaining to type I funds transfer services; the same applies in the following paragraph) for which the amount of funds to be transferred, the day on which the funds are transferred, and other particulars specified by Cabinet Office Order are not clear to users of type I funds transfer services.

2 資金移動業者は、資金の移動に関する事務を処理するために必要な期間その他の内閣府令で定める期間を超えて為替取引に関する債務を負担してはならない。

(2) A funds transfer service provider must not bear obligations in relation to funds transfer transactions beyond the period necessary for processing the transfer of funds or another period specified by Cabinet Office Order.

（第三種資金移動業に関し負担する債務の額の制限）

(Restrictions on the Amount of Obligations to be Borne in Relation to Type III Funds Transfer Services)

第五十一条の三 資金移動業者（第三種資金移動業を営む者に限る。）は、第三種資金移動業の各利用者に対し、政令で定める額を超える額の債務（第三種資金移動業に係る為替取引に関し負担する債務に限る。）を負担してはならない。

Article 51-3 A funds transfer service provider (limited to a person providing type III funds transfer services) must not bear obligations (limited to obligations borne in relation to funds transfer transactions pertaining to type III funds transfer services) in an amount exceeding the amount for users of type III funds transfer services specified by Cabinet Order.

（指定資金移動業務紛争解決機関との契約締結義務等）

(Obligation to Conclude Contract with Designated Dispute Resolution Organizations for Funds Transfer Services)

第五十一条の四 資金移動業者は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 51-4 (1) A funds transfer service provider must take the measures specified in the following items according to the categories of cases set forth therein:

一 指定資金移動業務紛争解決機関（指定紛争解決機関であってその紛争解決等業務の種別が資金移動業務であるものをいう。以下この条において同じ。）が存在する場合 一の指定資金移動業務紛争解決機関との間で資金移動業に係る手続実施基本

契約（第九十九条第一項第八号に規定する手続実施基本契約をいう。次項において同じ。）を締結する措置

- (i) if one or more designated dispute resolution organizations for funds transfer services (meaning designated dispute resolution organizations for which the category of dispute resolution services is a funds transfer service; hereinafter the same applies in this Article) exist: measures to conclude a basic contract for execution of procedures with a designated dispute resolution organization for funds transfer service (meaning a basic contract for execution of procedures prescribed in Article 99, paragraph (1), item (viii); the same applies in the following paragraph) pertaining to the funds transfer service;  
or

二 指定資金移動業務紛争解決機関が存在しない場合 資金移動業に関する苦情処理措置及び紛争解決措置

- (ii) if no designated dispute resolution organization for funds transfer services exists: complaint processing measures and dispute resolution measures pertaining to the funds transfer service.

2 資金移動業者は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定資金移動業務紛争解決機関の商号又は名称を公表しなければならない。

- (2) If a funds transfer service provider implements measures to conclude a basic contract for execution of procedures pursuant to the provisions of the preceding paragraph, the funds transfer service provider must publicly announce the trade name or other name of the designated dispute resolution organization for funds transfer services that is the counterparty to the basic contract for execution of procedures.

3 第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。

- (3) The provisions of paragraph (1) do not apply during the period specified in the following items according to the respective categories of cases prescribed therein:

一 第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき 第百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定による紛争解決等業務の廃止の認可又は第百条第一項の規定による指定の取消しの時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

- (i) if a funds transfer service provider who initially fell under paragraph (1), item (i) has come to fall under paragraph (1), item (ii): A period specified by the Prime Minister as that necessary for taking measures specified in paragraph (1), item (ii) when authorization is granted for the discontinuation of the dispute resolution services referred to in Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101,

paragraph (1) following the deemed replacement of terms or designation is revoked pursuant to the provisions of Article 100, paragraph (1);

二 第一項第一号に掲げる場合に該当していた場合において、同号の一の指定資金移動業務紛争解決機関の紛争解決等業務の廃止が第百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定により認可されたとき、又は同号の一の指定資金移動業務紛争解決機関の第九十九条第一項の規定による指定が第百条第一項の規定により取り消されたとき（前号に掲げる場合を除く。）その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(ii) if a funds transfer service provider falls under paragraph (1), item (i), when authorization is granted for the discontinuation of the dispute resolution services by the Designated Dispute Resolution Organization for Funds Transfer Services mentioned in that item of Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the replacement of terms or the designation granted to the Designated Dispute Resolution Organization for Funds Transfer Services under the provision of Article 99, paragraph (1) is revoked pursuant to the provisions of Article 100, paragraph (1) (excluding the case specified in the preceding item): A period specified by the Prime Minister as the period necessary for taking measures specified in paragraph (1), item (i) at the time of the authorization or revocation; or

三 第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき 第九十九条第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(iii) if a funds transfer service provider who initially fell under paragraph (1), item (ii) has come to fall under paragraph (1), item (i): A period specified by the Prime Minister as the period necessary for taking measures specified in paragraph (1), item (i) when designation is granted under the provisions of Article 99, paragraph (1).

4 第一項第二号の「苦情処理措置」とは、利用者からの苦情の処理の業務に従事する使用人その他の従業者に対する助言若しくは指導を消費生活に関する消費者と事業者との間に生じた苦情に係る相談その他の消費生活に関する事項について専門的な知識経験を有する者として内閣府令で定める者に行わせること又はこれに準ずるものとして内閣府令で定める措置をいう。

(4) The term "complaint processing measures" as used in paragraph (1), item (ii) means having a person specified by Cabinet Office Order as one who has expert knowledge and experience with regard to consultation regarding complaints on consumer affairs that the consumer made against the service provider or in other areas of consumer affairs, to provide advice or guidance to employees or other workers who engage in the business of processing complaints from the users or any other measures specified by Cabinet Office Order as similar

thereto.

5 第一項第二号の「紛争解決措置」とは、利用者との紛争の解決を認証紛争解決手続（裁判外紛争解決手続の利用の促進に関する法律（平成十六年法律第百五十一号）第二条第三号に規定する認証紛争解決手続をいう。第六十二条の十六第五項及び第六十三条の十二第五項において同じ。）により図ること又はこれに準ずるものとして内閣府令で定める措置をいう。

(5) The term "dispute resolution measures" as used in paragraph (1), item (ii) means seeking resolution of a dispute with the user through the authorized dispute resolution procedures (meaning the authorized dispute resolution procedures prescribed in Article 2, item (iii) of the Act on Promoting the Use of Alternative Dispute Resolution (Act No. 151 of 2004); the same applies in Article 62-16, paragraph (5) and Article 63-12, paragraph (5)) or any other measures specified by Cabinet Office Order as similar thereto.

### 第三節 監督

#### Section 3 Supervision

（帳簿書類）

(Books and Documents)

第五十二条 資金移動業者は、内閣府令で定めるところにより、その資金移動業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 52 A funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, prepare and maintain the books and documents on its funds transfer service.

（報告書）

(Written Reports)

第五十三条 資金移動業者は、事業年度ごとに、内閣府令で定めるところにより、資金移動業に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 53 (1) A funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, prepare a written report on its funds transfer services for each business year and submit it to the Prime Minister.

2 資金移動業者は、前項の報告書のほか、六月を超えない範囲内で内閣府令で定める期間（第二号において単に「期間」という。）ごとに、内閣府令で定めるところにより、次の各号に掲げる資金移動業者の区分に応じ、当該各号に定める報告書を作成し、内閣総理大臣に提出しなければならない。

(2) In addition to the written reports prescribed in the preceding paragraph, a funds transfer service provider must prepare a written report specified in the following items in accordance with the respective types of funds transfer service providers set forth therein for each period specified by Cabinet Office Order not exceeding six months (simply referred to as the "period" in item (ii)),

and submit it to the Prime Minister, pursuant to the provisions of Cabinet Office Order:

一 次号に掲げる者以外の資金移動業者 未達債務の額及び履行保証金の供託、履行保証金保全契約又は履行保証金信託契約に関する報告書

(i) funds transfer service providers other than those set forth in the following item: a written report on the amount of outstanding obligations in the process of being transferred, and the status of security deposits for providing funds transfer services, guarantee contracts for security deposits for providing funds transfer services, or trust agreements for security deposits for providing funds transfer services; or

二 直前の期間において第四十五条の二第一項の規定の適用を受けていた資金移動業者 前号に定める報告書及び第三種資金移動業に係る預貯金等管理方法による管理の状況に関する報告書

(ii) funds transfer service providers to whom the provisions of Article 45-2, paragraph (1) were applied in the immediately preceding period: the written report specified in the preceding item and a written report on the status of management by the method of management by bank deposits or savings pertaining to type III funds transfer services.

3 前二項の報告書には、次の各号に掲げる資金移動業者の区分に応じ、当該各号に定める書類を添付しなければならない。

(3) Documents specified in the following items in accordance with the respective types of funds transfer service providers set forth therein must be attached to the written report referred to in the preceding two paragraphs:

一 前項第一号に掲げる者 財務に関する書類その他の内閣府令で定める書類

(i) a person set forth in item (i) of the preceding paragraph: documents concerning finance and other documents specified by Cabinet Office Order; or

二 前項第二号に掲げる者 財務に関する書類、当該書類についての公認会計士又は監査法人の監査報告書その他の内閣府令で定める書類

(ii) a person set forth in item (ii) of the preceding paragraph: documents concerning finance, an audit report prepared by a certified public accountant or audit corporation regarding these documents, and other documents specified by Cabinet Office Order.

(立入検査等)

(On-Site Inspections)

第五十四条 内閣総理大臣は、資金移動業の適正かつ確実な遂行のために必要があると認めるときは、資金移動業者に対し当該資金移動業者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金移動業者の営業所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 54 (1) When the Prime Minister finds it necessary for the provision of

funds transfer service in a proper and steady manner, the Minister may order a funds transfer service provider to submit reports or materials that can be used as reference for its business or property, or have officials enter the business office or other facility of that funds transfer service provider, ask questions about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、資金移動業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該資金移動業者から業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条及び第六十条において同じ。）に対し当該資金移動業者の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金移動業者から業務の委託を受けた者の施設に立ち入らせ、当該資金移動業者の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the Prime Minister finds it particularly necessary for the provision of funds transfer service in a proper and steady manner, the Minister may order a person to whom business has been entrusted by the funds transfer service provider (including persons to whom the business has been entrusted by the entrusted person (including those under multi-tier entrustment arrangements); hereinafter the same applies in this Article and Article 60) to submit reports or materials that can be used as reference for the business or property of the funds transfer service provider, or have officials enter the facility of the person to whom business has been entrusted by the funds transfer service provider, ask questions about the status of the business or property of the funds transfer service provider or inspect its books and documents or other items, to the extent necessary for the order.

3 前項の資金移動業者から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by a funds transfer service provider referred to in the preceding paragraph may refuse the submission of reports or materials, or the inquiry or inspection under the provisions of that paragraph if there are reasonable grounds for doing so.

(業務改善命令)

(Order to Improve Business Operations)

第五十五条 内閣総理大臣は、資金移動業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、資金移動業者に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 55 When the Prime Minister finds it necessary for the provision of funds transfer service in a proper and steady manner, the Minister may order a funds



transfer service provider to take necessary measures to improve the operation of its business or its financial status or other measures necessary for the purpose of supervision, to the extent necessary for the order.

(登録の取消し等)

(Revocation of Registration)

第五十六条 内閣総理大臣は、資金移動業者が次の各号のいずれかに該当するときは、第三十七条の登録を取り消し、又は六月以内の期間を定めて資金移動業の全部若しくは一部の停止を命ずることができる。

Article 56 (1) When a funds transfer service provider falls under any of the following items, the Prime Minister may revoke its registration referred to in Article 37 or order the funds transfer service provider to suspend all or part of its funds transfer service, by setting a period for suspension not exceeding six months:

一 第四十条第一項各号に該当することとなったとき。

(i) when the funds transfer service provider falls under any of the items of Article 40, paragraph (1);

二 不正の手段により第三十七条の登録又は第四十一条第一項の変更登録を受けたとき。

(ii) when the funds transfer service provider has been registered pursuant to the provisions of Article 37 or the change referred to in Article 41, paragraph (1) has been registered through wrongful means;

三 第四十条の二第一項の認可を受けた業務実施計画によらないで第一種資金移動業を営んだとき。

(iii) when the funds transfer service provider has provided type I funds transfer service not in accordance with the authorized business implementation plan referred to in Article 40-2, paragraph (1); or

四 この法律若しくはこの法律に基づく命令、これらに基づく処分又は認可に付した条件に違反したとき。

(iv) when the funds transfer service provider violates this Act, an order under this Act, or the requirements for a disposition or authorization under these Act, or order.

2 内閣総理大臣は、資金移動業者の営業所の所在地を確知できないとき、又は資金移動業者を代表する取締役若しくは執行役（外国資金移動業者である資金移動業者にあつては、国内における代表者）の所在を確知できないときは、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過しても当該資金移動業者から申出がないときは、当該資金移動業者の第三十七条の登録を取り消すことができる。

(2) If the Prime Minister is unable to ascertain the locations of business offices of a funds transfer service provider or the whereabouts of the company director or executive officer representing the funds transfer service provider (in cases of a

funds transfer service provider that is a foreign funds transfer service provider, the representative person in Japan), the Prime Minister, pursuant to the provisions of Cabinet Office Order, may issue public notice of that fact and revoke the registration of the funds transfer service provider under Article 37 if no application is made by the service provider after thirty days have passed since the day of the public notice.

- 3 前項の規定による処分については、行政手続法第三章の規定は、適用しない。  
(3) The provisions of Chapter III of the Administrative Procedure Act do not apply to the disposition under the provisions of the preceding paragraph.

(登録の抹消)

(Deletion of Registration)

第五十七条 内閣総理大臣は、前条第一項若しくは第二項の規定により第三十七条の登録を取り消したとき、又は第六十一条第二項の規定により第三十七条の登録がその効力を失ったときは、当該登録を抹消しなければならない。

Article 57 When the Prime Minister revokes the registration referred to in Article 37 pursuant to provisions of paragraph (1) or (2) of the preceding Article or when the registration referred to in Article 37 has ceased to be effective pursuant to the provisions of Article 61, paragraph (2), the Minister must delete the registration.

(監督処分公告)

(Public Notice of Supervisory Dispositions)

第五十八条 内閣総理大臣は、第五十六条第一項又は第二項の規定による処分をしたときは、内閣府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 58 When the Prime Minister implements a disposition under the provisions of Article 56, paragraph (1) or (2), the Minister must give public notice to that effect pursuant to the provisions of Cabinet Office Order.

#### 第四節 雑則

#### Section 4 Miscellaneous Provisions

(履行保証金の供託等に係る特例)

(Special Provisions for Security Deposits for Providing Funds Transfer Services)

第五十八条の二 二以上の種別の資金移動業を営む資金移動業者であつて、その営む資金移動業の種別の全部又は一部について第四十三条第一項の規定による履行保証金の供託に係る当該資金移動業の種別ごとの算定期間、基準日等及び供託期限が同一である者は、内閣府令で定めるところにより、次に掲げる事項を記載した届出書を内閣総理大臣に提出したときは、第一号に掲げる日（次項において「特例適用開始日」という。）以後、第二号に掲げる資金移動業の種別（以下この項及び次項において「特例

対象資金移動業」という。)について一括供託をすることができる。この場合における特例対象資金移動業についての同条第一項及び第二項、第四十四条、第四十五条第一項及び第二項第一号、第四十七条並びに次条第一項の規定の適用については、第四十三条第一項中「資金移動業の種別ごとに履行保証金」とあるのは「履行保証金」と、「ならない」とあるのは「ならない。ただし、当該資金移動業者が営む資金移動業に係る要履行保証額の総額が、小規模な資金移動業者がその行う為替取引に関し負担する債務の履行を確保するために必要な額として政令で定める額以下である場合には、当該政令で定める額以上の額に相当する額の履行保証金を、その本店の最寄りの供託所に供託しなければならない」と、同条第二項中「をいう。ただし、当該合計額が小規模な資金移動業者がその行う為替取引に関し負担する債務の履行を確保するために必要な額として政令で定める額以下である場合には、当該政令で定める額とする」とあるのは「をいう」と、第四十四条中「その営む資金移動業の種別ごとに履行保証金保全契約」とあるのは「履行保証金保全契約」と、「当該種別の資金移動業に係る履行保証金」とあるのは「履行保証金」と、第四十五条第一項中「その営む資金移動業の種別ごとに履行保証金信託契約」とあるのは「履行保証金信託契約」と、「当該種別の資金移動業に係る履行保証金」とあるのは「履行保証金」と、同号中「為替取引(当該履行保証金信託契約に係る種別の資金移動業に係るものに限る。)」とあるのは「為替取引」と、第四十七条中「一の種別の資金移動業に係る履行保証金」とあるのは「履行保証金」と、同条第一号中「第四十三条第一項」とあるのは「第四十三条第一項本文」と、次条第一項中「営む一の種別の資金移動業に係る」とあるのは「行う」と、「当該種別の資金移動業に係る履行保証金」とあるのは「履行保証金」とするほか、必要な技術的読替えは、政令で定める。

Article 58-2 (1) In the case where a funds transfer service provider provides two or more types of funds transfer services and the calculation period, the base date, etc. and the due date for deposit according to the respective types of funds transfer services provided by it, for which security deposits are to be made pursuant to the provisions of Article 43, paragraph (1), are the same for all or part of the respective types of funds transfer services provided by it, and when the funds transfer service provider has submitted a written notice containing the following particulars to the Prime Minister, pursuant to the provisions of Cabinet Office Order, the funds transfer service provider may make a lump sum deposit according to the respective types of funds transfer services set forth in item (ii) (hereinafter referred to as "funds transfer services under the special provisions" in this paragraph and the following paragraph) on or after the day set forth in item (i) (referred to as the "day on which the application of special provisions commences" in the following paragraph). With regard to the application of the provisions of Article 43, paragraphs (1) and (2), Article 44, Article 45, paragraph (1) and paragraph (2), item (i), Article 47 and paragraph (1) of the following Article to funds transfer services subject to special provisions in this case, the phrase "for the respective types of funds transfer services set forth in the following items specified therein in accordance

with the types of funds transfer services" in Article 43, paragraph (1) is deemed to be replaced with "as specified in the following items in accordance with the respective types of funds transfer services specified therein" and at the end of the provisions of that paragraph, the phrase "; provided, however, that in the case where the total amount required for security deposit for providing funds transfer services pertaining to the funds transfer services provided by the funds transfer service provider is not more than the amount specified by Cabinet Order as being necessary for ensuring performance of obligations borne by a small-scale funds transfer service provider in relation to funds transfer transactions carried out by the small-scale funds transfer service provider, the funds transfer service provider must make security deposits for providing funds transfer services in the amount equivalent to the amount not less than the amount specified by the relevant Cabinet Order" is to be added; in paragraph (2) of that Article, the proviso is to be deleted; in Article 44, the phrases "for each type of funds transfer services provided by it" and "for the relevant type of funds transfer service" are to be deleted; in Article 45, paragraph (1), the phrases "for respective types of funds transfer services provided by it" and "for the relevant category of funds transfer services" are to be deleted, and in Article 45, paragraph (2), item (i), the phrase "(limited to funds transfer transactions for the category of funds transfer services pertaining to the trust agreement of security deposits for providing funds transfer services)" is to be deleted; in Article 47, the phrase "a single category of" is to be deleted, and in item (i) of that Article, the phrase "Article 43, paragraph (1)" is to be replaced with "the main clause of Article 43, paragraph (1)"; in paragraph (1) of the following Article, the phrase "for a single type of funds transfer services provided by" is to be replaced with "carried out" and the phrase "the type of" is to be deleted; and any other necessary technical replacement of terms is specified by Cabinet Order:

一 一括供託を開始する日

(i) the day to commence a lump sum deposit;

二 一括供託をする二以上の資金移動業の種別（算定期間、基準日等及び供託期限が同一であるものに限る。）

(ii) two or more types of funds transfer services for which a lump sum deposit is to be made (limited to the types of services for which the calculation period, the base date, etc. and the due date for deposit are the same); and

三 その他内閣府令で定める事項

(iii) other particulars specified by Cabinet Office Order.

- 2 前項の届出書を提出した資金移動業者が特例適用開始日において第四十三条第一項の規定によりその営む特例対象資金移動業ごとに供託していた履行保証金については、当該資金移動業者が前項の規定により読み替えて適用する第四十三条第一項の規定により供託した履行保証金とみなす。

(2) Security deposits for providing funds transfer services made by a funds transfer service provider that has submitted a written notice referred to in the preceding paragraph has made for each of the funds transfer services under the special provisions pursuant to the provisions of Article 43, paragraph (1) as of the day on which the special provisions commence to apply are deemed to be security deposits for providing funds transfer services made by the funds transfer service provider pursuant to the provisions of Article 43, paragraph (1) as applied following the deemed replacement of terms pursuant to the provisions of the preceding paragraph.

3 第一項の届出書を提出した資金移動業者が、内閣府令で定めるところにより、一括供託をやめる資金移動業の種別（以下この項及び次項において「特例適用終了資金移動業」という。）、特例適用終了資金移動業について一括供託をやめる日（以下この項及び次項において「特例適用終了日」という。）その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出したときは、特例適用終了日以後、当該特例適用終了資金移動業については、第一項の規定は、適用しない。

(3) When a funds transfer service provider that has submitted a written notice referred to in paragraph (1) submits a written notice containing the type of funds transfer service for which it terminates a lump sum deposit (hereinafter referred to as the "funds transfer services for which the application of special provisions is terminated" in this paragraph and the following paragraph), the day on which it terminates a lump sum deposit for the funds transfer services for which the application of special provisions is terminated (hereinafter referred to as the "day on which the application of special provisions is terminated" in this paragraph and the following paragraph), and other particulars specified by Cabinet Office Order to the Prime Minister, pursuant to the provisions of Cabinet Office Order, the provisions of paragraph (1) do not apply to the funds transfer services for which the application of special provisions is terminated on or after the day on which the application of special provisions is terminated.

4 前項の届出書を提出した資金移動業者が特例適用終了日において第一項の規定により読み替えて適用する第四十三条第一項の規定により供託していた履行保証金（第二項の規定により、第一項の規定により読み替えて適用する第四十三条第一項の規定により供託したとみなされた履行保証金を含む。）については、特例適用終了日の直前の基準日等における特例適用終了資金移動業ごとの要供託額（当該資金移動業者が特例適用終了資金移動業について一括供託をやめる場合に当該特例適用終了資金移動業ごとに第四十三条第一項の規定により供託しなければならないこととなる履行保証金の額をいう。）に応じて、内閣府令で定めるところにより、その営む特例適用終了資金移動業ごとに供託した履行保証金とみなす。

(4) Security deposits for providing funds transfer services made by a funds transfer service provider that submitted a written notice referred to in the preceding paragraph pursuant to the provisions of Article 43, paragraph (1) as

applied following the deemed replacement of terms pursuant to the provisions of paragraph (1) as of the day on which the application of special provisions is terminated (including security deposits for providing funds transfer services that are deemed to have been made pursuant to the provisions of Article 43, paragraph (1) as applied following the deemed replacement of terms pursuant to the provisions of paragraph (1), pursuant to the provisions of paragraph (2)) are deemed to be security deposits for providing funds transfer services made by the funds transfer service provider for each of the funds transfer services for which the application of special provisions is terminated, pursuant to the provisions of Cabinet Office Order, in accordance with the amount required for deposit for each of the funds transfer services for which the application of special provisions is terminated (meaning the amount of security deposits made by the funds transfer service provider, when intending to terminate a lump sum deposit for funds transfer services for which the application of special provisions is terminated, must deposit for each of those funds transfer services for which the application of special provisions is terminated pursuant to the provisions of Article 43, paragraph (1)) as of the base date, etc. immediately preceding the day on which the application of special provisions is terminated.

5 この条において、次の各号に掲げる用語の意義は、それぞれ当該各号に定めるところによる。

(5) In this Article, the terms set forth in the following items mean as specified respectively therein:

一 算定期間 第一種資金移動業にあつては一営業日を、第二種資金移動業又は第三種資金移動業にあつては第四十三条第一項第二号に規定する一週間以内で資金移動業の種別ごとに資金移動業者が定める期間をいう。

(i) calculation period: for type I funds transfer services, means one business day, and for type II funds transfer services or type III funds transfer services, means a period set by a funds transfer service provider for the respective types of services not exceeding one week specified in Article 43, paragraph (1), item (ii);

二 基準日等 第一種資金移動業にあつては各営業日を、第二種資金移動業又は第三種資金移動業にあつては第四十三条第一項第二号に規定する基準日をいう。

(ii) base date, etc.: for type I funds transfer services, means each business day, and for type II funds transfer services or type III funds transfer services, means the base date specified in Article 43, paragraph (1), item (ii);

三 供託期限 第一種資金移動業にあつては第四十三条第一項第一号に規定する各営業日から一週間以内で内閣府令で定める期間内において資金移動業者が定める期間の末日を、第二種資金移動業又は第三種資金移動業にあつては同項第二号に規定する基準日から一週間以内で内閣府令で定める期間内において資金移動業の種別ごとに資金移動業者が定める期間の末日をいう。

- (iii) due date for deposit: for type I funds transfer services, means the last day of the period set by a funds transfer service provider within the period specified by Cabinet Office Order not exceeding one week from each business day specified in Article 43, paragraph (1), item (i), and for type II funds transfer services or type III funds transfer services, means last day of the period set by a funds transfer service provider for each type of funds transfer services within the period specified by Cabinet Office Order not exceeding one week from the base date specified in item (ii) of that paragraph; and
- 四 一括供託 同一の手続により一括して行う履行保証金の供託をいう。
- (iv) a lump sum deposit: means making security deposits for providing funds transfer services in a lump sum through the same procedures.

(履行保証金の還付)

**(Return of Security Deposits for Providing Funds Transfer Services)**

第五十九条 資金移動業者がその営む一の種別の資金移動業に係る為替取引に関し負担する債務に係る債権者は、当該種別の資金移動業に係る履行保証金について、他の債権者に先立ち弁済を受ける権利を有する。ただし、第四十五条の二第一項の規定の適用を受けている資金移動業者がその行う為替取引（第三種資金移動業に係るものに限る。）に関し負担する債務に係る債権者は、当該債務に係る債権については、当該債権の額から当該債権の額に預貯金等管理割合を乗じて得た額を控除した額を限度として、当該権利を有するものとする。

Article 59 (1) A creditor of obligations borne by a funds transfer service provider in relation to the funds transfer transactions for a single category of funds transfer services provided by the funds transfer service provider has the right to receive, in preference over other creditors, payments for the return of security deposits for providing that category of funds transfer services; provided, however, that creditors of obligations that a funds transfer service provider to whom the provisions of Article 45-2, paragraph (1) are applied bears in relation to the funds transfer transactions (limited to funds transfer transactions pertaining to type III funds transfer services) carried out thereby are to have the right up to the amount deducting the amount obtained by multiplying the claimed amount by the rate of management by bank deposits or savings from the amount of the claim.

2 内閣総理大臣は、次の各号のいずれかに該当する場合において、資金移動業の利用者の利益の保護を図るために必要があると認めるときは、前項の権利を有する者に対し、六十日を下らない一定の期間内に内閣総理大臣に債権の申出をすべきこと及びその期間内に債権の申出をしないときは当該公示に係る履行保証金についての権利の実行の手続から除斥されるべきことを公示する措置その他の同項の権利の実行のために必要な措置をとらなければならない。

(2) In the cases falling under any of the following items, when the Prime Minister finds it necessary for the protection of the interests of users of funds transfer

services, the Minister must give public notice to the effect that persons holding the right specified in the preceding paragraph must file their claims with the Prime Minister within a certain period of not less than sixty days and that they are excluded from the procedure for the fulfillment of the right to the return of the security deposits for providing funds transfer services pertaining to the public notice unless they file their claims within the notified period and take other measures necessary for the fulfillment of the right prescribed in that paragraph:

一 前項の権利の実行の申立てがあったとき。

(i) when a petition is filed for the fulfillment of the right specified in the preceding paragraph; or

二 資金移動業者について破産手続開始の申立て等が行われたとき。

(ii) when a petition for commencement of bankruptcy proceedings, etc. is filed against a funds transfer service provider.

3 内閣総理大臣は、内閣府令で定めるところにより、第一項の権利の実行に関する事務を銀行等その他の政令で定める者（次項及び第五項において「権利実行事務代行者」という。）に委託することができる。

(3) The Prime Minister may, pursuant to the provisions of Cabinet Office Order, entrust the administrative functions related to the fulfillment of the right prescribed in paragraph (1) to a deposit-taking institution or any other person specified by Cabinet Order (referred to as "agents for a regional finance office that distributes security deposits to holders of prepaid payment instruments" in the following paragraph and in paragraph (5)).

4 権利実行事務代行者は、他の法律の規定にかかわらず、前項の規定により委託を受けた業務を行うことができる。

(4) Notwithstanding the provisions of any other Acts, an agent for a regional finance office that distributes security deposits to holders of prepaid payment instruments may engage in the business entrusted to the agent pursuant to the provisions of the preceding paragraph.

5 第三項の規定により業務の委託を受けた権利実行事務代行者又はその役員若しくは職員であつて当該委託を受けた業務に従事する者は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(5) With regard to the application of the Penal Code and other penal provisions, an agent for a regional finance office that distributes security deposits to holders of prepaid payment instruments to whom business has been entrusted pursuant to the provisions of paragraph (3) or its officers or employees engaging in the entrusted business are deemed to be officials engaged in public service pursuant to laws and regulations.

6 第二項から前項までに規定するもののほか、第一項の権利の実行に関し必要な事項は、政令で定める。

(6) Beyond what is provided for in paragraph (2) through the preceding



paragraph, particulars necessary for the fulfillment of the right prescribed in paragraph (1) are specified by Cabinet Order.

(履行保証金の還付への協力)

(Cooperation for Return of Security Deposits for Providing Funds Transfer Services)

第六十条 資金移動業者から資金移動業の委託を受けた者その他の当該資金移動業者の関係者は、当該資金移動業者の為替取引に係る前条第一項の権利の実行に関し内閣総理大臣から必要な協力を求められた場合には、これに応ずるよう努めるものとする。

Article 60 If a person to whom funds transfer services have been entrusted by a funds transfer service provider or any other related person of the funds transfer service provider is requested by the Prime Minister to extend their cooperation necessary for the fulfillment of the right prescribed in paragraph (1) of the preceding Article pertaining to funds transfer transactions carried out by the funds transfer service provider, the person is to endeavor to respond to the request.

(廃止の届出等)

(Notification of Discontinuation of Business)

第六十一条 資金移動業者は、次の各号のいずれかに該当する場合には、遅滞なく、内閣総理大臣に届け出なければならない。

Article 61 (1) If a funds transfer service provider falls under any of the following items, it must notify the Prime Minister to that effect without delay:

一 資金移動業の全部又は一部を廃止したとき。

(i) the funds transfer service provider discontinues all or part of the funds transfer service; or

二 第五十九条第二項第二号に掲げるとき。

(ii) the funds transfer service provider falls under Article 59, paragraph (2), item (ii).

2 資金移動業者が資金移動業の全部を廃止したときは、当該資金移動業者の第三十七条の登録は、その効力を失う。この場合において、当該資金移動業者であった者は、その行う為替取引に関し負担する債務の履行を完了する目的の範囲内においては、なお資金移動業者とみなす。

(2) If a funds transfer service provider discontinues all of the funds transfer service, the registration of the funds transfer service provider referred to in Article 37 ceases to be effective. In this case, a person who has been the funds transfer service provider is deemed to be a funds transfer service provider within the scope of the purpose of completing the performance of obligations borne by the service provider in relation to the funds transfer transactions carried out by it.

3 資金移動業者は、資金移動業の全部又は一部を廃止しようとするときは、その日の

三十日前までに、内閣府令で定めるところにより、その旨を公告するとともに、全ての営業所の公衆の目につきやすい場所に掲示しなければならない。

(3) When intending to discontinue all or part of the funds transfer services, a funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, give public notice to that effect and post a notice to that effect in a place easily seen by the public at all of its business offices at least thirty days prior to the relevant date.

4 資金移動業者は、前項の規定による公告をしたときは、直ちに、その旨を内閣総理大臣に届け出なければならない。

(4) Having given public notice pursuant to the provisions of the preceding paragraph, a funds transfer service provider must notify the Prime Minister to that effect immediately.

5 資金移動業者は、第三項の規定による公告をした場合（事業譲渡、合併又は会社分割その他の事由により当該業務の承継に係る公告をした場合を除く。）には、廃止しようとする資金移動業として行う為替取引に関し負担する債務の履行を速やかに完了しなければならない。

(5) Having given public notice pursuant to the provisions of paragraph (3) (excluding cases where it has given public notice concerning the succession of the relevant business by way of transfer of business, merger or company split, or for other reasons) a funds transfer service provider must, promptly complete the performance of obligations that it has borne in relation to the funds transfer transactions carried out by it in the course of the funds transfer services that the service provider intends to discontinue.

6 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項の規定は、資金移動業者（外国資金移動業者を除く。）が電子公告（同法第二条第三十四号に規定する電子公告をいう。次項において同じ。）により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(6) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (i)) and Article 940, paragraph (3) of the Companies Act applies mutatis mutandis to cases where a funds transfer service provider (excluding a foreign funds transfer service provider) gives public notice under the provisions of paragraph (3) by way of electronic public notice (meaning electronic public notice specified in Article 2, item (xxxiv) of that Act; the same applies in the following paragraph). In this case, any necessary technical replacement of terms is specified by Cabinet Order.

7 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条並びに第九百五十五条の規定は、外国資金移動業者である資金移動業者が電子公告により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(7) The provisions of Article 940, (1) (limited to the part pertaining to item (i))

and Article 940, (3), Article 941, Article 946, Article 947, Article 951 (2), Article 953, and Article 955 of the Companies Act apply mutatis mutandis to cases where a funds transfer service provider that is a foreign funds transfer service provider gives public notice under the provisions of paragraph (3) by way of electronic public notice. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

(登録の取消し等に伴う債務の履行の完了等)

(Completion of Performance of Obligations Due to Revocation of Registration)

第六十二条 資金移動業者について、第五十六条第一項又は第二項の規定により第三十七条の登録が取り消されたとき（資金移動業の利用者の保護に欠け、又は資金移動業の適正かつ確実な遂行に支障を及ぼすおそれが少ない場合として内閣府令で定める場合を除く。）は、当該資金移動業者であった者は、その行う為替取引に関し負担する債務の履行を速やかに完了しなければならない。この場合において、当該資金移動業者であった者は、当該債務の履行を完了する目的の範囲内においては、なお資金移動業者とみなす。

Article 62 (1) With regard to a funds transfer service provider, when the registration referred to in Article 37 has been revoked pursuant to provisions of Article 56, paragraph (1) or (2) (excluding cases specified by Cabinet Office Order as being less likely to weaken the protection of users of funds transfer services or hinder the provision of funds transfer services in a proper and steady manner), the person who has been the funds transfer service provider must promptly complete the performance of obligations borne by the service provider in relation to the funds transfer transactions carried out by it. In this case, the person who has been the funds transfer service provider is deemed to be a funds transfer service provider within the scope of the purpose of completing the performance of these obligations.

2 二以上の種別の資金移動業を営む資金移動業者について、第四十一条第五項の規定により一の種別の資金移動業の全部の廃止による資金移動業の種別の変更が資金移動業者登録簿に登録されたときは、当該資金移動業者は、廃止した種別の資金移動業に係る為替取引に関し負担する債務の履行を速やかに完了しなければならない。この場合において、当該資金移動業者は、当該債務の履行を完了する目的の範囲内においては、なお当該種別の資金移動業を営む資金移動業者として第三十七条の登録を受けているものとみなす。

(2) With regard to a funds transfer service provider providing two or more types of funds transfer services, when a change of type of funds transfer service due to the discontinuation of one type of whole funds transfer services has been registered in the register of funds transfer service providers pursuant to the provisions of Article 41, paragraph (5), the funds transfer service provider must promptly complete the performance of obligations borne by it in relation to the funds transfer transactions for the types of funds transfer services that

it has discontinued. In this case, the funds transfer service provider is deemed to be registered as a funds transfer service provider providing those types of funds transfer services referred to in Article 37 within the scope of the purpose of completing the performance of these obligations.

(外国資金移動業者等の勧誘の禁止)

(Prohibition on Solicitation by Foreign Funds Transfer Service Providers)

第六十二条の二 第三十七条の登録を受けていない外国資金移動業者及び信託業法第二条第五項に規定する外国信託業者（第三十七条の二第三項の規定による届出をしている外国信託会社（同法第二条第六項に規定する外国信託会社をいう。）を除く。）は、法令に別段の定めがある場合を除き、国内にある者に対して、為替取引の勧誘をしてはならない。

Article 62-2 Unless otherwise prescribed by laws and regulations, a foreign funds transfer service provider that has not been registered as referred to in Article 37 and a foreign trust business operator prescribed in Article 2, paragraph (5) of the Trust Business Act (excluding a foreign trust company (meaning the foreign trust company prescribed in Article 2, paragraph (6) of that Act) that has filed a notification under the provisions of Article 37-2, paragraph (3)) must not solicit a person in Japan for funds transfer transactions.

### 第三章の二 電子決済手段等

#### Chapter III-2 Electronic Payment Instruments

##### 第一節 総則

##### Section 1 General Provisions

(電子決済手段等取引業者の登録)

(Registration of Electronic Payment Instruments Service Providers)

第六十二条の三 電子決済手段等取引業は、内閣総理大臣の登録を受けた者でなければ、行ってはならない。

Article 62-3 No person may provide electronic payment instruments services unless the person is registered by the Prime Minister.

(登録の申請)

(Application for Registration)

第六十二条の四 前条の登録を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した登録申請書を内閣総理大臣に提出しなければならない。

Article 62-4 (1) Pursuant to the provisions of Cabinet Office Order, a person who intends to be registered referred to in the preceding Article must submit a written application for registration containing the following particulars to the Prime Minister:

- 一 商号及び住所  
(i) trade name and address;
- 二 資本金の額  
(ii) amount of capital;
- 三 電子決済手段等取引業に係る営業所の名称及び所在地  
(iii) name and location of the business office pertaining to the electronic payment instruments services;
- 四 取締役及び監査役（監査等委員会設置会社にあつては取締役とし、指名委員会等設置会社にあつては取締役及び執行役とし、外国電子決済手段等取引業者にあつては外国の法令上これらに相当する者とする。）の氏名  
(iv) name of company director and company auditor (company director in cases of a company with audit and supervisory committee, etc.; company director and executive officer in cases of a company with nominating committee, etc.; and persons equivalent thereto pursuant to laws and regulations of a foreign state in cases of a foreign electronic payment instruments service provider);
- 五 会計参与設置会社にあつては、会計参与の氏名又は名称  
(v) in cases of a company with accounting advisors, names of accounting advisors;
- 六 外国電子決済手段等取引業者にあつては、国内における代表者の氏名  
(vi) in cases of a foreign electronic payment instruments service provider, name of the representative person in Japan;
- 七 電子決済手段等取引業の業務の種別（電子決済手段関連業務及び第二条第十項第四号に掲げる行為に係る業務の種別をいう。第六十二条の七第一項、第六十二条の二十六第二項及び第一百七条第九号において同じ。）  
(vii) the categories of business of electronic payment instruments services (meaning the electronic payment instruments-related business and the category of business related to the act set forth in Article 2, paragraph (10), item (iv); the same applies in Article 62-7, paragraph (1), Article 62-26, paragraph (2), and Article 107, item (ix));
- 八 電子決済手段関連業務を行う場合にあつては、取り扱う電子決済手段の名称並びに当該電子決済手段を発行する者の商号又は名称及び住所  
(viii) if the service provider engages in the electronic payment instruments-related business, the name of the electronic payment instrument handled and the trade name or name and address of the person that issues the electronic payment instrument;
- 九 第二条第十項第四号に掲げる行為に係る業務を行う場合にあつては、同号の資金移動業者の商号及び住所  
(ix) if the service provider engages in the business related to the act set forth in Article 2, paragraph (10), item (iv), the trade name and address of the funds transfer service provider referred to in that item;
- 十 電子決済手段等取引業の内容及び方法

(x) details and means of the electronic payment instruments services;

十一 電子決済手段等取引業の一部を第三者に委託する場合にあっては、当該委託に係る業務の内容並びにその委託先の氏名又は商号若しくは名称及び住所

(xi) if part of the electronic payment instruments services is entrusted to a third party, the details of the business pertaining to the entrustment and the name or trade name or other name and address of the third party to whom the electronic payment instruments services are entrusted;

十二 他に事業を行っているときは、その事業の種類

(xii) type of businesses, if the service provider conducts other businesses; and

十三 その他内閣府令で定める事項

(xiii) other particulars specified by Cabinet Office Order.

2 前項の登録申請書には、第六十二条の六第一項各号に該当しないことを誓約する書面、財務に関する書類、電子決済手段等取引業を適正かつ確実に遂行する体制の整備に関する事項を記載した書類その他の内閣府令で定める書類を添付しなければならない。

(2) A document in which the applicant pledges that the applicant does not fall under any of the items of Article 62-6, paragraph (1), documents concerning finance, documents containing particulars concerning the establishment of a system for ensuring the provision of the electronic payment instruments services in a proper and steady manner, and other documents specified by Cabinet Office Order must be attached to the written application for registration referred to in the preceding paragraph.

(電子決済手段等取引業者登録簿)

(Register of Electronic Payment Instruments Service Providers)

第六十二条の五 内閣総理大臣は、第六十二条の三の登録の申請があったときは、次条第一項の規定によりその登録を拒否する場合を除くほか、次に掲げる事項を電子決済手段等取引業者登録簿に登録しなければならない。

Article 62-5 (1) The Prime Minister must, when an application for registration referred to in Article 62-3 is filed, register the following particulars in the register of electronic payment instruments service providers, except when refusing the 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) particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) date of registration and registration number.

2 内閣総理大臣は、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) If the Prime Minister registers the particulars under the provisions of the preceding paragraph, the Minister must notify the applicant to that effect

without delay.

3 内閣総理大臣は、電子決済手段等取引業者登録簿を公衆の縦覧に供しなければならない。

(3) The Prime Minister must make the register of electronic payment instruments service providers available for public inspection.

(登録の拒否)

(Refusal of Registration)

第六十二条の六 内閣総理大臣は、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重要な事項について虚偽の記載があり、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 62-6 (1) The Prime Minister must refuse registration when an applicant falls under any of the following items, or a written application for registration or its accompanying documents contain false statements about important particulars, or lack any statement about important particulars:

一 株式会社又は外国電子決済手段等取引業者（国内に営業所を有する外国会社に限る。）でないもの

(i) a person other than a stock company or a foreign electronic payment instruments service provider (limited to a foreign company that has a business office in Japan);

二 外国電子決済手段等取引業者にあつては、国内における代表者（国内に住所を有するものに限る。）のない法人

(ii) a foreign electronic payment instruments service provider that is a corporation and that does not have a representative person in Japan (limited to a person who is domiciled in Japan);

三 電子決済手段等取引業を適正かつ確実に遂行するために必要と認められる内閣府令で定める基準に適合する財産的基礎を有しない法人

(iii) a corporation lacking a sufficient financial foundation that satisfies the requirements specified by Cabinet Office Order as those found to be necessary for the provision of the electronic payment instruments services in a proper and steady manner;

四 電子決済手段等取引業を適正かつ確実に遂行する体制の整備が行われていない法人

(iv) a corporation which has not established a system that is necessary for the provision of the electronic payment instruments services in a proper and steady manner;

五 この章の規定を遵守するために必要な体制の整備が行われていない法人

(v) a corporation which has not established a system that is necessary for ensuring compliance with the provisions of this Chapter;

六 電子決済手段等取引業者をその会員（第八十七条第二号に規定する会員をいう。）とする認定資金決済事業者協会に加入しない法人（電子決済手段関連業務を

行う者に限る。) であって、当該認定資金決済事業者協会の定款その他の規則(電子決済手段等取引業の利用者の保護又は電子決済手段等取引業の適正かつ確実な遂行に関するものに限る。)に準ずる内容の社内規則を作成していないもの又は当該社内規則を遵守するための体制を整備していないもの

(vi) a corporation which has not joined a certified association for payment service providers whose members (meaning the members specified in Article 87, item (ii)) are the electronic payment instruments service providers (limited to a corporation engaging in the electronic payment instruments-related business), and which has not prepared internal rules that have contents equivalent to the articles of incorporation or other rules (limited to those concerning the protection of users of electronic payment instruments services or the provision of electronic payment instruments services in a proper and steady manner) of the certified association for payment service providers or has not established a system for ensuring compliance with those internal rules;

七 他の電子決済手段等取引業者が現に用いている商号と同一の商号又は他の電子決済手段等取引業者と誤認されるおそれのある商号を用いようとする法人

(vii) a corporation which intends to use a trade name that is identical to the one currently being used by another electronic payment instruments service provider or that may be misidentified as another electronic payment instruments service provider;

八 第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消され、第六十二条の二十二第一項若しくは第二項の規定により第六十二条の三の登録を取り消され、第六十三条の十七第一項若しくは第二項の規定により第六十三条の二の登録を取り消され、第六十三条の三十七第一項若しくは第二項の規定により第六十三条の二十三の許可を取り消され、若しくは第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消され、又はこの法律若しくは銀行法等に相当する外国の法令の規定により当該外国において受けている同種類の登録、許可若しくは免許(当該登録、許可又は免許に類するその他の行政処分を含む。)を取り消され、その取消の日から五年を経過しない法人

(viii) a corporation which had its registration referred to in Article 37 revoked pursuant to the provisions of Article 56, paragraph (1) or (2), had its registration referred to in Article 62-3 revoked pursuant to the provisions of Article 62-22, paragraph (1) or (2), had its registration referred to in Article 63-2 revoked pursuant to the provisions of Article 63-17, paragraph (1) or (2), had the permission referred to in Article 63-23 revoked pursuant to the provisions of Article 63-37, paragraph (1) or (2), or had its license under the provisions of Article 64, paragraph (1) revoked pursuant to the provisions of Article 82, paragraph (1) or (2), or had the registration, permission or license of the same type in a foreign state (including other administrative dispositions similar to the registration, permission or license) revoked



pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act or the Banking Act, etc., and for which five years have not elapsed from the date of the revocation;

九 第三十七条の二第二項の規定により読み替えて適用する第五十六条第一項の規定による特定資金移動業（第三十六条の二第四項に規定する特定資金移動業をいう。以下同じ。）の廃止の命令を受け、若しくは第六十二条の八第二項の規定により読み替えて適用する第六十二条の二十二第一項の規定による電子決済手段等取引業の廃止の命令を受け、又はこの法律若しくは銀行法等に相当する外国の法令の規定によるこれらの業務と同種類の業務の廃止の命令を受け、これらの命令の日から五年を経過しない法人

(ix) a corporation which received an order to discontinue specified funds transfer services (meaning the specified funds transfer services prescribed in Article 36-2, paragraph (4); the same applies hereinafter) pursuant to the provisions of Article 56, paragraph (1) as applied pursuant to Article 37-2, paragraph (2) following the deemed replacement of terms, received an order to discontinue electronic payment instruments services pursuant to the provisions of Article 62-22, paragraph (1) as applied pursuant to Article 62-8, paragraph (2) following the deemed replacement of terms, or received an order to discontinue the same type of services as these services pursuant to the provisions of laws and regulations of a foreign state that are equivalent to this Act or the Banking Act, etc., and for which five years have not elapsed from the date of the order;

十 この法律、金融商品取引法、銀行法等、金融機関の信託業務の兼営等に関する法律、出資の受入れ、預り金及び金利等の取締りに関する法律若しくは信託業法又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人

(x) a corporation which has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Financial Instruments and Exchange Act, the Banking Act, etc., the Act on Engagement in Trust Business by Financial Institutions, the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates, or the Trust Business Act, or laws and regulations of a foreign state equivalent thereto, and for which five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

十一 他に行う事業が公益に反すると認められる法人

(xi) a corporation whose other business is found to be against the public interest;

十二 取締役、監査役若しくは執行役又は会計参与（外国電子決済手段等取引業者にあっては、外国の法令上これらに相当する者又は国内における代表者とする。以下

この章において「取締役等」という。)のうちに次のいずれかに該当する者のある法人

(xii) a corporation that employs a person who is a company director, company auditor, executive officer, or accounting advisor (meaning a person equivalent thereto under laws and regulations of a foreign state or representative persons in Japan in cases of a foreign electronic payment instruments service provider; hereinafter referred to as a "company director, etc." in this Chapter) falling under any of the following items:

イ 心身の故障のため電子決済手段等取引業に係る職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties pertaining to electronic payment instruments services due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) a person who has been sentenced to imprisonment or heavier punishment (including equivalent punishment pursuant to laws and regulations of a foreign state), and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ この法律、金融商品取引法、銀行法等、金融機関の信託業務の兼営等に関する法律、出資の受入れ、預り金及び金利等の取締りに関する法律、暴力団員による不当な行為の防止等に関する法律若しくは信託業法又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(d) a person who has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Financial Instruments and Exchange Act, the Banking Act, etc., the Act on Engagement in Trust Business by Financial Institutions, the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates, the Act on Prevention of Unjust Acts by Organized Crime Group Members, or the Trust Business Act, or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which

the execution of the sentence ended or from the day on which the sentence ceased to be executed; or

ホ 電子決済手段等取引業者が第六十二条の二十二第一項若しくは第二項の規定により第六十二条の三の登録を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類するその他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にその法人の取締役等であった者で、当該取消しの日から五年を経過しない者その他これに準ずるものとして政令で定める者

(e) if an electronic payment instruments service provider had its registration referred to in Article 62-3 revoked pursuant to the provisions of Article 62-22, paragraph (1) or (2), or a corporation had the registration of the same type in a foreign state (including other administrative dispositions similar to the registration) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who was a company director, etc. of the corporation at any time during the thirty days prior to the date of the revocation and for whom five years have not elapsed from the date of revocation or a person similar thereto specified by Cabinet Order.

2 内閣総理大臣は、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 Prime Minister refuses the registration pursuant to the provisions of the preceding paragraph, the Minister must notify the applicant to that effect by indicating the reason without delay.

(変更登録等)

#### (Registration of Changes)

第六十二条の七 電子決済手段等取引業者は、第六十二条の四第一項第七号に掲げる事項の変更（新たな種別の業務を行おうとすることによるものに限る。）をしようとするときは、内閣府令で定めるところにより、内閣総理大臣の変更登録を受けなければならない。

Article 62-7 (1) When an electronic payment instruments service provider intends to change any of the particulars set forth in Article 62-4, paragraph (1), item (vii) (limited to changes due to its intention to provide a new type of business), the electronic payment instruments service provider must have the change registered by the Prime Minister, pursuant to the provisions of Cabinet Office Order.

2 前三条の規定は、前項の変更登録について準用する。この場合において、第六十二条の四第一項中「次に掲げる」とあるのは「変更に係る」と、同条第二項中「第六十二条の六第一項各号」とあるのは「第六十二条の六第一項各号（第一号、第二号及び第七号から第十二号までを除く。）」と、第六十二条の五第一項中「次に掲げる」とあるのは「前条第一項第七号に掲げる事項の変更に係る」と、前条第一項中「次の各

号」とあるのは「次の各号（第一号、第二号及び第七号から第十二号までを除く。）」と読み替えるものとする。

- (2) The provisions of the preceding three Articles apply mutatis mutandis to the registration of change referred to in the preceding paragraph. In this case, the term the "following particulars" in Article 62-4, paragraph (1) is replaced with the "particulars pertaining to the change", the term "any of the items of Article 62-6, paragraph (1)" in paragraph (2) of that Article is replaced with "any of the items of Article 62-6, paragraph (1) (excluding items (i), (ii) and (vii) through (xii))", the term the "following particulars" in Article 62-5, paragraph (1) is replaced with the "particulars pertaining to the change to the particulars set forth in paragraph (1), item (vii) of the preceding Article," and the term "any of the following items" in paragraph (1) of the preceding Article is replaced with "any of the following items (excluding items (i), (ii) and (vii) through (xii))".
- 3 電子決済手段等取引業者は、第六十二条の四第一項第八号から第十号までに掲げる事項のいずれかを変更しようとするとき（電子決済手段等取引業の利用者の保護に欠け、又は電子決済手段等取引業の適正かつ確実な遂行に支障を及ぼすおそれが少ない場合として内閣府令で定める場合を除く。）は、あらかじめ、その旨を内閣総理大臣に届け出なければならない。
- (3) When an electronic payment instruments service provider intends to change any of the particulars set forth in Article 62-4, paragraph (1), item (viii) through (x) (excluding cases specified by Cabinet Office Order as being less likely to weaken the protection of users of electronic payment instruments services or hinder the provision of electronic payment instruments services in a proper and steady manner), the electronic payment instruments service provider must notify the Prime Minister to that effect in advance.
- 4 電子決済手段等取引業者は、第六十二条の四第一項各号に掲げる事項のいずれかに変更があったとき（第一項の規定による変更登録を受けた場合及び前項の規定による届出をした場合を除く。）は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。
- (4) If any of the particulars set forth in the items of Article 62-4, paragraph (1) are changed (excluding the case in which registration of change has been made under the provisions of paragraph (1) and cases in which a notification has been filed under the provisions of the preceding paragraph), the electronic payment instruments service provider must notify the Prime Minister to that effect without delay.
- 5 内閣総理大臣は、前二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電子決済手段等取引業者登録簿に登録しなければならない。
- (5) If the Prime Minister accepts a notification under the provisions of the preceding two paragraphs, the Minister must register the particulars of the notification in the register of electronic payment instruments service providers.

(電子決済手段を発行する者に関する特例)

(Special Provisions for Issuers of Electronic Payment Instruments)

第六十二条の八 銀行等又は資金移動業者であつて、電子決済手段を発行する者（以下この条において「発行者」という。）は、第六十二条の六第一項第八号及び第九号に該当しない場合には、第六十二条の三の規定にかかわらず、その発行する電子決済手段について、電子決済手段等取引業（電子決済手段関連業務に限る。以下この条及び第百十三条第二号において同じ。）を行うことができる。

Article 62-8 (1) Notwithstanding the provisions of Article 62-3, if a bank, etc. or funds transfer service provider that issues electronic payment instruments (hereinafter referred to as the "issuer" in this Article) does not fall under Article 62-6, paragraph (1), items (viii) and (ix), it may provide electronic payment instruments services (limited to the electronic payment instruments-related business; hereinafter the same applies in this Article and Article 113, item (ii)) with regard to electronic payment instruments issued thereby.

2 発行者が前項の規定により電子決済手段等取引業を行う場合においては、当該発行者を電子決済手段等取引業者とみなして、第二条第二十五項、第六十二条の五、前条第三項から第五項まで、次条から第六十二条の十二まで、第六十二条の十四、第六十二条の十六から第六十二条の二十二第一項まで、第六十二条の二十四から第六十二条の二十六第一項まで、第五章、第六章、第百二条及び第百三条の規定並びにこれらの規定に係る第八章の規定を適用する。この場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とするほか、必要な技術的読替えは、政令で定める。

(2) If the issuer provides electronic payment instruments services pursuant to the provisions of the preceding paragraph, the issuer is deemed to be an electronic payment instruments service provider, and the provisions of Article 2, paragraph (25), Article 62-5, paragraphs (3) through (5) of the preceding Article, the following Article through Article 62-12, Article 62-14, Article 62-16 through Article 62-22, paragraph (1), Article 62-24 through Article 62-26, paragraph (1), Chapter V, Chapter VI, Article 102, and Article 103 and the provisions of Chapter VIII that are relevant to those provisions apply. In this case, the terms or phrases listed in the middle column of the table below in the provisions as listed in the left-hand column of that table are deemed to be replaced with the respective terms or phrases listed in the right-hand column of that table; and any other necessary technical replacement of terms is specified by Cabinet Order:

第六十二条の五 第一項 Article 62-5, paragraph (1)	第六十二条の三の登録の申請があったときは、次条第一項の規定によりその登録を拒否する場合を除くほか when an application for registration referred to in Article 62-3 is filed, except when refusing the registration pursuant to the provisions of paragraph (1) of the following Article	第六十二条の八第三項の規定による届出があったときは when a notification under the provisions of Article 62-8, paragraph (3) is made
	電子決済手段等取引業者登録簿に登録し register the following particulars in the register of electronic payment instruments service providers	名簿に登載し record the following particulars in the register
第六十二条の五 第一項第一号 Article 62-5, paragraph (1), item (i)	前条第一項各号 items of paragraph (1) of the preceding Article	前条第一項各号（第九号を除く。） items of paragraph (1) of the preceding Article (excluding item (ix))
第六十二条の五 第一項第二号 Article 62-5, paragraph (1), item (ii)	登録年月日及び登録番号 date of registration and registration number	届出年月日及び届出受理番号 date of notification and notification acceptance number
第六十二条の五 第二項 Article 62-5, paragraph (2)	登録を registers	登載を records
	登録申請者 applicant	第六十二条の八第三項の規定による届出をした者 person who made a notification under the provisions of Article 62-8, paragraph (3)

第六十二条の五 第三項 Article 62-5, paragraph (3)	電子決済手段等取引 業者登録簿 register of electronic payment instruments service providers	第一項の名簿 register referred to in paragraph (1)
前条第三項 Paragraph (3) of the preceding Article	から第十号まで through item (x)	又は第十号 or item (x)
前条第四項 Paragraph (4) of the preceding Article	第六十二条の四第一 項各号 items of Article 62- 4, paragraph (1)	第六十二条の四第一 項各号（第九号を除 く。） items of Article 62- 4, paragraph (1) (excluding item (ix))
前条第五項 Paragraph (5) of the preceding Article	電子決済手段等取引 業者登録簿に登録し register the particulars of the notification in the register of electronic payment instruments service providers	第六十二条の五第一 項の名簿に登載し record the particulars of the notification in the register referred to in Article 62-5, paragraph (1)
第六十二条の十 二 Article 62-12	より、電子決済手段 等取引業と銀行等、 資金移動業者又は特 定信託会社が行う業 務との誤認を防止す るための説明 explanation to prevent users from mistaking its electronic payment instruments services for the business carried out by a bank, etc., funds transfer service provider, or specified trust company	より Pursuant...

<p>第六十二条の十七第一項 Article 62-17, paragraph (1)</p>	<p>利用者 user</p>	<p>利用者」と、同法第三十七条第一項第二号及び第三十七条の三第一項第二号中「金融商品取引業者等である旨及び当該金融商品取引業者等の登録番号」とあるのは「資金決済に関する法律第六十二条の八第三項の規定による届出の受理番号 user", respectively, and the phrase "an indication that it is a financial instruments business operator, etc., and its registration number" in Article 37, paragraph (1), item (ii) and Article 37-3, paragraph (1), item (ii) of that Act is deemed to be replaced with "the acceptance number of the notification under the provisions of Article 62-8, paragraph (3) of the Payment Services Act"</p>
<p>第六十二条の二十二第一項 Article 62-22, paragraph (1)</p>	<p>次の各号のいずれか any of the following items</p> <p>第六十二条の三の登録を取り消し revoke its registration referred to in Article 62-3</p>	<p>第三号 item (iii)</p> <p>電子決済手段等取引業の廃止を命じ order discontinuance of electronic payment instruments services</p>



<p>第六十二条の二十五第二項 Article 62-25, paragraph (1)</p>	<p>当該電子決済手段等取引業者の第六十二条の三の登録は、その効力を失う。この場合において、当該 the registration of the electronic payment instruments service provider referred to in Article 62-3 ceases to be effective. In this case, a person who has been</p>	<p>当該 a person who has been</p>
<p>第六十二条の二十六第一項 Article 62-26, paragraph (1)</p>	<p>又は第二項の規定により第六十二条の三の登録が取り消された when the registration referred to in Article 62-3 has been revoked pursuant to the provisions of ... or (2)</p>	<p>の規定による電子決済手段等取引業の廃止の命令を受けたときその他政令で定める when the electronic payment instruments service provider receives an order to discontinue electronic payment instruments services pursuant to the provisions of ... or in cases specified by Cabinet Order</p>

3 発行者は、第一項の規定により電子決済手段等取引業を行おうとするときは、第六十二条の四第一項各号（第九号を除く。）に掲げる事項を記載した書類、第六十二条の六第一項第八号及び第九号に該当しないことを誓約する書面その他内閣府令で定める書類を内閣総理大臣に届け出なければならない。

(3) When the issuer intends to provide electronic payment instruments services pursuant to the provisions of paragraph (1), it must submit to the Prime

Minister documents containing particulars set forth in the items of Article 62-4, paragraph (1) (excluding item (ix)), a document in which the issuer pledges that it does not fall under Article 62-6, paragraph (1), items (viii) and (ix), and other documents specified by Cabinet Office Order.

(名義貸しの禁止)

(Prohibition of Name Lending)

第六十二条の九 電子決済手段等取引業者は、自己の名義をもって、他人に電子決済手段等取引業を行わせてはならない。

Article 62-9 An electronic payment instruments service provider must not have another person provide the electronic payment instruments services in the name of the electronic payment instruments service provider.

## 第二節 業務

### Section 2 Business

(情報の安全管理)

(Management of Information Security)

第六十二条の十 電子決済手段等取引業者は、内閣府令で定めるところにより、電子決済手段等取引業に係る情報の漏えい、滅失又は毀損の防止その他の当該情報の安全管理のために必要な措置を講じなければならない。

Article 62-10 Pursuant to the provisions of Cabinet Office Order, an electronic payment instruments service provider must take necessary measures for preventing leakage, loss, or damage of information pertaining to the electronic payment instruments services and other measures for ensuring security management of the relevant information.

(委託先に対する指導)

(Guidance of Entrusted Parties)

第六十二条の十一 電子決済手段等取引業者は、電子決済手段等取引業の一部を第三者に委託（二以上の段階にわたる委託を含む。）をした場合には、内閣府令で定めるところにより、当該委託に係る業務の委託先に対する指導その他の当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 62-11 If an electronic payment instruments service provider entrusts (including the case under multi-tier entrustment arrangements) part of the electronic payment instruments services to a third party, the electronic payment instruments service provider must provide guidance to the third party to whom the relevant business has been entrusted and take other measures necessary for ensuring the operation of the business in a proper and steady manner pursuant to the provisions of Cabinet Office Order.

(利用者の保護等に関する措置)

**(Measures for Customer Protection)**

第六十二条の十二 電子決済手段等取引業者は、内閣府令で定めるところにより、電子決済手段等取引業と銀行等、資金移動業者又は特定信託会社が行う業務との誤認を防止するための説明、電子決済手段の内容、手数料その他の電子決済手段等取引業に係る契約の内容についての情報の提供その他の電子決済手段等取引業の利用者の保護を図り、及び電子決済手段等取引業の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 62-12 Pursuant to the provisions of Cabinet Office Order, an electronic payment instruments service provider must provide explanation to prevent users from mistaking its electronic payment instruments services for the business carried out by a bank, etc., funds transfer service provider, or specified trust company, provide information about details of electronic payment instruments, fees and other terms and conditions of contracts related to the electronic payment instruments services, and take other measures necessary for protecting the users of electronic payment instruments services and ensuring the provision of the electronic payment instruments services in a proper and steady manner.

(金銭等の預託の禁止)

**(Prohibition on Depositing Money)**

第六十二条の十三 電子決済手段等取引業者は、いかなる名目によるかを問わず、その行う電子決済手段等取引業に関して、利用者から金銭その他の財産（電子決済手段を除く。）の預託を受け、又は当該電子決済手段等取引業者と密接な関係を有する者として政令で定める者に利用者の金銭その他の財産を預託させてはならない。ただし、利用者の保護に欠けるおそれが少ない場合として内閣府令で定める場合は、この限りでない。

Article 62-13 An electronic payment instruments service provider must not, for any reason, receive a deposit of money or other property (excluding electronic payment instruments) from a user, or have a person specified by Cabinet Order as being closely related to that electronic payment instruments service provider deposit a user's money or other property, in connection with the electronic payment instruments services it provides; provided, however, that this does not apply in cases specified by Cabinet Office Order as being less likely to weaken the protection of users.

(利用者財産の管理)

**(Management of Users' Property)**

第六十二条の十四 電子決済手段等取引業者は、その行う電子決済手段等取引業に関して、内閣府令で定めるところにより、電子決済手段等取引業の利用者の電子決済手段を自己の電子決済手段と分別して管理しなければならない。

Article 62-14 (1) In connection with its electronic payment instruments services, an electronic payment instruments service provider must manage the electronic payment instruments of the users of electronic payment instruments services separately from its own electronic payment instruments pursuant to the provisions of Cabinet Office Order.

2 電子決済手段等取引業者は、前項の規定による管理の状況について、内閣府令で定めるところにより、定期的に、公認会計士又は監査法人の監査を受けなければならない。

(2) Pursuant to the provisions of Cabinet Office Order, an electronic payment instruments service provider must undergo a periodic audit by a certified public accountant or by an audit corporation, with regard to the state of management under the provisions of the preceding paragraph.

(発行者等との契約締結義務)

(Obligation to Conclude Contract with Issuers)

第六十二条の十五 電子決済手段等取引業者は、電子決済手段等取引業を行う場合（電子決済手段等取引業の利用者の保護に欠け、又は電子決済手段等取引業の適正かつ確実な遂行に支障を及ぼすおそれが少ない場合として内閣府令で定める場合を除く。）には、次の各号に掲げる場合の区分に応じ、当該各号に定める者（以下この条において「発行者等」という。）との間で、利用者に損害が生じた場合における当該損害についての当該発行者等と当該電子決済手段等取引業者との賠償責任の分担に関する事項その他の内閣府令で定める事項を定めた電子決済手段等取引業に係る契約を締結し、これに従って当該発行者等に係る電子決済手段等取引業を行わなければならない。

Article 62-15 If an electronic payment instruments service provider provides electronic payment instruments services (excluding cases specified by Cabinet Office Order as being less likely to weaken the protection of users of electronic payment instruments services or hinder the provision of electronic payment instruments services in a proper and steady manner), the electronic payment instruments service provider must conclude, with the person specified in the following items (hereinafter referred to as the "issuer, etc." in this Article) according to the categories of cases set forth therein, a contract relating to electronic payment instruments services in which particulars concerning the sharing that will take place between the issuer, etc. and the electronic payment instruments service provider of the liability to compensate users for any loss or damage sustained thereby and other particulars specified by Cabinet Office Order are stipulated, and provide the electronic payment instruments services pertaining to the issuer, etc. under this contract:

一 電子決済手段関連業務を行う場合 当該電子決済手段等取引業者が取り扱う電子決済手段を発行する者

(i) if the electronic payment instruments service provider engages in the electronic payment instruments-related business: a person that issues electronic payment instruments handled by the electronic payment

instruments service provider; and

二 第二条第十項第四号に掲げる行為を行う場合 同号の資金移動業者

(ii) if the electronic payment instruments service provider engages in the act set forth in Article 2, paragraph (10), item (iv): the funds transfer service provider referred to in that item.

(指定電子決済手段等取引業務紛争解決機関との契約締結義務等)

(Obligation to Conclude Contract with Designated Dispute Resolution

Organizations for Electronic Payment Instruments Business)

第六十二条の十六 電子決済手段等取引業者は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 62-16 (1) An electronic payment instruments service provider must take the measures specified in the following items according to the categories of cases prescribed therein:

一 指定電子決済手段等取引業務紛争解決機関（指定紛争解決機関であってその紛争解決等業務の種別が電子決済手段等取引業務であるものをいう。以下この条において同じ。）が存在する場合 一の指定電子決済手段等取引業務紛争解決機関との間で電子決済手段等取引業に係る手続実施基本契約（第九十九条第一項第八号に規定する手続実施基本契約をいう。次項において同じ。）を締結する措置

(i) if one or more designated dispute resolution organizations for electronic payment instruments business (meaning designated dispute resolution organizations of which type of dispute resolution services is electronic payment instruments business; hereinafter the same applies in this Article) exist: measures to conclude a basic contract for execution of procedures with a designated dispute resolution organization for electronic payment instruments business (meaning a basic contract for execution of procedures prescribed in Article 99, paragraph (1), item (viii); the same applies in the following paragraph) pertaining to the electronic payment instruments services; or

二 指定電子決済手段等取引業務紛争解決機関が存在しない場合 電子決済手段等取引業に関する苦情処理措置及び紛争解決措置

(ii) if no designated dispute resolution organization for electronic payment instruments business exists: complaint processing measures and dispute resolution measures pertaining to the electronic payment instruments services.

2 電子決済手段等取引業者は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定電子決済手段等取引業務紛争解決機関の商号又は名称を公表しなければならない。

(2) If an electronic payment instruments service provider implements measures to conclude a basic contract for execution of procedures pursuant to the provisions of the preceding paragraph, the electronic payment instruments

service provider must announce the trade name or other name of the designated dispute resolution organization for electronic payment instruments business that is the counterparty to the basic contract for execution of procedures.

3 第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。

(3) The provisions of paragraph (1) do not apply during the period specified in the following items for the respective categories of cases prescribed therein:

一 第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき 第百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定による紛争解決等業務の廃止の認可又は第百条第一項の規定による指定の取消しの時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(i) if an electronic payment instruments service provider who initially fell under the case set forth in paragraph (1), item (i) has come to fall under the case set forth in paragraph (1), item (ii): a period specified by the Prime Minister as the period necessary for taking measures specified in paragraph (1), item (ii) when authorization is granted for the discontinuation of the dispute resolution services referred to in Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms or when the designation is revoked pursuant to the provisions of Article 100, paragraph (1);

二 第一項第一号に掲げる場合に該当していた場合において、同号の一の指定電子決済手段等取引業務紛争解決機関の紛争解決等業務の廃止が第百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定により認可されたとき、又は同号の一の指定電子決済手段等取引業務紛争解決機関の第九十九条第一項の規定による指定が第百条第一項の規定により取り消されたとき（前号に掲げる場合を除く。） その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(ii) if an electronic payment instruments service provider falls under the case set forth in paragraph (1), item (i), when authorization is granted for the discontinuation of the dispute resolution services provided by the designated dispute resolution organization for electronic payment instruments business referred to in that item pursuant to the provisions of Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms or when the designation under the provisions of Article 99, paragraph (1) of the designated dispute resolution organization for electronic payment instruments business referred to in that item is revoked pursuant to the provisions of Article 100, paragraph (1) (excluding the case specified in the preceding item): a period specified by the Prime Minister as the period

necessary for taking measures specified in paragraph (1), item (i) when the authorization is granted or the designation is revoked; or

三 第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき 第九十九条第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(iii) if an electronic payment instruments service provider who initially fell under the case set forth in paragraph (1), item (ii) has come to fall under the case set forth in paragraph (1), item (i): a period specified by the Prime Minister as the period necessary for taking measures specified in paragraph (1), item (i) when designated pursuant to the provisions of Article 99, paragraph (1).

4 第一項第二号の「苦情処理措置」とは、利用者からの苦情の処理の業務に従事する使用人その他の従業者に対する助言若しくは指導を消費生活に関する消費者と事業者との間に生じた苦情に係る相談その他の消費生活に関する事項について専門的な知識経験を有する者として内閣府令で定める者に行わせること又はこれに準ずるものとして内閣府令で定める措置をいう。

(4) The term "complaint processing measures" as used in paragraph (1), item (ii) means having a person specified by Cabinet Office Order as one who has expert knowledge and experience with regard to consultation regarding complaints on consumer affairs that the consumer made against the service provider or in other areas of consumer affairs provide advice or guidance to employees or other workers who engage in the business of processing complaints from the users or any other measures specified by Cabinet Office Order as similar thereto.

5 第一項第二号の「紛争解決措置」とは、利用者との紛争の解決を認証紛争解決手続により図ること又はこれに準ずるものとして内閣府令で定める措置をいう。

(5) The term "dispute resolution measures" as used in paragraph (1), item (ii) means seeking resolution of a dispute with the user through the authorized dispute resolution procedures or any other measures specified by Cabinet Office Order as similar thereto.

(金融商品取引法の準用)

(Application Mutatis Mutandis of the Financial Instruments and Exchange Act)

第六十二条の十七 金融商品取引法第三章第一節第五款（第三十四条の二第六項から第八項まで並びに第三十四条の三第五項及び第六項を除く。）、同章第二節第一款（第三十五条から第三十六条の四まで、第三十七条の二、第三十七条の三第三項、第三十七条の五、第三十七条の七、第三十八条第七号及び第八号、第三十八条の二、第三十九条並びに第四十条の二から第四十条の七までを除く。）及び第四十五条（第三号及び第四号を除く。）の規定（次項において「金融商品取引法規定」という。）は、特定電子決済手段等取引契約（通貨の価格その他の指標に係る変動によりその価格が変

動するおそれがある電子決済手段として内閣府令で定めるものに係る電子決済手段関連業務を行うことを内容とする契約をいう。同項において同じ。)に係る電子決済手段関連業務を行う電子決済手段等取引業者について準用する。この場合において、同項に定める場合を除き、これらの規定中「金融商品取引契約」とあるのは「特定電子決済手段等取引契約」と、「顧客」とあるのは「利用者」と読み替えるものとする。

Article 62-17 (1) The provisions of Chapter III, Section 1, Subsection 5 (excluding Article 34-2, paragraphs (6) through (8) and Article 34-3, paragraphs (5) and (6)), Section 2, Subsection 1 of the that Chapter (excluding Articles 35 through 36-4, Article 37-2, Article 37-3, paragraph (3), Article 37-5, Article 37-7, Article 38, items (vii) and (viii), Article 38-2, Article 39, and Articles 40-2 through 40-7) and Article 45 (excluding items (iii) and (iv)) of the Financial Instruments and Exchange Act (referred to as the "provisions of the Financial Instruments and Exchange Act" in the following paragraph) apply mutatis mutandis to an electronic payment instruments service provider that engages in the electronic payment instruments-related business pertaining to a specified contract for electronic payment instruments transaction (meaning a contract for carrying out electronic payment instruments-related business pertaining to what is specified by Cabinet Office Order as electronic payment instruments for which the prices are likely to fluctuate due to fluctuations in indicators such as value of currencies; the same applies in that paragraph). In this case, except in cases prescribed in that paragraph, the term "contract for financial instruments transaction" and the term "customer" in these provisions are deemed to be replaced with "specified contract for electronic payment instruments transaction" and "user", respectively.

2 金融商品取引法規定を特定電子決済手段等取引契約に係る電子決済手段関連業務を行う電子決済手段等取引業者について準用する場合において、次の表の上欄に掲げる金融商品取引法規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(2) If the provisions of the Financial Instruments and Exchange Act apply mutatis mutandis to an electronic payment instruments service provider that engages in the electronic payment instruments-related business pertaining to a specified contract for electronic payment instruments transaction, the terms or phrases listed in the middle column of the table below in the provisions of the Financial Instruments and Exchange Act as listed in the left-hand column of that table are deemed to be replaced with the respective terms or phrases listed in the right-hand column of that table; and any other necessary technical replacement of terms is specified by Cabinet Order:



<p>第三十四条 Article 34</p>	<p>顧客を相手方とし、又は顧客のために金融商品取引行為（第二条第八項各号に掲げる行為をいう。以下同じ。）を行うことを内容とする契約（以下「金融商品取引契約」という contract for the financial instruments business operator, etc. to perform an act that constitutes a financial instruments transaction (meaning an act as set forth in the items of Article 2, paragraph (8); the same applies hereinafter) with the customer as the other party or on behalf of the customer (hereinafter the contract is referred to as a "financial instruments transaction contract"</p>	<p>特定電子決済手段等取引契約（資金決済に関する法律第六十二条の十七第一項に規定する特定電子決済手段等取引契約をいう。以下同じ specified contract for electronic payment instruments transaction (meaning the specified contract for electronic payment instruments transaction prescribed in Article 62-17, paragraph (1) of the Payment Services Act; the same applies hereinafter</p>
<p>第三十七条第二項 Article 37, paragraph (2)</p>	<p>金融商品取引行為 an act that constitutes a financial instruments transaction</p>	<p>特定電子決済手段等取引契約の締結 the conclusion of a specified contract for electronic payment instruments transaction</p>
<p>第三十七条の三第一項第五号 Article 37-3, paragraph (1), item (v)</p>	<p>行う金融商品取引行為 an act that constitutes a financial instruments transaction carried out</p>	<p>締結する特定電子決済手段等取引契約 a specified contract for electronic payment instruments transaction concluded</p>

	金利、通貨の価格、金融商品市場における相場 money rate, the value of currencies, quotations on the financial instruments market	通貨の価格 value of currencies
第四十条第一号 Article 40, item (i)	金融商品取引行為 an act that constitutes a financial instruments transaction	特定電子決済手段等取引契約の締結 the conclusion of a specified contract for electronic payment instruments transaction

### 第三節 監督

#### Section 3 Supervision

(帳簿書類)

(Books and Documents)

第六十二条の十八 電子決済手段等取引業者は、内閣府令で定めるところにより、その電子決済手段等取引業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 62-18 Pursuant to the provisions of Cabinet Office Order, an electronic payment instruments service provider must prepare and preserve the books and documents on its electronic payment instruments services.

(報告書)

(Written Reports)

第六十二条の十九 電子決済手段等取引業者は、事業年度ごとに、内閣府令で定めるところにより、電子決済手段等取引業に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 62-19 (1) Pursuant to the provisions of Cabinet Office Order, an electronic payment instruments service provider must prepare a written report

on its electronic payment instruments services for each business year and submit it to the Prime Minister.

2 電子決済手段等取引業者（電子決済手段の管理を行う者に限る。）は、前項の報告書のほか、内閣府令で定める期間ごとに、内閣府令で定めるところにより、電子決済手段等取引業に関し管理する利用者の電子決済手段の数量その他当該電子決済手段の管理に関する報告書を作成し、内閣総理大臣に提出しなければならない。

(2) In addition to the written reports specified in the preceding paragraph, pursuant to the provisions of Cabinet Office Order, an electronic payment instruments service provider (limited to one who engages in the management of electronic payment instruments) must prepare a written report on the volumes of users' electronic payment instruments under the management in connection with the electronic payment instruments services and other particulars concerning the management of the electronic payment instruments for each period specified by Cabinet Office Order, and submit it to the Prime Minister.

3 第一項の報告書には、財務に関する書類、当該書類についての公認会計士又は監査法人の監査報告書その他の内閣府令で定める書類を添付しなければならない。

(3) Documents concerning finance, an audit report prepared by a certified public accountant or audit corporation regarding these documents, and other documents specified by Cabinet Office Order must be attached to the written report referred to in paragraph (1).

4 第二項の報告書には、電子決済手段等取引業に関し管理する利用者の電子決済手段の数量を証する書類その他の内閣府令で定める書類を添付しなければならない。

(4) Documents proving the volumes of users' electronic payment instruments under the management in connection with the electronic payment instruments services and other documents specified by Cabinet Office Order must be attached to the written report referred to in paragraph (2).

（立入検査等）

(On-Site Inspections)

第六十二条の二十 内閣総理大臣は、電子決済手段等取引業の適正かつ確実な遂行のために必要があると認めるときは、電子決済手段等取引業者に対し当該電子決済手段等取引業者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該電子決済手段等取引業者の営業所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 62-20 (1) When the Prime Minister finds it necessary for the provision of electronic payment instruments services in a proper and steady manner, the Minister may order an electronic payment instruments service provider to submit reports or materials that can be used as reference for its business or property, or have officials enter the business office or other facility of that

electronic payment instruments service provider, ask questions about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、電子決済手段等取引業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該電子決済手段等取引業者から業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条において同じ。）に対し当該電子決済手段等取引業者の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該電子決済手段等取引業者から業務の委託を受けた者の施設に立ち入らせ、当該電子決済手段等取引業者の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the Prime Minister finds it particularly necessary for the provision of electronic payment instruments services in a proper and steady manner, to the extent necessary for this, the Minister may order a person to whom business has been entrusted by the electronic payment instruments service provider (including persons to whom the business has been entrusted by the entrusted person (including those under multi-tier entrustment arrangements); hereinafter the same applies in this Article) to submit reports or materials that can be used as reference for the business or property of the electronic payment instruments service provider, or have officials enter the facility of the person to whom business has been entrusted by the electronic payment instruments service provider, ask questions about the status of the business or property of the electronic payment instruments service provider or inspect its books and documents or other items.

3 前項の電子決済手段等取引業者から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by an electronic payment instruments service provider referred to in the preceding paragraph may refuse the submission of reports or materials, or the questions or inspection under the provisions of that paragraph if there are reasonable grounds for doing so.

（業務改善命令）

(Order to Improve Business Operations)

第六十二条の二十一 内閣総理大臣は、電子決済手段等取引業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、電子決済手段等取引業者に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 62-21 When the Prime Minister finds it necessary for the provision of electronic payment instruments services in a proper and steady manner, to the extent necessary for this, the Minister may order an electronic payment

instruments service provider to take necessary measures to improve the operation of its business or its financial status or other measures necessary for the purpose of supervision.

(登録の取消し等)

(Revocation of Registration)

第六十二条の二十二 内閣総理大臣は、電子決済手段等取引業者が次の各号のいずれかに該当するときは、第六十二条の三の登録を取り消し、又は六月以内の期間を定めて電子決済手段等取引業の全部若しくは一部の停止を命ずることができる。

Article 62-22 (1) When an electronic payment instruments service provider falls under any of the following items, the Prime Minister may revoke its registration referred to in Article 62-3 or order the electronic payment instruments service provider to suspend all or part of its electronic payment instruments services, by setting a period for suspension not exceeding six months:

一 第六十二条の六第一項各号のいずれかに該当することとなったとき。

(i) when the electronic payment instruments service provider falls under any of the items of Article 62-6, paragraph (1);

二 不正の手段により第六十二条の三の登録又は第六十二条の七第一項の変更登録を受けたとき。

(ii) when the electronic payment instruments service provider has been registered pursuant to the provisions of Article 62-3 or the change referred to in Article 62-7, paragraph (1) has been registered through wrongful means;

or

三 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) when the electronic payment instruments service provider violates this Act or an order under this Act, or a disposition under this Act or an order.

2 内閣総理大臣は、電子決済手段等取引業者の営業所の所在地を確知できないとき、又は電子決済手段等取引業者を代表する取締役若しくは執行役（外国電子決済手段等取引業者である電子決済手段等取引業者にあつては、国内における代表者）の所在地を確知できないときは、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過しても当該電子決済手段等取引業者から申出がないときは、当該電子決済手段等取引業者の第六十二条の三の登録を取り消すことができる。

(2) If the Prime Minister is unable to ascertain the locations of business offices of an electronic payment instruments service provider or the whereabouts of the company director or executive officer representing the electronic payment instruments service provider (in cases of an electronic payment instruments service provider that is a foreign electronic payment instruments service provider, the representative person in Japan), the Prime Minister, pursuant to the provisions of Cabinet Office Order, may issue public notice of that fact and revoke the registration of the electronic payment instruments service provider

under Article 62-3 if no application is made by the service provider after thirty days have passed since the day of the public notice.

3 前項の規定による処分については、行政手続法第三章の規定は、適用しない。

(3) The provisions of Chapter III of the Administrative Procedure Act do not apply to the disposition under the provisions of the preceding paragraph.

(登録の抹消)

(Deletion of Registration)

第六十二条の二十三 内閣総理大臣は、前条第一項若しくは第二項の規定により第六十二条の三の登録を取り消したとき、又は第六十二条の二十五第二項の規定により第六十二条の三の登録がその効力を失ったときは、当該登録を抹消しなければならない。

Article 62-23 When the Prime Minister revokes the registration referred to in Article 62-3 pursuant to provisions of paragraph (1) or (2) of the preceding Article or when the registration referred to in Article 62-3 has ceased to be effective pursuant to the provisions of Article 62-25, paragraph (2), the Minister must delete the registration.

(監督処分 of 公告)

(Public Notice of Supervisory Dispositions)

第六十二条の二十四 内閣総理大臣は、第六十二条の二十二第一項又は第二項の規定による処分をしたときは、内閣府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 62-24 When the Prime Minister implements a disposition under the provisions of Article 62-22, paragraph (1) or (2), the Minister must give public notice to that effect pursuant to the provisions of Cabinet Office Order.

#### 第四節 雑則

#### Section 4 Miscellaneous Provisions

(廃止の届出等)

(Notification of Discontinuation of Business)

第六十二条の二十五 電子決済手段等取引業者は、次の各号のいずれかに該当する場合には、遅滞なく、内閣総理大臣に届け出なければならない。

Article 62-25 (1) If an electronic payment instruments service provider falls under any of the following items, it must notify the Prime Minister to that effect without delay:

一 電子決済手段等取引業の全部又は一部を廃止したとき。

(i) the electronic payment instruments service provider discontinues all or part of the electronic payment instruments services; or

二 当該電子決済手段等取引業者について破産手続開始の申立て等が行われたとき。

(ii) a petition for commencement of bankruptcy proceedings, etc. is filed against

the electronic payment instruments service provider.

2 電子決済手段等取引業者が電子決済手段等取引業の全部を廃止したときは、当該電子決済手段等取引業者の第六十二条の三の登録は、その効力を失う。この場合において、当該電子決済手段等取引業者であった者は、その行う電子決済手段等取引業に関し負担する債務の履行を完了し、かつ、その行う電子決済手段等取引業に関し管理する利用者の財産を返還し、又は利用者に移転する目的の範囲内においては、なお電子決済手段等取引業者とみなす。

(2) If an electronic payment instruments service provider discontinues all of the electronic payment instruments services, the registration of the electronic payment instruments service provider referred to in Article 62-3 ceases to be effective. In this case, a person who has been the electronic payment instruments service provider is deemed to be an electronic payment instruments service provider within the scope of the purpose of completing the performance of obligations borne by the service provider in relation to the electronic payment instruments services carried out by it, and returning the users' property under the management relating to the electronic payment instruments services carried out by it or transferring the property to users.

3 電子決済手段等取引業者は、電子決済手段等取引業の全部若しくは一部の廃止をし、電子決済手段等取引業の全部若しくは一部の譲渡をし、合併（当該電子決済手段等取引業者が合併により消滅する場合の当該合併に限る。）をし、合併及び破産手続開始の決定以外の理由による解散をし、又は会社分割による電子決済手段等取引業の全部若しくは一部の承継をさせようとするときは、その日の三十日前までに、内閣府令で定めるところにより、その旨を公告するとともに、全ての営業所の公衆の目につきやすい場所に掲示しなければならない。

(3) If an electronic payment instruments service provider intends to discontinue all or part of the electronic payment instruments services, to transfer all or part of the electronic payment instruments services, to implement a merger (limited to a merger in which the electronic payment instruments service provider disappears), to dissolve for reasons other than a merger or an order to commence bankruptcy proceedings, or to have another service provider succeed all or part of the electronic payment instruments services due to a company split, it must give public notice to that effect at least thirty days prior to the relevant date and post a notice thereof in a place easily seen by the public at all of its business offices, pursuant to the provisions of Cabinet Office Order.

4 電子決済手段等取引業者は、前項の規定による公告をしたときは、直ちに、その旨を内閣総理大臣に届け出なければならない。

(4) Having given public notice pursuant to the provisions of the preceding paragraph, an electronic payment instruments service provider must notify the Prime Minister to that effect immediately.

5 電子決済手段等取引業者は、第三項の規定による公告をした場合（事業譲渡、合併又は会社分割その他の事由により当該業務の承継に係る公告をした場合を除く。）に

は、廃止しようとする電子決済手段等取引業に関し負担する債務の履行を速やかに完了し、かつ、当該電子決済手段等取引業に関し管理する利用者の財産を速やかに返還し、又は利用者に移転しなければならない。

(5) Having given public notice pursuant to the provisions of paragraph (3) (excluding cases where an electronic payment instruments service provider has given public notice concerning the succession of the relevant business by way of transfer of business, merger or company split, or for other reasons), the electronic payment instruments service provider must promptly complete the performance of obligations borne by it in relation to the electronic payment instruments services that it intends to discontinue, and promptly return the users' property under the management relating to the electronic payment instruments services or transfer the property to users.

6 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項の規定は、電子決済手段等取引業者（外国電子決済手段等取引業者を除く。）が電子公告（同法第二条第三十四号に規定する電子公告をいう。次項において同じ。）により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(6) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (i)) and Article 940, paragraph (3) of the Companies Act apply mutatis mutandis to cases where an electronic payment instruments service provider (excluding a foreign electronic payment instruments service provider) gives public notice under the provisions of paragraph (3) by way of electronic public notice (meaning electronic public notice specified in Article 2, item (xxxiv) of that Act; the same applies in the following paragraph). In this case, any necessary technical replacement of terms is specified by Cabinet Order.

7 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条並びに第九百五十五条の規定は、外国電子決済手段等取引業者である電子決済手段等取引業者が電子公告により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(7) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (i)) and Article 940, paragraph (3), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953, and Article 955 of the Companies Act apply mutatis mutandis to cases where an electronic payment instruments service provider that is a foreign an electronic payment instruments service provider gives public notice under the provisions of paragraph (3) by way of electronic public notice. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

（登録の取消し等に伴う債務の履行の完了等）

(Completion of Performance of Obligations Due to Revocation of Registration)



第六十二条の二十六 電子決済手段等取引業者について、第六十二条の二十二第一項又は第二項の規定により第六十二条の三の登録が取り消されたとき（電子決済手段等取引業者の利用者の保護に欠け、又は電子決済手段等取引業者の適正かつ確実な遂行に支障を及ぼすおそれが少ない場合として内閣府令で定める場合を除く。）は、当該電子決済手段等取引業者であった者は、その行う電子決済手段等取引業者に関し負担する債務の履行を速やかに完了し、かつ、当該電子決済手段等取引業者に関し管理する利用者の財産を速やかに返還し、又は利用者に移転しなければならない。この場合において、当該電子決済手段等取引業者であった者は、当該債務の履行を完了し、かつ、当該財産を返還し、又は利用者に移転する目的の範囲内においては、なお電子決済手段等取引業者とみなす。

Article 62-26 (1) With regard to an electronic payment instruments service provider, when the registration referred to in Article 62-3 has been revoked pursuant to provisions of Article 62-22, paragraph (1) or (2) (excluding cases specified by Cabinet Office Order as being less likely to weaken the protection of users of electronic payment instruments services or hinder the provision of electronic payment instruments services in a proper and steady manner), the person who has been the electronic payment instruments service provider must promptly complete the performance of obligations borne by it in relation to the electronic payment instruments services carried out by it, and promptly return the users' property under the management relating to the electronic payment instruments services or transfer the property to users. In this case, the person who has been the electronic payment instruments service provider is deemed to be an electronic payment instruments service provider within the scope of the purpose of completing the performance of these obligations and returning the property or transferring the property to users.

2 電子決済手段関連業務及び第二条第十項第四号に掲げる行為に係る業務を併せ行う電子決済手段等取引業者について、第六十二条の七第五項の規定により一の種別の業務の全部の廃止による電子決済手段等取引業者の業務の種別の変更が電子決済手段等取引業者登録簿に登録されたときは、当該電子決済手段等取引業者は、廃止した種別の業務に関し負担する債務の履行を速やかに完了し、かつ、当該業務に関し管理する利用者の財産を速やかに返還し、又は利用者に移転しなければならない。この場合において、当該電子決済手段等取引業者は、当該債務の履行を完了し、かつ、当該財産を返還し、又は利用者に移転する目的の範囲内においては、なお当該種別の業務を行う電子決済手段等取引業者として第六十二条の三の登録を受けているものとみなす。

(2) With regard to an electronic payment instruments service provider that carries out both electronic payment instruments-related business and the business related to the acts set forth in Article 2, paragraph (10), item (iv), when a change of type of electronic payment instruments service due to the discontinuation of the entirety of either business has been registered in the register of electronic payment instruments service providers pursuant to the provisions of Article 62-7, paragraph (5), the electronic payment instruments

service provider must promptly complete the performance of obligations borne by it in relation to the type of business that it has discontinued, and promptly return the users' property under the management relating to the business or transfer the property to users. In this case, the electronic payment instruments service provider is deemed to be registered as an electronic payment instruments service provider providing the relevant type of business referred to in Article 62-3 within the scope of the purpose of completing the performance of these obligations and returning the property or transferring the property to users.

(外国電子決済手段等取引業者の勧誘の禁止)

(Prohibition on Solicitation by Foreign Electronic Payment Instruments Service Providers)

第六十三条 第六十二条の三の登録を受けていない外国電子決済手段等取引業者は、国内にある者に対して、第二条第十項各号に掲げる行為又は同項第四号に掲げる行為に相当する行為の勧誘をしてはならない。

Article 63 A foreign electronic payment instruments service provider that has not been registered as referred to in Article 62-3 must not solicit a person in Japan for the acts set forth in the items of Article 2, paragraph (10) or acts equivalent to the act set forth in item (iv) of that paragraph.

### 第三章の三 暗号資産

#### Chapter III-3 Cryptoassets

##### 第一節 総則

##### Section 1 General Provisions

(暗号資産交換業者の登録)

(Registration of Cryptoasset Exchange Service Providers)

第六十三条の二 暗号資産交換業は、内閣総理大臣の登録を受けた者でなければ、行ってはならない。

Article 63-2 No person may provide a cryptoasset exchange service unless the person is registered by the Prime Minister.

(登録の申請)

(Application for Registration)

第六十三条の三 前条の登録を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した登録申請書を内閣総理大臣に提出しなければならない。

Article 63-3 (1) A person who intends to be registered referred to in the preceding Article must, pursuant to the provisions of Cabinet Office Order, submit a written application for registration containing the following particulars to the Prime Minister:

- 一 商号及び住所  
(i) trade name and address;
  - 二 資本金の額  
(ii) amount of capital;
  - 三 暗号資産交換業に係る営業所の名称及び所在地  
(iii) name and location of the business office pertaining to the cryptoasset exchange service;
  - 四 取締役及び監査役（監査等委員会設置会社にあつては取締役とし、指名委員会等設置会社にあつては取締役及び執行役とし、外国暗号資産交換業者にあつては外国の法令上これらに相当する者とする。）の氏名  
(iv) name of company director and company auditor (company director in cases of a company with audit and supervisory committee, etc.; company director and executive officer in cases of a company with nominating committee, etc.; and persons equivalent thereto pursuant to laws and regulations of a foreign state in cases of a foreign cryptoasset exchange service provider);
  - 五 会計参与設置会社にあつては、会計参与の氏名又は名称  
(v) in cases of a company with accounting advisors, names of accounting advisors;
  - 六 外国暗号資産交換業者にあつては、国内における代表者の氏名  
(vi) in cases of a foreign cryptoasset exchange service provider, name of the representative person in Japan;
  - 七 取り扱う暗号資産の名称  
(vii) name of the cryptoasset to be used;
  - 八 暗号資産交換業の内容及び方法  
(viii) details and means of the cryptoasset exchange service;
  - 九 暗号資産交換業の一部を第三者に委託する場合にあつては、当該委託に係る業務の内容並びにその委託先の氏名又は商号若しくは名称及び住所  
(ix) if part of the cryptoasset exchange service is entrusted to a third party, the details of the business pertaining to the entrustment and the name or trade name or other name and address of the third party to whom the cryptoasset exchange services are entrusted;
  - 十 他に事業を行っているときは、その事業の種類  
(x) type of businesses, if the service provider conducts other businesses; and
  - 十一 その他内閣府令で定める事項  
(xi) other particulars specified by Cabinet Office Order.
- 2 前項の登録申請書には、第六十三条の五第一項各号に該当しないことを誓約する書面、財務に関する書類、暗号資産交換業を適正かつ確実に遂行する体制の整備に関する事項を記載した書類その他の内閣府令で定める書類を添付しなければならない。
- (2) A document in which the applicant pledges that the applicant does not to fall under any of the items of Article 63-5, paragraph (1), documents concerning finance, documents containing particulars concerning the establishment of a

system for ensuring the provision of the cryptoasset exchange service in a proper and steady manner, and other documents specified by Cabinet Office Order must be attached to the application for registration referred to in the preceding paragraph.

(暗号資産交換業者登録簿)

(Register of Cryptoasset Service Providers)

第六十三条の四 内閣総理大臣は、第六十三条の二の登録の申請があったときは、次条第一項の規定によりその登録を拒否する場合を除くほか、次に掲げる事項を暗号資産交換業者登録簿に登録しなければならない。

Article 63-4 (1) The Prime Minister must, when an application for registration referred to in Article 63-2 is filed, register the following particulars in the register of cryptoasset exchange service providers, except when refusing the 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) particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) date of registration and registration number.

2 内閣総理大臣は、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) If the Prime Minister registers the particulars under the provisions of the preceding paragraph, the Minister must notify the applicant to that effect without delay.

3 内閣総理大臣は、暗号資産交換業者登録簿を公衆の縦覧に供しなければならない。

(3) The Prime Minister must make the register of cryptoasset exchange service providers available for public inspection.

(登録の拒否)

(Refusal of Registration)

第六十三条の五 内閣総理大臣は、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重要な事項について虚偽の記載があり、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 63-5 (1) The Prime Minister must refuse registration when an applicant falls under any of the following items, or a written application for registration or its accompanying documents contain false statements about important particulars, or lack any statement about important particulars:

一 株式会社又は外国暗号資産交換業者（国内に営業所を有する外国会社に限る。）でないもの

(i) a person other than a stock company or a foreign cryptoasset exchange service provider (limited to a foreign company that has a business office in

- Japan);
- 二 外国暗号資産交換業者にあつては、国内における代表者（国内に住所を有するものに限る。）のない法人
- (ii) a foreign cryptoasset exchange service provider that is a corporation who does not have a representative person in Japan (limited to a person who is domiciled in Japan);
- 三 暗号資産交換業を適正かつ確実に遂行するために必要と認められる内閣府令で定める基準に適合する財産的基礎を有しない法人
- (iii) a corporation lacking a sufficient financial foundation that satisfies the requirements specified by Cabinet Office Order as those found to be necessary for the provision of the cryptoasset exchange service in a proper and steady manner;
- 四 暗号資産交換業を適正かつ確実に遂行する体制の整備が行われていない法人
- (iv) a corporation that has not established a system that is necessary for the provision of the cryptoasset exchange service in a proper and steady manner;
- 五 この章の規定を遵守するために必要な体制の整備が行われていない法人
- (v) a corporation that has not established a system that is necessary for ensuring compliance with the provisions of this Chapter;
- 六 暗号資産交換業者をその会員（第八十七条第二号に規定する会員をいう。）とする認定資金決済事業者協会に加入しない法人であつて、当該認定資金決済事業者協会の定款その他の規則（暗号資産交換業の利用者の保護又は暗号資産交換業の適正かつ確実な遂行に関するものに限る。）に準ずる内容の社内規則を作成していないもの又は当該社内規則を遵守するための体制を整備していないもの
- (vi) a corporation that has not joined a certified association for payment service providers whose members (meaning the members specified in Article 87, item (ii)) are the cryptoasset exchange service providers and has not prepared internal rules that have contents equivalent to the articles of incorporation or other rules (limited to those concerning the protection of users of cryptoasset exchange services or the provision of cryptoasset exchange services in a proper and steady manner) of the certified association for payment service providers or has not established a system for ensuring compliance with those internal rules;
- 七 他の暗号資産交換業者が現に用いている商号と同一の商号又は他の暗号資産交換業者と誤認されるおそれのある商号を用いようとする法人
- (vii) a corporation that intends to use a trade name that is identical to the one currently being used by another cryptoasset exchange service provider or that may be misidentified as another cryptoasset exchange service provider;
- 八 第六十二条の二十二第一項若しくは第二項の規定により第六十二条の三の登録を取り消され、若しくは第六十三条の十七第一項若しくは第二項の規定により第六十三条の二の登録を取り消され、又はこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類するその他の行政処分を含

- む。)を取り消され、その取消の日から五年を経過しない法人
- (viii) a corporation which had its registration referred to in Article 62-3 revoked pursuant to the provisions of Article 62-22, paragraph (1) or (2), had its registration referred to in Article 63-2 revoked pursuant to the provisions of Article 63-17, paragraph (1) or (2), or had the registration of the same type in a foreign state (including other administrative dispositions similar to the registration) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, and for which five years have not passed from the date of the revocation;
- 九 第六十二条の八第二項の規定により読み替えて適用する第六十二条の二十二第一項の規定による電子決済手段等取引業の廃止の命令を受け、又はこの法律若しくは銀行法等に相当する外国の法令の規定による電子決済手段等取引業と同種類の業務の廃止の命令を受け、これらの命令の日から五年を経過しない法人
- (ix) a corporation which received an order to discontinue electronic payment instruments services pursuant to the provisions of Article 62-22, paragraph (1) as applied pursuant to Article 62-8, paragraph (2) following the deemed replacement of terms, or received an order to discontinue the same type of services as electronic payment instruments services pursuant to the provisions of laws and regulations of a foreign state that are equivalent to this Act or the Banking Act, etc., and for which five years have not elapsed from the date of the order;
- 十 この法律、金融商品取引法若しくは出資の受入れ、預り金及び金利等の取締りに関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人
- (x) a corporation that has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Financial Instruments and Exchange Act, the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates or laws and regulations of a foreign state equivalent thereto, and for which five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;
- 十一 他に行う事業が公益に反すると認められる法人
- (xi) a corporation conducting other business, which is found to be against the public interest;
- 十二 取締役、監査役若しくは執行役又は会計参与（外国暗号資産交換業者にあっては、外国の法令上これらに相当する者又は国内における代表者とする。以下この章において「取締役等」という。）のうちに次のいずれかに該当する者のある法人
- (xii) a corporation that employs a person who is a company director, company auditor, executive officer, or accounting advisor (meaning a person

equivalent thereto under laws and regulations of a foreign state or representative person in Japan in cases of a foreign cryptoasset exchange service provider; hereinafter referred to as a "company director, etc." in this Chapter) falling under any of the following items:

イ 心身の故障のため暗号資産交換業に係る職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties pertaining to cryptoasset exchange services due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) a person who has been sentenced to imprisonment or heavier punishment (including equivalent punishment pursuant to laws and regulations of a foreign state), and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ この法律、金融商品取引法、出資の受入れ、預り金及び金利等の取締りに関する法律若しくは暴力団員による不当な行為の防止等に関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(d) a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Financial Instruments and Exchange Act, the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates, the Act on Prevention of Unjust Acts by Organized Crime Group Members or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ホ 暗号資産交換業者が第六十三条の十七第一項若しくは第二項の規定により第六十三条の二の登録を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類するその他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にその法人の取締役等であった者で、当該取消しの日から五年を経過しない

者その他これに準ずるものとして政令で定める者

(e) if a cryptoasset exchange service provider had its registration referred to in Article 63-2 revoked pursuant to the provisions of Article 36-17, paragraph (1) or (2), or a corporation had the registration of the same type in a foreign state (including other administrative dispositions similar to the registration) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who was a company director, etc. of the corporation at any time during the thirty days prior to the date of the revocation and for whom five years have not elapsed from the relevant date or a person specified by Cabinet Order as similar thereto.

2 内閣総理大臣は、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 Prime Minister refuses the registration pursuant to the provisions of the preceding paragraph, the Minister must notify the applicant to that effect by indicating the reason therefor without delay.

(変更の届出)

(Notification of Changes)

第六十三条の六 暗号資産交換業者は、第六十三条の三第一項第七号又は第八号に掲げる事項のいずれかを変更しようとするとき（暗号資産交換業の利用者の保護に欠け、又は暗号資産交換業の適正かつ確実な遂行に支障を及ぼすおそれが少ない場合として内閣府令で定める場合を除く。）は、あらかじめ、その旨を内閣総理大臣に届け出なければならない。

Article 63-6 (1) When a cryptoasset exchange service provider intends to change any of the particulars set forth in Article 63-3, paragraph (1), item (vii) or (viii) (excluding cases specified by Cabinet Office Order as being less likely to weaken the protection of users of cryptoasset exchange services or hinder the provision of cryptoasset exchange services in a proper and steady manner), the cryptoasset exchange service provider must notify the Prime Minister to that effect in advance.

2 暗号資産交換業者は、第六十三条の三第一項各号に掲げる事項のいずれかに変更があったとき（前項の規定による届出をした場合を除く。）は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) If any of the particulars set forth in the items of Article 63-3, paragraph (1) (excluding the case in which a notification has been filed under the provisions of the preceding paragraph) are changed, the cryptoasset exchange service provider must notify the Prime Minister to that effect without delay.

3 内閣総理大臣は、前二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暗号資産交換業者登録簿に登録しなければならない。

(3) If the Prime Minister accepts a notification under the provisions of the



preceding paragraph, the Minister must register the particulars of the notification in the register of cryptoasset exchange service providers.

(名義貸しの禁止)

(Prohibition of Name Lending)

第六十三条の七 暗号資産交換業者は、自己の名義をもって、他人に暗号資産交換業を行わせてはならない。

Article 63-7 A cryptoasset exchange service provider must not have another person provide the cryptoasset exchange service in the name of the cryptoasset exchange service provider.

## 第二節 業務

### Section 2 Business

(情報の安全管理)

(Information Security Management)

第六十三条の八 暗号資産交換業者は、内閣府令で定めるところにより、暗号資産交換業に係る情報の漏えい、滅失又は毀損の防止その他の当該情報の安全管理のために必要な措置を講じなければならない。

Article 63-8 A cryptoasset exchange service provider must, pursuant to the provisions of Cabinet Office Order, take necessary measures for preventing leakage, loss, or damage to information pertaining to the cryptoasset exchange services and other measures for the security management of relevant information.

(委託先に対する指導)

(Guidance of Entrusted Parties)

第六十三条の九 暗号資産交換業者は、暗号資産交換業の一部を第三者に委託（二以上の段階にわたる委託を含む。）をした場合には、内閣府令で定めるところにより、当該委託に係る業務の委託先に対する指導その他の当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 63-9 If a cryptoasset exchange service provider entrusts (including cases under multi-tier entrustment arrangements) part of the cryptoasset exchange services to a third party, the cryptoasset exchange service provider must provide guidance to the third party to whom the relevant business has been entrusted and take other measures necessary for ensuring the operation of the business in a proper and steady manner pursuant to the provisions of Cabinet Office Order.

(暗号資産交換業の広告)

(Advertisement of Cryptoasset Exchange Services)

第六十三条の九の二 暗号資産交換業者は、その行う暗号資産交換業に関して広告をするときは、内閣府令で定めるところにより、次に掲げる事項を表示しなければならない。

Article 63-9-2 When a cryptoasset exchange service provider places an advertisement concerning the cryptoasset exchange service provided by it, the cryptoasset exchange service provider must indicate the following particulars, pursuant to the provisions of Cabinet Office Order:

一 暗号資産交換業者の商号

(i) the trade name of the cryptoasset exchange service provider;

二 暗号資産交換業者である旨及びその登録番号

(ii) the fact that it is a cryptoasset exchange service provider and its registration number;

三 暗号資産は本邦通貨又は外国通貨ではないこと。

(iii) the fact that cryptoassets are not the Japanese currency or a foreign currency; and

四 暗号資産の性質であつて、利用者の判断に影響を及ぼすこととなる重要なものとして内閣府令で定めるもの

(iv) the characteristics of cryptoassets specified by Cabinet Office Order as material characteristics that will affect users' judgment.

(禁止行為)

(Prohibited Acts)

第六十三条の九の三 暗号資産交換業者又はその役員若しくは使用人は、次に掲げる行為をしてはならない。

Article 63-9-3 A cryptoasset exchange service provider or its officer or employee must not engage in the following conduct:

一 暗号資産交換業の利用者を相手方として第二条第十五項各号に掲げる行為を行うことを内容とする契約の締結又はその勧誘（第三号において「暗号資産交換契約の締結等」という。）をするに際し、虚偽の表示をし、又は暗号資産の性質その他内閣府令で定める事項（次号において「暗号資産の性質等」という。）についてその相手方を誤認させるような表示をする行為

(i) when concluding a contract for engaging in any acts set forth in the items of Article 2, paragraph (15) with a user of cryptoasset exchange service that is a counterparty or soliciting the conclusion thereof (referred to as the "conclusion, etc. of a cryptoasset exchange contract" in item (iii)), make a false representation or other representation which may mislead the counterparty with regard to the characteristics of cryptoassets and other particulars specified by Cabinet Office Order (referred to as the "characteristics, etc. of cryptoassets" in the following item);

二 その行う暗号資産交換業に関して広告をするに際し、虚偽の表示をし、又は暗号資産の性質等について人を誤認させるような表示をする行為

(ii) when placing an advertisement concerning the cryptoasset exchange service provided by it, give a false representation or other representation which may mislead people with regard to the characteristics, etc. of cryptoassets;

三 暗号資産交換契約の締結等をするに際し、又はその行う暗号資産交換業に関して広告をするに際し、支払手段として利用する目的ではなく、専ら利益を図る目的で暗号資産の売買又は他の暗号資産との交換を行うことを助長するような表示をする行為

(iii) when concluding a cryptoasset exchange contract, etc. or placing an advertisement concerning the cryptoasset exchange service provided by it, make a representation which may facilitate purchase and sale of a cryptoasset or exchange with another cryptoasset not for the purpose of using them as payment instruments but solely for making profits; and

四 前三号に掲げるもののほか、暗号資産交換業の利用者の保護に欠け、又は暗号資産交換業の適正かつ確実な遂行に支障を及ぼすおそれがあるものとして内閣府令で定める行為

(iv) beyond what is set forth in the preceding three items, any conduct specified by Cabinet Office Order as being likely to weaken the protection of users of cryptoasset exchange services or hinder the provision of cryptoasset exchange services in a proper and steady manner.

(利用者の保護等に関する措置)

(Measures for Customer Protection)

第六十三条の十 暗号資産交換業者は、内閣府令で定めるところにより、暗号資産の性質に関する説明、手数料その他の暗号資産交換業に係る契約の内容についての情報の提供その他の暗号資産交換業の利用者の保護を図り、及び暗号資産交換業の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 63-10 (1) A cryptoasset exchange service provider must, pursuant to the provisions of Cabinet Office Order, provide explanation concerning the characteristics of cryptoassets, and information about fees and other terms and conditions of contracts pertaining to the cryptoasset exchange service, and take other measures necessary for protecting the users of cryptoasset exchange services and ensuring the provision of the cryptoasset exchange services in a proper and steady manner.

2 暗号資産交換業者は、暗号資産交換業の利用者に信用を供与して暗号資産の交換等を行う場合には、前項に規定する措置のほか、内閣府令で定めるところにより、当該暗号資産の交換等に係る契約の内容についての情報の提供その他の当該暗号資産の交換等に係る業務の利用者の保護を図り、及び当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

(2) When a cryptoasset exchange service provider exchanges cryptoassets, etc. by granting credit to the user of cryptoasset exchange service, the cryptoasset exchange service provider must provide information on the terms and

conditions of contracts pertaining to exchange of cryptoassets, etc. and other measures necessary for protecting the users of business pertaining to exchange of cryptoassets, etc. and ensuring the operation of the business in a proper and steady manner, in addition to the measures prescribed in the preceding paragraph, pursuant to the provisions of Cabinet Office Order.

(利用者財産の管理)

(Management of Users' Property)

第六十三条の十一 暗号資産交換業者は、その行う暗号資産交換業に関して、暗号資産交換業の利用者の金銭を、自己の金銭と分別して管理し、内閣府令で定めるところにより、信託会社等に信託しなければならない。

Article 63-11 (1) A cryptoasset exchange service provider must, in connection with its cryptoasset exchange services, manage the money of the users of cryptoasset exchange services separately from its own money and entrust the users' money with a trust company, etc., pursuant to the provisions of Cabinet Office Order.

2 暗号資産交換業者は、その行う暗号資産交換業に関して、内閣府令で定めるところにより、暗号資産交換業の利用者の暗号資産を自己の暗号資産と分別して管理しなければならない。この場合において、当該暗号資産交換業者は、利用者の暗号資産（利用者の利便の確保及び暗号資産交換業の円滑な遂行を図るために必要なものとして内閣府令で定める要件に該当するものを除く。）を利用者の保護に欠けるおそれが少ないものとして内閣府令で定める方法で管理しなければならない。

(2) A cryptoasset exchange service provider must, in connection with its cryptoasset exchange services, manage the cryptoassets of the users of the cryptoasset exchange services separately from its own cryptoassets, pursuant to the provisions of Cabinet Office Order. In this case, the cryptoasset exchange service provider must manage users' cryptoassets (excluding cryptoassets that satisfy the requirements specified by Cabinet Office Order as being necessary for ensuring the convenience of users and achieving smooth provision of cryptoasset exchange services) by the method specified by Cabinet Office Order as being less likely to weaken the protection of users.

3 暗号資産交換業者は、前二項の規定による管理の状況について、内閣府令で定めるところにより、定期的に、公認会計士又は監査法人の監査を受けなければならない。

(3) A cryptoasset exchange service provider must, pursuant to the provisions of Cabinet Office Order, undergo a periodic audit by a certified public accountant or by an audit corporation, with regard to the state of management under the provisions of the preceding two paragraphs.

(履行保証暗号資産)

(Performance-Guarantee Cryptoassets)

第六十三条の十一の二 暗号資産交換業者は、前条第二項に規定する内閣府令で定める

要件に該当する暗号資産と同じ種類及び数量の暗号資産（以下この項及び第六十三条の十九の二第一項において「履行保証暗号資産」という。）を自己の暗号資産として保有し、内閣府令で定めるところにより、履行保証暗号資産以外の自己の暗号資産と分別して管理しなければならない。この場合において、当該暗号資産交換業者は、履行保証暗号資産を利用者の保護に欠けるおそれが少ないものとして内閣府令で定める方法で管理しなければならない。

Article 63-11-2 (1) A cryptoasset exchange service provider must hold cryptoassets of the same type and same volume as the cryptoassets that satisfy the requirements specified by Cabinet Office Order prescribed in paragraph (2) of the preceding Article (hereinafter referred to as the "performance-guarantee cryptoassets" in this paragraph and Article 63-19-2, paragraph (1)) as its own cryptoassets and manage them separately from its own cryptoassets other than the performance-guarantee cryptoassets, pursuant to the provisions of Cabinet Office Order. In this case, the cryptoasset exchange service provider must manage the performance-guarantee cryptoassets by the method specified by Cabinet Office Order as being less likely to weaken the protection of users.

2 前条第三項の規定は、前項の規定による管理の状況について準用する。

(2) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the status of the management under the provisions of the preceding paragraph.

（指定暗号資産交換業務紛争解決機関との契約締結義務等）

(Obligation to Conclude Contract with Designated Dispute Resolution Organizations for Cryptoasset Exchange Business)

第六十三条の十二 暗号資産交換業者は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 63-12 (1) A cryptoasset exchange service provider must take the measures specified in the following items according to the categories of cases prescribed therein:

一 指定暗号資産交換業務紛争解決機関（指定紛争解決機関であってその紛争解決等業務の種別が暗号資産交換業務であるものをいう。以下この条において同じ。）が存在する場合 一の指定暗号資産交換業務紛争解決機関との間で暗号資産交換業に係る手続実施基本契約（第九十九条第一項第八号に規定する手続実施基本契約をいう。次項において同じ。）を締結する措置

(i) if one or more designated dispute resolution organizations for cryptoasset exchange business (meaning designated dispute resolution organizations of which type of dispute resolution services is cryptoasset exchange business; hereinafter the same applies in this Article) exist: measures to conclude a basic contract for execution of procedures with a designated dispute resolution organization for cryptoasset exchange business (meaning a basic contract for execution of procedures prescribed in Article 99, paragraph (1),

- item (viii); the same applies in the following paragraph) pertaining to the cryptoasset exchange service; or
- 二 指定暗号資産交換業務紛争解決機関が存在しない場合 暗号資産交換業に関する苦情処理措置及び紛争解決措置
- (ii) if no designated dispute resolution organization for cryptoasset exchange business exists: complaint processing measures and dispute resolution measures pertaining to the cryptoasset exchange service.
- 2 暗号資産交換業者は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定暗号資産交換業務紛争解決機関の商号又は名称を公表しなければならない。
- (2) If a cryptoasset exchange service provider implements measures to conclude a basic contract for execution of procedures pursuant to the provisions of the preceding paragraph, the cryptoasset exchange service provider must announce the trade name or other name of the designated dispute resolution organization for cryptoasset exchange business that is the counterparty to the basic contract for execution of procedures.
- 3 第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。
- (3) The provisions of paragraph (1) do not apply during the period specified in the following items for the respective categories of cases prescribed therein:
- 一 第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき 第一百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定による紛争解決等業務の廃止の認可又は第百条第一項の規定による指定の取消しの時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間
- (i) if a cryptoasset exchange service provider who fell under the case set forth in paragraph (1), item (i) when the cryptoasset exchange service provider falls under the case set forth in paragraph (1), item (ii): a period specified by the Prime Minister as the period necessary for taking measures specified in paragraph (1), item (ii) when authorization is granted for the discontinuation of the dispute resolution services referred to in Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms or when the designation is revoked pursuant to the provisions of Article 100, paragraph (1);
- 二 第一項第一号に掲げる場合に該当していた場合において、同号の一の指定暗号資産交換業務紛争解決機関の紛争解決等業務の廃止が第一百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定により認可されたとき、又は同号の一の指定暗号資産交換業務紛争解決機関の第九十九条第一項の規定による指定が第百条第一項の規定により取り消されたとき（前号に掲げる場合を除く。）その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間

として内閣総理大臣が定める期間

(ii) if a cryptoasset exchange service provider who falls under the case set forth in paragraph (1), item (i), when authorization is granted for the discontinuation of the dispute resolution services provided by the designated dispute resolution organization for cryptoasset exchange business referred to in that item pursuant to the provision of Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms or when the designation under the provisions of Article 99, paragraph (1) of the designated dispute resolution organization for cryptoasset exchange business referred to in that item is revoked pursuant to the provisions of Article 100, paragraph (1) (excluding the case specified in the preceding item): a period specified by the Prime Minister as the period necessary for taking measures specified in paragraph (1), item (i) when the authorization is granted or the designation is revoked; or

三 第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき 第九十九条第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(iii) if a cryptoasset exchange service provider falls under the case set forth in paragraph (1), item (ii), when the cryptoasset exchange service provider falls under the case set forth in paragraph (1), item (i): a period specified by the Prime Minister as the period necessary for taking measures specified in paragraph (1), item (i) when designated pursuant to the provisions of Article 99, paragraph (1).

4 第一項第二号の「苦情処理措置」とは、利用者からの苦情の処理の業務に従事する使用人その他の従業者に対する助言若しくは指導を消費生活に関する消費者と事業者との間に生じた苦情に係る相談その他の消費生活に関する事項について専門的な知識経験を有する者として内閣府令で定める者に行わせること又はこれに準ずるものとして内閣府令で定める措置をいう。

(4) The term "complaint processing measures" as used in paragraph (1), item (ii) means to have a person specified by Cabinet Office Order as one who has expert knowledge and experience with regard to consultation regarding complaints on consumer affairs that the consumer made against the service provider or in other areas of consumer affairs to engage in the provision of advice or guidance to employees or other workers who engage in the business of processing complaints from the users or any other measures specified by Cabinet Office Order as similar thereto.

5 第一項第二号の「紛争解決措置」とは、利用者との紛争の解決を認証紛争解決手続により図ること又はこれに準ずるものとして内閣府令で定める措置をいう。

(5) The term "dispute resolution measures" as used in paragraph (1), item (ii) means to seek resolution of a dispute with the user through the authorized

dispute resolution procedures or any other measures specified by Cabinet Office Order as similar thereto.

### 第三節 監督

#### Section 3 Supervision

(帳簿書類)

(Books of Accounts and Documents)

第六十三条の十三 暗号資産交換業者は、内閣府令で定めるところにより、その暗号資産交換業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 63-13 A cryptoasset exchange service provider must, pursuant to the provisions of Cabinet Office Order, prepare and maintain the books of accounts and documents on its cryptoasset exchange business.

(報告書)

(Written Reports)

第六十三条の十四 暗号資産交換業者は、事業年度ごとに、内閣府令で定めるところにより、暗号資産交換業に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 63-14 (1) A cryptoasset exchange service provider must, pursuant to the provisions of Cabinet Office Order, prepare a written report on its cryptoasset exchange business for each business year and submit it to the Prime Minister.

2 暗号資産交換業者（第二条第十五項第三号又は第四号に掲げる行為を行う者に限る。）は、前項の報告書のほか、内閣府令で定める期間ごとに、内閣府令で定めるところにより、暗号資産交換業に関し管理する利用者の金銭の額及び暗号資産の数量その他これらの管理に関する報告書を作成し、内閣総理大臣に提出しなければならない。

(2) In addition to the written reports specified in the preceding paragraph, a cryptoasset exchange service provider (limited to one who engages in the act set forth in Article 2, paragraph (15), item (iii) or (iv)) must, pursuant to the provisions of Cabinet Office Order, prepare a written report on the amount of users' money and the volumes of users' cryptoassets under the management in connection with the cryptoasset exchange services and other particulars concerning the management of these amounts for each period specified by Cabinet Office Order, and submit it to the Prime Minister.

3 第一項の報告書には、財務に関する書類、当該書類についての公認会計士又は監査法人の監査報告書その他の内閣府令で定める書類を添付しなければならない。

(3) Documents concerning finance, an audit report prepared by a certified public accountant or audit corporation regarding these documents, and other documents specified by Cabinet Office Order must be attached to the written report referred to in paragraph (1).

4 第二項の報告書には、暗号資産交換業に関し管理する利用者の金銭の額及び暗号資



産の数量を証する書類その他の内閣府令で定める書類を添付しなければならない。

- (4) Documents proving the amount of users' money and the volumes of users' cryptoassets under the management in connection with the cryptoasset exchange services and other documents specified by Cabinet Office Order must be attached to the written report referred to in paragraph (2).

(立入検査等)

(On-Site Inspections)

第六十三条の十五 内閣総理大臣は、暗号資産交換業の適正かつ確実な遂行のために必要があると認めるときは、暗号資産交換業者に対し当該暗号資産交換業者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該暗号資産交換業者の営業所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 63-15 (1) When the Prime Minister finds it necessary for the proper and secure conduct of the cryptoasset exchange service, the Minister may order a cryptoasset exchange service provider to submit reports or materials that will be helpful for understanding its business or property, or have officials enter the business office or other facility of that cryptoasset exchange service provider, ask questions about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、暗号資産交換業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該暗号資産交換業者から業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条において同じ。）に対し当該暗号資産交換業者の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該暗号資産交換業者から業務の委託を受けた者の施設に立ち入らせ、当該暗号資産交換業者の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the Prime Minister finds it particularly necessary for the provision of the cryptoasset exchange service in a proper and steady manner, the Minister may, to the extent necessary for this, order a person to whom business has been entrusted by the cryptoasset exchange service provider (including persons to whom the service has been entrusted by the entrusted person (including those under multi-tier entrustment arrangements); hereinafter the same applies in this Article) to submit reports or materials that can be used as reference for the business or property of that cryptoasset exchange service provider, or have officials enter the facility of the person to whom business has been entrusted by that cryptoasset exchange service provider, ask questions about the status of its business or the property of that cryptoasset exchange service provider or inspect its books and documents or other items.

3 前項の暗号資産交換業者から業務の委託を受けた者は、正当な理由があるときは、

同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by a cryptoasset exchange service provider referred to in the preceding paragraph may refuse the submission of reports or materials, or the questions or inspection referred to in that paragraph if there are reasonable grounds for doing so.

(業務改善命令)

(Order to Improve Business Operations)

第六十三条の十六 内閣総理大臣は、暗号資産交換業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、暗号資産交換業者に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 63-16 When the Prime Minister finds it necessary for the provision of the cryptoasset exchange service in a proper and steady manner, the Minister may, to the extent necessary for this, order a cryptoasset exchange service provider to take necessary measures to improve the operation of its business or its financial status or take other measures necessary for the supervision.

(登録の取消し等)

(Revocation of Registration)

第六十三条の十七 内閣総理大臣は、暗号資産交換業者が次の各号のいずれかに該当するときは、第六十三条の二の登録を取り消し、又は六月以内の期間を定めて暗号資産交換業の全部若しくは一部の停止を命ずることができる。

Article 63-17 (1) If a cryptoasset exchange service provider falls under any of the following items, the Prime Minister may revoke its registration referred to in Article 63-2 or order the cryptoasset exchange service provider to suspend all or part of its cryptoasset exchange service, specifying a period of suspension not exceeding six months:

一 第六十三条の五第一項各号に該当することとなったとき。

(i) the cryptoasset exchange service provider falls under any of the items of Article 63-5, paragraph (1);

二 不正の手段により第六十三条の二の登録を受けたとき。

(ii) the cryptoasset exchange service provider referred to in Article 63-2 has been registered through wrongful means; or

三 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) the cryptoasset exchange service provider violates this Act or an order under this Act, or a disposition under this Act or an order.

2 内閣総理大臣は、暗号資産交換業者の営業所の所在地を確知できないとき、又は暗号資産交換業者を代表する取締役若しくは執行役（外国暗号資産交換業者である暗号資産交換業者にあつては、国内における代表者）の所在を確知できないときは、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過して

も当該暗号資産交換業者から申出がないときは、当該暗号資産交換業者の第六十三条の二の登録を取り消すことができる。

- (2) If the Prime Minister is unable to ascertain the locations of business offices of a cryptoasset exchange service provider or the whereabouts of the company director or executive officer representing the cryptoasset exchange service provider (in cases of a cryptoasset exchange service provider that is a foreign cryptoasset exchange service provider, the representative person in Japan), the Prime Minister, pursuant to the provisions of Cabinet Office Order, may issue public notice of that fact and revoke the registration of the cryptoasset exchange service provider under Article 63-2 if no application is made by the service provider after thirty days have passed since the day of the public notice.
- 3 前項の規定による処分については、行政手続法第三章の規定は、適用しない。
- (3) The provisions of Chapter III of the Administrative Procedure Act do not apply to disposition under the provisions of the preceding paragraph.

(登録の抹消)

(Deletion of Registration)

第六十三条の十八 内閣総理大臣は、前条第一項若しくは第二項の規定により第六十三条の二の登録を取り消したとき、又は第六十三条の二十第二項の規定により第六十三条の二の登録がその効力を失ったときは、当該登録を抹消しなければならない。

Article 63-18 If the Prime Minister revokes the registration referred to in Article 63-2 pursuant to provisions of paragraph (1) or (2) of the preceding Article or when the registration referred to in Article 63-2 ceases to be effective pursuant to the provisions of Article 63-20, paragraph (2), the Minister must delete the registration.

(監督処分の公告)

(Public Notice of Supervisory Dispositions)

第六十三条の十九 内閣総理大臣は、第六十三条の十七第一項又は第二項の規定による処分をしたときは、内閣府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 63-19 If the Prime Minister implements a disposition pursuant to the provisions of Article 63-17, paragraph (1) or (2), the Minister must give public notice to that effect pursuant to the provisions of Cabinet Office Order.

#### 第四節 雑則

#### Section 4 Miscellaneous Provisions

(対象暗号資産の弁済)

(Payment for Target Cryptoassets)

第六十三条の十九の二 暗号資産交換業者との間で当該暗号資産交換業者が暗号資産の

管理を行うことを内容とする契約を締結した者は、当該暗号資産交換業者に対して有する暗号資産の移転を目的とする債権に関し、対象暗号資産（当該暗号資産交換業者が第六十三条の十一第二項の規定により自己の暗号資産と分別して管理するその暗号資産交換業の利用者の暗号資産及び履行保証暗号資産をいう。）について、他の債権者に先立ち弁済を受ける権利を有する。

Article 63-19-2 (1) A person who has concluded a contract for the management of cryptoassets with a cryptoasset exchange service provider has the right to receive, in preference over other creditors, payments with regard to a claim for the transfer of cryptoassets that the person holds against the cryptoasset exchange service provider, for the return of the regulated cryptoassets (meaning the cryptoassets of the users of the cryptoasset exchange services that the cryptoasset exchange service provider manages separately from its own cryptoassets pursuant to the provisions of Article 63-11, paragraph (2) and the performance-guarantee cryptoassets).

2 民法（明治二十九年法律第八十九号）第三百三十三条の規定は、前項の権利について準用する。

(2) The provisions of Article 333 of the Civil Code (Act No. 89 of 1896) apply mutatis mutandis to the right referred to in the preceding paragraph.

3 第一項の権利の実行に関し必要な事項は、政令で定める。

(3) Particulars necessary for the fulfillment of the right prescribed in paragraph (1) are specified by Cabinet Order.

（対象暗号資産の弁済への協力）

(Cooperation for Payment for Target Cryptoassets)

第六十三条の十九の三 暗号資産交換業者から暗号資産の管理の委託を受けた者その他の当該暗号資産交換業者の関係者は、当該暗号資産交換業者がその行う暗号資産交換業に関し管理する利用者の暗号資産に係る前条第一項の権利の実行に関し内閣総理大臣から必要な協力を求められた場合には、これに応ずるよう努めるものとする。

Article 63-19-3 If a person to whom a cryptoasset exchange service has been entrusted by a cryptoasset exchange service provider or any other related person of the cryptoasset exchange service provider is requested by the Prime Minister to extend their cooperation necessary for the fulfillment of the right referred to in paragraph (1) of the preceding Article pertaining to users' cryptoassets managed by the person in relation to the cryptoasset exchange service provided by the cryptoasset exchange service provider, the person is to endeavor to respond to the request.

（廃止の届出等）

(Notification of Discontinuation of Business)

第六十三条の二十 暗号資産交換業者は、次の各号のいずれかに該当する場合には、遅滞なく、内閣総理大臣に届け出なければならない。

Article 63-20 (1) If a cryptoasset exchange service provider falls under any of the following items, it must notify the Prime Minister to that effect without delay:

一 暗号資産交換業の全部又は一部を廃止したとき。

(i) the cryptoasset exchange service provider discontinues all or part of the cryptoasset exchange service; or

二 暗号資産交換業者について破産手続開始の申立て等が行われたとき。

(ii) a petition for commencement of bankruptcy proceedings, etc. is filed against a cryptoasset exchange service provider.

2 暗号資産交換業者が暗号資産交換業の全部を廃止したときは、当該暗号資産交換業者の第六十三条の二の登録は、その効力を失う。この場合において、当該暗号資産交換業者であった者は、その行う暗号資産の交換等に関し負担する債務の履行を完了し、かつ、その行う暗号資産交換業に関し管理する利用者の財産を返還し、又は利用者に移転する目的の範囲内においては、なお暗号資産交換業者とみなす。

(2) If a cryptoasset exchange service provider discontinues all of the cryptoasset exchange service, the registration of the cryptoasset exchange service provider referred to in Article 63-2 ceases to be effective. In this case, a person who has been the cryptoasset exchange service provider is deemed to be a cryptoasset exchange service provider within the scope of the purpose of completing the performance of obligations borne by the service provider in relation to the exchange of cryptoassets, etc. carried out by it, and returning the users' property under the management relating to the cryptoasset exchange services carried out by it or transferring the property to users.

3 暗号資産交換業者は、暗号資産交換業の全部若しくは一部の廃止をし、暗号資産交換業の全部若しくは一部の譲渡をし、合併（当該暗号資産交換業者が合併により消滅する場合の当該合併に限る。）をし、合併及び破産手続開始の決定以外の理由による解散をし、又は会社分割による暗号資産交換業の全部若しくは一部の承継をさせようとするときは、その日の三十日前までに、内閣府令で定めるところにより、その旨を公告するとともに、全ての営業所の公衆の目につきやすい場所に掲示しなければならない。

(3) If a cryptoasset exchange service provider intends to discontinue all or part of the cryptoasset exchange service, to transfer all or part of the cryptoasset exchange service, to implement a merger (limited to a merger in which the cryptoasset exchange service provider disappears), to dissolve for reasons other than a merger or an order to commence bankruptcy proceedings, or to have another service provider succeed all or part of the cryptoasset exchange services due to a company split, it must give public notice to that effect at least thirty days prior to the relevant date and post a notice thereof in a place easily seen by the public at all of its business offices, pursuant to the provisions of Cabinet Office Order.

4 暗号資産交換業者は、前項の規定による公告をしたときは、直ちに、その旨を内閣総理大臣に届け出なければならない。

(4) Having given public notice pursuant to the provisions of the preceding paragraph, a cryptoasset exchange service provider must notify the Prime Minister to that effect immediately.

5 暗号資産交換業者は、第三項の規定による公告をした場合（事業譲渡、合併又は会社分割その他の事由により当該業務の承継に係る公告をした場合を除く。）には、廃止しようとする暗号資産交換業として行う暗号資産の交換等に関し負担する債務の履行を速やかに完了し、かつ、当該暗号資産交換業に関し管理する利用者の財産を速やかに返還し、又は利用者に移転しなければならない。

(5) Having given public notice pursuant to the provisions of paragraph (3) (excluding cases where a cryptoasset exchange service provider has given public notice concerning the succession of the relevant business by way of transfer of business, merger or company split, or for other reasons), it must promptly complete the performance of obligations borne by it in relation to the exchange of cryptoassets, etc. carried out in the course of the cryptoasset exchange services that it intends to discontinue, and promptly return the users' property under the management relating to the cryptoasset exchange services or transfer the property to users.

6 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項の規定は、暗号資産交換業者（外国暗号資産交換業者を除く。）が電子公告（同法第二条第三十四号に規定する電子公告をいう。次項において同じ。）により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(6) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (i)) and Article 940, paragraph (3) of the Companies Act apply mutatis mutandis to cases where a cryptoasset exchange service provider (excluding a foreign cryptoasset exchange service provider) gives public notice under the provisions of paragraph (3) by way of electronic public notice (meaning electronic public notice specified in Article 2, item (xxxiv) of that Act; the same applies in the following paragraph). In this case, any necessary technical replacement of terms is specified by Cabinet Order.

7 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条並びに第九百五十五条の規定は、外国暗号資産交換業者である暗号資産交換業者が電子公告により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(7) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (i)) and Article 940, paragraph (3), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953, and Article 955 of the Companies Act apply mutatis mutandis to cases where a cryptoasset exchange service provider that is a foreign cryptoasset exchange service provider gives public notice under the provisions of paragraph (3) by way of electronic public notice. In this

case, any necessary technical replacement of terms is specified by Cabinet Order.

(登録の取消しに伴う債務の履行の完了等)

(Completion of Performance of Obligations Due to Revocation of Registration)

第六十三条の二十一 暗号資産交換業者について、第六十三条の十七第一項又は第二項の規定により第六十三条の二の登録が取り消されたとき（暗号資産交換業の利用者の保護に欠け、又は暗号資産交換業の適正かつ確実な遂行に支障を及ぼすおそれが少ない場合として内閣府令で定める場合を除く。）は、当該暗号資産交換業者であった者は、その行う暗号資産の交換等に関し負担する債務の履行を速やかに完了し、かつ、その行う暗号資産交換業に関し管理する利用者の財産を速やかに返還し、又は利用者に移転しなければならない。この場合において、当該暗号資産交換業者であった者は、当該債務の履行を完了し、かつ、当該財産を返還し、又は利用者に移転する目的の範囲内においては、なお暗号資産交換業者とみなす。

Article 63-21 With regard to a cryptoasset exchange service provider, when the registration referred to in Article 63-2 has been revoked pursuant to the provisions of Article 63-17, paragraph (1) or (2) (excluding cases specified by Cabinet Office Order as being less likely to weaken the protection of users of cryptoasset exchange services or hinder the provision of cryptoasset exchange services in a proper and steady manner), the person who has been the cryptoasset exchange service provider must promptly complete the performance of obligations borne by it in relation to the exchange of cryptoassets, etc. carried out by it, and promptly return the users' property under the management relating to the cryptoasset exchange services or transfer the property to users. In this case, the person who has been the cryptoasset exchange service provider is deemed to be a cryptoasset exchange service provider within the scope of the purpose of completing the performance of these obligations, and returning the property or transferring the property to users.

(外国暗号資産交換業者の勧誘の禁止)

(Prohibition on Solicitation by Foreign Cryptoasset Exchange Service Providers)

第六十三条の二十二 第六十三条の二の登録を受けていない外国暗号資産交換業者は、国内にある者に対して、第二条第十五項各号に掲げる行為の勧誘をしてはならない。

Article 63-22 A unregistered foreign cryptoasset exchange service provider referred to in Article 63-2 must not engage in acts of solicitation of a person in Japan set forth in the items of Article 2, paragraph (15).

#### 第四章 為替取引分析

#### Chapter IV Funds Transfer Transaction Analysis

##### 第一節 総則

## Section 1 General Provisions

(為替取引分析業者の許可)

(License for Funds Transfer Transaction Analysis Service Providers)

第六十三条の二十三 為替取引分析業は、主務大臣の許可を受けた者でなければ、行ってはならない。ただし、その業務の規模及び態様が、当該業務に係る金融機関等（その行う為替取引に関し、為替取引分析業を行う者に第二条第十八項各号に掲げる行為のいずれかに係る業務（以下この章において「為替取引分析業務」という。）を委託する者に限る。）の数その他の事項を勘案して主務省令で定める場合であるときは、この限りでない。

Article 63-23 No person may provide funds transfer transaction analysis services unless the person has obtained a license from the competent minister; provided, however, that this does not apply if the scale and manner of carrying out the services fall under cases specified by order of the competent ministry in consideration of the number of financial institutions, etc. involved in the services (limited to those that entrust a person engaging in funds transfer transaction analysis services to carry out the business involved in any of the acts set forth in the items of Article 2, paragraph (xviii) (hereinafter referred to as "funds transfer transaction analysis business" in this Chapter) in connection with funds transfer transactions carried out thereby), and other particulars.

(許可の申請)

(Filing of Application for License)

第六十三条の二十四 前条の許可を受けようとする者は、主務省令で定めるところにより、次に掲げる事項を記載した許可申請書を主務大臣に提出しなければならない。

Article 63-24 (1) A person who intends to obtain a license referred to in the preceding Article must, pursuant to the provisions of Cabinet Office Order, submit a written application for a license containing the following particulars to the competent minister:

一 商号又は名称及び住所

(i) trade name or other name and address;

二 資本金又は基金（一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第百三十一条に規定する基金をいう。第六十五条第一項第二号において同じ。）の額及び純資産額

(ii) amount of capital or funds (meaning funds specified in Article 131 of the Act on General Incorporated Association and General Incorporated Foundation (Act No. 48 of 2006)) and amount of net assets;

三 営業所又は事務所の名称及び所在地

(iii) name and location of business offices or offices;

四 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては取締役及び執行役）又は理事及び監事の氏名



(iv) name of company director and company auditor (company director in cases of a company with audit and supervisory committee; company director and executive officer in cases of a company with nominating committee, etc.) or director and auditor;

五 会計参与設置会社にあつては、会計参与の氏名又は名称

(v) in cases of a company with accounting advisors, names of accounting advisors;

六 為替取引分析業の種別（第二条第十八項各号に掲げる行為に係る業務の種別をいう。第六十三条の三十三第一項及び第二項並びに第一百七条第十七号において同じ。）

(vi) categories of funds transfer transaction analysis services (meaning the categories of business related to the acts set forth in the items of Article 2, paragraph (18); the same applies in Article 63-33, paragraphs (1) and (2) and Article 107, item (xvii));

七 その行う為替取引に関し、当該許可を受けようとする者に為替取引分析業務を委託する金融機関等の氏名又は商号若しくは名称及び住所

(vii) name or trade name or other name and address of the financial institution, etc. that entrusts the funds transfer transaction analysis business to the person that intends to obtain a license, in connection with the funds transfer transactions carried out thereby; and

八 その他主務省令で定める事項

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

2 前項の許可申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application for a license referred to in the preceding paragraph:

一 次条第二項各号に掲げる要件に該当しない旨を誓約する書面

(i) a document to pledge that the applicant does not fall under any of the items of paragraph (2) of the following Article;

二 定款

(ii) articles of incorporation;

三 登記事項証明書

(iii) certificate of registered particulars;

四 業務方法書

(iv) business rules;

五 貸借対照表及び損益計算書

(v) balance sheet and profit and loss statement;

六 収支の見込みを記載した書類

(vi) documents stating the expected income and expenditure; and

七 その他主務省令で定める書類

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

(許可の基準)

**(Criteria for Granting License)**

第六十三条の二十五 主務大臣は、第六十三条の二十三の許可の申請があったときは、その申請が次に掲げる基準に適合するかどうかを審査しなければならない。

**Article 63-25 (1) When an application for a license referred to in Article 63-23 is filed, the competent minister must examine whether the application conforms to the following criteria:**

一 定款及び業務方法書の規定が法令に適合し、かつ、為替取引分析業を適正かつ確実に遂行するために十分であること。

**(i) the provisions of the articles of incorporation and the business rules conform to the laws and regulations, and are sufficient for the provision of the funds transfer transaction analysis services in a proper and steady manner;**

二 為替取引分析業を健全に遂行するに足りる主務省令で定める基準に適合する財産的基礎を有し、かつ、為替取引分析業に係る収支の見込みが良好であること。

**(ii) the applicant has sufficient financial foundation for the sound operation of the funds transfer transaction analysis services and has favorable prospects for income and expenditure pertaining to the funds transfer transaction analysis services; and**

三 その人的構成に照らして、為替取引分析業を適正かつ確実に遂行することができる知識及び経験を有し、かつ、十分な社会的信用を有すること。

**(iii) the applicant has, in light of its personnel structures, the knowledge and experience necessary for the provision of the funds transfer transaction analysis services in a proper and steady manner and has sufficient social credibility.**

2 主務大臣は、許可申請者が次の各号のいずれかに該当するとき、又は許可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、許可を与えてはならない。

**(2) The competent minister must not grant a license when an applicant for a license falls under any of the following items, or a written application for a license or its accompanying documents contain a false statement or lack a statement about important particulars:**

一 株式会社又は一般社団法人（これらの者が次に掲げる機関を置く場合に限る。）でないもの

**(i) a person who is not a stock company or a general incorporated association (limited to a stock company or a general incorporated association which formed any of the following bodies):**

イ 取締役会又は理事会

**(a) board of company directors or council;**

ロ 監査役会、監査等委員会若しくは指名委員会等（会社法第二条第十二号に規定する指名委員会等をいう。第六十六条第二項第一号ロにおいて同じ。）又は監事

**(b) board of company auditors, an audit and supervisory committee or a**

nominating committee, etc. (meaning a nominating committee, etc. provided for in Article 2, item (xii) of the Companies Act; the same applies in Article 66, paragraph (2), item (i), (b)) or auditors;

二 第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消され、第六十二条の二十二第一項若しくは第二項の規定により第六十二条の三の登録を取り消され、第六十三条の三十七第一項若しくは第二項の規定により第六十三条の二十三の許可を取り消され、若しくは第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消され、又はこの法律若しくは銀行法等に相当する外国の法令の規定により当該外国において受けている同種類の登録、許可若しくは免許（当該登録、許可又は免許に類するその他の行政処分を含む。）を取り消され、その取消しの日から五年を経過しない法人

(ii) a corporation which had its registration referred to in Article 37 revoked pursuant to the provisions of Article 56, paragraph (1) or (2), had its registration referred to in Article 62-3 revoked pursuant to the provisions of Article 62-22, paragraph (1) or (2), had the permission referred to in Article 63-23 revoked pursuant to the provisions of Article 63-37, paragraph (1) or (2), or had its license referred to in Article 64, paragraph (1) revoked pursuant to the provisions of Article 82, paragraph (1) or (2), or had the registration, permission or license of the same type in a foreign state (including other administrative dispositions similar to the registration, permission or license) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act or the Banking Act, etc., and for which five years have not elapsed from the date of the revocation;

三 第三十七条の二第二項の規定により読み替えて適用する第五十六条第一項の規定による特定資金移動業の廃止の命令を受け、若しくは第六十二条の八第二項の規定により読み替えて適用する第六十二条の二十二第一項の規定による電子決済手段等取引業の廃止の命令を受け、又はこの法律若しくは銀行法等に相当する外国の法令の規定によるこれらの業務と同種類の業務の廃止の命令を受け、これらの命令の日から五年を経過しない法人

(iii) a corporation which received an order to discontinue specified funds transfer services pursuant to the provisions of Article 56, paragraph (1) as applied pursuant to Article 37-2, paragraph (2) following the deemed replacement of terms, or received an order to discontinue electronic payment instruments services pursuant to the provisions of Article 62-22, paragraph (1) as applied pursuant to Article 62-8, paragraph (2) following the deemed replacement of terms, or received an order to discontinue the same type of services as these services pursuant to the provisions of laws and regulations of a foreign state that are equivalent to this Act or the Banking Act, etc., and for which five years have not elapsed from the date of the order;

四 この法律、銀行法等、外国為替及び外国貿易法、個人情報保護に関する法律（平成十五年法律第五十七号）若しくは犯罪による収益の移転防止に関する法律又

はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人

(iv) a corporation which has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, etc., the Foreign Exchange and Foreign Trade Act, the Act on the Protection of Personal Information (Act No. 57 of 2003) or the Act on Prevention of Transfer of Criminal Proceeds, or laws and regulations of a foreign state equivalent thereto, and for which five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

五 取締役等（取締役、監査役若しくは執行役若しくは会計参与又は理事若しくは監事をいう。以下この章及び次章において同じ。）のうちに次のいずれかに該当する者のある法人

(v) a corporation which employs a company director, etc. (meaning a company director, company auditor, executive officer, accounting advisor, director or auditor; hereinafter the same applies in this Chapter and the following Chapter) falling under any of the following items:

イ 心身の故障のため職務を適正に執行することができない者として主務省令で定める者

(a) a person specified by order of the competent ministry as being unable to properly perform their duties due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) a person who has been sentenced to imprisonment without work or a heavier punishment (including equivalent punishment pursuant to laws and regulations of a foreign state), and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ この法律、銀行法等、外国為替及び外国貿易法、個人情報保護に関する法律、犯罪による収益の移転防止に関する法律、国際連合安全保障理事会決議第千二百六十七号等を踏まえ我が国が実施する国際テロリストの財産の凍結等に関する特別措置法若しくは暴力団員による不当な行為の防止等に関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令によ

る刑を含む。)に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(d) a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, etc., the Foreign Exchange and Foreign Trade Act, the Act on the Protection of Personal Information, the Act on Prevention of Transfer of Criminal Proceeds, the Act on Special Measures Concerning Asset Freezing, etc. of International Terrorists Conducted by Japan Taking into Consideration United Nations Security Council Resolution 1267, etc., or the Act on Prevention of Unjust Acts by Organized Crime Group Members, or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed; or

ホ 為替取引分析業者が第六十三条の三十七第一項若しくは第二項の規定により第六十三条の二十三の許可を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の許可若しくは登録（当該許可又は登録に類するその他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にその法人の取締役等であった者で、当該取消しの日から五年を経過しない者その他これに準ずるものとして政令で定める者

(e) if a funds transfer transaction analysis service provider had the license referred to in Article 63-23 revoked pursuant to the provisions of Article 63-37, paragraph (1) or (2) or a corporation had the license or registration (including other administrative dispositions similar to the license or registration) of the same kind revoked in a foreign state pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who had been a company director, etc. of the corporation at any time during the thirty days prior to the date of the revocation and for whom five years have not elapsed from the relevant date or a person specified by Cabinet Order as similar thereto.

(名義貸しの禁止)

(Prohibition of Name Lending)

第六十三条の二十六 為替取引分析業者は、自己の名義をもって、他人に為替取引分析業を行わせてはならない。

Article 63-26 A funds transfer transaction analysis service provider must not have another person provide the funds transfer transaction analysis services in the name of the funds transfer transaction analysis service provider.

## 第二節 業務

### Section 2 Business

(業務の制限)

**(Restriction on Business)**

第六十三条の二十七 為替取引分析業者は、為替取引分析業及び為替取引分析関連業務（為替取引分析業に関連する業務として主務省令で定める業務をいう。以下この章において同じ。）のほか、他の業務を行うことができない。ただし、当該為替取引分析業者が為替取引分析業を適正かつ確実にを行うにつき支障を生ずるおそれがないと認められる業務について、主務省令で定めるところにより、主務大臣の承認を受けたときは、この限りでない。

**Article 63-27 (1) A funds transfer transaction analysis service provider must not engage in any business other than the funds transfer transaction analysis services and funds transfer transaction analysis-related business (meaning the business specified by order of the competent ministry as business related to funds transfer transaction analysis services; hereinafter the same applies in this Chapter); provided, however, that this does not apply if a funds transfer transaction analysis service provider has obtained, pursuant to the provisions of order of the competent ministry, the approval from the competent minister for a business that is obviously causing no hindrance to the provision of the funds transfer transaction analysis services in a proper and steady manner by the funds transfer transaction analysis service provider.**

2 為替取引分析業者は、前項ただし書の承認を受けた業務を廃止したときは、主務省令で定めるところにより、その旨を主務大臣に届け出なければならない。

**(2) Having discontinued the approved business referred to in the proviso to the preceding paragraph, a funds transfer transaction analysis service provider must notify the competent minister to that effect pursuant to the provisions of order of the competent ministry.**

(委託の禁止等)

**(Prohibition of Entrustment)**

第六十三条の二十八 為替取引分析業者は、為替取引分析業の全部又は一部を他の為替取引分析業者以外の者に委託をしてはならない。

**Article 63-28 (1) A funds transfer transaction analysis service provider must not entrust all or part of its funds transfer transaction analysis services to a person other than another funds transfer transaction analysis service provider.**

2 為替取引分析業者は、為替取引分析業の全部若しくは一部を他の為替取引分析業者に委託（二以上の段階にわたる委託を含む。以下この項、次条第二項第一号及び第六号並びに第六十三条の三十一第三項において同じ。）をした場合又は為替取引分析関連業務の全部若しくは一部を第三者に委託をした場合には、主務省令で定めるところにより、これらの委託に係る業務の委託先に対する指導その他の当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

**(2) If a funds transfer transaction analysis service provider entrusts (including**

the case under multi-tier entrustment arrangements; hereinafter the same applies in this paragraph, paragraph (2), items (i) and (vi) of the following Article, and Article 63-31, paragraph (3)) all or part of its funds transfer transaction analysis services to another funds transfer transaction analysis service provider or entrusts all or part of its funds transfer transaction analysis-related business to a third party, the funds transfer transaction analysis service provider must, pursuant to the provisions of order of the competent ministry, provide guidance to the other service provider or the third party to whom the relevant services or business has been entrusted and take other measures necessary for ensuring the operation of the services or business in a proper and steady manner.

(業務方法書)

(Business Rules)

第六十三条の二十九 為替取引分析業者は、業務方法書で定めるところにより、その業務を行わなければならない。

Article 63-29 (1) A funds transfer transaction analysis service provider must provide the funds transfer transaction analysis services pursuant to the provisions of its business rules.

2 業務方法書には、次に掲げる事項を定めなければならない。

(2) The business rules must specify the following particulars:

一 金融機関等から為替取引分析業務の委託を受けることを内容とする契約の締結に関する事項

(i) particulars concerning the conclusion of a contract for accepting the entrustment of funds transfer transaction analysis business from financial institutions, etc.;

二 為替取引分析業において取り扱う情報の種類及び内容に関する事項

(ii) particulars concerning the type and content of the information handled in funds transfer transaction analysis services;

三 為替取引分析業において取り扱う情報の取得方法及び適切な管理に関する事項

(iii) particulars concerning the acquisition method and appropriate management of the information handled in funds transfer transaction analysis services;

四 為替取引分析業の継続的遂行の確保に関する事項

(iv) particulars concerning the securing of continued provision of the funds transfer transaction analysis services;

五 為替取引分析業及び為替取引分析関連業務以外の業務を行う場合にあつては、当該業務が為替取引分析業の適正かつ確実な遂行を妨げないことを確保するための措置に関する事項

(v) if a funds transfer transaction analysis service provider engages in business other than the funds transfer transaction analysis services and funds

- transfer transaction analysis-related business, particulars concerning measures to ensure that the business will not prevent the provision of the funds transfer transaction analysis services in a proper and steady manner;
- 六 為替取引分析業の全部若しくは一部を他の為替取引分析業者に委託をする場合又は為替取引分析関連業務の全部若しくは一部を第三者に委託をする場合にあっては、これらの委託に係る業務を適正かつ確実に遂行させることを確保するための体制の整備に関する事項
- (vi) if a funds transfer transaction analysis service provider entrusts all or part of its funds transfer transaction analysis services to another funds transfer transaction analysis service provider or entrusts all or part of its funds transfer transaction analysis-related business to a third party, particulars concerning the establishment of a system to ensure the operation of the entrusted services or business by the other service provider or the third party in a proper and steady manner; and
- 七 その他主務省令で定める事項
- (vii) other particulars specified by order of the competent ministry.

(情報の適切な管理)

(Appropriate Management of Information)

第六十三条の三十 為替取引分析業者は、主務省令で定めるところにより、為替取引分析業に係る情報の漏えい、滅失又は毀損の防止に関する事項を業務方法書において定めることその他の当該情報の適切な管理のために必要な措置を講じなければならない。

Article 63-30 A funds transfer transaction analysis service provider must, pursuant to the provisions of order of the competent ministry, specify particulars concerning the leakage, loss, or damage of information pertaining to the funds transfer transaction analysis services in business rules, and take other measures necessary for the appropriate management of that information.

(秘密保持義務等)

(Obligation of Confidentiality)

第六十三条の三十一 為替取引分析業者の取締役等（取締役等が法人であるときは、その職務を行うべき者。次項において同じ。）若しくは職員又はこれらの職にあった者は、為替取引分析業又は為替取引分析関連業務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 63-31 (1) A company director, etc. (or, if a company director, etc. is a corporation, a person who is to perform the duties; the same applies in the following paragraph) or an employee of a funds transfer transaction analysis service provider, or a person who was formerly in that position must not divulge or misappropriate any confidential information learned during the course of their duties relating to the funds transfer transaction analysis services or funds transfer transaction analysis-related business to another



person.

2 為替取引分析業者の取締役等若しくは職員又はこれらの職にあった者は、為替取引分析業及び為替取引分析関連業務の実施に際して知り得た情報を、為替取引分析業及び為替取引分析関連業務の用に供する目的以外に利用してはならない。

(2) A company director, etc. or an employee of a funds transfer transaction analysis service provider, or a person who was formerly in that position must not use any information learned during the course of their duties relating to the funds transfer transaction analysis services and funds transfer transaction analysis-related business for any purpose other than using those for the funds transfer transaction analysis services and funds transfer transaction analysis-related business.

3 前二項の規定は、為替取引分析業者から為替取引分析関連業務の委託を受けた者（その者が法人である場合にあっては、その役員）若しくはその職員その他の当該委託を受けた業務に従事する者又はこれらの者であった者について準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to a person to whom funds transfer transaction analysis-related business is entrusted from a funds transfer transaction analysis service provider (or, if the person is a corporation; its officers) or the person's employees and other persons who engage in the entrusted business, or persons who were formerly in that position.

### 第三節 監督

#### Section 3 Supervision

(定款又は業務方法書の変更の認可)

(Authorization of Amendment to Articles of Incorporation or Business Rules)

第六十三条の三十二 為替取引分析業者は、定款又は業務方法書を変更しようとするときは、主務大臣の認可を受けなければならない。

Article 63-32 When a funds transfer transaction analysis service provider intends to amend the articles of incorporation or business rules, it must obtain the authorization from the competent minister.

(業務の種別の変更の許可等)

(License for Change of Type of Business)

第六十三条の三十三 為替取引分析業者は、第六十三条の二十四第一項第六号に掲げる事項の変更（新たな種別の為替取引分析業を行おうとするものに限る。）をしようとするときは、主務省令で定めるところにより、主務大臣の許可を受けなければならない。

Article 63-33 (1) When a funds transfer transaction analysis service provider intends to change any of the particulars set forth in Article 63-24, paragraph (1), item (vi) (limited to changes due to its intention to provide a new type of

funds transfer transaction analysis services), the funds transfer transaction analysis service provider must obtain a license for the change from the competent minister, pursuant to the provisions of order of the competent ministry.

2 為替取引分析業者は、第六十三条の二十四第一項第二号に掲げる事項（純資産額を除く。）若しくは同項第三号から第五号まで若しくは第八号に掲げる事項に変更があったとき、又は同項第六号に掲げる事項に変更（新たな種別の為替取引分析業を行おうとするものを除く。）があったときは遅滞なく、同項第七号に掲げる事項の変更をしようとするときはあらかじめ、その旨を主務大臣に届け出なければならない。

(2) When any of the particulars set forth in Article 63-24, paragraph (1), item (ii) (excluding the amount of net assets) or particulars set forth in items (iii) through (v) or item (viii) of that paragraph are changed, a funds transfer transaction analysis service provider must notify the competent minister to that effect without delay, and when any of the particulars set forth in item (vi) of that paragraph (excluding changes due to its intention to provide a new type of funds transfer transaction analysis services) are changed, a funds transfer transaction analysis service provider must notify the competent minister to that effect in advance.

3 第六十三条の二十四及び第六十三条の二十五の規定は、第一項の許可について準用する。この場合において、第六十三条の二十四第一項中「次に掲げる」とあるのは、「変更に係る」と読み替えるものとする。

(3) The provisions of Articles 63-24 and 63-25 apply mutatis mutandis to the license referred to in paragraph (1). In this case, the term the "following particulars" in Article 63-24, paragraph (1) is replaced with the "particulars pertaining to the change".

(報告書)

(Written Reports)

第六十三条の三十四 為替取引分析業者は、事業年度ごとに、主務省令で定めるところにより、為替取引分析業に関する報告書を作成し、主務大臣に提出しなければならない。

Article 63-34 A funds transfer transaction analysis service provider must, pursuant to the provisions of order of the competent ministry, prepare a written report on its funds transfer transaction analysis services for each business year and submit it to the competent minister.

(立入検査等)

(On-Site Inspections)

第六十三条の三十五 主務大臣は、為替取引分析業の適正かつ確実な遂行のために必要があると認めるときは、為替取引分析業者に対し当該為替取引分析業者の業務若しく

は財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該為替取引分析業者の営業所若しくは事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 63-35 (1) When the competent minister finds it necessary for the provision of the funds transfer transaction analysis services in a proper and steady manner, the competent minister may order a funds transfer transaction analysis service provider to submit reports or materials that can be used as reference for the business or property of the funds transfer transaction analysis service provider, or have officials enter the business office, office or other facility of the funds transfer transaction analysis service provider, ask questions about the status of its business or property or inspect its books and documents or other items.

2 主務大臣は、為替取引分析業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該為替取引分析業者から業務の委託（為替取引分析関連業務及び第六十三条の二十七第一項ただし書の承認を受けた業務の委託に限る。以下この条において同じ。）を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条において同じ。）に対し当該為替取引分析業者の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該為替取引分析業者から業務の委託を受けた者の施設に立ち入らせ、当該為替取引分析業者の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the competent minister finds it particularly necessary for the provision of the funds transfer transaction analysis services in a proper and steady manner, the minister may, to the extent necessary for this, order a person to whom business has been entrusted (limited to the entrustment of funds transfer transaction analysis-related business and the approved business referred to in the proviso to Article 63-27, paragraph (1); hereinafter the same applies in this Article) by the funds transfer transaction analysis service provider (including persons to whom the business has been entrusted by the entrusted person (including multi-tier entrustment arrangements); hereinafter the same applies in this Article) to submit reports or materials that can be used as reference for the business or property of the funds transfer transaction analysis service provider, or have officials enter the facility of the person to whom business has been entrusted by the funds transfer transaction analysis service provider, ask questions about the status of the business or property of the funds transfer transaction analysis service provider or inspect its books and documents or other items.

3 前項の為替取引分析業者から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by a funds transfer

transaction analysis service provider referred to in the preceding paragraph may refuse the submission of reports or materials, or the questions or inspection under the provisions of that paragraph if there are reasonable grounds for doing so.

(業務改善命令)

**(Order to Improve Business Operations)**

第六十三条の三十六 主務大臣は、為替取引分析業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、為替取引分析業者に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 63-36 When the competent minister finds it necessary for the provision of funds transfer transaction analysis services in a proper and steady manner, the minister may, to the extent necessary for this, order a funds transfer transaction analysis service provider to take necessary measures to improve the operation of its business or its financial status, or other measures necessary for the supervision.

(許可の取消し等)

**(Revocation of License)**

第六十三条の三十七 主務大臣は、為替取引分析業者が第六十三条の二十五第二項各号のいずれかに該当するときは、第六十三条の二十三の許可を取り消すことができる。

Article 63-37 (1) If a funds transfer transaction analysis service provider falls under any of the items of Article 63-25, paragraph (2), the competent minister may revoke the license referred to in Article 63-23.

2 主務大臣は、為替取引分析業者が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は、第六十三条の二十三の許可若しくは第六十三条の二十七第一項ただし書の承認を取り消し、六月以内の期間を定めてその業務の全部若しくは一部の停止を命じ、又はその取締役等の解任を命ずることができる。

(2) When a funds transfer transaction analysis service provider violates this Act or an order under this Act, or a disposition under this Act or the order, the competent minister may revoke the license referred to in Article 63-23 or the approval referred to in the proviso to Article 63-27, paragraph (1), order suspension of all or part of the business of the funds transfer transaction analysis service provider by setting a period not exceeding six months, or order the funds transfer transaction analysis service provider to dismiss its company director, etc.

#### 第四節 雑則

#### Section 4 Miscellaneous Provisions

(解散等の認可)

**(Approval of Dissolution)**

第六十三条の三十八 為替取引分析業者の為替取引分析業の全部若しくは一部の廃止の決議又は解散の決議は、主務大臣の認可を受けなければ、その効力を生じない。

Article 63-38 A resolution of discontinuation of all or part of the funds transfer transaction analysis services of a funds transfer transaction analysis service provider or a resolution of dissolution of a funds transfer transaction analysis service provider does not come into effect without the approval of the competent minister.

(厚生労働大臣等との協議)

**(Consultation with the Minister of Health, Labour and Welfare)**

第六十三条の三十九 主務大臣は、次の各号に掲げる者から為替取引分析業務の委託を受けた為替取引分析業者に対し、第六十三条の三十六又は第六十三条の三十七第一項若しくは第二項の規定による処分を行おうとするときは、あらかじめ、当該各号に掲げる者の区分に応じ、当該各号に定める大臣に協議しなければならない。

Article 63-39 When the competent minister intends to reach a disposition under the provisions of Article 63-36 or Article 63-37, paragraph (1) or (2) with regard to a funds transfer transaction analysis service provider that has been entrusted with funds transfer transaction analysis business by the person set forth in the following items, the minister must in advance consult with the minister specified in the respective items according to the categories of persons set forth in the respective items:

一 第二条第二十九項第五号又は第六号に掲げる者 厚生労働大臣

(i) the person set forth in Article 2, paragraph (29), item (v) or item (vi): the Minister of Health, Labour and Welfare;

二 第二条第二十九項第九号から第十五号までに掲げる者 農林水産大臣

(ii) the person set forth in Article 2, paragraph (29), items (ix) through (xv): the Minister of Agriculture, Forestry and Fisheries; and

三 第二条第二十九項第十六号に掲げる者 財務大臣及び経済産業大臣（当該処分に係る為替取引分析業者が同条第十八項第一号に掲げる行為を業として行う場合には、経済産業大臣）

(iii) the person set forth in Article 2, paragraph (29), item (xvi): the Minister of Finance and the Minister of Economy, Trade and Industry (the Minister of Economy, Trade and Industry if the funds transfer transaction analysis service provider engages in the act set forth in paragraph (18), item (i) of that Article in the course of trade).

(内閣総理大臣等への意見)

**(Giving Opinion to the Prime Minister)**

第六十三条の四十 厚生労働大臣、農林水産大臣又は経済産業大臣は、為替取引分析業

者（第二条第十八項第一号に掲げる行為を業として行う者に限る。）の行う為替取引分析業の適正かつ確実な遂行が確保されていないと疑うに足りる相当な理由があるため、当該為替取引分析業者に対して適当な措置をとることが必要であると認める場合には、内閣総理大臣及び財務大臣に対し、その旨の意見を述べることができる。

Article 63-40 (1) If the Minister of Health, Labour and Welfare, the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry has reasonable grounds to suspect that the proper and steady provision of funds transfer transaction analysis services by a funds transfer transaction analysis service provider (limited to one engaging in the act set forth in Article 2, paragraph (18), item (i) in the course of trade) is not ensured, and therefore finds it necessary to take appropriate measures with regard to the funds transfer transaction analysis service provider, the relevant minister may state their opinion to that effect to the Prime Minister and the Minister of Finance.

2 財務大臣、厚生労働大臣、農林水産大臣又は経済産業大臣は、為替取引分析業者（第二条第十八項第一号に掲げる行為を業として行う者を除く。）の行う為替取引分析業の適正かつ確実な遂行が確保されていないと疑うに足りる相当な理由があるため、当該為替取引分析業者に対して適当な措置をとることが必要であると認める場合には、内閣総理大臣に対し、その旨の意見を述べることができる。

(2) If the Minister of Finance, the Minister of Health, Labour and Welfare, the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry has reasonable grounds to suspect that the proper and steady provision of funds transfer transaction analysis services by a funds transfer transaction analysis service provider (excluding one engaging in the act set forth in Article 2, paragraph (18), item (i) in the course of trade) is not ensured, and therefore finds it necessary to take appropriate measures with regard to the funds transfer transaction analysis service provider, the relevant minister may state their opinion to that effect to the Prime Minister.

（主務大臣及び主務省令）

（Competent Minister and Order of the Competent Ministry）

第六十三条の四十一 この章における主務大臣は、次の各号に掲げる場合の区分に応じ、当該各号に定める大臣とする。

Article 63-41 (1) The competent minister in this Chapter is the minister specified in the following items according to the categories of cases set forth therein:

一 為替取引分析業者が第二条第十八項第一号に掲げる行為を業として行う場合 内閣総理大臣及び財務大臣

(i) if a funds transfer transaction analysis service provider engages in the act set forth in Article 2, paragraph (18), item (i) in the course of trade: the Prime Minister and the Minister of Finance; and

二 前号に掲げる場合以外の場合 内閣総理大臣

(ii) in cases other than the case set forth in the preceding paragraph: the Prime Minister.

2 この章における主務省令は、次の各号に掲げる場合の区分に応じ、当該各号に定める命令とする。

(2) The order of the competent ministry in this Chapter is the order specified in the following items according to the categories of cases set forth therein:

一 為替取引分析業者が第二条第十八項第一号に掲げる行為を業として行う場合 内閣府令・財務省令

(i) if a funds transfer transaction analysis service provider engages in the act set forth in Article 2, paragraph (18), item (i) in the course of trade: Cabinet Office Order and Ministry of Finance Order.; and

二 前号に掲げる場合以外の場合 内閣府令

(ii) in cases other than the case set forth in the preceding paragraph: Cabinet Office Order.

3 第一項第一号に掲げる場合において、第六十三条の三十五第一項及び第二項に規定する主務大臣の権限は、内閣総理大臣又は財務大臣がそれぞれ単独に行使することを妨げない。

(3) In the case set forth in paragraph (1), item (i), the Prime Minister or the Minister of Finance is not precluded from exercising the authority of the competent minister prescribed in Article 63-35, paragraphs (1) and (2) independently.

4 主務大臣は、前項の規定によりその権限を単独で行使したときは、速やかに、その結果を他の主務大臣に通知するものとする。

(4) If the competent minister exercises the authority independently pursuant to the provisions of the preceding paragraph, the minister is to notify the other competent minister of the results thereof promptly.

(主務省令への委任)

(Delegation to Order of the Competent Ministry)

第六十三条の四十二 この章に定めるもののほか、この章の規定を実施するために必要な事項は、主務省令で定める。

Article 63-42 Beyond what is provided for in this Chapter, particulars necessary for the enforcement of this Chapter are specified by order of the competent ministry.

## 第四章の二 資金清算

### Chapter IV-2 Clearing Funds Transfer Transactions

#### 第一節 総則

#### Section 1 General Provisions

(資金清算機関の免許等)

(Licenses for Clearing Institutions for Interbank Funds Transfers)

第六十四条 資金清算業は、内閣総理大臣の免許を受けた者でなければ、行ってはならない。

Article 64 (1) No person may provide clearing services for interbank funds transfers unless the person has obtained a license from the Prime Minister.

2 前項の規定は、銀行等及び日本銀行については、適用しない。

(2) The provisions of the preceding paragraph do not apply to deposit-taking institutions and the Bank of Japan.

(免許の申請)

(Filing of Application for License)

第六十五条 前条第一項の免許を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した免許申請書を内閣総理大臣に提出しなければならない。

Article 65 (1) A person who intends to obtain a license referred to in paragraph (1) of the preceding Article must, pursuant to the provisions of Cabinet Office Order, submit a written application for license containing the following particulars to the Prime Minister:

一 商号又は名称及び住所

(i) trade name or other name and address;

二 資本金又は基金の額及び純資産額

(ii) amount of capital or funds and amount of net assets;

三 営業所又は事務所の名称及び所在地

(iii) name and location of business offices or offices;

四 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては、取締役及び執行役）又は理事及び監事の氏名

(iv) name of company director and company auditor (company director in cases of a company with audit and supervisory committee; company director and executive officer in cases of a company with nominating committee, etc.) or director and auditor;

五 会計参与設置会社にあつては、会計参与の氏名又は名称

(v) in cases of a company with accounting advisors, names of accounting advisors; and

六 その他内閣府令で定める事項

(vi) other particulars specified by Cabinet Office Order.

2 前項の免許申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application for a license referred to in the preceding paragraph:

一 次条第二項各号に掲げる要件に該当しない旨を誓約する書面

(i) a document to pledge that the applicant does not fall under any of the items of paragraph (2) of the following Article;



二 定款

(ii) articles of incorporation;

三 登記事項証明書

(iii) certificate of registered information;

四 業務方法書

(iv) business rules;

五 貸借対照表及び損益計算書

(v) balance sheet and profit and loss statement;

六 収支の見込みを記載した書類

(vi) documents stating the expected income and expenditure; and

七 その他内閣府令で定める書類

(vii) other documents specified by Cabinet Office Order.

(免許の基準)

(Criteria for Granting a License)

第六十六条 内閣総理大臣は、第六十四条第一項の免許の申請があったときは、その申請が次に掲げる基準に適合するかどうかを審査しなければならない。

Article 66 (1) When an application for license referred to in Article 64, paragraph (1) is filed, the Prime Minister must examine whether the application conforms to the following criteria:

一 定款及び業務方法書の規定が法令に適合し、かつ、資金清算業を適正かつ確実に遂行するために十分であること。

(i) the provisions of the articles of incorporation and the business rules conform to the laws and regulations, and are sufficient for the provision of the clearing services for interbank funds transfer in a proper and steady manner;

二 資金清算業を健全に遂行するに足りる財産的基礎を有し、かつ、資金清算業に係る収支の見込みが良好であること。

(ii) the applicant has sufficient financial foundation for the sound operation of the clearing services for interbank funds transfer and has favorable prospects for income and expenditure pertaining to the clearing services for interbank funds transfer; and

三 その人的構成に照らして、資金清算業を適正かつ確実に遂行することができる知識及び経験を有し、かつ、十分な社会的信用を有すること。

(iii) the applicant has, in light of its personnel structures, the knowledge and experience necessary for the provision of the clearing services for interbank funds transfer in a proper and steady manner and has sufficient social credibility.

2 内閣総理大臣は、免許申請者が次の各号のいずれかに該当するとき、又は免許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、免許を与えてはならない。

(2) The Prime Minister must not grant a license when an applicant for a license

falls under any of the following items, or a written application for license or its accompanying documents contain a false statement or lack a statement about important particulars:

一 株式会社又は一般社団法人（これらの者が次に掲げる機関を置く場合に限る。）でないもの

(i) a person who is not a stock company or a general incorporated association (limited to a stock company or a general incorporated association which formed any of the following bodies):

イ 取締役会又は理事会

(a) board of company directors or council;

ロ 監査役、監査等委員会若しくは指名委員会等又は監事

(b) company auditors, an audit and supervisory committee or a nominating committee, etc. or auditors; or

ハ 会計監査人

(c) accounting auditors;

二 第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消され、第六十二条の二十二第一項若しくは第二項の規定により第六十二条の三の登録を取り消され、第六十三条の三十七第一項若しくは第二項の規定により第六十三条の二十三の許可を取り消され、若しくは第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消され、又はこの法律若しくは銀行法等に相当する外国の法令の規定により当該外国において受けている同種類の登録、許可若しくは免許（当該登録、許可又は免許に類するその他の行政処分を含む。）を取り消され、その取消しの日から五年を経過しない法人

(ii) a corporation which had its registration referred to in Article 37 revoked pursuant to the provisions of Article 56, paragraph (1) or (2), had its registration referred to in Article 62-3 revoked pursuant to the provisions of Article 62-22, paragraph (1) or (2), had the permission referred to in Article 63-23 revoked pursuant to the provisions of Article 63-37, paragraph (1) or (2), had its license referred to in Article 64, paragraph (1) revoked pursuant to the provisions of Article 82, paragraph (1) or (2), or had the registration, permission or license of the same type in a foreign state (including other administrative dispositions similar to the registration, permission or license) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act or the Banking Act, etc., and for which five years have not elapsed from the date of the revocation;

三 第三十七条の二第二項の規定により読み替えて適用する第五十六条第一項の規定による特定資金移動業の廃止の命令を受け、若しくは第六十二条の八第二項の規定により読み替えて適用する第六十二条の二十二第一項の規定による電子決済手段等取引業の廃止の命令を受け、又はこの法律若しくは銀行法等に相当する外国の法令の規定によるこれらの業務と同種類の業務の廃止の命令を受け、これらの命令の日から五年を経過しない法人

(iii) a corporation which received an order to discontinue specified funds transfer services pursuant to the provisions of Article 56, paragraph (1) as applied pursuant to Article 37-2, paragraph (2) following the deemed replacement of terms, received an order to discontinue electronic payment instruments services pursuant to the provisions of Article 62-22, paragraph (1) as applied pursuant to Article 62-8, paragraph (2) following the deemed replacement of terms, or received an order to discontinue the same type of services as these services pursuant to the provisions of laws and regulations of a foreign state that are equivalent to this Act or the Banking Act, etc., and for which five years have not elapsed from the date of the order;

四 この法律若しくは銀行法等又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人

(iv) a corporation which has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, or laws and regulations of a foreign state equivalent thereto, and for which five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

五 取締役等のうちに次のいずれかに該当する者のある法人

(v) a corporation which employs a company director, etc. falling under any of the following items:

イ 心身の故障のため職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) a person who has been sentenced to imprisonment without work or a heavier punishment (including equivalent punishment pursuant to laws and regulations of a foreign state), and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ この法律、銀行法等、出資の受入れ、預り金及び金利等の取締りに関する法律

若しくは暴力団員による不当な行為の防止等に関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(d) a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, etc., the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates, the Act on Prevention of Unjust Acts by Organized Crime Group Members or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ホ 資金清算機関が第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の免許若しくは登録（当該免許又は登録に類するその他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にその法人の取締役等であった者で、当該取消しの日から五年を経過しない者その他これに準ずるものとして政令で定める者

(e) if a clearing institution for interbank funds transfer had its license referred to in Article 64, paragraph (1) revoked pursuant to the provisions of Article 82, paragraph (1) or (2) or a corporation had its license or registration (including other administrative dispositions similar to the license or registration) of the same kind revoked in a foreign state pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who had been a company director, etc. of the corporation at any time during the thirty days prior to the date of the revocation and for whom five years have not passed from the relevant date or a person specified by Cabinet Order as similar thereto.

（取締役等の欠格事由等）

(Grounds for Disqualification of Company Directors)

第六十七条 前条第二項第五号イからホまでのいずれかに該当する者は、資金清算機関の取締役等となることができない。

Article 67 (1) A person falling under any of paragraph (2), item (v), (a) through (e) of the preceding Article may not become a company director, etc.:

2 資金清算機関の取締役等が前項に規定する者に該当することとなったときは、その職を失う。

(2) When a director, etc. of a clearing institution for interbank funds transfer falls under a category of a person prescribed in the preceding paragraph, the company director, etc. loses their position.

3 内閣総理大臣は、資金清算機関の取締役等が法令又は法令に基づく行政官庁の処分

に違反したときは、当該資金清算機関に対し、当該取締役等の解任を命ずることができるとする。

- (3) When a company director, etc. of a clearing institution for interbank funds transfer violates laws and regulations or a disposition under laws and regulations by government agencies, the Prime Minister may order the clearing institution for interbank funds transfer to dismiss the company director, etc.

(会社法の適用関係)

(Application of the Companies Act)

第六十八条 会社法第三百三十一条第二項ただし書（同法第三百三十五条第一項において準用する場合を含む。）、第三百三十二条第二項（同法第三百三十四条第一項において準用する場合を含む。）、第三百三十六條第二項及び第四百二条第五項ただし書の規定は、資金清算機関が株式会社である場合には、適用しない。

Article 68 (1) The provisions of the proviso to Article 331, paragraph (2) (including as applied mutatis mutandis pursuant to Article 335, paragraph (1) of the Companies Act), Article 332, paragraph (2) (including as applied mutatis mutandis pursuant to Article 334, paragraph (1) of that Act), Article 336, paragraph (2), and the proviso to Article 402, paragraph (5) of the Companies Act do not apply to a clearing institution for interbank funds transfer that is a stock company.

2 資金清算機関が株式会社である場合における会社法第四百五十八条の規定の適用については、同条中「三百万円」とあるのは、「三百万円を下回らない範囲内において政令で定める金額」とする。

- (2) With regard to the application of Article 458 of the Companies Act to a clearing institution for interbank funds transfer that is a stock company, the term "three million yen" in that Article are deemed to be replaced with "an amount specified by Cabinet Order which may not be less than three million yen".

## 第二節 業務

### Section 2 Business

(業務の制限)

(Restriction on Business)

第六十九条 資金清算機関は、資金清算業及びこれに関連する業務のほか、他の業務を行うことができない。ただし、当該資金清算機関が資金清算業を適正かつ確実に行うにつき支障を生ずるおそれがないと認められる業務について、内閣府令で定めるところにより、内閣総理大臣の承認を受けたときは、この限りでない。

Article 69 (1) A clearing institution for interbank funds transfer must not engage in any business other than the clearing services for interbank funds transfer and business related thereto; provided, however, that this does not

apply if a clearing institution for interbank funds transfer has obtained, pursuant to the provisions of Cabinet Office Order, the approval from the Prime Minister for a business that is obviously causing no hindrance to the provision of the clearing services for interbank funds transfer in a proper and steady manner by the clearing institution for interbank funds transfer.

2 資金清算機関は、前項ただし書の承認を受けた業務を廃止したときは、内閣府令で定めるところにより、その旨を内閣総理大臣に届け出なければならない。

(2) Having discontinued the approved business referred to in the proviso to the preceding paragraph, a clearing institution for interbank funds transfer must notify the Prime Minister to that effect pursuant to the provisions of Cabinet Office Order.

(資金清算業の一部の委託)

(Partial Entrustment of Clearing Services for Interbank Funds Transfer)

第七十条 資金清算機関は、内閣府令で定めるところにより、資金清算業の一部を、内閣総理大臣の承認を受けて、第三者に委託することができる。

Article 70 (1) A clearing institution for interbank funds transfer may, pursuant to the provisions of Cabinet Office Order, entrust part of the clearing services for interbank funds transfer to a third party with the approval of the Prime Minister.

2 資金清算機関は、前項の規定による資金清算業の一部の委託に関する契約には、業務を委託する相手方が当該業務を適正かつ確実に遂行するための措置を講ずる旨の条件を付さなければならない。

(2) A clearing institution for interbank funds transfer must set the requirements for a contract for the partial entrustment of the clearing services for interbank funds transfer under the provisions of the preceding paragraph that the party to whom business is entrusted must take measures to conduct the business in a proper and steady manner.

(業務方法書)

(Business Rules)

第七十一条 資金清算機関は、業務方法書の定めるところにより、資金清算業を行わなければならない。

Article 71 (1) A clearing institution for interbank funds transfer must provide the clearing services for interbank funds transfer pursuant to the provisions of its business rules.

2 業務方法書には、次に掲げる事項を定めなければならない。

(2) The business rules must specify the following particulars:

一 資金清算業の対象とする債務の起因となる取引の種類

(i) type of transactions that give rise to obligations subject to the clearing services for interbank funds transfer;

- 二 資金清算業の相手方とする者（以下この章において「清算参加者」という。）の要件に関する事項
- (ii) particulars concerning the requirements for a person who is the other party to the clearing services for interbank funds transfer (hereinafter referred to as the "clearing participant" in this Chapter);
- 三 資金清算業として行う債務の引受け、更改その他の方法に関する事項
- (iii) particulars concerning the assumption of obligations, novation, and other means carried out in the course of the clearing services for interbank funds transfer;
- 四 清算参加者の債務の履行の確保に関する事項
- (iv) particulars concerning the securing of performance of obligations of a clearing participant;
- 五 資金清算業の継続的遂行の確保に関する事項
- (v) particulars concerning the securing of continued provision of the clearing services for interbank funds transfer;
- 六 資金清算業及びこれに関連する業務以外の業務を行う場合にあっては、当該業務が資金清算業の適正かつ確実な遂行を妨げないことを確保するための措置に関する事項
- (vi) if a clearing institution for interbank funds transfer engages in business other than the clearing services for interbank funds transfer and business related thereto, particulars concerning measures to ensure that the business will not prevent the provision of the clearing services for interbank funds transfer in a proper and steady manner;
- 七 資金清算業の一部を第三者に委託する場合にあっては、当該委託に係る業務を適正かつ確実に遂行させることを確保するための体制の整備に関する事項
- (vii) if a clearing institution for interbank funds transfer entrusts part of its clearing services for interbank funds transfer to a third party, particulars concerning the establishment of a system to ensure the operation of the entrusted business by the third party in a proper and steady manner;
- 八 資金清算業に関する契約であって内閣府令で定める重要な事項を内容とするものを、外国人又は外国の法令に準拠して設立された法人を相手方として締結する場合にあっては、その旨
- (viii) if a clearing institution for interbank funds transfer concludes a contract for the clearing services for interbank funds transfer that contains important particulars specified by Cabinet Office Order with a foreign national or a corporation established under the laws and regulations of a foreign state, a statement to that effect; and
- 九 その他内閣府令で定める事項
- (ix) other particulars specified by Cabinet Office Order.

(資金清算業の適切な遂行を確保するための措置)

(Measures to Ensure Appropriate Provision of Clearing Services for Interbank Funds Transfer)

第七十二条 資金清算機関は、資金清算業により損失が生じた場合に清算参加者が当該損失の全部を負担する旨を業務方法書において定めることその他の資金清算業の適切な遂行を確保するための措置を講じなければならない。

Article 72 A clearing institution for interbank funds transfer must prescribe that if any loss is caused by the clearing services for interbank funds transfer, all of the losses are borne by the clearing participant in its business rules and take other measures to ensure appropriate provision of the clearing services for interbank funds transfer.

(未決済債務等の決済)

(Payment and Settlement of Outstanding Obligations)

第七十三条 資金清算機関が業務方法書で未決済債務等について差引計算の方法、担保の充当の方法その他の決済の方法を定めている場合において、清算参加者に破産手続、再生手続、更生手続、特別清算手続又は承認援助手続が開始されたときは、これらの手続の関係において、未決済債務等に関する資金清算機関又は当該清算参加者が有する請求権の額の算定その他の決済の方法は、当該業務方法書の定めに従うものとする。

Article 73 (1) If a clearing institution for interbank funds transfer prescribes the methods to perform netting calculations, to apply collateral to payment of obligations, and other payment and settlement methods in its business rules, when a bankruptcy proceeding, rehabilitation proceeding, reorganization proceeding, special liquidation proceeding, or recognition and assistance proceeding has been started against a clearing participant, the method used to determine the amount of claims pertaining to outstanding obligations, etc. held by the clearing institution for interbank funds transfer or the clearing participant and other payment and settlement methods used in relation to these proceedings are to be governed by those business rules.

2 前項の「未決済債務等」とは、資金清算業として清算参加者から引受け、更改その他の方法により負担した債務、当該債務を負担した対価として当該清算参加者に対して取得した債権（当該債務と同一の内容を有するものに限る。）及び担保をいう。

(2) The term "outstanding obligations, etc." as used in the preceding paragraph means obligations borne in the course of the clearing services for interbank funds transfer to a clearing participant by way of assumption, novation, or other means, claims against that clearing participant (limited to those having the same content as those obligations) acquired as consideration for bearing those obligations, and security of those claims.

3 破産手続、再生手続又は更生手続において、資金清算機関が有する第一項に規定する請求権は破産債権、再生債権又は更生債権とし、清算参加者が有する同項に規定する請求権は破産財団、再生債務者財産又は更生会社財産若しくは更生協同組織金融機関財産に属する財産とする。



(3) In bankruptcy proceedings, rehabilitation proceedings or reorganization proceedings, the claims specified in paragraph (1) that a clearing institution for interbank funds transfer has, are bankruptcy claims, rehabilitation claims, or reorganization claims, and the claims specified in paragraph (1) that a clearing participant has, are the properties that belong to the bankruptcy estate, rehabilitation debtor's assets, or the property of the reorganization company, or the property of the reorganization cooperative financial institution.

(秘密保持義務等)

(Obligation of Confidentiality)

第七十四条 資金清算機関の取締役等（取締役等が法人であるときは、その職務を行うべき者。次項において同じ。）若しくは職員又はこれらの職にあった者は、資金清算業又はこれに関連する業務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 74 (1) A company director, etc. (or, if a company director, etc. is a corporation, a person who is to perform the duties; the same applies in the following paragraph) or an employee of a clearing institution for interbank funds transfer, or a person who was formerly in that position must not divulge or misappropriate any confidential information learned during the course of their duties relating to the clearing services for interbank funds transfer or other business related thereto to another person.

2 資金清算機関の取締役等若しくは職員又はこれらの職にあった者は、資金清算業及びこれに関連する業務の実施に際して知り得た情報を、資金清算業及びこれに関連する業務の用に供する目的以外に利用してはならない。

(2) A company director, etc. or an employee of a clearing institution for interbank funds transfer, or a person who was formerly in that position must not use any information learned during the course of their duties relating to the clearing services for interbank funds transfer or other business related thereto for any purpose other than using those for the clearing services for interbank funds transfer or other business related thereto.

3 前二項の規定は、第七十条第一項の規定により委託を受けた者（その者が法人である場合にあつては、その役員）若しくはその職員その他の当該委託を受けた業務に従事する者又はこれらの者であった者について準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to a person to whom business is entrusted pursuant to the provisions of Article 70, paragraph (1) (or, if the person is a corporation; its officers) or the person's employees and other persons who engage in the entrusted business, or persons who were formerly in that position.

(差別的取扱いの禁止)

(Prohibition of Discriminatory Treatment)

第七十五条 資金清算機関は、資金清算業に関し特定の者に対し不当な差別的取扱いを

してはならない。

**Article 75** A clearing institution for interbank funds transfer must not provide unjust discriminatory treatment to a particular person in relation to the clearing services for interbank funds transfer.

### **第三節 監督**

#### **Section 3 Supervision**

(定款又は業務方法書の変更の認可)

(Authorization of Amendment to Articles of Incorporation or Business Rules)

第七十六条 資金清算機関は、定款又は業務方法書を変更しようとするときは、内閣総理大臣の認可を受けなければならない。

**Article 76** When a clearing institution for interbank funds transfer intends to amend the articles of incorporation or business rules, it must obtain the authorization from the Prime Minister.

(資本金の額等の変更の届出)

(Notification of Changes to the Amount of Stated Capital)

第七十七条 資金清算機関は、第六十五条第一項第二号に掲げる事項（純資産額を除く。）又は同項第三号から第五号までに掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

**Article 77** When any of the particulars set forth in Article 65, paragraph (1), item (ii) are changed (excluding the amount of net assets) or items (iii) through (v) of that paragraph, a clearing institution for interbank funds transfer must notify the Prime Minister to that effect without delay.

(帳簿書類)

(Books of Account and Documents)

第七十八条 資金清算機関は、内閣府令で定めるところにより、その資金清算業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 78** A clearing institution for interbank funds transfer must, pursuant to the provisions of Cabinet Office Order, prepare and maintain the books and documents on its clearing services for interbank funds transfer.

(報告書)

(Written Reports)

第七十九条 資金清算機関は、事業年度ごとに、内閣府令で定めるところにより、資金清算業に関する報告書を作成し、内閣総理大臣に提出しなければならない。

**Article 79** A clearing institution for interbank funds transfer must, pursuant to the provisions of Cabinet Office Order, prepare a written report on its clearing services for interbank funds transfer for each business year and submit it to

the Prime Minister.

(立入検査等)

(On-Site Inspections)

第八十条 内閣総理大臣は、資金清算業の適正かつ確実な遂行のために必要があると認めるときは、資金清算機関に対し当該資金清算機関の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金清算機関の営業所若しくは事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 80 (1) When the Prime Minister finds it necessary for the provision of the clearing services for interbank funds transfer in a proper and steady manner, the Prime Minister may order that clearing institution for interbank funds transfer to submit reports or materials that can be used as reference for its business or property, or have officials enter the business office, office or other facility of the clearing institution for interbank funds transfer, ask questions about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、資金清算業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該資金清算機関から業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条において同じ。）に対し当該資金清算機関の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金清算機関から業務の委託を受けた者の施設に立ち入らせ、当該資金清算機関の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the Prime Minister finds it particularly necessary for the provision of the clearing services for interbank funds transfer in a proper and steady manner, the Minister may, to the extent necessary for this, order a person to whom business has been entrusted by the clearing institution for interbank funds transfer (including persons to whom the service has been entrusted by the entrusted person (including multi-tier entrustment arrangements); hereinafter the same applies in this Article) to submit reports or materials that can be used as reference for the business or property of the clearing institution for interbank funds transfer, or have officials enter the facility of the person to whom business has been entrusted by the clearing institution for interbank funds transfer, ask questions about the status of the business or property of the clearing institution for interbank funds transfer or inspect its books and documents or other items.

3 前項の資金清算機関から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by a clearing institution for interbank funds transfer referred to in the preceding paragraph may, if there

are reasonable grounds, refuse the submission of reports or materials, or the questions or inspection under the provisions of that paragraph.

(業務改善命令)

(Order to Improve Business Operations)

第八十一条 内閣総理大臣は、資金清算業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、資金清算機関に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 81 When the Prime Minister finds it necessary for the provision of clearing services for interbank funds transfer in a proper and steady manner, the Minister may, to the extent necessary for this, order a clearing institution for interbank funds transfer to take necessary measures to improve the operation of its business or its financial status, or other measures necessary for the supervision.

(免許の取消し等)

(Revocation of Licenses)

第八十二条 内閣総理大臣は、資金清算機関が第六十四条第一項の免許を受けた時点において第六十六条第二項各号のいずれかに該当していたことが判明したときは、第六十四条第一項の免許を取り消すことができる。

Article 82 (1) If it turned out that a clearing institution for interbank funds transfer already falls under any of the items of Article 66, paragraph (2) when it obtained a license referred to in Article 64, paragraph (1), the Prime Minister may revoke the license referred to in Article 64, paragraph (1).

2 内閣総理大臣は、資金清算機関が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は、第六十四条第一項の免許若しくは第六十九条第一項ただし書の承認を取り消し、六月以内の期間を定めてその業務の全部若しくは一部の停止を命じ、又はその取締役等の解任を命ずることができる。

(2) The Prime Minister may, when a clearing institution for interbank funds transfer violates this Act or an order under this Act, or a disposition under this Act or the order, revoke the license referred to in Article 64, paragraph (1) or the approval referred to in the proviso to Article 69, paragraph (1), order suspension of all or part of the business of the clearing institution for interbank funds transfer by setting a period not exceeding six months, or order the clearing institution for interbank funds transfer to dismiss its company directors, etc.

#### 第四節 雑則

#### Section 4 Miscellaneous Provisions

(解散等の認可)

(Approval of Dissolution)

第八十三条 資金清算機関の資金清算業の廃止又は解散の決議は、内閣総理大臣の認可を受けなければ、その効力を生じない。

Article 83 A resolution to discontinue the clearing services of a clearing institution for interbank funds transfer or a resolution of dissolution of a clearing institution for interbank funds transfer does not come into effect without the approval of the Prime Minister.

(財務大臣への協議)

(Consultation with the Minister of Finance)

第八十四条 内閣総理大臣は、資金清算機関に対し次に掲げる処分をすることが信用秩序の維持に重大な影響を与えるおそれがあると認めるときは、あらかじめ、信用秩序の維持を図るために必要な措置に関し、財務大臣に協議しなければならない。

Article 84 When the Prime Minister finds that maintenance of an orderly financial system may be materially affected by implementing any of the following dispositions on a clearing institution for interbank funds transfer, the Minister must consult with the Minister of Finance about measures necessary for maintaining of an orderly financial system in advance:

- 一 第八十二条第一項又は第二項の規定による第六十四条第一項の免許の取消し  
(i) revocation of the license referred to in Article 64, paragraph (1) under the provisions of Article 82, paragraph (1) or (2); or
- 二 第八十二条第二項の規定による業務の全部又は一部の停止の命令  
(ii) order to suspend all or part of the business pursuant to the provisions of Article 82, paragraph (2).

(財務大臣への通知)

(Notice to the Minister of Finance)

第八十五条 内閣総理大臣は、次に掲げる処分をしたときは、速やかに、その旨を財務大臣に通知するものとする。

Article 85 The Prime Minister is to, when implementing any of the following dispositions, promptly notify the Minister of Finance to that effect:

- 一 第六十四条第一項の規定による免許  
(i) granting of a license referred to in Article 64, paragraph (1);
- 二 第八十二条第一項又は第二項の規定による第六十四条第一項の免許の取消し  
(ii) revocation of the license referred to in Article 64, paragraph (1) pursuant to the provisions of Article 82, paragraph (1) or (2);
- 三 第八十二条第二項の規定による業務の全部又は一部の停止の命令  
(iii) order to suspend all or part of the business pursuant to the provisions of Article 82, paragraph (2); or
- 四 第八十三条の規定による認可

(iv) approval under the provisions of Article 83.

(日本銀行からの意見聴取)

(Hearing Opinion from the Bank of Japan)

第八十六条 内閣総理大臣は、この章の規定に基づく処分を行うために必要があると認めるときは、日本銀行に対し、意見を求めることができる。

Article 86 If the Prime Minister finds it necessary in order to reach a disposition based on the provisions of this Chapter, the Minister may seek the opinion from the Bank of Japan.

## 第五章 認定資金決済事業者協会

### Chapter V Certified Associations for Payment Service Providers

(認定資金決済事業者協会の認定)

(Certification of Certified Associations for Payment Service Providers)

第八十七条 内閣総理大臣は、政令で定めるところにより、前払式支払手段発行者、資金移動業者、電子決済手段等取引業者又は暗号資産交換業者が設立した一般社団法人であって、次に掲げる要件に該当すると認められるものを、その申請により、次条に規定する業務（以下この章において「認定業務」という。）を行う者として認定することができる。

Article 87 The Prime Minister may, pursuant to the provisions of Cabinet Order, certify a general incorporated association established by an issuer of prepaid payment instruments, a funds transfer service provider, an electronic payment instruments service provider or a cryptoasset exchange service provider that is found to satisfy the following requirements for a person who engages in the business prescribed in the following Article (hereinafter referred to as "certified businesses" in this Chapter) upon that person's application:

一 前払式支払手段（第三条第一項に規定する前払式支払手段をいう。以下この章において同じ。）の発行の業務、資金移動業、電子決済手段等取引業又は暗号資産交換業の適切な実施を確保し、並びにこれらの健全な発展及び利用者（第十条第一項第四号に規定する加盟店を含む。以下この章において同じ。）の利益の保護に資することを目的とすること。

(i) the general incorporated association aims to ensure the operation of the business of issuing prepaid payment instruments in a proper manner (meaning prepaid payment instruments specified in Article 3, paragraph (1); the same applies hereinafter in this Chapter), the funds transfer services, the electronic payment instruments services or the cryptoasset exchange services as well as contributing to the sound development of these businesses and protection of the interests of the users (including member shops specified in Article 10, paragraph (1), item (iv); hereinafter the same applies in this Chapter);

二 前払式支払手段発行者、資金移動業者、電子決済手段等取引業者又は暗号資産交換業者を社員（以下この章において「会員」という。）とする旨の定款の定めがあること。

(ii) the general incorporated association's articles of incorporation include a provision to the effect that its member (hereinafter referred to as "member" in this Chapter) are issuers of prepaid payment instruments, funds transfer service providers, electronic payment instruments service providers or cryptoasset exchange service providers;

三 認定業務を適正かつ確実に行うに必要な業務の実施の方法を定めているものであること。

(iii) the general incorporated association has established the means of business operations necessary for the operation of the certified businesses in a proper and steady manner; and

四 認定業務を適正かつ確実に行うに足りる知識及び能力並びに財産的基礎を有するものであること。

(iv) the general incorporated association has the knowledge, ability, and financial foundation sufficient for the operation of the certified businesses in a proper and steady manner.

(認定資金決済事業者協会の業務)

(Business of Certified Associations for Payment Service Providers)

第八十八条 認定資金決済事業者協会は、次に掲げる業務を行うものとする。

Article 88 A certified association for payment service providers is to engage in the following business:

一 会員が前払式支払手段の発行の業務、資金移動業、電子決済手段等取引業又は暗号資産交換業を行うに当たり、この法律その他の法令の規定及び第三号の規則を遵守させるための会員に対する指導、勧告その他の業務

(i) the business of providing guidance, recommendation, etc. to the members for the purpose of having members to comply with the provisions of this Act and other laws and regulations and rules prescribed in item (iii) in carrying out their business of issuing prepaid payment instruments, funds transfer services, electronic payment instruments services or cryptoasset exchange services;

二 会員の行う前払式支払手段の発行の業務、資金移動業、電子決済手段等取引業又は暗号資産交換業に関し、契約の内容の適正化その他前払式支払手段、資金移動業、電子決済手段等取引業又は暗号資産交換業の利用者の利益の保護を図るために必要な指導、勧告その他の業務

(ii) the business of providing guidance, recommendation, etc. to the members in relation to their business of issuing prepaid payment instruments, funds transfer services, electronic payment instruments services or cryptoasset exchange services that is necessary for ensuring the appropriateness of the

terms and conditions of contracts or otherwise protecting the interests of users of the business of issuing prepaid payment instruments, the funds transfer services, the electronic payment instruments services or the cryptoasset exchange services;

三 会員の行う前払式支払手段の発行の業務、資金移動業、電子決済手段等取引業又は暗号資産交換業の適正化及びその取り扱う情報の適切な管理を図るために必要な規則の制定

(iii) establishment of the rules that are necessary for the appropriate management of the business of issuing prepaid payment instruments, the funds transfer services, the electronic payment instruments services or the cryptoasset exchange services carried out by the members and information used in these businesses;

四 会員のこの法律若しくはこの法律に基づく命令若しくはこれらに基づく処分又は前号の規則の遵守の状況の調査

(iv) investigation of the status of compliance with this Act or an order under this Act or a disposition under this Act or the order, or the rules prescribed in the preceding item;

五 前払式支払手段、資金移動業、電子決済手段等取引業又は暗号資産交換業の利用者の利益を保護するために必要な情報の収集、整理及び提供

(v) collection, organization, and provision of information necessary for the protection of the interests of users of the business of issuing prepaid payment instruments, the funds transfer services, the electronic payment instruments services or the cryptoasset exchange services;

六 会員の行う前払式支払手段の発行の業務、資金移動業、電子決済手段等取引業又は暗号資産交換業に関する利用者からの苦情の処理

(vi) handling of complaints from users related to the business of issuing prepaid payment instruments, the funds transfer services, the electronic payment instruments services or the cryptoasset exchange services carried out by members;

七 前払式支払手段、資金移動業、電子決済手段等取引業又は暗号資産交換業の利用者に対する広報その他認定資金決済事業者協会の目的を達成するために必要な業務

(vii) publicity to the users of prepaid payment instruments, the funds transfer services, the electronic payment instruments services or the cryptoasset exchange services and other businesses necessary for the achievement of the purposes of the certified association for payment service providers; and

八 前各号に掲げるもののほか、前払式支払手段の発行の業務、資金移動業、電子決済手段等取引業又は暗号資産交換業の健全な発展及びこれらの利用者の保護に資する業務

(viii) beyond what is set forth in the preceding items, businesses that contribute to the sound development of the business of issuing prepaid payment instruments, the funds transfer services, the electronic payment



instruments services or the cryptoasset exchange services and the protection of the users of these businesses.

(会員名簿の縦覧等)

(Public Inspection of Membership List)

第八十九条 認定資金決済事業者協会は、会員名簿を公衆の縦覧に供しなければならない。

Article 89 (1) A certified association for payment service providers must make its membership list available for public inspection.

2 認定資金決済事業者協会でない者は、その名称中に、認定資金決済事業者協会と誤認されるおそれのある文字を用いてはならない。

(2) No person other than a certified association for payment service providers may use a wording in its name that is likely to mislead the public into believing that the person is a certified association for payment service providers.

3 認定資金決済事業者協会の会員でない者は、その名称中に、認定資金決済事業者協会の会員と誤認されるおそれのある文字を用いてはならない。

(3) No person other than a member of a certified association for payment service providers may use a wording in its name that is likely to mislead the public into believing that the person is a member of a certified association for payment service providers.

(会員に関する情報の利用者への周知等)

(Making Information About Members Known to Users)

第九十条 前払式支払手段発行者をその会員とする認定資金決済事業者協会は、前払式支払手段発行者である会員から第十三条第一項第四号に掲げる事項その他内閣府令で定める事項について当該前払式支払手段の利用者への周知を求められた場合には、当該事項を当該前払式支払手段の利用者に周知しなければならない。

Article 90 (1) A certified association for payment service providers whose members are issuers of prepaid payment instruments must, upon request from an issuer of prepaid payment instruments for making the particulars listed in Article 13, paragraph (1), item (iv), and other particulars specified by Cabinet Office Order public to the users of those prepaid payment instruments, make those particulars known to the users.

2 認定資金決済事業者協会は、第九十七条の規定により内閣総理大臣から提供を受けた情報のうち利用者の保護に資する情報について、前払式支払手段、資金移動業、電子決済手段等取引業又は暗号資産交換業の利用者に提供できるようにしなければならない。

(2) A certified association for payment service providers must have the ability to provide the users of prepaid payment instruments, the funds transfer services, the electronic payment instruments services or the cryptoasset exchange

services with some of the information that help protect the users provided by the Prime Minister pursuant to the provisions of Article 97.

(利用者からの苦情に関する対応)

(Responses to Complaints from Users)

第九十一条 認定資金決済事業者協会は、前払式支払手段、資金移動業、電子決済手段等取引業又は暗号資産交換業の利用者から会員の行う前払式支払手段の発行の業務、資金移動業、電子決済手段等取引業又は暗号資産交換業に関する苦情について解決の申出があったときは、その相談に応じ、申出人に必要な助言をし、その苦情に係る事情を調査するとともに、当該会員に対しその苦情の内容を通知してその迅速な処理を求めなければならない。

Article 91 (1) When a user of prepaid payment instruments, funds transfer services, electronic payment instruments services or cryptoasset exchange services files an application for resolution of a complaint concerning the business of issuing prepaid payment instruments, funds transfer services, electronic payment instruments services or cryptoasset exchange services carried out by a member, a certified association for payment service providers must respond to requests for consultation, provide necessary advice to the applicant, investigate the circumstances pertaining to the complaint, and request the member to expedite the process by informing the details of the complaint.

2 認定資金決済事業者協会は、前項の申出に係る苦情の解決について必要があると認めるときは、当該会員に対し、文書若しくは口頭による説明を求め、又は資料の提出を求めることができる。

(2) When a certified association for payment service providers finds it necessary for resolving a complaint pertaining to an application referred to in the preceding paragraph, it may request the relevant member to provide a written or oral explanation or submit materials.

3 会員は、認定資金決済事業者協会から前項の規定による求めがあったときは、正当な理由がないのに、これを拒んではならない。

(3) When a certified association for payment service providers makes a request to a member pursuant to the provisions of the preceding paragraph, the member must not refuse this without reasonable grounds.

4 認定資金決済事業者協会は、第一項の申出、苦情に係る事情及びその解決の結果について会員に周知させなければならない。

(4) A certified association for payment service providers must make applications referred to in paragraph (1), circumstances pertaining to the complaints, and the outcome of any resolution known to the members.

5 第一項の規定は、認定資金決済事業者協会が第九十九条第一項の規定による指定を受けている場合において、第一項の申出が当該指定に係る紛争解決等業務の種別に関する苦情に係るものであるときは、適用しない。

- (5) If a certified association for payment service providers is designated pursuant to the provisions of Article 99, paragraph (1), when the application referred to in paragraph (1) is related to complaints concerning the types of dispute resolution services pertaining to the designation, the provisions of paragraph (1) do not apply.

(認定資金決済事業者協会への報告等)

(Reports to Certified Associations for Payment Service Providers)

第九十二条 会員は、前払式支払手段発行者、資金移動業者、電子決済手段等取引業者又は暗号資産交換業者が行った利用者の保護に欠ける行為に関する情報その他利用者の利益を保護するために必要な情報として内閣府令で定めるものを取得したときは、これを認定資金決済事業者協会に報告しなければならない。

Article 92 (1) When a member obtains information about conduct in which an issuer of prepaid payment instruments, funds transfer service provider, electronic payment instruments service provider or cryptoasset exchange service provider engages that weakens the protection of users and other information necessary for the protection of the interests of users as specified by Cabinet Office Order, it must report this to the certified association for payment service providers of which membership they hold.

2 認定資金決済事業者協会は、その保有する前項に規定する情報について会員から提供の請求があったときは、正当な理由がある場合を除き、当該情報を提供しなければならない。

(2) Upon receipt of a request made by a member to provide the information held by a certified association for payment service providers referred to in the preceding paragraph, it must provide the member with the information except when there are reasonable grounds for refusal.

(秘密保持義務等)

(Confidentiality Obligation)

第九十三条 認定資金決済事業者協会の役員若しくは職員又はこれらの職にあった者は、その職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 93 (1) An officer or an employee of a certified association for payment service providers, or a person who was formerly in that position must not divulge or misappropriate any confidential information learned in the course of their duties to any person.

2 認定資金決済事業者協会の役員若しくは職員又はこれらの職にあった者は、その職務に関して知り得た情報を、認定業務の用に供する目的以外に利用してはならない。

(2) An officer or an employee of a certified association for payment service providers, or a person who was formerly in that position must not use any information learned in the course of their duties for purposes other than the purpose of providing this information for the certified business.

(定款の必要的記載事項)

**(Particulars Which Must Be Included in Articles of Incorporation)**

第九十四条 一般社団法人及び一般財団法人に関する法律第十一条第一項各号に掲げる事項及び第八十七条第二号に規定する定款の定めのほか、認定資金決済事業者協会は、その定款において、この法律若しくはこの法律に基づく命令若しくはこれらに基づく処分又は第八十八条第三号の規則に違反した会員に対し、定款で定める会員の権利の停止若しくは制限を命じ、又は除名する旨を定めなければならない。

Article 94 Beyond what is set forth in items of Article 11, paragraph (1) of the Act on General Incorporated Association and General Incorporated Foundation and a provision of the articles of incorporation prescribed in Article 87, item (ii), a certified association for payment service providers must, in its articles of incorporation, if its member violates this Act or an order under this Act or a disposition under this Act or the order, or the rules prescribed in Article 88, item (iii), the certified association for payment service providers suspends or restricts the rights of the member under the articles of incorporation, or expel the member from the association.

(立入検査等)

**(On-Site Inspections)**

第九十五条 内閣総理大臣は、この法律の施行に必要な限度において、認定資金決済事業者協会に対し、その業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該認定資金決済事業者協会の事務所に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 95 The Prime Minister may, to the extent necessary for the enforcement of this Act, order a certified association for payment service providers to submit reports or materials that can be used as reference for its business or property, or have officials enter the office of the certified association for payment service providers, ask questions about the status of its business or property or inspect its books and documents or other items.

(認定資金決済事業者協会に対する監督命令等)

**(Supervisory Order to Certified Association for Payment Service Providers)**

第九十六条 内閣総理大臣は、認定業務の運営に関し改善が必要であると認めるときは、この法律の施行に必要な限度において、認定資金決済事業者協会に対し、その改善に必要な措置をとるべきことを命ずることができる。

Article 96 (1) If the Prime Minister finds it necessary to improve operations of the certified businesses carried out by a certified association for payment service providers, the Minister may, to the extent necessary for the enforcement of this Act, order the certified association for payment service

providers to take necessary measures for improving its operations.

2 内閣総理大臣は、認定資金決済事業者協会の業務の運営が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は、その認定を取り消し、又は六月以内の期間を定めてその業務の全部若しくは一部の停止を命ずることができる。

(2) If operations of a business carried out by a certified association for payment service providers violate this Act or an order under this Act or a disposition under this Act or the order, the Prime Minister may revoke its certification or order the certified association for payment service providers to suspend all or part of its business, by setting a period for suspension not exceeding six months.

(認定資金決済事業者協会への情報提供)

(Provision of Information to Certified Associations for Payment Service Providers)

第九十七条 内閣総理大臣は、認定資金決済事業者協会の求めに応じ、認定資金決済事業者協会が認定業務を適正に行うために必要な限度において、前払式支払手段発行者、資金移動業者、電子決済手段等取引業者又は暗号資産交換業者に関する情報であつて認定業務に資するものとして内閣府令で定める情報を提供することができる。

Article 97 The Prime Minister may, in response to a request from a certified association for payment service providers and to the extent necessary for ensuring the operations of certified businesses in a proper and steady manner by the certified association for payment service providers, provide the certified association for payment service providers with information pertaining to an issuer of prepaid payment instruments, funds transfer service providers, electronic payment instruments service providers or cryptoasset exchange service providers that contributes to the certified businesses as specified by Cabinet Office Order.

(公告)

(Public Notices)

第九十八条 内閣総理大臣は、第八十七条の規定による認定をしたとき、又は第九十六条第二項の規定により当該認定を取り消したとき、若しくはその業務の全部若しくは一部の停止を命じたときは、内閣府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 98 If the Prime Minister certifies a person pursuant to the provisions of Article 87, or revokes the certification pursuant to the provisions of Article 96, paragraph (2), or orders to suspend all or part of the certified businesses, the Minister must give public notice to that effect, pursuant to the provisions of Cabinet Office Order.

## 第六章 指定紛争解決機関

## Chapter VI Designated Dispute Resolution Organizations

(紛争解決等業務を行う者の指定)

(Designation of Persons That Provide Dispute Resolution Services)

第九十九条 内閣総理大臣は、次に掲げる要件を備える者を、その申請により、紛争解決等業務を行う者として、指定することができる。

Article 99 (1) The Prime Minister may designate a person satisfying the following requirements for a person that provides dispute resolution services upon their application:

一 法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含み、外国の法令に準拠して設立された法人その他の外国の団体を除く。第四号ニにおいて同じ。）であること。

(i) the person is a corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated, but excluding a corporation established under the laws and regulations of a foreign state and other foreign organizations; the same applies in item (iv), (d));

二 次条第一項の規定によりこの項の指定を取り消され、その取消の日から五年を経過しない者又は他の法律の規定による指定であつて紛争解決等業務に相当する業務に係るものとして政令で定めるものを取り消され、その取消の日から五年を経過しない者でないこと。

(ii) the person is not a person who had its designation referred to in this paragraph revoked pursuant to the provisions of paragraph (1) of the following Article and for whom five years have not elapsed from the date of the revocation, or a person who had its designation under the provisions of another Act, which is pertaining to a business equivalent to dispute resolution services specified by Cabinet Order, revoked and for whom five years have not elapsed from the date of the revocation;

三 この法律、銀行法等若しくは弁護士法（昭和二十四年法律第二百五号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者でないこと。

(iii) the person is not a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Attorneys Act (Act No. 205 of 1949), or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

四 役員のうち、次のいずれかに該当する者がいないこと。

(iv) none of the officers fall under any of the following items:

イ 心身の故障のため紛争解決等業務に係る職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties pertaining to dispute resolution services due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto under laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) a person who has been sentenced to imprisonment or heavier punishment (including equivalent punishment under laws and regulations of a foreign state), and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ 次条第一項の規定によりこの項の指定を取り消された場合若しくはこの法律に相当する外国の法令の規定により当該外国において受けている当該指定に類する行政処分を取り消された場合において、その取消しの日前一月以内にその法人の役員（外国の法令上これと同様に扱われている者を含む。ニにおいて同じ。）であった者でその取消しの日から五年を経過しない者又は他の法律の規定による指定であって紛争解決等業務に相当する業務に係るものとして政令で定めるもの若しくは当該他の法律に相当する外国の法令の規定により当該外国において受けている当該政令で定める指定に類する行政処分を取り消された場合において、その取消しの日前一月以内にその法人の役員であった者でその取消しの日から五年を経過しない者

(d) if a corporation had its designation referred to in this paragraph revoked pursuant to the provisions of paragraph (1) of the following Article, or a corporation had its administrative disposition similar to the designation, that had been implemented in a foreign state pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act revoked, a person who had been an officer (including a person treated in the same manner under laws and regulations of a foreign state; the same applies in (d)) of the corporation at any time during the one month prior to the date of the revocation and for whom five years have not elapsed from the relevant date; or if a corporation had its designation under the provisions of another Act for business equivalent to the dispute resolution services as specified by Cabinet Order revoked, or a corporation had its administrative disposition similar to a designation specified by the Cabinet Order, that

had been implemented in a foreign state pursuant to the provisions of laws and regulations of the foreign state equivalent to the other Act revoked, a person who had been an officer of the corporation at any time during the one month prior to the date of revocation and for whom five years have not elapsed from the relevant date; or

ホ この法律、銀行法等若しくは弁護士法又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(e) a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Attorneys Act, or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceases to be executed;

五 紛争解決等業務を的確に実施するに足りる経理的及び技術的な基礎を有すること。

(v) the person has sufficient accounting and technical foundation to ensure the provision of the dispute resolution services in a proper and steady manner;

六 役員又は職員の構成が紛争解決等業務の公正な実施に支障を及ぼすおそれがないものであること。

(vi) the composition of the officers or employees of the person may not cause hindrance to the provision of dispute resolution services in a fair manner;

七 紛争解決等業務の実施に関する規程（以下この章において「業務規程」という。）が法令に適合し、かつ、この法律の定めるところにより紛争解決等業務を公正かつ的確に実施するために十分であると認められること。

(vii) rules concerning the execution of the dispute resolution services (hereinafter referred to as "operational rules" in this Chapter) are found to conform to laws and regulations and are sufficient to ensure the provision of the dispute resolution services in a fair and steady manner pursuant to the provisions of this Act; and

八 次項の規定により意見を聴取した結果、手続実施基本契約（紛争解決等業務の実施を内容とする契約をいう。以下この章において同じ。）の解除に関する事項その他の手続実施基本契約の内容（第百一条第一項において読み替えて準用する銀行法第五十二条の六十七第二項各号に掲げる事項を除く。）その他の業務規程の内容

（第百一条第一項において読み替えて準用する同法第五十二条の六十七第三項の規定によりその内容とするものでなければならぬこととされる事項並びに第百一条第一項において読み替えて準用する同法第五十二条の六十七第四項各号及び第五項第一号に掲げる基準に適合するために必要な事項を除く。）について異議（合理的な理由が付されたものに限る。）を述べた資金移動業等関係業者（資金移動業者、電子決済手段等取引業者又は暗号資産交換業者をいう。以下この章において同じ。）の数の資金移動業等関係業者の総数に占める割合が政令で定める割合以下の



割合となったこと。

- (viii) as a result of opinions heard pursuant to the provisions of the following paragraph, the ratio of funds transfer service providers, etc. (meaning funds transfer service providers, electronic payment instruments service providers or cryptoasset exchange service providers; hereinafter the same applies in this Chapter) who filed an objection (limited to the one to which reasonable grounds are provided) to particulars concerning the cancellation of the basic contract for execution of procedures (meaning a contract that governs the provision of the dispute resolution services; hereinafter the same applies in this Chapter) and other terms and conditions for the basic contract for execution of procedures (excluding particulars listed in items of Article 52-67, paragraph (2) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms) and other details of the Operational Rules (excluding particulars that must be included in the details of the Operational Rules pursuant to the provisions of Article 52-67, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms and particulars necessary for satisfying the criteria listed in the items of Article 52-67, paragraph (4) of that Act and paragraph (5), item (i) of that Article as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms) to the total number of funds transfer service providers, etc. was not more than a ratio specified by Cabinet Order.
- 2 前項の申請をしようとする者は、あらかじめ、内閣府令で定めるところにより、資金移動業等関係業者に対し、業務規程の内容を説明し、これについて異議がないかどうかの意見（異議がある場合には、その理由を含む。）を聴取し、及びその結果を記載した書類を作成しなければならない。
- (2) A person intending to file a request referred to in the preceding paragraph must, pursuant to the provisions of Cabinet Office Order, provide funds transfer service providers, etc. with an explanation about the details of the Operational Rules in advance, hear their opinions with regard to whether they have any objection to the details (including the grounds for objection if they have any objection), and prepare a document containing the results of the hearing.
- 3 内閣総理大臣は、第一項の規定による指定をしようとするときは、同項第五号から第七号までに掲げる要件（紛争解決手続の業務に係る部分に限り、同号に掲げる要件にあつては、第百一条第一項において読み替えて準用する銀行法第五十二条の六十七第四項各号及び第五項各号に掲げる基準に係るものに限る。）に該当していることについて、あらかじめ、法務大臣に協議しなければならない。
- (3) If the Prime Minister intends to designate a person pursuant to the provisions of paragraph (1), the Minister must consult with the Minister of

Justice in advance with regard to the fact that the applicant satisfies the requirements listed in items (v) through (vii) of that paragraph (limited to the part of requirements pertaining to the business of executing dispute resolution procedures, and with regard to the requirements listed in those items, limited to those pertaining to the criteria listed in the items of Article 52-67, paragraph (4) of the Banking Act and the items of paragraph (5) of that Article as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms).

4 第一項の規定による指定は、紛争解決等業務の種別ごとに行うものとし、同項第八号の割合は、当該紛争解決等業務の種別ごとに算定するものとする。

(4) The person is to be designated pursuant to the provisions of paragraph (1) according to the types of dispute resolution services, and the ratio referred to in item (viii) of that paragraph is to be calculated for the respective types of dispute resolution services.

5 内閣総理大臣は、第一項の規定による指定をしたときは、内閣府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。

(5) If the Prime Minister designates a person pursuant to the provisions of paragraph (1), the Minister must give public notice to that effect pursuant to the provisions of Cabinet Office Order.

(指定の取消し等)

(Revocation of Designations)

第百条 内閣総理大臣は、指定紛争解決機関が次の各号のいずれかに該当するときは、前条第一項の規定による指定を取り消し、又は六月以内の期間を定めて、その業務の全部若しくは一部の停止を命ずることができる。

Article 100 (1) If a designated dispute resolution organization falls under any of the following items, the Prime Minister may revoke its designation under the provisions of paragraph (1) of the preceding Article or order the designated dispute resolution organization to suspend all or part of its business, by specifying a period for suspension not exceeding six months:

一 前条第一項第二号から第七号までに掲げる要件に該当しないこととなったとき、又は指定を受けた時点において同項各号のいずれかに該当していなかったことが判明したとき。

(i) the designated dispute resolution organization no longer satisfies the requirements listed in paragraph (1), items (ii) through (vii) of the preceding Article or it turned out that the designated dispute resolution organization did not satisfy any of the items of that paragraph when it was designated;

二 不正の手段により前条第一項の規定による指定を受けたとき。

(ii) the designated dispute resolution organization was designated pursuant to the provisions of paragraph (1) of the preceding Article through wrongful means; or

三 法令又は法令に基づく処分に違反したとき。

(iii) the designated dispute resolution organization violates laws and regulations or a disposition under the laws and regulations.

2 内閣総理大臣は、指定紛争解決機関が次の各号のいずれかに該当する場合において、前項の規定による処分又は命令をしようとするときは、あらかじめ、法務大臣に協議しなければならない。

(2) If a designated dispute resolution organization falls under any of the following items, when the Prime Minister intends to reach a disposition or issue an order pursuant to the provisions of the preceding paragraph, the Minister must consult with the Minister of Justice in advance:

一 前条第一項第五号から第七号までに掲げる要件（紛争解決手続の業務に係る部分に限り、同号に掲げる要件にあっては、次条第一項において読み替えて準用する銀行法第五十二条の六十七第四項各号及び第五項各号に掲げる基準に係るものに限る。以下この号において同じ。）に該当しないこととなった場合又は前条第一項の規定による指定を受けた時点において同項第五号から第七号までに掲げる要件に該当していなかったことが判明した場合

(i) when the designated dispute resolution organization no longer satisfies the requirements listed in paragraph (1), items (v) through (vii) of the preceding Article (limited to the part of the requirements pertaining to the business of executing dispute resolution procedures, and with regard to the requirements listed in those items, limited to those pertaining to the criteria listed in items of Article 52-67, paragraph (4) of the Banking Act and items of paragraph (5) of that Article as applied mutatis mutandis pursuant to paragraph (1) of the following Article following the deemed replacement of terms; hereinafter the same applies in this item) or when it turned out that the designated dispute resolution organization did not satisfy any of paragraph (1), items (v) through (vii) of the preceding Article when it was designated pursuant to the provisions of that paragraph; or

二 次条第一項において読み替えて準用する銀行法第五十二条の六十五、第五十二条の六十六、第五十二条の六十九又は第五十二条の七十三の規定に違反した場合（その違反行為が紛争解決手続の業務に係るものである場合に限る。）

(ii) when the designated dispute resolution organization violates the provisions of Article 52-65, Article 52-66, Article 52-69, or Article 52-73 of the Banking Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article following the deemed replacement of terms (limited to cases where the violation pertains to the business of executing dispute resolution procedures).

3 第一項の規定により前条第一項の規定による指定の取消しの処分を受け、又はその業務の全部若しくは一部の停止の命令を受けた者は、当該処分又は命令の日から二週間以内に、当該処分又は命令の日次条第一項において読み替えて準用する銀行法第五十二条の八十三第三項に規定する苦情処理手続又は紛争解決手続が実施されていた

当事者、当該当事者以外の手続実施基本契約を締結した相手方である資金移動業等関係業者及び他の指定紛争解決機関に当該処分又は命令を受けた旨を通知しなければならない。

(3) A person who has had its designation under the provisions of paragraph (1) of the preceding Article revoked pursuant to the provisions of paragraph (1) or has received an order to suspend all or part of its business must, within two weeks from the date of the disposition or order, notify the parties to whom the complaint handling procedures or dispute resolution procedures prescribed in Article 52-83, paragraph (3) of the Banking Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article following the deemed replacement of terms are being implemented as of the date of the disposition or order, funds transfer service providers, etc. other than the parties who are the other parties to the basic contract for execution of procedures, and other designated dispute resolution organizations to the effect that it has received the disposition or order.

4 内閣総理大臣は、第一項の規定により前条第一項の規定による指定を取り消したとき、又はその業務の全部若しくは一部の停止を命じたときは、内閣府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。

(4) When the Prime Minister revokes the designation under the provisions of paragraph (1) of the preceding Article pursuant to the provisions of paragraph (1) or issues an order to suspend all or part of the relevant business, the Minister must give public notice to that effect, pursuant to the provisions of Cabinet Office Order.

(指定紛争解決機関に関する銀行法の規定の準用)

(Provisions of the Banking Act Applied Mutatis Mutandis to Designated Dispute Resolution Organizations)

第百一条 銀行法第二条第二十八項から第三十二項まで及び第五十二条の六十三から第五十二条の八十三までの規定（これらの規定に係る罰則を含む。次項において「銀行法規定」という。）は、指定紛争解決機関について準用する。この場合において、次項に定める場合を除き、これらの規定中次の表の上欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるものとする。

Article 101 (1) The provisions of Article 2, paragraph (28) through Article 2, paragraph (32) and Article 52-63 through Article 52-83 of the Banking Act (including the penal provisions pertaining to these provisions; referred to as the "provisions of the Banking Act" in the following paragraph) apply mutatis mutandis to designated dispute resolution organizations. In this case, except in cases specified in the following paragraph, the terms in these provisions listed in the left-hand column of the table below are deemed to be replaced with the terms listed in the right-hand column of that table:

銀行業務等関連苦情 Complaints related to the banking services, etc.	資金移動業等関連苦情 Complaints related to the funds transfer services, etc.
銀行業務等関連紛争 Disputes related to the banking services, etc.	資金移動業等関連紛争 Disputes related to the funds transfer services, etc.
加入銀行業関係業者 Member banking service providers	加入資金移動業等関係者 Member funds transfer service providers, etc.
顧客 Customers	利用者 Users

2 銀行法規定を指定紛争解決機関について準用する場合において、次の表の上欄に掲げる銀行法規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(2) If the provisions of the Banking Act Provisions apply mutatis mutandis to designated dispute resolution organizations, the terms or phrases listed in the middle column of the table below in the provisions of the Banking Act as listed in the left-hand column of that table are deemed to be replaced with the respective terms or phrases listed in the right-hand column of that table; and any other necessary technical replacement of terms is specified by Cabinet Order:

<p>第二条第二十八項 Article 2, paragraph (28)</p>	<p>銀行業務等に about banking services, etc.</p>	<p>資金移動業（資金決済に関する法律第三十六条の二第一項に規定する資金移動業をいう。次項において同じ。））、電子決済手段等取引業（同法第二条第十項に規定する電子決済手段等取引業をいう。次項において同じ。）又は暗号資産交換業（同条第十五項に規定する暗号資産交換業をいう。次項において同じ。）に about funds transfer services (meaning the funds transfer services prescribed in Article 36-2, paragraph (1) of the Payment Services Act; the same applies in the following paragraph), electronic payment instruments services (meaning the electronic payment instruments services prescribed in Article 2, paragraph (10) of that Act; the same applies in the following paragraph), or cryptoasset exchange services (meaning the cryptoasset exchange services prescribed in Article 2, paragraph (15) of that Act) the same applies in the following paragraph)</p>
<p>第二条第二十九項 Article 2, paragraph (29)</p>	<p>銀行業務等に related to banking services, etc.</p>	<p>資金移動業、電子決済手段等取引業又は暗号資産交換業に related to funds transfer services, electronic payment instruments services or cryptoasset exchange services</p>

<p>第二条第三十一項 Article 2, paragraph (31)</p>	<p>銀行業務及び 電子決済等取 扱業務 banking services and electronic payment handling services</p>	<p>資金移動業務（資金決済に関する法律第二条第二十五項に規定する資金移動業務をいう。第五十二条の七十三第三項第二号において同じ。） 電子決済手段等取引業務（資金決済に関する法律第二条第二十五項に規定する電子決済手段等取引業務をいう。同号において同じ。）及び暗号資産交換業務（同項に規定する暗号資産交換業務をいう。同号において同じ。） about funds transfer business (meaning the funds transfer business prescribed in Article 2, paragraph (25) of the Payment Services Act; the same applies in Article 52-73, paragraph (3), item (ii)), electronic payment instruments business (meaning the electronic payment instruments business in Article 2, paragraph (25) of the Payment Services Act; the same applies in that item), and cryptoasset exchange services (meaning the cryptoasset exchange services prescribed in Article 2, paragraph (25) of that paragraph; the same applies in that item)"</p>
---	--	--

<p>第二条第三十二項 Article 2, paragraph (32)</p>	<p>銀行業関係業者（銀行又は電子決済等取扱業者をいう。以下 banking service provider (meaning a bank or electronic payment handling service provider; the same applies hereinafter</p>	<p>資金移動業等関係業者（資金決済に関する法律第九十九条第一項第八号に規定する資金移動業等関係業者をいう。第五十二条の六十五第二項、第五十二条の六十七第三項及び第五十二条の七十九第一号において funds transfer service provider, etc. (meaning the funds transfer service provider, etc. prescribed in Article 99, paragraph (1), item (viii) of the Payment Services Act; the same applies in Article 52-65, paragraph (2), Article 52-67, paragraph (3), and Article 52-79, item (i)</p>
<p>第五十二条の六十三第一項 Article 52-63, paragraph (1)</p>	<p>前条第一項 Paragraph (1) of the preceding Article</p>	<p>資金決済に関する法律第九十九条第一項 Article 99, paragraph (1) of the Payment Services Act</p>
<p>第五十二条の六十三第二項第一号 Article 52-63, paragraph (2), item (i)</p>	<p>前条第一項第三号 Paragraph (1), item (iii) of the preceding Article</p>	<p>資金決済に関する法律第九十九条第一項第三号 Article 99, paragraph (1), item (iii) of the Payment Services Act</p>
<p>第五十二条の六十三第二項第六号 Article 52-63, paragraph (2), item (vi)</p>	<p>前条第二項 Paragraph (2) of the preceding Article</p>	<p>資金決済に関する法律第九十九条第二項 Article 99, paragraph (2) of the Payment Services Act</p>
<p>第五十二条の六十五第二項 Article 52-65, paragraph (2)</p>	<p>銀行業関係業者を meaning a banking service provider</p>	<p>資金移動業等関係業者を meaning a funds transfer service provider, etc.</p>



<p>第五十二条の六十七第三項 Article 52-67, paragraph (3)</p>	<p>銀行業関係業者 banking service provider</p>	<p>資金移動業等関係業者 funds transfer service provider, etc.</p>
<p>第五十二条の七十三第三項第二号 Article 52-73, paragraph (3), item (ii)</p>	<p>銀行業務である場合にあつては銀行業務、紛争解決等業務の種別が電子決済等取扱業務である場合にあつては電子決済等取扱業務 banking services if the category of dispute resolution services is banking services, or electronic payment handling services if the category of dispute resolution services is electronic payment handling services</p>	<p>資金移動業務である場合にあつては為替取引に係る業務、紛争解決等業務の種別が電子決済手段等取引業務である場合にあつては電子決済手段等取引業務、紛争解決等業務の種別が暗号資産交換業務である場合にあつては暗号資産交換業務 business pertaining to exchange transactions if the category of dispute resolution services is a funds transfer business; electronic payment instruments business if the category of dispute resolution services is electronic payment instruments business; or cryptoasset exchange business if the category of dispute resolution services is cryptoasset exchange business</p>
<p>第五十二条の七十四第二項 Article 52-74, paragraph (2)</p>	<p>第五十二条の六十二第一項の規定による指定が第五十二条の八十四第一項 Designation under Article 52-62, paragraph (1) ... Article 52-84, paragraph (1)</p>	<p>資金決済に関する法律第九十九条第一項の規定による指定が同法第百条第一項 Designation under Article 99, paragraph (1) of the Payment Services Act ... Article 100, paragraph (1) of that Act</p>

	第五十二条の八十四第三項 Article 52-84, paragraph (3)	同法第百条第三項 Article 100, paragraph (3) of that Act
第五十二条の七十九第一号 Article 52-79, item (i)	銀行業関係業者 bank service provider	資金移動業等関係業者 funds transfer service provider, etc.
第五十二条の八十二第二項第一号 Article 52-82, paragraph (2), item (i)	第五十二条の六十二第一項第五号から第七号までに掲げる要件 ( requirements set forth in Article 52-62, paragraph (1), item (v) through item (vii) (	資金決済に関する法律第九十九条第一項第五号から第七号までに掲げる要件 ( requirements set forth in Article 99, paragraph (1), item (v) through item (vii) of the Payment Services Act (
	又は第五十二条の六十二第一項第五号 or...Article 52-62, paragraph (1), item (v)	又は同法第九十九条第一項第五号 or...Article 99, paragraph (1), item (v) of that Act

## 第七章 雑則

### Chapter VII Miscellaneous Provisions

(検査職員の証明書の携帯)

(Carrying Identification of Inspection Officials)

第百二条 第二十四条第一項若しくは第二項、第五十四条第一項若しくは第二項、第六十二条の二十第一項若しくは第二項、第六十三条の十五第一項若しくは第二項、第六十三条の三十五第一項若しくは第二項、第八十条第一項若しくは第二項又は第九十五条の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者の請求があったときは、これを提示しなければならない。

Article 102 (1) Inspection officials who conduct on-site inspections pursuant to the provisions of Article 24, paragraph (1) or (2), Article 54, paragraph (1) or (2), Article 62-20, paragraph (1) or (2), Article 63-15, paragraph (1) or (2),

Article 63-35, paragraph (1) or (2), Article 80, paragraph (1) or (2), or Article 95 must carry an identification and present it when requested by any person concerned.

2 前項に規定する各規定による立入検査の権限は、犯罪捜査のために認められたものと解してはならない。

(2) The authority to conduct an on-site inspection under the respective provisions prescribed in the preceding paragraph must not be interpreted as being granted for the purpose of criminal investigation.

(財務大臣への資料提出等)

(Submission of Materials to the Minister of Finance)

第百三条 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、前払式支払手段発行者、資金移動業者、電子決済手段等取引業者、暗号資産交換業者、為替取引分析業者（第二条第十八項第一号に掲げる行為を業として行う者を除く。次項において同じ。）又は資金清算機関に係る制度の企画又は立案をするために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 103 (1) When the Minister of Finance finds it necessary for planning or implementing a plan for systems pertaining to an issuer of prepaid payment instruments, funds transfer service providers, electronic payment instruments service providers, cryptoasset exchange service providers, funds transfer transaction analysis service providers (excluding the person engaging in the act set forth in Article 2, paragraph (18), item (i) in the course of trade; the same applies in the following paragraph) or clearing institution for interbank funds transfers, in relation to a system for failure resolution of financial institutions and financial risk management under the minister's jurisdiction, the minister may request the Prime Minister to provide necessary materials and explanation therefor.

2 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、前払式支払手段発行者、資金移動業者、電子決済手段等取引業者、暗号資産交換業者、為替取引分析業者又は資金清算機関に係る制度の企画又は立案をするため特に必要があると認めるときは、その必要の限度において、前払式支払手段発行者、資金移動業者、電子決済手段等取引業者、暗号資産交換業者、為替取引分析業者、資金清算機関又は認定資金決済事業者協会その他の関係者に対し、資料の提出、説明その他の協力を求めることができる。

(2) When the Minister of Finance finds it particularly necessary for planning or implementing a plan for systems pertaining to an issuer of prepaid payment instruments, funds transfer service providers, electronic payment instruments service providers, cryptoasset exchange service providers, funds transfer transaction analysis service providers or clearing institution for interbank funds transfers, in relation to a system for failure resolution of financial

institutions and financial risk management under the minister's jurisdiction, the minister may request an issuer of prepaid payment instruments, funds transfer service providers, electronic payment instruments service providers, cryptoasset exchange service providers, funds transfer transaction analysis service providers, clearing institution for interbank funds transfers, certified association for payment service providers, or any other persons concerned to provide materials and explanation therefor as well as other forms of cooperation, to the extent that the cooperation is necessary.

(権限の委任)

(Delegation of Authority)

第百四条 内閣総理大臣は、この法律による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 104 (1) The Prime Minister delegates authority under this Act (excluding that specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

2 金融庁長官は、政令で定めるところにより、前項の規定により委任された権限の一部を財務局長又は財務支局長に委任することができる。

(2) The Commissioner of the Financial Services Agency may, pursuant to the provisions of Cabinet Order, delegate part of the authority that has been delegated to the commissioner pursuant to the provisions of the preceding paragraph to the Director-Generals of Local Finance Bureaus or Local Finance Branch Bureaus.

(内閣府令への委任)

(Provisions Governed by Cabinet Office Order)

第百五条 この法律（第四章を除く。以下この条において同じ。）に定めるもののほか、この法律を実施するために必要な事項は、内閣府令で定める。

Article 105 Beyond what is set forth in this Act (excluding Chapter IV; hereinafter the same applies in this Article), particulars necessary for the enforcement of this Act are specified by Cabinet Office Order.

(経過措置)

(Transitional Measures)

第百六条 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 106 If an order is established, amended or repealed based on the provisions of this Act, transitional measures necessary (including transitional measures concerning penal provisions) may be prescribed in the order, to the extent considered reasonably necessary for the establishment, amendment or

repeal of the order.

## 第八章 罰則

### Chapter VIII Penal Provisions

第百七条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 107 If any of the following items applies, the person who has committed the violation is subject to imprisonment for not more than three years or a fine of not more than three million yen, or both:

一 第七条の登録を受けないで第三者型前払式支払手段（第三条第五項に規定する第三者型前払式支払手段をいう。第三号において同じ。）の発行の業務を行ったとき。

(i) a person conducts the business of issuing prepaid payment instruments for third-party business (meaning prepaid payment instruments for third-party business prescribed in Article 3, paragraph (5); the same applies in item (iii)) without registering the business referred to in Article 7;

二 不正の手段により第七条、第三十七条、第六十二条の三若しくは第六十三条の二の登録又は第四十一条第一項若しくは第六十二条の七第一項の変更登録を受けたとき。

(ii) a person has been registered as referred to in Article 7, Article 37, Article 62-3 or Article 63-2, or registration of change referred to in Article 41, paragraph (1) or Article 62-7, paragraph (1) has been made through wrongful means;

三 第十二条の規定に違反して、他人に第三者型前払式支払手段の発行の業務を行わせたとき。

(iii) a person, in violation of the provisions of Article 12, has another person conduct the business of issuing prepaid payment instruments for third-party business;

四 第三十七条の二第二項の規定により読み替えて適用する第五十六条第一項の規定による特定資金移動業の廃止の命令に違反したとき。

(iv) a person violates an order to discontinue specified funds transfer services under the provisions of Article 56, paragraph (1) as applied following the deemed replacement of terms pursuant to the provisions of Article 37-2, paragraph (2);

五 第三十七条の二第三項の規定による届出をしないで特定資金移動業を営み、若しくは虚偽の届出をし、又は同項の規定により当該届出に添付すべき書類に虚偽の記載をしてこれを提出したとき。

(v) a person provides specified funds transfer services without filing a notification under the provisions of Article 37-2, paragraph (3) or files a false notification, or makes a false statement in a document to be attached to the notification pursuant to the provisions of that paragraph and submits the

document;

六 第四十一条第一項の変更登録を受けないで新たな種別の資金移動業を営んだとき。

(vi) a person provides a new type of funds transfer service without registering the change referred to in Article 41, paragraph (1);

七 第四十二条の規定に違反して、他人に資金移動業を営ませたとき。

(vii) a person, in violation of the provisions of Article 42, has another person provide the funds transfer service;

八 第六十二条の三の規定に違反して、同条の登録を受けないで電子決済手段等取引業を行ったとき。

(viii) a person, in violation of the provisions of Article 62-3, provides electronic payment instruments services without registering the services as referred to in that Article;

九 第六十二条の七第一項の変更登録を受けないで新たな種別の電子決済手段等取引業を行ったとき。

(ix) a person provides a new type of electronic payment instruments services without registering the change as referred to in Article 62-7, paragraph (1);

十 第六十二条の八第二項の規定により読み替えて適用する第六十二条の二十二第一項の規定による電子決済手段等取引業の廃止の命令に違反したとき。

(x) a person violates an order to discontinue electronic payment instruments services under the provisions of Article 62-22, paragraph (1) as applied following the deemed replacement of terms pursuant to the provisions of Article 62-8, paragraph (2);

十一 第六十二条の九の規定に違反して、他人に電子決済手段等取引業を行わせたとき。

(xi) a person, in violation of the provisions of Article 62-9, has another person provide the electronic payment instruments services;

十二 第六十三条の二の登録を受けないで暗号資産交換業を行ったとき。

(xii) a person provides the cryptoasset exchange services without registering the services referred to in Article 63-2;

十三 第六十三条の七の規定に違反して、他人に暗号資産交換業を行わせたとき。

(xiii) a person, in violation of the provisions of Article 63-7, has another person provide the cryptoasset exchange services;

十四 第六十三条の二十三の規定に違反して、同条の許可を受けないで為替取引分析業を行ったとき。

(xiv) a person, in violation of the provisions of Article 63-23, provides funds transfer transaction analysis services without obtaining a license as referred to in that Article;

十五 不正の手段により第六十三条の二十三又は第六十三条の三十三第一項の許可を受けたとき。

(xv) a person obtains a license referred to in Article 63-23 or Article 63-33, paragraph (1) through wrongful means;

十六 第六十三条の二十六の規定に違反して、他人に為替取引分析業を行わせたとき。  
(xvi) a person, in violation of the provisions of Article 63-26, has another

person provide the funds transfer transaction analysis services;

十七 第六十三条の三十三第一項の許可を受けないで新たな種別の為替取引分析業を行ったとき。

(xvii) a person provides a new type of funds transfer transaction analysis services without obtaining a license as referred to in Article 63-33, paragraph (1);

十八 第六十四条第一項の規定に違反して、同項の免許を受けないで資金清算業を行ったとき。

(xviii) a person, in violation of the provisions of Article 64, paragraph (1), provides the clearing service for interbank funds transfer without obtaining a license referred to in that paragraph; or

十九 不正の手段により第六十四条第一項の免許を受けたとき。

(xix) a person obtains a license referred to in Article 64, paragraph (1) through wrongful means.

第百八条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、二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 108 If any of the following items applies, the person who has committed the violation is subject to imprisonment for not more than two years or a fine of not more than three million yen, or both:

一 第四十条の二第一項の認可を受けないで第三十六条の二第一項に規定する第一種資金移動業を営んだとき。

(i) a person provides type I funds transfer service prescribed in Article 36-2, paragraph (1) without obtaining the authorization referred to in Article 40-2, paragraph (1);

二 第五十六条第一項の規定による資金移動業の全部又は一部の停止の命令に違反したとき。

(ii) a person violates an order to suspend all or part of the funds transfer service under the provisions of Article 56, paragraph (1);

三 第六十二条の十四第一項の規定に違反して、利用者の電子決済手段を自己の電子決済手段と分別して管理しなかったとき。

(iii) a person, in violation of the provisions of Article 62-14, paragraph (1), fails to manage users' electronic payment instruments separately from its own electronic payment instruments;

四 第六十二条の二十二第一項の規定による電子決済手段等取引業の全部又は一部の停止の命令に違反したとき。

(iv) a person violates an order to suspend all or part of the electronic payment instruments services pursuant to the provisions of Article 62-22, paragraph (1);

五 第六十三条の十一第一項の規定に違反して利用者の金銭を自己の金銭と分別して管理せず、若しくは信託しなかったとき、又は同条第二項前段の規定に違反して利用者の暗号資産を自己の暗号資産と分別して管理しなかったとき。

(v) a person, in violation of the provisions of Article 63-11, paragraph (1), fails to manage or entrust users' money separately from its own money, or a person, in violation of the provisions of the first sentence of paragraph (2) of that Article, fails to manage users' cryptoassets separately from its own cryptoassets;

六 第六十三条の十一の二第一項前段の規定に違反して、履行保証暗号資産（同項に規定する履行保証暗号資産をいう。以下この号において同じ。）を保有せず、又は履行保証暗号資産を履行保証暗号資産以外の自己の暗号資産と分別して管理しなかったとき。

(vi) a person, in violation of the provisions of the first sentence of Article 63-11-2, paragraph (1), fails to hold performance-guarantee cryptoassets (meaning the performance-guarantee cryptoassets prescribed in that paragraph; hereinafter the same applies in this item) or fails to manage the performance-guarantee cryptoassets separately from its own cryptoassets other than the performance-guarantee cryptoassets;

七 第六十三条の十七第一項の規定による暗号資産交換業の全部又は一部の停止の命令に違反したとき。

(vii) a person violates an order to suspend all or part of the cryptoasset exchange service pursuant to the provisions of Article 63-17, paragraph (1);

八 第六十三条の三十七第二項の規定による業務の全部又は一部の停止の命令に違反したとき。

(viii) a person violates an order to suspend all or part of the business pursuant to the provisions of Article 63-37, paragraph (2);

九 第八十二条第二項の規定による業務の全部又は一部の停止の命令に違反したとき。

(ix) a person violates an order to suspend all or part of the business pursuant to the provisions of Article 82, paragraph (2); or

十 第九十六条第二項の規定による業務の全部又は一部の停止の命令に違反したとき。

(x) a person violates an order to suspend all or part of the business pursuant to the provisions of Article 96, paragraph (2).

第百九条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、一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 109 If any of the following items applies, the person who has committed the violation is subject to imprisonment for not more than one year or a fine of not more than three million yen, or both:

一 第二十条第二項、第六十一条第三項、第六十二条の二十五第三項若しくは第六十三条の二十第三項の規定による公告をせず、又は虚偽の公告をしたとき。

(i) a person fails to give a public notice under the provisions of Article 20,



- paragraph (2), Article 61, paragraph (3), Article 62-25, paragraph (3) or Article 63-20, paragraph (3) or gives a false public notice;
- 二 第四十三条第一項の規定に違反して、供託を行わなかったとき。
- (ii) a person, in violation of Article 43, paragraph (1), fails to make a deposit;
- 三 第四十五条の二第一項後段の規定に違反して、同項第一号に規定する預貯金等管理方法による管理を行わなかったとき。
- (iii) a person, in violation of the provisions of the second sentence of Article 45-2, paragraph (1), fails to implement the management by using the method of management by bank deposits or savings prescribed in item (i) of that paragraph;
- 四 第四十六条の規定による命令に違反して、供託を行わなかったとき。
- (iv) a person, in violation of an order under the provisions of Article 46, fails to make a deposit;
- 五 第五十二条、第六十二条の十八、第六十三条の十三若しくは第七十八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の作成をしたとき。
- (v) a person fails to prepare or maintain the books and documents under the provisions of Article 52, Article 62-18, Article 63-13 or Article 78, or prepares false books or documents;
- 六 第五十三条第一項若しくは第二項、第六十二条の十九第一項若しくは第二項、第六十三条の十四第一項若しくは第二項、第六十三条の三十四若しくは第七十九条の規定による報告書若しくは第五十三条第三項、第六十二条の十九第三項若しくは第四項若しくは第六十三条の十四第三項若しくは第四項の規定による添付書類を提出せず、又は虚偽の記載をした報告書若しくは添付書類を提出したとき。
- (vi) a person fails to submit the written reports under the provisions of Article 53, paragraph (1) or (2), Article 62-19, paragraph (1) or (2), Article 63-14, paragraph (1) or (2), Article 63-34 or Article 79 or the accompanying documents under the provisions of Article 53, paragraph (3), Article 62-19, paragraph (3) or (4), Article 63-14, paragraph (3) or (4) or submits false written reports or accompanying documents;
- 七 第五十四条第一項若しくは第二項、第六十二条の二十第一項若しくは第二項、第六十三条の十五第一項若しくは第二項、第六十三条の三十五第一項若しくは第二項若しくは第八十条第一項若しくは第二項の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をしたとき。
- (vii) a person fails to submit reports or materials under the provisions of Article 54, paragraph (1) or (2), Article 62-20, paragraph (1) or (2), Article 63-15, paragraph (1) or (2), Article 63-35, paragraph (1) or (2) or Article 80, paragraph (1) or (2), or submits false reports or materials;
- 八 第五十四条第一項若しくは第二項、第六十二条の二十第一項若しくは第二項、第六十三条の十五第一項若しくは第二項、第六十三条の三十五第一項若しくは第二項若しくは第八十条第一項若しくは第二項の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又はこれらの規定による検査を拒み、妨げ、若

しくは忌避したとき。

(viii) a person fails to answer or gives a false answer to the questions asked by the officials under the provisions of Article 54, paragraph (1) or (2), Article 62-20, paragraph (1) or (2), Article 63-15, paragraph (1) or (2), Article 63-35, paragraph (1) or (2) or Article 80, paragraph (1) or (2), or refuses, prevents or evades the inspection under these provisions;

九 第六十二条の十七第一項において準用する金融商品取引法（以下「準用金融商品取引法」という。）第三十八条（第一号に係る部分に限る。）の規定に違反したとき。

(ix) a person violates the provisions of Article 38 (limited to the part pertaining to item (i) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 62-17, paragraph (1) (hereinafter referred to as the "Financial Instruments and Exchange Act as applied mutatis mutandis");

十 第六十三条の九の三の規定に違反して、同条第一号に掲げる行為をしたとき。

(x) a person, in violation of the provisions of Article 63-9-3, engages in an act set forth in item (i) of that Article; or

十一 第六十三条の二十四第一項（第六十三条の三十三第三項において準用する場合を含む。）の規定による許可申請書又は第六十三条の二十四第二項（第六十三条の三十三第三項において準用する場合を含む。）の規定による添付書類に虚偽の記載をして提出したとき。

(xi) a person made false statements in the written application for a license under the provisions of Article 63-24, paragraph (1) (including as applied mutatis mutandis pursuant to Article 63-33, paragraph (3)) or the accompanying documents under the provisions of Article 63-24, paragraph (2) (including as applied mutatis mutandis pursuant to Article 63-33, paragraph (3)) and submits those; or

十二 第六十五条第一項の規定による免許申請書又は同条第二項の規定による添付書類に虚偽の記載をして提出したとき。

(xii) a person made false statements in the written application for license under the provisions of Article 65, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article and submits those.

第百十条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、一年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

Article 110 If any of the following items applies, the person who has committed the violation is subject to imprisonment for not more than one year or a fine of not more than one million yen, or both.

一 第二十六条又は第二十七条第一項の規定による業務の全部又は一部の停止の命令に違反したとき。

(i) a person violates an order to suspend all or part of the business pursuant to the provisions of Article 26 or Article 27, paragraph (1); or

二 第六十二条の十三の規定に違反したとき。

(ii) a person violates the provisions of Article 62-13.

第百十一条 第六十三条の三十一第一項若しくは第二項（これらの規定を同条第三項において準用する場合を含む。）、第七十四条第一項若しくは第二項（これらの規定を同条第三項において準用する場合を含む。）又は第九十三条の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 111 A person who violates the provisions of Article 63-31, paragraph (1) or (2) (including cases where these provisions are applied mutatis mutandis pursuant to paragraph (3) of that Article), Article 74, paragraph (1) or (2) (including as applied mutatis mutandis pursuant to paragraph (3) of that Article) or Article 93 is subject to imprisonment for not more than one year or a fine of not more than five hundred thousand yen.

第百十二条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、六月以下の懲役若しくは五十万円以下の罰金に処し、又はこれを併科する。

Article 112 If any of the following items applies, the person who has committed the violation is subject to imprisonment for not more than six months or a fine of not more than five hundred thousand yen, or both:

一 第五条第一項の規定による届出書若しくは同条第二項の規定による添付書類を提出せず、又は虚偽の記載をした届出書若しくは添付書類を提出したとき。

(i) a person fails to submit the written notice under the provisions of Article 5, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article or submits a false written notice or accompanying documents;

二 第八条第一項の規定による登録申請書若しくは同条第二項の規定による添付書類、第三十八条第一項（第四十一条第二項において準用する場合を含む。）の規定による登録申請書若しくは第三十八条第二項（第四十一条第二項において準用する場合を含む。）の規定による添付書類、第六十二条の四第一項（第六十二条の七第二項において準用する場合を含む。）の規定による登録申請書若しくは第六十二条の四第二項（第六十二条の七第二項において準用する場合を含む。）の規定による添付書類又は第六十三条の三第一項の規定による登録申請書若しくは同条第二項の規定による添付書類に虚偽の記載をして提出したとき。

(ii) a person made false statements in the written application for registration under the provisions of Article 8, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article, the written application for registration under the provisions of Article 38, paragraph (1) (including as applied mutatis mutandis pursuant to Article 41, paragraph (2)) or the accompanying documents under the provisions of Article 38,

paragraph (2) (including as applied mutatis mutandis pursuant to Article 41, paragraph (2)), the written application for registration under the provisions of Article 62-4, paragraph (1) (including as applied mutatis mutandis pursuant to Article 62-7, paragraph (2)) or the accompanying documents under the provisions of Article 62-4, paragraph (2) (including as applied mutatis mutandis pursuant to Article 62-7, paragraph (2)), or the written application for registration under the provisions of Article 63-3, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article, and submits those;

三 第十四条第一項又は第二項の規定に違反して、供託を行わなかったとき。

(iii) a person, in violation of Article 14, paragraph (1) or (2), fails to make a deposit;

四 第十七条の規定による命令に違反して、供託を行わなかったとき。

(iv) a person, in violation of an order under the provisions of Article 17, fails to make a deposit;

五 第二十二條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の作成をしたとき。

(v) a person fails to prepare or maintain the books and documents under the provisions of Article 22, or prepares false books or documents;

六 第二十三條第一項の規定による報告書若しくは同條第二項の規定による添付書類を提出せず、又は虚偽の記載をした報告書若しくは添付書類を提出したとき。

(vi) a person fails to submit the written reports under the provisions of Article 23, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article or submits false written reports or accompanying documents;

七 第二十四條第一項若しくは第二項の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をしたとき。

(vii) a person fails to submit reports or materials under the provisions of Article 24, paragraph (1) or (2), or submits false reports or materials;

八 第二十四條第一項若しくは第二項の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避したとき。

(viii) a person fails to answer or gives a false answer to the questions asked by the officials under the provisions of Article 24, paragraph (1) or (2), or refuses, prevents or evades the inspection under these provisions;

九 準用金融商品取引法第三十七條第一項に規定する事項を表示せず、又は虚偽の表示をしたとき。

(ix) a person fails to indicate the particulars prescribed in Article 37, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis or makes a false indication;

十 準用金融商品取引法第三十七條第二項の規定に違反したとき。

(x) a person violates the provisions of Article 37, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis;

十一 準用金融商品取引法第三十七条の三第一項の規定に違反して、書面を交付せず、若しくは同項に規定する事項を記載しない書面若しくは虚偽の記載をした書面を交付したとき、又は同条第二項において準用する金融商品取引法第三十四条の二第四項に規定する方法により当該事項を欠いた提供若しくは虚偽の事項の提供をしたとき。

(xi) a person, in violation of the provisions of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis, fails to deliver a document or delivers a document that does not contain the particulars prescribed in that paragraph or a document that contains a false statement, or a person, in violation of those provisions, provides another person with something that lacks those particulars or with something that contains false particulars by the means prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, which is applied mutatis mutandis pursuant to Article 37-3, paragraph (2) of Financial Instruments and Exchange Act as applied mutatis mutandis;

十二 準用金融商品取引法第三十七条の四第一項の規定による書面を交付せず、若しくは虚偽の記載をした書面を交付したとき、又は同条第二項において準用する金融商品取引法第三十四条の二第四項に規定する方法により虚偽の事項の提供をしたとき。

(xii) a person fails to deliver a document under the provisions of Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis or delivers a document that contains a false statement, or if a person, in violation of those provisions, provides another person with false particulars by the means prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, which is applied mutatis mutandis pursuant to Article 37-4, paragraph (2) of Financial Instruments and Exchange Act as applied mutatis mutandis;

十三 第六十三条の九の二に規定する事項を表示しなかったとき。

(xiii) a person fails to indicate the particulars prescribed in Article 63-9-2;

十四 第六十三条の九の三の規定に違反して、同条第二号又は第三号に掲げる行為をしたとき。

(xiv) a person, in violation of the provisions of Article 63-9-3, engages in an act set forth in item (ii) or (iii) of that Article;

十五 第九十五条の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をしたとき。

(xv) a person fails to submit reports or materials under the provisions of Article 95, or submits false reports or materials; or

十六 第九十五条の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又は同条の規定による検査を拒み、妨げ、若しくは忌避したとき。

(xvi) a person fails to answer or gives a false answer to the questions asked by the officials under the provisions of Article 95, or refuses, prevents or evades the inspection under the provisions of that Article.

第百十三条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、百万円以下の罰金に処する。

Article 113 If any of the following items applies, the person who has committed the violation is subject to a fine of not more than one million yen:

一 第五十五条、第六十二条の二十一、第六十三条の十六、第六十三条の三十六、第八十一条又は第九十六条第一項の規定による命令に違反したとき。

(i) a person violates an order under the provisions of Article 55, Article 62-21, Article 63-16, Article 63-36, Article 81 or Article 96, paragraph (1); or

二 第六十二条の八第三項の規定による届出をしないで電子決済手段等取引業を行い、又は虚偽の届出をしたとき。

(ii) a person provides electronic payment instruments services without filing a notification under the provisions of Article 62-8, paragraph (3) or files a false notification.

第百十四条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、三十万円以下の罰金に処する。

Article 114 If any of the following items applies, the person who has committed the violation is subject to a fine of not more than three hundred thousand yen:

一 第五条第三項、第十一条第一項、第十一条の二第一項若しくは第二項、第四十条の二第二項、第四十一条第三項若しくは第四項、第六十二条の七第三項若しくは第四項若しくは第六十三条の六第一項若しくは第二項の規定による届出をせず、又は虚偽の届出をしたとき。

(i) a person fails to make a notification under the provisions of Article 5, paragraph (3), Article 11, paragraph (1), Article 11-2, paragraph (1) or (2), Article 40-2, paragraph (2), Article 41, paragraph (3) or (4), Article 62-7, paragraph (3) or (4) or Article 63-6, paragraph (1) or (2), or makes a false notification;

二 第十三条第一項の規定による情報の提供をせず、又は虚偽の情報の提供をしたとき。

(ii) a person fails to provide information under the provisions of Article 13, paragraph (1), or provides false information;

三 第二十条第四項、第六十一条第七項、第六十二条の二十五第七項若しくは第六十三条の二十第七項において準用する会社法第九百五十五条第一項の規定に違反して、調査記録簿等（同項に規定する調査記録簿等をいう。以下この号において同じ。）に同項に規定する電子公告調査に関し法務省令で定めるものを記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は同項の規定に違反して調査記録簿等を保存しなかったとき。

(iii) if a person, in violation of Article 955, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 20, paragraph (4), Article 61, paragraph (7), Article 62-25, paragraph (7) or Article, paragraph 63-20 (7), fails to make entries or records the particulars specified by Ministry of Justice Order concerning electronic public notice investigations prescribed in that paragraph in an investigation record book, etc. (meaning the investigation record book, etc. prescribed in that paragraph; hereinafter the same applies in this item), or makes a false statement or records, or fails to maintain an investigation record book, etc. in violation of the provisions of that paragraph;

四 第二十五条の規定による命令に違反したとき。

(iv) a person violates an order under the provisions of Article 25;

五 第三十条第二項の規定による届出書若しくは同条第三項の規定による添付書類を提出せず、又は虚偽の記載をした届出書若しくは添付書類を提出したとき。

(v) a person has failed to submit the written notice under the provisions of Article 30, paragraph (2) or the accompanying documents under the provisions of paragraph (3) of that Article or has submitted a false written notice or accompanying documents;

六 第三十条第四項の規定による届出をせず、又は虚偽の届出をしたとき。

(vi) a person fails to make a notification under the provisions of Article 30, paragraph (4) or makes a false notification;

七 第六十三条の二十七第二項、第六十三条の三十三第二項、第六十九条第二項若しくは第七十七条の規定による届出をせず、又は虚偽の届出をしたとき。

(vii) a person fails to make a notification under the provisions of Article 63-27, paragraph (2), Article 63-33, paragraph (2), Article 69, paragraph (2) or Article 77, or makes a false notification;

八 第六十三条の三十二又は第七十六条の規定に違反したとき。

(viii) a person violates the provisions of Article 63-32 or Article 76;

九 第八十九条第三項の規定に違反して、その名称中に認定資金決済事業者協会の会員（第八十七条第二号に規定する会員をいう。以下同じ。）と誤認されるおそれのある文字を用いたとき。

(ix) a person, in violation of the provisions of Article 89, paragraph (3), uses certain wording in its name that is likely to mislead the public into believing that the person is a member of a certified association for payment service providers (meaning a member specified in Article 87, item (ii); the same applies hereinafter); or

十 第一百条第三項の規定による通知をせず、又は虚偽の通知をしたとき。

(x) a person fails to make a notification under the provisions of Article 100, paragraph (3) or makes a false notification.

第百十五条 法人（人格のない社団又は財団であつて代表者又は管理人の定めのあるも

のを含む。以下この項において同じ。)の代表者若しくは管理人又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、次の各号に掲げる規定の違反行為をしたときは、その行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

- Article 115 (1) Where the representative person or administrator of a corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated; hereinafter the same applies in this paragraph) or an agent, employee, or other worker of a corporation or individual, with regard to the business of the corporation or individual, violates any of the provisions set forth in the following items, not only the offender, but also the corporation is subject to the fine prescribed in the respective items and the individual is subject to the fine prescribed in the Articles referred to in the respective items:
- 一 第百八条 (第一号及び第十号を除く。) 三億円以下の罰金刑  
(i) Article 108 (excluding items (i) and (x)): a fine of not more than three hundred million yen;
  - 二 第百九条 (第一号を除く。) 二億円以下の罰金刑  
(ii) Article 109 (excluding item (i)): a fine of not more than two hundred million yen;
  - 三 第百十条又は第百十二条 (第一号、第二号及び第九号から第十六号までを除く。) 一億円以下の罰金刑  
(iii) Article 110 or Article 112 (excluding items (i), (ii), and (ix) through (xvi)): a fine of not more than one hundred million yen; and
  - 四 第百七条、第百八条第一号若しくは第十号、第百九条第一号、第百十二条第一号、第二号若しくは第九号から第十六号まで、第百十三条又は前条 各本条の罰金刑  
(iv) Article 107, Article 108, item (i) or (x), Article 109, item (i), Article 112, item (i), (ii), or (ix) through (xvi), Article 113, or the preceding Article: a fine prescribed in the respective Articles.
- 2 人格のない社団又は財団について前項の規定の適用がある場合には、その代表者又は管理人がその訴訟行為につきその人格のない社団又は財団を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。
- (2) If the provisions of the preceding paragraph apply to an association or foundation without juridical personality, the representative person or administrator thereof represents the association or foundation without juridical personality with regard to the procedural act, and the provisions of Acts concerning criminal procedures where a corporation is the defendant or a suspect apply mutatis mutandis.

第百十六条 次の各号のいずれかに該当する者は、百万円以下の過料に処する。

Article 116 Any person who falls under any of the following items is subject to a civil fine of not more than one million yen:



一 第二十条第四項、第六十一条第七項、第六十二条の二十五第七項又は第六十三条の二十第七項において準用する会社法第九百四十一条の規定に違反して、同条の調査を求めなかった者

(i) a person who, in violation of Article 941 of the Companies Act as applied mutatis mutandis pursuant to Article 20, paragraph (4), Article 61, paragraph (7), Article 62-25, paragraph (7) or Article 63-20, paragraph (7), fails to request an investigation referred to in that Article;

二 第二十条第四項、第六十一条第七項、第六十二条の二十五第七項若しくは第六十三条の二十第七項において準用する会社法第九百四十六条第三項の規定に違反して、報告をせず、又は虚偽の報告をした者

(ii) a person who, in violation of Article 946, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 20, paragraph (4), Article 61, paragraph (7), Article 62-25, paragraph (7) or Article 63-20, paragraph (7), fails to make a report or makes a false report; or

三 正当な理由がないのに、第二十条第四項、第六十一条第七項、第六十二条の二十五第七項又は第六十三条の二十第七項において準用する会社法第九百五十一条第二項各号又は第九百五十五条第二項各号に掲げる請求を拒んだ者

(iii) a person who refuses any requests listed in the items of Article 951, paragraph (2) or the items of Article 955, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 20, paragraph (4), Article 61, paragraph (7), Article 62-25, paragraph (7) or Article 63-20, paragraph (7) without reasonable grounds.

第百十七条 次の各号のいずれかに該当する者は、五十万円以下の過料に処する。

Article 117 Any person who falls under any of the following items is subject to a civil fine of not more than five hundred thousand yen:

一 第三十三条第一項、第六十一条第一項若しくは第四項、第六十二条の二十五第一項若しくは第四項若しくは第六十三条の二十第一項若しくは第四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 who fails to make a notification under the provisions of Article 33, paragraph (1), Article 61, paragraph (1) or (4), Article 62-25, paragraph (1) or (4) or Article 63-20, paragraph (1) or (4), or makes a false notification; or

二 正当な理由がないのに第八十九条第一項の規定による名簿の縦覧を拒んだ者

(ii) a person who refuses to make the membership list available for public inspection under the provisions of Article 89, paragraph (1) without justifiable grounds.

第百十八条 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 118 Any person who falls under any of the following items is subject to a civil fine of not more than one hundred thousand yen:

一 第十四条第二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 who fails to make a notification under the provisions of Article 14, paragraph (2) or makes a false notification; or

二 第八十九条第二項の規定に違反して、その名称中に認定資金決済事業者協会と誤認されるおそれのある文字を用いた者

(ii) a person who, in violation of the provisions of Article 89, paragraph (2), uses certain wording in its name which is likely to mislead the public into believing that the person is a certified association for payment service providers.