

債権管理回収業に関する特別措置法施行規則

Regulations for Enforcement of the Act on Special Measures Concerning the Management of and Collection on Monetary Claims

(平成十一年一月二十九日法務省令第四号)

(Order of the Ministry of Justice No. 4 of January 29, 1999)

債権管理回収業に関する特別措置法（平成十年法律第百二十六号）及び債権管理回収業に関する特別措置法施行令（平成十一年政令第十四号）の規定に基づき、並びに同法及び同令を実施するため、債権管理回収業に関する特別措置法施行規則を次のように定める。

Based on the provisions of the Act on Special Measures Concerning the Management of and Collection on Monetary Claims (Act No. 126 of 1998) and of the Order for Enforcement of the Act on Special Measures Concerning the Management of and Collection on Monetary Claims (Cabinet Order No. 14 of 1999), and in order to enforce that Act and that Order, the Regulations for Enforcement of the Act on Special Measures Concerning the Management of and Collection on Monetary Claims is established as follows.

(許可の申請)

(Application for License)

第一条 債権管理回収業に関する特別措置法（以下「法」という。）第三条の規定による法務大臣の許可を受けようとする者（以下「許可申請者」という。）は、別紙様式第一号により作成した法第四条第一項の許可申請書（以下「許可申請書」という。）に、同条第二項に規定する書類を添付して、法務大臣に提出しなければならない。

Article 1 A person who intends to obtain a license from the Minister of Justice (hereinafter referred to as "license applicant") pursuant to the provisions of Article 3 of the Act on Special Measures Concerning the Management of and Collection on Monetary Claims (hereinafter referred to as the "Act") must submit to the Minister of Justice a written application for the license stated in Article 4, paragraph (1) of the Act prepared using Appended Form 1 (hereinafter referred to as "written application for the license"), and attach thereto the documents prescribed in Article 4, paragraph (2) of the Act.

(許可申請書のその他の記載事項)

(Other Particulars to Be Stated in Written Application for License)

第二条 法第四条第一項第六号に規定する法務省令で定める事項は、次に掲げる事項とする。

Article 2 The particulars specified by Order of the Ministry of Justice, as

prescribed in Article 4, paragraph (1), item (vi) of the Act are listed as follows:

一 取締役又は執行役のうち代表権を有する者については、その旨

(i) with regard to a director or an executive officer who has the authority of representation; a statement to that fact;

二 主要株主（発行済株式の総数の百分の十以上の株式を自己又は他人の名義をもって所有している者をいう。以下同じ。）の商号、名称又は氏名及び住所

(ii) the trade name or name; and address of the major shareholders (meaning the persons who hold 10 percent or more of the total number of the issued shares under the persons' own names or the names of another persons; the same applies hereinafter);

三 法第四条第一項第三号に規定する役員以外の法第五条第七号に規定する役員等が存する場合にあっては、その者の会社における職名又は呼称及び氏名並びに住所

(iii) in cases in which there is any officer, etc. prescribed in Article 5, item (vii) of the Act other than the officers prescribed in Article 4, paragraph (1), item (iii) of the Act: the job title or position name of that officer, etc. in the company, as well as their name and address;

四 法第五条第七号に規定する役員等（以下「役員等」という。）が、自ら事業を営み、若しくは事業を営む者の使用人となり、又は他の法人の役員若しくは使用人となっているときは、当該役員等の氏名並びにこれを使用する者の氏名又は当該法人の商号若しくは名称、その住所及び当該事業の種類又は当該法人の業務の種類

(iv) in cases in which an officer, etc. prescribed in Article 5, item (vii) of the Act (hereinafter referred to as an "officer, etc.") engages in a business themselves, or serves as an employee of a person who engages in a business, or serves as an officer or employee of another corporation: the name of the relevant officer, etc., as well as the name of the person who employs them, or the trade name or name of the relevant corporation that employs them, the address of the relevant person or corporation, and the type of the relevant business or the type of operations of the relevant corporation;

五 許可申請者の使用人であって、本店その他の営業所において債権管理回収業の実施業務を担当する管理職の地位にある者及びこれを直接補佐する者（以下「重要な使用人」という。）の氏名及び住所

(v) the names and addresses of the license applicant's employee who holds the management position in charge of carrying out the operations for conducting the credit management and collection business at the head office or any other business office and of the license applicant's employee who directly assists the former (referred to below as "major employees").

（許可申請書の添付書類）

(Documents to Be Attached to Written Application for License)

第三条 法第四条第二項に規定する法務省令で定める書類は、次に掲げる書類とする。

Article 3 The documents specified by Order of the Ministry of Justice as

prescribed in Article 4, paragraph (2) of the Act are the following:

一 定款

(i) the articles of incorporation;

二 登記事項証明書

(ii) the certificate of registered information;

三 役員等及び重要な使用人の住民票（本籍の記載のあるものに限る。）の抄本又はこれに代わる書面

(iii) the extracts of the certificates of residence of the officer, etc. and major employees (limited to those containing the registered domiciles of these persons) or documents in lieu of this;

四 取締役である弁護士が法第六条第二項ただし書に定める所属弁護士会の推薦を受けた者であるときはその旨を証明する書面の写し

(iv) if the attorney who serves as a director is recommended by the bar association to which that person belongs as prescribed in the proviso to Article 6, paragraph (2) of the Act, a copy of the document certifying to that effect;

五 許可申請者が別紙様式第二号により作成した法第五条各号に該当しないことを誓約する書面

(v) a document in which the license applicant pledges, using Appended Form 2, that the applicant does not fall under any of the items of Article 5 of the Act;

六 役員等がそれぞれ別紙様式第三号により作成した法第五条第七号イからチまでに掲げる各事由に該当しないことを誓約する書面

(vi) documents in which the officer, etc. pledges, using Appended Form 3, that they do not fall within any of the categories listed in Article 5, item (vii), (a) through (h) of the Act; and

七 許可申請者の組織図及び業務の概要を記載した書面

(vii) a document stating the organizational chart and the description of the business of the License Applicant.

(心身の故障により債権管理回収業に係る業務を適正に行うことができない者)

(Persons who are Unable to Properly Engage in the Business of Claim Management and Collection Due to a Mental or Physical Disorder;)

第三条の二 法第五条第七号イに規定する法務省令で定める者は、精神の機能の障害により債権管理回収業に係る業務を適正に行うに当たって必要な認知、判断及び意思疎通を適切に行うことができない者とする。

Article 3-2 The persons prescribed by Order of the Ministry of Justice as provided in Article 5, item (vii), (a) of the Act are persons who are unable to adequately make use of the cognitive functioning, decision making, and communication skills needed to properly perform the duties involved in the management of and collection on monetary claims due to a mental impairment.

(変更の届出等)

(Notification of Change)

第四条 法第七条第一項第三号に規定する法務省令で定める場合は、次の各号のいずれかであることとする。

Article 4 (1) The case specified by Order of the Ministry of Justice as prescribed in Article 7, paragraph (1), item (iii) of the Act is any of the cases listed in the following items:

一 法第十二条ただし書に規定する法務大臣の承認を受けて営む業務（以下「兼業」という。）を廃止した場合

(i) cases in which the company managing and collecting on monetary claims has discontinued the business that it conducts with approval of the Minister of Justice obtained as prescribed in the proviso to Article 12 of the Act (referred to below as the "subsidiary business");

二 取締役である弁護士が弁護士法第五十六条による懲戒処分を受けたことを知った場合

(ii) cases in which the company managing and collecting on monetary claims has become aware that an attorney who serves as a director was subject to disciplinary action under Article 56 of the Attorneys Act; or

三 組織に変更があった場合

(iii) cases in which there has been a change to the organization of the company managing and collecting on monetary claims.

2 債権回収会社は、法第七条第一項に規定する届出をしようとするときは、別紙様式第四号により作成した変更等届出書に、第三条各号に掲げる書類のうち変更に係るものを添付して、法務大臣に提出しなければならない。

(2) When a company managing and collecting on monetary claims intends to make a notification as prescribed in Article 7, paragraph (1) of the Act, it must submit to the Minister of Justice a written notification of changes, etc. prepared using appended Form 4 by attaching the documents stated in the items of Article 3 which relates to the changes.

(事業譲渡等の認可申請)

(Application for Approval of Business Transfer)

第五条 法第八条第一項に規定する債権管理回収業の全部又は一部の譲渡及び譲受け（以下「事業譲渡等」という。）において、譲受人が法第三条の許可を受けた者である場合には、事業譲渡等の認可を受けようとする者は、別紙様式第五号により作成した事業譲渡等認可申請書に、次に掲げる書類を添付して、法務大臣に提出しなければならない。

Article 5 (1) In the event of a transfer or acquisition of the whole or part of the company managing and collecting on monetary claims prescribed in Article 8, paragraph (1) of the Act (referred to below as a "business transfer, etc."), if the transferee is a person who has obtained a license stated in Article 3 of the Act,

the person who intends to obtain approval of the business transfer, etc. must submit to the Minister of Justice a written application for the approval of business transfer, etc. prepared using Appended Form 5, and attach thereto the documents listed as follows:

一 事業譲渡等の経緯を説明した書面

(i) a document explaining the particulars of the business transfer, etc.;

二 事業譲渡等が株主総会又は取締役会の決議を要するものである場合には、これに関する株主総会又は取締役会の議事録の写し

(ii) in cases where a resolution of the shareholders meeting or the board of directors is required for the business transfer, etc., a copy of the minutes of the shareholders meeting or the board of directors meeting concerned; and

三 事業譲渡等の契約書の写し

(iii) a copy of the contract of the Business Transfer, etc.

2 事業譲渡等において、譲受人が法第三条の許可を受けていない者である場合には、事業譲渡等の認可を受けようとする者は、別紙様式第六号により作成した事業譲渡等認可申請書に、次に掲げる書類を添付して、法務大臣に提出しなければならない。

(2) In the event of a Business Transfer, etc., if the transferee is a person who has not obtained a license stated in Article 3 of the Act, the person who intends to obtain approval for the business transfer, etc. must submit to the Minister of Justice a written application for the approval of business transfer, etc. prepared using Appended Form 6, and attach thereto the documents listed as follows:

一 前項各号に掲げる書類

(i) the documents listed in the items of the preceding paragraph; and

二 譲受人に係る第三条各号の書類（この場合において、同条各号中「許可申請」とあるのは「事業譲渡等認可申請」と読み替えるものとする。）

(ii) the documents listed in the items of Article 3 which is related to the transferee (in this case, the terms "license applicant" and "application for the license" are to be deemed to be replaced with "applicant for the approval of business transfer, etc." and "application for the approval of business transfer, etc.," respectively).

（合併及び分割の認可申請）

(Application for Approval of Merger and Split)

第六条 法第八条第二項前段に規定する合併の認可を受けようとする者は、別紙様式第七号により作成した合併認可申請書に、次に掲げる書類を添付して、法務大臣に提出しなければならない。

Article 6 (1) A person who intends to obtain approval of merger as prescribed in the first sentence of Article 8, paragraph (2) of the Act must submit to the Minister of Justice a written application for the approval of merger prepared using Appended Form 7, and attach thereto the documents listed as follows:

- 一 合併の経緯等を説明した書面
 - (i) a document explaining the particulars, etc. of the merger;
- 二 株主総会の議事録の写し（合併契約について株主総会の決議による承認を要しないときは、取締役会の議事録の写し）
 - (ii) a copy of the minutes of the shareholders meeting (or a copy of the minutes of the board of directors meeting if a merger agreement does not need to be approved by a resolution at the shareholders meeting);
- 三 合併契約書の写し
 - (iii) a copy of the merger agreement;
- 四 合併後存続する会社又は合併により設立される会社（以下「合併会社」という。）に係る次に掲げる書類
 - (iv) the following documents related to the company surviving the merger or company incorporated through the merger (referred to below as the "merger company"):
 - イ 定款
 - (a) the articles of incorporation;
 - ロ 役員等となる者及び重要な使用人となる者の住民票（本籍の記載のあるものに限る。）の抄本又はこれに代わる書面
 - (b) the extracts of the certificates of residence of the persons who are to serve as officer, etc. and persons who are to serve as major employees (limited to those containing the registered domiciles of these persons) or documents in lieu of this;
 - ハ 取締役となる弁護士が法第六条第二項ただし書に定める所属弁護士会の推薦を受けた者であるときはその旨を証明する書面の写し
 - (c) if the attorney who is to serve as a director is recommended by the bar association to which that person belongs as prescribed in the proviso to Article 6, paragraph (2) of the Act, a copy of the document certifying to that effect;
 - ニ 合併会社の代表取締役又は代表執行役（以下「代表取締役等」という。）となる者が別紙様式第八号により作成した法第五条各号に該当しないことを誓約する書面
 - (d) A document prepared by the persons who are to serve as representative directors or representative executive officers (referred to below as "Representative Directors, etc."), etc. of the merged company using appended Form 8 pledging that they do not fall under any of the items of Article 5 of the Act;
 - ホ 役員等となる者がそれぞれ別紙様式第九号により作成した法第五条第七号イからチまでに掲げる各事由に該当しないことを誓約する書面
 - (e) documents in which the respective persons who are to serve as officer, etc. pledge, using Appended Form 9, that they do not fall within any of the categories listed in Article 5, item (vii)(a) through (h) of the Act; and

へ 組織図及び業務の概要を記載した書面

(f) a document stating the organizational chart and the description of the business;

五 合併の当事者が法第三条の許可を受けていない者である場合には、その者に係る次に掲げる書類

(v) in cases where any party to the merger has not obtained a license stated in Article 3 of the Act, the following documents related to that party:

イ 定款

(a) the articles of incorporation; and

ロ 登記事項証明書

(b) the certificate of registered information.

2 法第八条第二項後段に規定する分割の認可を受けようとする者は、別紙様式第七号の二により作成した分割認可申請書に、次に掲げる書類を添付して、法務大臣に提出しなければならない。

(2) A person who intends to obtain approval for a split as prescribed in the second sentence of Article 8, paragraph (2) of the Act must submit to the Minister of Justice a written application for the approval of the split prepared using Appended Form 7-2, and attach thereto the following documents:

一 分割の経緯等を説明した書面

(i) a document explaining the particulars, etc. of the split;

二 株主総会の議事録の写し（吸収分割契約又は新設分割計画について株主総会の決議による承認を要しないときは、取締役会の議事録の写し）

(ii) a copy of the minutes of the shareholders meeting (or copy of the minutes of the board of directors meeting if an absorption-type company split agreement or incorporation-type company split plan does not need to be approved by a resolution of the shareholders meeting);

三 吸収分割契約書又は新設分割計画書の写し

(iii) a copy of the absorption-type company split agreement or incorporation-type company split plan;

四 分割により債権管理回収業を承継する会社又は営業を承継する債権回収会社（以下この号において「承継会社」という。）に係る次に掲げる書類

(iv) the documents listed as follows related to the company which is to succeed to the company managing and collecting on monetary claims or the company managing and collecting on monetary claims which is to succeed to the business through the split (referred to below as the "successor company" in this item):

イ 定款

(a) the articles of incorporation;

ロ 役員等となる者及び重要な使用人となる者の住民票（本籍の記載のあるものに限る。）の抄本又はこれに代わる書面

(b) the extracts of the certificates of residence of the persons who are to serve

as officer, etc. and persons who are to serve as major employees (limited to those containing the registered domiciles of these persons) or documents in lieu of this;

ハ 取締役となる弁護士が法第六条第二項ただし書に定める所属弁護士会の推薦を受けた者であるときはその旨を証明する書面の写し

(c) if the attorney who is to serve as a director is recommended by the bar association to which that person belongs as prescribed in the proviso to Article 6, paragraph (2) of the Act, a copy of the document certifying to that effect;

ニ 承継会社の代表取締役等となる者が別紙様式第八号により作成した法第五条各号に該当しないことを誓約する書面

(d) a document in which a person who is to serve as a representative director, etc. of the successor company pledges, using Appended Form 8, that that person does not fall within any of the categories listed in the items of Article 5 of the Act;

ホ 役員等となる者がそれぞれ別紙様式第九号により作成した法第五条第七号イからチまでに掲げる各事由に該当しないことを誓約する書面

(e) documents in which respective persons who are to serve as officer, etc. pledge, using Appended Form 9, that they do not fall within any of the categories listed in Article 5, item (vii), (a) through (h) of the Act; and

へ 組織図及び業務の概要を記載した書面

(f) a document stating the organizational chart and the description of the business;

五 分割をする会社が債権回収会社でない場合において当該分割をする会社に係る次に掲げる書類

(v) in cases where the company which is to be split is not a Company managing and collecting on monetary claims, the following documents related to the relevant company which is to be split:

イ 定款

(a) the articles of incorporation; and

ロ 登記事項証明書

(b) the certificate of registered information.

(廃業の届出等)

(Notification of Discontinuation of Business)

第七条 法第十条第一項に規定する届出をする者は、別紙様式第十号により作成した廃業等届出書に、次に掲げる書面を添付して、法務大臣に提出しなければならない。

Article 7 A person who makes a notification as prescribed in Article 10, paragraph (1) of the Act must submit to the Minister of Justice a written notification of discontinuation of business, etc. prepared using Appended Form 10, and attach thereto the following documents:

一 届出をする者が法第十条第一項各号の区分に応じその号に定める者である旨を証する書類

(i) a document certifying that the person who makes a notification is a person specified in any of the items of Article 10, paragraph (1) of the Act in accordance with the case specified in the relevant item; and

二 届出に係る事項を記載した登記事項証明書又はこれに代わる書面

(ii) the certificate of registered information stating the particulars related to the notification, or document in lieu of this.

(兼業の承認申請)

(Application for Approval of Subsidiary Business)

第八条 法第十二条ただし書に規定する法務大臣の承認を受けようとする者は、別紙様式第十一号により作成した兼業承認申請書に、次に掲げるものを記載した書類を添付して、法務大臣に提出しなければならない。

Article 8 A person who intends to obtain approval from the Minister of Justice as prescribed in the proviso to Article 12 of the Act must submit to the Minister of Justice a written application for the approval of subsidiary business prepared using Appended Form 11, and attach thereto a document stating the following as listed:

一 兼業の内容及び方法

(i) the description and method of the subsidiary business;

二 兼業に係る損失の危険の管理方法

(ii) the method of managing the risk of loss arising from the subsidiary business; and

三 兼業を所掌する組織及び人員配置

(iii) the organization and distribution of personnel having jurisdiction over the subsidiary business.

(受取証書の記載事項)

(Particulars to Be Stated in Receipt)

第九条 法第十五条第一項に規定する法務省令で定める事項は、次に掲げる事項とする。

Article 9 The particulars specified by Order of the Ministry of Justice as prescribed in Article 15, paragraph (1) of the Act are those listed as follows:

一 債権回収会社の商号、本店の所在地及び許可番号

(i) the trade name of the Company managing and collecting on monetary claims, the location of its head office, and its license number;

二 受領金額及びその利息、賠償額の予定（違約金を含む。以下同じ。）に基づく賠償金又は元本への充当額

(ii) the amount received and interest thereon, compensation based on an agreement for liquidated compensation (including penalty; the same applies below), or the amount appropriated to the principal;

三 受領年月日

(iii) the date of receipt;

四 弁済を受けた旨を示す文字

(iv) the written characters signifying the fact that payment has been received;

五 弁済金を受領した者の氏名

(v) the name of the person who has received payment money;

六 債務者の商号、名称又は氏名

(vi) the trade name or name of the debtor;

七 債務者以外の者が債務の弁済をした場合には、その者の商号、名称又は氏名

(vii) in cases in which payment of debt has been made by a person other than the debtor, the trade name or name of the person;

八 弁済を受けた債権の債権者の商号、名称又は氏名

(viii) the trade name or name of the creditor of the claim which has been paid;

九 弁済を受けた債権の発生年月日、発生原因並びに発生時の債権者（以下「原債権者」という。）及び金額

(ix) the date of occurrence of the claim which has been paid, the cause of occurrence of the claim, as well as the creditor of the claim at the time of occurrence (referred to below as the "original creditor") and the amount of the claim as of that time; and

十 弁済後の残存債務の額及びその内訳

(x) the amount of outstanding debt after payment and the breakdown of this.

（債権の管理又は回収に当たり明らかにすべき事項）

(Particulars to Be Clarified upon Management and Collection of Claims)

第十条 法第十七条第二項に規定する法務省令で定める事項は、次に掲げる事項とする。

Article 10 The particulars specified by Order of the Ministry of Justice as

prescribed in Article 17, paragraph (2) of the Act are those listed as follows:

一 債権回収会社における自己の役職名又は地位

(i) the official title or position that the person holds in the company managing and collecting on monetary claims;

二 債権回収会社の管理又は回収の権限の基礎となる事実

(ii) the fact that gives the basis for the authority of the company managing and collecting on monetary claims to manage or collect claims;

三 管理又は回収に係る債権の発生年月日、発生原因及び原債権者の商号、名称又は氏名

(iii) the date of occurrence of the claim to be managed or collected, the cause of occurrence of the claim, and the trade name or name of the original creditor;

四 相手方の請求があった時点における管理又は回収に係る債権の額及びその内訳

(iv) the amount of the claim to be managed or collected at the time of the request of the other party, and the breakdown of this;

五 特定金銭債権に係る債務であって利息制限法（昭和二十九年法律第百号）第一条

第一項に定める利息の制限額を超える利息（同法第三条の規定によって利息とみなされる金銭を含む。以下同じ。）の支払を伴い、又はその不履行による賠償額の予定が同法第四条に定める制限額を超えるものについて、債務者又は保証人（以下「債務者等」という。）に対し、法第十八条第五項に違反しない限りにおいて、その履行を請求した場合には、当該請求に係る金額、内訳及びその算出の根拠

(v) in cases where the company managing and collecting on monetary claims deals with a debt related to a specified monetary claim which involves payment of interest beyond the upper limit of the interest rate specified in Article 1, paragraph (1) of the Interest Rate Restriction Act (Act No. 100 of 1954) (including money that is deemed to be interest pursuant to the provisions of Article 3 of that Act; the same applies below) or for which the amount of liquidated compensation for default exceeds the upper limit specified in Article 4 of the same Act, and the company requests performance of the debt from the debtor or guarantor (referred to below as the "debtor, etc.") to an extent not in violation of Article 18, paragraph (5) of the Act, the amount requested, and the breakdown and the basis for the calculation of this;

六 相手方が保証人である場合は、次に掲げる事項

(vi) in cases where the other party is a guarantor, the particulars listed as follows:

イ 主たる債務者の商号、名称又は氏名

(a) the trade name or name of the principal debtor;

ロ 保証契約の年月日

(b) the date of the contract of guarantee;

ハ 保証の範囲

(c) the scope of guarantee; and

ニ 保証人が主たる債務者と連帯して債務を負担するときは、その旨

(d) if the guarantor assumes the debt jointly and severally with the principal debtor; a statement to that effect.

(身分証明書の携帯等)

(Carrying of Identification Card)

第十一条 債権管理回収業の実施業務に従事する者は、その業務を行うに当たり、債権回収会社の商号、許可番号及び自己の氏名を記載した身分を示す証明書を携帯し、相手方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 11 A person engaged in carrying out the operations for conducting the management of and collection on monetary claims, in the course of carrying out those operations, must carry an identification card stating the trade name and license number of the company managing and collecting on monetary claims, and the person's own name, and present it when requested by the other party.

(広告の規制)

(Regulation on Advertising)

第十二条 法第十八条第二項に規定する法務省令で定める事項は、次に掲げる事項とする。

Article 12 The particulars specified by Order of the Ministry of Justice as prescribed in Article 18, paragraph (2) of the Act are the following:

- 一 管理若しくは回収の委託を受け、又は譲り受ける債権の範囲に関する事項
(i) particulars concerning the scope of claims of which the company managing and collecting on monetary claims is entrusted with management or collection, or which the company acquires;
- 二 前号に規定する債権の受託手数料又は譲受け代金に関する事項
(ii) particulars concerning the trustee fee or acquisition price of the claims prescribed in the preceding item;
- 三 債権回収会社の資力又は信用に関する事項
(iii) particulars concerning the financial resources or credit standing of the company managing and collecting on monetary claims;
- 四 業務の範囲に関する事項
(iv) particulars concerning the scope of the business; and
- 五 業務の実績に関する事項
(v) particulars concerning the results of the business.

(委任状の記載事項)

(Matters to Be Stated in Power of Attorney)

第十三条 法第十八条第三項に規定する法務省令で定める事項は、次に掲げる事項とする。

Article 13 The particulars specified by Order of the Ministry of Justice as prescribed in Article 18, paragraph (3) of the Act are those listed as follows:

- 一 委任状の作成年月日
(i) the date of creation of the power of attorney;
- 二 債権回収会社の商号及び本店の所在地
(ii) the trade name and location of the head office of the company managing and collecting on monetary claims;
- 三 債権者及び債務者の商号、名称又は氏名
(iii) the trade names or names of the creditor and the debtor;
- 四 第十条第三号に掲げる事項
(iv) the particulars listed in Article 10, item (iii);
- 五 弁済期限、弁済方法、弁済回数、利息及び賠償額の予定に関する定めがあるときは、その内容
(v) if there is a provision concerning the due date of payment, method of payment, number of installments of payment, interest, and liquidated

compensation; the content of that provision;

六 期限の利益の喪失の定めがあるときは、その旨及びその内容

(vi) if there is a provision on the forfeiture of benefit of time; a statement to that effect and the content of that provision; and

七 保証人から取得する委任状であるときは、保証人の商号、名称又は氏名及び第十条第六号に掲げる事項

(vii) in the case of a power of attorney obtained from a guarantor; the trade name or name of the guarantor and the particulars listed in Article 10, item (vi).

(業務に関する規制)

(Regulations on Business)

第十四条 法第十八条第九項に規定する法務省令で定める行為は、次に掲げる行為とする。

Article 14 The acts specified by Order of the Ministry of Justice as prescribed in Article 18, paragraph (9) of the Act are those listed as follows:

一 委託者のために収受した弁済金を自己の財産と明確に区分せずに保管すること。

(i) retaining the payment money that the Company managing and collecting on monetary claims has received on behalf of the entrustor party, without clearly distinguishing it from the company's own property;

二 債権回収会社の業務上の用途以外の用途に使用するために、債務者等の信用情報を収集し、又は収集した信用情報を債権回収会社の業務上の用途以外の用途に使用すること。

(ii) collecting the credit information of the debtor, etc. for purposes other than the purpose of using it in the course of business of the Company managing and collecting on monetary claims, or using the collected credit information for purposes other than using it for the business of the Company managing and collecting on monetary claims; and

三 債権回収会社の営業所ごとに、公衆の見やすい場所に、別紙様式第十二号により作成した標識を掲示しないで営業すること。

(iii) conducting the business without posting a sign prepared using Appended Form 12 at a place accessible to the public for each business place of the Company managing and collecting on monetary claims.

(業務に関する帳簿書類)

(Books and Documents Concerning the Business)

第十五条 法第二十条に規定する法務省令で定める業務に関する帳簿書類とは、次に掲げる帳簿書類とする。

Article 15 (1) The books and documents concerning the business specified by Order the Ministry of Justice as prescribed in Article 20 of the Act are listed as follows:

- 一 債務者ごとの債権回収状況に関する明細表で、債権の内容及び弁済状況を記録したもの
- (i) a list of particulars concerning the status of collection of claims regarding each debtor, in which are recorded the content of the claim and the status of payment;
- 二 管理若しくは回収の委託を受け、又は譲り受けた債権（以下「取扱債権」という。）に係る当該委託又は譲受けの契約内容、取扱債権の内容及び担保に関する状況並びに管理又は回収状況（委託契約に係るものについては回収金の支払状況を含む。）を記録したもの
- (ii) books and documents in which are recorded, with regard to the claim of which the credit management and collection company has been entrusted with management or collection, or which the company has acquired (referred to below as the "handled claim"), the content of the contract for the relevant entrustment or acquisition, the content and the security status of the handled claim, as well as the status of management or collection (including the status of payment of collected money in the case of claims under a contract for entrustment);
- 三 取扱債権に関し、債権回収会社が訴訟、調停、和解、強制執行、担保権の実行その他の手続の当事者となった場合、その概要及び結果を記録したもの
- (iii) books and documents in which are recorded the outline and outcome of any litigation, conciliation, settlement, compulsory execution, exercise of security right, or any other proceedings in which the company managing and collecting on monetary claims is involved as a party with regard to the handled claim;
- 四 取扱債権に関し、債務者等との交渉の経過を記録したもの
- (iv) books and documents in which are recorded the developments of negotiations with the debtor, etc. with regard to the handled claim;
- 五 法第十五条により交付した証書の写しつづり
- (v) copy of certificates issued under Article 15 of the Act;
- 六 管理又は回収に係る債権の証書がある場合には、その入手状況及び法第十六条の規定により返還した状況を記録したもの
- (vi) in cases where there is any instrument of a claim to be managed or collected, books and documents in which are recorded the situation where the company managing and collecting on monetary claims has acquired that instrument and the situation where the company has returned that instrument pursuant to the provisions of Article 16 of the Act;
- 七 特定金銭債権に係る債務であって利息制限法第一条第一項に定める利息の制限額を超える利息の支払を伴い、又はその不履行による賠償額の予定が同法第四条に定める制限額を超えるものについて、債務者等に対し、法第十八条第五項に違反しない限りにおいて、その履行を請求する場合には、当該請求に係る金額、内訳及びその算出の根拠を記録したもの

(vii) in cases where the company managing and collecting on monetary claims deals with a debt related to a specified monetary claim which involves payment of interest beyond the upper limit of the interest rate specified in Article 1, paragraph (1) of the Interest Rate Restriction Act or for which the amount of liquidated compensation for default exceeds the upper limit specified in Article 4 of that same Act, and the company requests to the debtor, etc. performance of that debt to an extent not in violation of Article 18, paragraph (5) of the Act, books and documents in which are recorded the amount requested, and the breakdown and basis for the calculation of this; and

八 前号に規定する帳簿書類の作成に用いた関係資料のつづり

(viii) a bundle of related materials used for preparing the books and documents prescribed in the preceding item.

2 債権回収会社は、前項各号に規定する帳簿書類を、取扱債権の委託契約が終了した日又は取扱債権が弁済その他の事由により消滅した日から少なくとも五年間保存しなければならない。

(2) A company managing and collecting on monetary claims must retain the books and documents prescribed in the items of the preceding paragraph for at least five years from the day on which the contract for entrustment of the handled claim is terminated or the day on which the handled claim is extinguished by reason or payment, or for any other reason.

(事業報告書の様式等)

(Form of Business Report)

第十六条 法第二十一条に規定する事業報告書は、別紙様式第十三号により作成しなければならない。

Article 16 (1) The business report prescribed in Article 21 of the Act must be prepared using Appended Form 13.

2 前項の事業報告書には、会社法（平成十七年法律第八十六号）第四百三十五条第二項に規定する計算書類及びその附属明細書を添付するものとする。

(2) The business report stated in the preceding paragraph is accompanied by the financial statements and annexed detailed statements of this prescribed in Article 435, paragraph (2) of the Companies Act (Act No. 86 of 2005).

(職員の身分証明書の様式)

(Form of Official's Identification Card)

第十七条 法第二十二条第四項に規定する証明書は、別紙様式第十四号によるものとする（同条第二項の規定により立入検査又は質問をする職員の身分を示す証明書を除く。）。

Article 17 The identification card prescribed in Article 22, paragraph (4) of the Act is prepared using Appended Form 14 (excluding an identification card of an

official who conducts an on-site inspection or asks questions pursuant to the provisions of paragraph (2) of that Article).

(公告の方法)

(Method of Public Notice)

第十八条 法第二十五条に規定する監督処分公告は、官報によるものとする。

Article 18 Public notice of a supervisory disposition prescribed in Article 25 of the Act is to be issued in the official gazette.