

# 商品先物取引法施行令（暫定版）

## Order for Enforcement of the Commodity Derivatives Transaction Act (Tentative translation)

(昭和二十五年八月三十一日政令第二百八十号)  
(Cabinet Order No. 280 of August 31, 1950)

内閣は、商品取引所法（昭和二十五年法律第二百三十九号）の規定に基づき、この政令を制定する。

The Cabinet hereby enacts this Cabinet Order based on the provisions of the Commodity Exchange Act (Act No. 239 of 1950).

(商品の指定)

(Specification of Commodities)

第一条 商品先物取引法（以下「法」という。）第二条第一項第一号の政令で定めるものは、次に掲げる物品とする。

Article 1 (1) The goods specified by Cabinet Order as set forth in Article 2, paragraph (1), item (i) of the Commodity Derivatives Transaction Act (hereinafter referred to as the "Act") shall be the following goods:

一 牛

(i) Cattle

二 豚

(ii) Swine;

三 なたね

(iii) Rapeseed;

四 亜麻の種

(iv) Flaxseed;

五 木材

(v) Wood;

六 天然ゴム

(vi) Natural rubber;

七 綿花

(vii) Raw cotton;

八 綿糸

(viii) Cotton yarn;

九 乾繭

(ix) Dried cocoon;

十 生糸

(x) Raw silk;

十一 羊毛

(xi) Fleece;

十二 毛糸

(xii) Wool yarn;

十三 ステープルファイバー糸

(xiii) Staple-fiber yarn;

十四 飼料

(xiv) Feed.

2 法第二条第一項第二号の政令で定める鉱物は、次に掲げる物品とする。

(2) Minerals specified by Cabinet Order as set forth in Article 2, paragraph (1), item (ii) of the Act shall be the following goods:

一 リチウム鉱

(i) Lithium ore;

二 ベリリウム鉱

(ii) Beryllium ore;

三 ホウ素鉱

(iii) Boron ore;

四 マグネシウム鉱

(iv) Magnesium ore;

五 アルミニウム鉱

(v) Aluminum ore;

六 チタン鉱

(vi) Titanium ore;

七 バナジウム鉱

(vii) Vanadium ore;

八 ガリウム鉱

(viii) Gallium ore;

九 ゲルマニウム鉱

(ix) Germanium ore;

十 セレン鉱

(x) Selenium ore;

十一 ルビジウム鉱

(xi) Rubidium ore;

十二 ストロンチウム鉱

(xii) Strontium ore;

十三 ジルコニウム鉱

(xiii) Zirconium ore;

十四 ニオブ鉱

(xiv) Niobium ore;

十五 白金属鉱

(xv) Platinum metal ore;

十六 カドミウム鉱

(xvi) Cadmium Platinum metal ore;

十七 インジウム鉱

(xvii) Indium ore;

十八 テルル鉱

(xviii) Tellurium ore;

十九 セシウム鉱

(xix) Cesium ore;

二十 バリウム鉱

(xx) Barium ore;

二十一 ハフニウム鉱

(xxi) Hafnium ore;

二十二 タンタル鉱

(xxii) Tantalum ore;

二十三 レニウム鉱

(xxiii) Rhenium ore;

二十四 タリウム鉱

(xxiv) Thallium ore;

二十五 貴石

(xxv) Precious stone;

二十六 半貴石

(xxvi) Semiprecious stone;

二十七 ベントナイト

(xxvii) Bentonite;

二十八 酸性白土

(xxviii) Acid clay;

二十九 けいそう土

(xxix) Diatomaceous earth;

三十 陶石

(xxx) Pottery stone;

三十一 雲母

(xxxii) Mica; and

三十二 ひる石

(xxxii) Vermiculite.

(商品先物取引業の適用除外)

(Exclusions from Application in Commodity Derivatives Business)

第二条 法第二条第二十二項の政令で定めるものは、次に掲げる行為とする。

Article 2 The actions specified by Cabinet Order as set forth in Article 2, paragraph (22) of the Act are the following actions:

一 次に掲げる者が行う法第二条第二十二項各号に掲げる行為

(i) Actions listed in the respective items of Article 2, paragraph (22) of the Act,

performed by the following entities:

イ 国

(a) The national government of Japan;

ロ 地方公共団体

(b) Local governments;

ハ 外国政府その他の外国の法令上イ及びロに掲げる者に相当する者

(c) Foreign governments and other entities equivalent under foreign law to entities listed in (a) and (b);

二 外国商品先物取引業者（商品先物取引業者以外の者で、外国の法令に準拠し、外国において法第二条第二十二項各号に掲げる行為のいずれかを業として行う者をいう。第四号において同じ。）が、同項第一号及び第二号に掲げる行為についての勧誘をすることなく、国内にある者（商品投資に係る事業の規制に関する法律（平成三年法律第六十六号）第二条第四項に規定する商品投資顧問業者（第四十一条第三号において「商品投資顧問業者」という。）その他の主務省令で定める者に限る。）の注文を受けて、外国から当該者のために行うこれらの号に掲げる行為（これらの号に規定する取次ぎを行う行為に限り、前号に掲げる行為に該当するものを除く。）

(ii) for foreign commodity derivatives business operator (meaning an entity other than a commodity derivatives business operator engaged in the acts set forth in the items of Article 2, paragraph (22) of the Act in the course of trade in a foreign country, in compliance with the laws and regulations of a foreign country; the same applies in item (iv)) that accept orders from an entity in Japan (limited to commodities investment advisors prescribed in Article 2, paragraph (4) of the Act on the Regulations of Commodities Investment Business (Act No. 66 of 1991) (referred to as "commodities investment advisors" in Article 41, item (iii)) or other entities prescribed by order of the competent ministry) without soliciting the acts set forth in items (i) and (ii) of the that paragraph, the acts set forth in the those items they perform from abroad for those entities in Japan (limited to acts for performing intermediation prescribed in those items, and excluding those that fall under the acts set forth in the preceding item);

三 外国商品市場取引について高度の能力を有する者として主務省令で定める者を相手方とし、又は当該者のために行う法第二条第二十二項第三号又は第四号に掲げる行為（第一号に掲げる行為に該当するものを除く。）

(iii) acts set forth in Article 2, paragraph (22), item (iii) or (iv) of the Act with an entity prescribed by order of the competent ministry as one with high-level capabilities for foreign commodity market transactions, or acts performed on behalf of that entity (excluding those falling under acts set forth in item (i));

四 外国商品先物取引業者が、法第二条第二十二項第三号から第五号までに掲げる行為についての勧誘をすることなく、商品先物取引業者による代理又は媒介により、

外国から国内にある者（個人である者を除く。）を相手方として行うこれらの号に掲げる行為（これらの号に規定する媒介、取次ぎ又は代理を行う行為並びに第一号及び前号に掲げる行為に該当するものを除く。）

(iv) acts set forth in Article 2, paragraph (22), items (iii) through (v) of the Act performed by a foreign commodity derivatives business operator from a foreign country with an entity in Japan as the other party (excluding entities that are individuals) through agency or brokerage without solicitation of the acts set forth in those items (excluding the acts of performing intermediation, brokerage, or action as an agent set forth in those items, and those that fall under acts set forth in item (i) and the preceding item); and;

五 人的関係若しくは資本関係において密接な関係を有する者として主務省令で定める者を相手方とし、又は当該者のために行う法第二条第二十二項第五号に掲げる行為（第一号及び前号に掲げる行為に該当するものを除く。）

(v) acts set forth in Article 2, paragraph (22), item (v) of the Act with an entity prescribed by order of the competent ministry as an entity with a close personal relationship or a close capital relationship as counterparty, or performed on behalf of the entity (excluding those that fall under acts set forth in item (i) and the preceding item).

(加入の申込み等に係る情報通信の技術を利用した提供)

(Provision Utilizing Information Communication Technology Pertaining to Subscription Requests, etc.)

第三条 次に掲げる規定に規定する事項を電磁的方法（法第十二条第四項に規定する電磁的方法をいう。以下この条及び第五条において同じ。）により提供しようとする者（次項において「提供者」という。）は、主務省令で定めるところにより、あらかじめ、当該事項の提供の相手方に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 3 (1) A person who seeks to provide matters prescribed in the following provisions by electronic or magnetic means (meaning the electronic or magnetic means prescribed in Article 12, paragraph (4) of the Act; hereinafter the same applies in this Article and Article 5) (the person is referred to as a "provider" in the following paragraph) must inform the other party to whom the matters are to be provided of the type and content of the electronic or magnetic means that the person seeks to use and obtain that party's consent in writing or by electronic or magnetic means, in advance, pursuant to the provisions of order of the competent ministry:

一 法第十二条第四項

(i) the provisions of Article 12, paragraph (4) of the Act; and

二 法第百三十条第三項

(ii) the provisions of Article 130, paragraph (3) of the Act.

2 前項の規定による承諾を得た提供者は、同項の相手方から書面又は電磁的方法によ

り電磁的方法による事項の提供を受けない旨の申出があつたときは、当該相手方に対し、当該事項の提供を電磁的方法によつてしてはならない。ただし、当該相手方が再び同項の規定による承諾をした場合は、この限りでない。

- (2) A provider who has obtained the consent under the provisions of the preceding paragraph must not provide the matters to the other party by electronic or magnetic means when the other party referred to in that paragraph has requested in writing or by electronic or magnetic means that they will not accept provision of matters by electronic or magnetic means; provided, however, that this does not apply when the other party has given consent under that paragraph at another time.

(設立の許可等の基準)

(Criteria for Permission for Establishment)

第四条 法第十五条第一項第二号の政令で定める基準は、申請に係る上場商品に係る商品市場の会員になろうとする者のうち一年以上継続して当該上場商品に係る上場商品構成品の売買等を業として行っているものの過半数が当該上場商品の大部分の種類の売買等を業として行っている者であることとする。

Article 4 (1) The criteria specified by Cabinet Order as referred to in Article 15, paragraph (1), item (ii) of the Act is that a majority of the persons who seek to become members of a commodity market related to a listed commodity and in the course of trade have engaged in the purchase and sale, etc. of the listed commodity component products related to the listed commodity for one year or more on a continuous basis are persons who are, in the course of trade, engaging in the purchase and sale, etc. of the majority of the types of listed commodity.

2 前項の規定は、法第八十条第一項第四号の政令で定める基準について準用する。この場合において、前項中「会員」とあるのは、「取引参加者」と読み替えるものとする。

(2) The provisions of the preceding paragraph apply mutatis mutandis to criteria specified by Cabinet Order as referred to in Article 80, paragraph (1), item (iv) of the Act. In such a case, the term "a member" in the preceding paragraph is deemed to be replaced with "a trading participant."

3 第一項の規定は、法第一百四十六条第一項第三号の政令で定める基準について準用する。この場合において、第一項中「会員」とあるのは、「会員等」と読み替えるものとする。

(3) The provisions of paragraph (1) apply mutatis mutandis to criteria specified by Cabinet Order as referred to in Article 146, paragraph (1), item (iii) of the Act. In such a case, the term "a member" in paragraph (1) is deemed to be replaced with "a member, etc."

(会員総会の招集の通知に係る電磁的方法)

(Electronic or Magnetic Means of Providing Notices of Convocations of General Meetings of Members)

第五条 会員総会を招集する者は、法第五十九条第十項の規定により電磁的方法による招集の通知を発しようとするときは、主務省令で定めるところにより、あらかじめ、当該会員に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 5 (1) When a person who convenes a general meeting of members seeks to issue a notice of convocation by electronic or magnetic means pursuant to the provisions of Article 59, paragraph (10) of the Act, the person is to inform the members of the type and content of the electronic or magnetic means which they seek to use and obtain the consent of the members in writing or by electronic or magnetic means in advance, pursuant to the provisions of order of the competent ministry.

2 前項の規定による承諾を得た会員総会を招集する者は、当該会員から書面又は電磁的方法により電磁的方法による招集の通知を受けない旨の申出があつたときは、当該会員に対し、招集の通知を電磁的方法によつてしてはならない。ただし、当該会員が再び同項の規定による承諾をした場合は、この限りでない。

(2) If a member has requested in writing or by electronic or magnetic means that they will not accept a notice of convocation by electronic or magnetic means, a person who convenes a general meeting of members that has obtained the consent under the provisions of the preceding paragraph may not issue a notice of convocation to by electronic or magnetic means to that member; provided, however, that this does not apply when the member has given their consent under that paragraph at another time.

(会員商品取引所の清算人について準用する法及び会社法の規定の読替え)

(Deemed Replacement of Terms of the Provisions of the Act and the Companies Act as Applied Mutatis Mutandis to a Liquidator of a Member Commodity Exchange)

第六条 法第七十七条第二項の規定により会員商品取引所の清算人について法第五十五条第一項の規定を準用する場合には、同項中「役員」とあるのは、「役員又は清算人の」と読み替えるものとする。

Article 6 (1) When the provisions of Article 55, paragraph (1) of the Act are applied mutatis mutandis to a liquidator of a member commodity exchange pursuant to the provisions of Article 77, paragraph (2) of the Act, the term "of an officer" in that paragraph is deemed to be replaced with "of an officer or a liquidator."

2 法第七十七条第二項の規定により会員商品取引所の清算人について会社法（平成十七年法律第八十六号）第四百三十条の規定を準用する場合には、同条中「他の役員等」とあるのは、「監事」と読み替えるものとする。

(2) When the provisions of Article 430 of the Companies Act (Act No. 86 of 2005)

are applied mutatis mutandis to a liquidator of a member commodity exchange pursuant to the provisions of Article 77, paragraph (2) of the Act, the term "other officers, etc." in that Article is deemed to be replaced with "an auditor."

(株式会社商品取引所の最低資本金の額)

(Amount of Minimum Capital for an Incorporated Commodity Exchange)

第七条 法第八十条第一項第一号の政令で定める金額は、十億円とする。

Article 7 The amount specified by Cabinet Order as referred to in Article 80, paragraph (1), item (i) of the Act is 1 billion yen.

(議決権の保有制限の適用除外)

(Exclusion of Limitation on the Holdings of Voting Rights)

第八条 法第八十六条第一項ただし書の政令で定める金融商品取引所は、金融商品取引法（昭和二十三年法律第二十五号）第二条第十六項に規定する金融商品取引所とする。

Article 8 (1) The financial instruments exchange specified by Cabinet Order as referred to in the proviso to Article 86, paragraph (1) of the Act is the financial instruments exchange prescribed in Article 2, paragraph (16) of the Financial Instruments and Exchange Act (Act No. 25. of 1948).

2 法第八十六条第一項ただし書の政令で定める金融商品取引所持株会社は、金融商品取引法第二条第十八項に規定する金融商品取引所持株会社とする。

(2) The financial instruments exchange holding company specified by Cabinet Order as referred to in the proviso to Article 86, paragraph (1) of the Act is the financial instruments exchange holding company prescribed in Article 2, paragraph (18) of the Financial Instruments and Exchange Act.

(法第八十六条第五項第二号の政令で定める特別の関係)

(Special Relationship Specified by Cabinet Order as Referred to in Article 86, Paragraph (5), Item (ii) of the Act)

第九条 法第八十六条第五項第二号（法第八十六条の二第二項及び第九十六条の二十四において準用する場合を含む。）の政令で定める特別の関係は、次に掲げる関係とする。

Article 9 (1) A special relationship specified by Cabinet Order as referred to in Article 86, paragraph (5), item (ii) of the Act (including as applied mutatis mutandis pursuant to Article 86-2, paragraph (2) and Article 96-24 of the Act) is as follows:

一 共同で株式会社商品取引所の対象議決権（法第八十六条第一項本文に規定する対象議決権をいう。以下同じ。）を取得し、若しくは保有し、又は当該株式会社商品取引所の対象議決権を行使することを合意している者（以下この条において「共同保有者」という。）の関係（共同保有者のいずれかが商品取引所等（法第八十六条第一項ただし書の商品取引所、商品取引所持株会社、金融商品取引所又は金融商品取引所持株会社をいう。以下同じ。）である場合においては、当該商品取引所等と



他の共同保有者との関係を除く。)

- (i) the relationship of persons who have jointly acquired or hold subject voting rights of an incorporated commodity exchange (meaning the subject voting rights prescribed in the main clause of Article 86, paragraph (1); the same applies hereinafter), or have agreed to exercise subject voting rights of the incorporated commodity exchange (hereinafter the persons are referred to as "joint holders" in this Article) (when one of the joint holders is a commodity exchange (meaning a commodity exchange, etc. (a commodity exchange, a commodity exchange holding company, a financial instruments exchange or a financial instruments exchange holding company referred to in the main clause of Article 86, paragraph (1); the same applies hereinafter) the relationship between the commodity exchange, etc. and other joint holders is excluded,);

二 夫婦の関係

- (ii) the relationship of husband and wife;

三 法人の総株主等（総株主、総社員又は総出資者をいう。以下同じ。）の議決権（株式会社にあつては、株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を含む。以下同じ。）の百分の五十を超える議決権（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）第四百七条第一項又は第四百八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含む。）を保有している者（以下この条において「支配株主等」という。）と当該法人（以下この条において「被支配法人」という。）との関係（支配株主等又は被支配法人のいずれかが商品取引所等である場合においては、当該商品取引所等とその支配株主等又は被支配法人との関係を除く。）

- (iii) the relationship between a person who holds voting rights (including the voting rights of the shares or equity interests which cannot be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) (including as applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the part related to item (ii)) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001) that exceed fifty percent of the voting rights (in the case of a stock company, excluding the voting rights of the shares which cannot be exercised for all matters that are subject to a resolution at a general meeting of shareholders and including the voting rights of the shares for which a shareholder is deemed to have the voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act; the same applies

hereinafter) of all shareholders (meaning all shareholders, all members or all contributors; the same applies hereinafter) of a corporation (hereinafter the person is referred to as a "controlling shareholder, etc. " in this Article) and the corporation (hereinafter referred to as a "controlled corporation" in this Article) (if any controlling shareholder, etc. or controlled corporation is a commodity exchange, etc., excluding the relationship between the commodity exchange and its controlling shareholder, etc. or controlled corporation); or

四 被支配法人とその支配株主等の他の被支配法人との関係（被支配法人のいずれかが商品取引所等である場合においては、当該商品取引所等と他の被支配法人との関係を除く。）

(iv) the relationship between a controlled corporation and other controlled corporations of the controlling shareholder (if any of the controlled corporations is a commodity exchange, etc., excluding the relationship between the commodity exchange, etc. and other controlled corporations).

2 共同保有者が合わせて法人の総株主等の議決権の百分の五十を超える議決権を保有している場合には、当該共同保有者は、それぞれ当該法人の支配株主等とみなして前項の規定を適用する。

(2) When the joint holders jointly hold voting rights that exceed fifty percent of the voting rights of all shareholders of a corporation, those joint holders are deemed to be controlling shareholders, etc. of that corporation, respectively, and the provisions of the preceding paragraph apply.

3 夫婦が合わせて法人の総株主等の議決権の百分の五十を超える議決権を保有している場合には、当該夫婦は、それぞれ当該法人の支配株主等とみなして第一項の規定を適用する。

(3) When a husband and a wife jointly hold voting rights that exceed fifty percent of the voting rights of all shareholders of a corporation, the husband and wife are deemed to be controlling shareholders, etc. of the corporation, respectively, and the provisions of paragraph (1) apply.

4 支配株主等とその被支配法人が合わせて他の法人の総株主等の議決権の百分の五十を超える議決権を保有している場合には、当該他の法人も、当該支配株主等の被支配法人とみなして第一項の規定を適用する。

(4) When controlling shareholders, etc. and their controlled corporation jointly hold voting rights that exceed fifty percent of the voting rights of all shareholders of the other corporation, the other corporation is also deemed to be a controlled corporation of the controlling shareholders, etc., and the provisions of paragraph (1) apply.

5 次の各号に掲げる場合において、当該各号に定める者が保有する議決権には、社債、株式等の振替に関する法律第四百七条第一項又は第四百八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含むものとす

る。

(5) In the cases set forth in the following items, the voting rights held by the persons specified in each of those items are to include the voting rights of the shares or equity interests which cannot be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (including as applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the part related to item (ii)) of that Act):

一 第二項の場合 共同保有者

(i) the case referred to in paragraph (2): the joint holders;

二 第三項の場合 夫婦

(ii) the case referred to in paragraph (3): the husband and wife; and

三 前項の場合 支配株主等及びその被支配法人

(iii) the case referred to in the preceding paragraph: the controlling shareholders, etc. and their controlled corporation.

(一時自主規制委員の職務を行う者の選任の申立てについて準用する会社法の規定の読替え)

(Deemed Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to a Petition for the Selection of Persons to Temporarily Perform the Duties of Members of the Self-Regulating Committee)

第十条 法第九十六条の五第六項の規定により同条第四項の規定による一時自主規制委員の職務を行う者の選任の申立てについて会社法第八百七十条第一項（第一号に係る部分に限る。）及び第八百七十四条（第一号に係る部分に限る。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 10 When the provisions of Article 870, paragraph (1) (limited to the part related to item (i)) and Article 874 (limited to the part related to item (i)) of the Companies Act are applied mutatis mutandis to a petition for the selection of persons who temporarily perform the duties of the self-regulating committee under the provisions of Article 96-5, paragraph (4) pursuant to the provisions of paragraph (6) of that Article of the Act, the technical replacement of terms concerning the provisions of the Companies Act is as in the following table.

|  |  |  |
|--|--|--|
| 読み替える会社法の規定<br><b>Provisions of the Companies Act whose terms are to be replaced</b> | 読み替えられる字句<br><b>Term deemed to be replaced</b>       | 読み替える字句<br><b>Term to be replaced with</b>         |
| 第八百七十条   | 若しくは第四百一条第三項<br><b>or Article 401, paragraph (3)</b> | 又は第四百一条第三項<br><b>or Article 401, paragraph (3)</b> |

第一項第一号  
Article 870,  
paragraph  
(1), item (i)

一時取締役（監査等委員会設置会社にあつては、監査等委員である取締役又はそれ以外の取締役）、会計参与、監査役、代表取締役、委員（指名委員会、監査委員会又は報酬委員会の委員をいう。第八百七十四条第一号において同じ。）、執行役若しくは代表執行役の職務を行うべき者、清算人、第四百七十九条第四項において準用する第三百四十六条第二項若しくは第四百八十三条第六項において準用する第三百五十一条第二項の規定により選任された一時清算人若しくは代表清算人の職務を行うべき者、検査役又は第八百二十五条第二項（第八百二十七条第二項において準用する場合を含む。）の管理人

a person who is to temporarily perform the duties of a company director (for a company with audit and supervisory committee, a company director who is an audit and supervisory committee member or other company directors), accounting advisor, company auditor, representative director, committee member (meaning a member of a nominating committee, audit committee, or compensation committee; the same applies in Article 874, item (i)), a person who is to perform the duties of an executive officer or representative executive officer, a liquidator, a person who is to temporarily perform the duties of a liquidator or representative liquidator appointed pursuant to the provisions of Article 346, paragraph (2) as applied mutatis mutandis pursuant to Article 479, paragraph (4) or the provisions of Article 351, paragraph (2) as applied mutatis mutandis pursuant to Article 483, paragraph (6), an inspector, or the administrator referred to in Article 825, paragraph (2)

一時自主規制委員の職務を行う者

a person who temporarily performs the duties of a member of the Self-Regulatory Committee

|  |  |  |
|--|--|--|
| <p>第八百七十四<br/>条第一号<br/>Article 874,<br/>item (i)</p> | <p>一時取締役、会計参与、監査役、代表取締役、委員、執行役若しくは代表執行役の職務を行うべき者、清算人、代表清算人、清算持分会社を代表する清算人、同号に規定する一時清算人若しくは代表清算人の職務を行うべき者、検査役、第五百一条第一項（第八百二十二条第三項において準用する場合を含む。）若しくは第六百六十二条第一項の鑑定人、第五百八条第二項（第八百二十二条第三項において準用する場合を含む。）若しくは第六百七十二条第三項の帳簿資料の保存をする者、社債管理者の特別代理人又は第七百十四条第三項の事務を承継する社債管理者</p> <p>a person who is to temporarily perform the duties of a company director, accounting advisor, company auditor, representative director, committee member, executive officer or representative executive officer , a liquidator, a representative liquidator, a liquidator who represents a liquidating membership company, a person who is to temporarily perform the duties of a liquidator or representative liquidator prescribed in Article 870, item (ii), an inspector, the appraiser referred to in Article 501, paragraph (1) (including as applied mutatis mutandis pursuant to Article 822, paragraph (3)), or a person who preserves accounting materials referred to in Article 508, paragraph (2) (including as applied mutatis mutandis pursuant to Article 822, paragraph (3)) or Article 672, paragraph (3), a special agent of a bond manager or the bond manager that succeeds to the affairs referred to in Article 714, paragraph (3)</p> | <p>一時自主規制委員の職務を行う者</p> <p>a person who is to temporarily perform the duties of a member of the Self-Regulating Committee</p> |
|--|--|--|

|                                    |                   |
|------------------------------------|-------------------|
| 選任又は選定<br>appointment or selection | 選任<br>appointment |
|------------------------------------|-------------------|

(株式会社商品取引所の総株主の議決権の保有基準割合以上百分の五十以下の数の対象議決権を取得し、又は保有することができる者)

(Persons who May Acquire or Hold the Subject Voting Rights Not Less than the Holding Ratio Threshold but Not More than 50 percent of the Holding Ratio Threshold of the Voting Rights of All Shareholders of an Incorporated Commodity Exchange)

第十一条 法第九十六条の十九第一項の政令で定める者は、次に掲げる者とする。

Article 11 The persons specified by Cabinet Order as referred to in Article 96-19, paragraph (1) of the Act are the following persons:

一 地方公共団体

(i) Local governments;

二 外国商品市場を開設する者（次号において「外国商品市場開設者」という。）であつて、次に掲げる要件の全てを満たす者

(ii) persons who establish foreign commodity markets (referred to as "foreign commodity market establisher" in the following item) and satisfy all of the following requirements:

イ その本店又は主たる事務所の所在する国において法第九条若しくは第七十八条の許可と同種類の許可又はこれに類する認可その他の行政処分を受けていること。

(a) the same type of permissions as permissions under Article 9 or Article 78 of the Act or authorization similar to them, or other administrative dispositions have been obtained in the country where its head office or principal office is located;

ロ その本店又は主たる事務所の所在する国における法（法に基づく命令を含む。以下このロにおいて同じ。）に相当する外国の法令を執行する当局が、法の執行のために行う行政上の調査に関する協力を我が国が要請する場合には当該要請に応ずる旨の保証をしていること。

(b) the authority responsible for enforcing the laws and regulations of the foreign country where its head office or principal office is located, which are equivalent to the Act (including orders based on the Act; hereinafter the same applies in (b)) has guaranteed that it will comply if Japan requests cooperation concerning an administrative investigation conducted for the enforcement of the Act;

ハ その者が法第九十六条の十九第一項又は第九十六条の三十一第一項の認可を受けてその総株主の議決権の保有基準割合（法第八十六条第一項本文又は第九十六条の二十八第一項本文に規定する保有基準割合をいう。第四号ハにおいて同じ。）以上百分の五十以下の数の対象議決権を取得し、又は保有しようとする株式会社商品取引所又は商品取引所持株会社が、商品取引所等の子会社（法第三条の二第三項に規定する子会社をいう。以下この条において同じ。）であること。

(c) the incorporated commodity exchange or commodity exchange holding company of which the person, having received the authorization under Article 98-19, paragraph (1) or Article 98-31, paragraph (1) of the Act, seeks to acquire or hold subject voting rights of a number greater than the holding ratio threshold (meaning the holding ratio threshold prescribed in the main clause of Article 96, paragraph (1) or the main clause of Article 96-28, paragraph (1) of the Act; the same applies in item (iv), (c)) but less than 50 percent of the voting rights of all shareholders, is a subsidiary company of commodity exchange, etc. (meaning a subsidiary company prescribed in Article 3-2, paragraph (3) of the Act; hereinafter the same applies in this Article);

三 外国商品市場開設者を子会社とする者（前号に掲げる者を除く。以下この号において「外国商品市場開設者持株会社」という。）であつて、次に掲げる要件の全てを満たす者

(iii) persons who has a foreign commodity market establisher as a subsidiary company (excluding persons set forth in the preceding item; hereinafter referred to as a "foreign commodity market establisher holding company" in this item), and satisfies all of the following requirements:

イ その本店又は主たる事務所の所在する国における法（法に基づく命令を含む。ロにおいて同じ。）に相当する外国の法令を執行する当局が、当該者が外国商品市場開設者持株会社であることについて法第九十六条の二十五第一項の認可と同種類の認可又はこれに類する許可その他の行為をしていること。

(a) the authority responsible for enforcing the laws and regulations of the foreign country where its head office or principal office is located, which are equivalent to the Act (including orders based on the Act; hereinafter the same applies in (b)), has granted the same type of authorization as the authorization under Article 96-25, paragraph (1) or other similar permissions, or performed other acts concerning the fact that the person is a foreign commodity market establisher holding company;

ロ その本店又は主たる事務所の所在する国における法に相当する外国の法令を執行する当局が、法の執行のために行う行政上の調査に関する協力を我が国が要請する場合には当該要請に応ずる旨の保証をしていること。

(b) the authority responsible for enforcing the laws and regulations of the foreign country where its head office or principal office is located, which are equivalent to the Act, has guaranteed that it will comply if Japan requests cooperation concerning an administrative investigation conducted for the enforcement of the Act;

ハ その者が法第九十六条の十九第一項の認可を受けてその総株主の議決権の保有基準割合（法第八十六条第一項本文に規定する保有基準割合をいう。第五号ハにおいて同じ。）以上百分の五十以下の数の対象議決権を取得し、又は保有しようとする株式会社商品取引所が、商品取引所等の子会社であること。



(c) the incorporated commodity exchange of which the person, having received the authorization under Article 96-19, paragraph (1) of the Act, seeks to acquire or hold subject voting rights of a number greater than the holding ratio threshold (meaning the holding ratio threshold prescribed in the main clause of Article 96, paragraph (1); the same applies in item (v), (c)) but less than 50 percent of the voting rights of all shareholders is a subsidiary company of the commodity exchange, etc.;

四 外国金融商品取引市場開設者（金融商品取引法第六十条の二第一項第七号に規定する外国金融商品取引市場開設者をいう。次号において同じ。）であつて、次に掲げる要件の全てを満たす者

(iv) a person who is an establisher of a foreign financial instruments exchange market (meaning an establisher of a foreign financial instruments exchange market prescribed in Article 60-2, paragraph (1), item (vii) of the Financial Instruments and Exchange Act; hereinafter the same applies in the following item), who satisfies all of the following requirements:

イ その本店又は主たる事務所の所在する国において金融商品取引法第八十条第一項の免許と同種類の免許又はこれに類する許可その他の行政処分を受けていること。

(a) the person has obtained the same kind of license as the license under Article 80, paragraph (1) of the Financial Instruments and Exchange Act or a similar permission or other administrative disposition in the country where its head office or principal office is located;

ロ その本店又は主たる事務所の所在する国における金融商品取引法（同法に基づく命令を含む。）に相当する外国の法令を執行する当局が、法（法に基づく命令を含む。次号ロにおいて同じ。）の執行のために行う行政上の調査に関する協力を我が国が要請する場合には当該要請に応ずる旨の保証をしていること。

(b) the authority responsible for enforcing the laws and regulations equivalent to the Financial Instruments and Exchange Act (including orders based on that Act) in the country where its head office or principal office is located has guaranteed that it will comply if Japan requests cooperation concerning an administrative investigation conducted for the enforcement of the Act (including orders based on the Act; hereinafter the same applies in (b) of the following item);

ハ その者が法第九十六条の十九第一項又は第九十六条の三十一第一項の認可を受けてその総株主の議決権の保有基準割合以上百分の五十以下の数の対象議決権を取得し、又は保有しようとする株式会社商品取引所又は商品取引所持株会社が、商品取引所等の子会社であること。

(c) the incorporated commodity exchange or commodity exchange holding company of which the person, having received the authorization under Article 96-19, paragraph (1) or Article 96-31, paragraph (1) of the Act, seeks to acquire or hold subject voting rights of a number greater than the

holding ratio threshold but less than 50 percent of the voting rights of all shareholders is a subsidiary company of the commodity exchange, etc.;

五 外国金融商品取引市場開設者持株会社（外国金融商品取引市場開設者を子会社とする者であつて前号に掲げる者以外の者をいう。以下この号において同じ。）であつて、次に掲げる要件の全てを満たす者

(v) a person who is a foreign financial instruments exchange market establisher holding company (meaning a person other than a person that has an establisher of a foreign financial instruments exchange market as a subsidiary company and is set forth in the preceding item; hereinafter the same applies in this item) who satisfies all of the following requirements:

イ その本店又は主たる事務所の所在する国における金融商品取引法（同法に基づく命令を含む。ロにおいて同じ。）に相当する外国の法令を執行する当局が、当該者が外国金融商品取引市場開設者持株会社であることについて金融商品取引法第百六条の十第一項の認可と同種類の認可又はこれに類する許可その他の行為をしていること。

(a) the authority responsible for enforcing the laws and regulations equivalent to the Financial Instruments and Exchange Act (including orders based on that Act; the same applies in (b)) in the country where its head office or principal office is located has granted the same type of authorization as the authorization under Article 106-10, paragraph (1) of the Financial Instruments and Exchange Act or a similar permission, or performed other acts concerning the fact that the person is a foreign financial instruments exchange market establisher holding company;

ロ その本店又は主たる事務所の所在する国における金融商品取引法に相当する外国の法令を執行する当局が、法の執行のために行う行政上の調査に関する協力を我が国が要請する場合には当該要請に応ずる旨の保証をしていること。

(b) the authority responsible for enforcing the laws and regulations equivalent to the Financial Instruments and Exchange Act in the country where its head office or principal office is located has guaranteed that it will comply if Japan requests cooperation concerning an administrative investigation conducted for the enforcement of the Act;

ハ その者が法第九十六条の十九第一項の認可を受けてその総株主の議決権の保有基準割合以上百分の五十以下の数の対象議決権を取得し、又は保有しようとする株式会社商品取引所が、商品取引所等の子会社であること。

(c) the incorporated commodity exchange of which the person, having received the authorization under Article 96-19, paragraph (1) of the Act, seeks to acquire or hold subject voting rights of a number greater than the holding ratio threshold but less than 50 percent of the voting rights of all shareholders is a subsidiary company of the commodity exchange, etc.

(法第九十六条の四十二において準用する法第八十六条第五項第二号の政令で定める

特別の関係)

(Special Relationships Specified by Cabinet Order as Referred to in Article 86, Paragraph (5), Item (ii) of the Act as Applied Mutatis Mutandis Pursuant to Article 96-42 of the Act)

第十二条 法第九十六条の四十二において準用する法第八十六条第五項第二号の政令で定める特別の関係は、次に掲げる関係とする。

Article 12 (1) The special relationships specified by of Cabinet Order as referred to in Article 86, paragraph (5), item (ii) of the Act as applied mutatis mutandis pursuant to Article 96-42 of the Act are the following relationships:

一 共同で株式会社商品取引所若しくは商品取引所持株式会社の対象議決権を取得し、若しくは保有し、又は当該株式会社商品取引所若しくは当該商品取引所持株式会社の対象議決権を行使することを合意している者（以下この条において「共同保有者」という。）の関係（共同保有者のいずれかが商品取引所等である場合においては、当該商品取引所等と他の共同保有者との関係を除く。）

(i) the relationship of persons who has agreed to jointly acquire or hold the subject voting rights of an incorporated commodity exchange or a commodity exchange holding company, or to exercise the subject voting rights of the incorporated commodity exchange or the commodity exchange holding company (hereafter referred to as "joint holders" in this Article) (if any of the joint holders is a commodity exchange, etc., excluding the relationship between the commodity exchange, etc. and other joint holders);

二 夫婦の関係

(ii) the relationship of husband and wife;

三 法人の総株主等の議決権の百分の五十を超える議決権（社債、株式等の振替に関する法律第一百四十七条第一項又は第一百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含む。）を保有している者（以下この条において「支配株主等」という。）と当該法人（以下この条において「被支配法人」という。）との関係（支配株主等又は被支配法人のいずれかが商品取引所等である場合においては、当該商品取引所等とその支配株主等又は被支配法人との関係を除く。）

(iii) the relationship between a person who holds voting rights that exceed 50 percent of the voting rights of all shareholders, etc. of a corporation (including voting rights related to shares or equity interests that may not be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares) (including as applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the part related to item (ii) of that Act) (hereinafter referred to as "controlling shareholder, etc." in

this Article) and the corporation (hereinafter referred to as "controlled corporation" in this Article) (if the controlling shareholder, etc. or the controlled corporation is a commodity exchange, etc., excluding the relationship between the commodity exchange, etc. and its controlling shareholder, etc. or controlled corporation);

四 被支配法人とその支配株主等の他の被支配法人との関係（被支配法人のいずれかが商品取引所等である場合においては、当該商品取引所等と他の被支配法人との関係を除く。）

(iv) the relationship between a controlled corporation and other controlled corporations of its controlling shareholder (if any of the controlled corporations is a commodity exchange, etc., excluding the relationship of the commodity exchange, etc. and other controlled corporations).

2 共同保有者が合わせて法人の総株主等の議決権の百分の五十を超える議決権を保有している場合には、当該共同保有者は、それぞれ当該法人の支配株主等とみなして前項の規定を適用する。

(2) When joint holders jointly hold voting rights that exceed 50 percent of the voting rights of all shareholders, etc. of a corporation, the joint holders are deemed to be controlling shareholders of the corporation, respectively, and the provisions of the preceding paragraph apply.

3 夫婦が合わせて法人の総株主等の議決権の百分の五十を超える議決権を保有している場合には、当該夫婦は、それぞれ当該法人の支配株主等とみなして第一項の規定を適用する。

(3) When a husband and wife jointly hold voting rights that exceed 50 percent of the voting rights of all shareholders, etc. of a corporation, the husband and wife are deemed to be controlling shareholders of the corporation, respectively, and the provisions of paragraph (1) apply.

4 支配株主等とその被支配法人が合わせて他の法人の総株主等の議決権の百分の五十を超える議決権を保有している場合には、当該他の法人も、当該支配株主等の被支配法人とみなして第一項の規定を適用する。

(4) When the controlling shareholder, etc. and its controlled corporation jointly hold voting rights that exceed 50 percent of the voting rights of all shareholders, etc. of another corporation, the other corporation is deemed to be the controlled corporation of the controlling shareholder, etc. and the provisions of paragraph (1) apply.

5 次の各号に掲げる場合において、当該各号に定める者が保有する議決権には、社債、株式等の振替に関する法律第一百四十七条第一項又は第一百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含むものとする。

(5) In any of the cases referred to in the following items, the voting right related

to shares or equity interests that may not be asserted against the issuer pursuant to the provisions of Article 146, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (including as applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1), and Article 276 (limited to the part related to item (ii)) of that Act is to be included in the voting rights held by the person specified in each of those items:

一 第二項の場合 共同保有者

(i) the case referred to in paragraph (2): joint holders;

二 第三項の場合 夫婦

(ii) the case referred to in paragraph (3): husband and wife;

三 前項の場合 支配株主等及びその被支配法人

(iii) the case referred to in the preceding paragraph: controlling shareholder and its controlled corporation.

(充用有価証券)

(Securities for Allocation)

第十三条 法第百一条第三項の政令で定める有価証券は、次に掲げるものとする。ただし、第三号から第八号までに掲げるものについては、商品取引所が定款（株式会社商品取引所にあつては、業務規程）で定めるところにより指定するものに限る。

Article 13 The securities specified by Cabinet Order as referred to in Article 101, paragraph (3) of the Act are as follows; provided, however, that those set forth in items (iii) through (viii) are limited to those which a commodity exchange designates in its articles of incorporation (for an incorporated commodity exchange, in its operational rules):

一 日本銀行の発行する出資証券

(i) Subscription certificates issued by the Bank of Japan;

二 特別の法律により法人の発行する債券

(ii) bond certificates issued by a corporation pursuant to special laws;

三 金融商品取引法第二条第十七項に規定する取引所金融商品市場において売買取引されている株券

(iii) share certificates traded in a financial instruments exchange market prescribed in Article 2, paragraph (17) of the Financial Instruments and Exchange Act;

四 金融商品取引法第六十七条の十一第一項に規定する店頭売買有価証券登録原簿に登録されている株券

(iv) share certificates registered in the over-the-counter traded securities register prescribed in Article 67-11, paragraph (1) of the Financial Instruments and Exchange Act;

五 銀行法（昭和五十六年法律第五十九号）による銀行の発行する株券（前二号の株券を除く。）

(v) share certificates (excluding share certificates referred to in the preceding two items) issued by a bank pursuant to the Banking Act (Act No. 59 of 1981);

六 第三号又は第四号の株券を発行する会社の発行する社債券

(vi) corporate bond certificates issued by a company that issues share certificates referred to in item (iii) or (iv);

七 信託法（平成十八年法律第百八号）第百八十五条第一項に規定する受益証券、投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）第二条第七項に規定する受益証券及び貸付信託法（昭和二十七年法律第百九十五号）第二条第二項に規定する受益証券

(vii) beneficiary certificates prescribed in Article 185, paragraph (1) of the Trust Act (Act No. 108 of 2006), beneficiary certificates prescribed in Article 2, paragraph (7) of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951), and beneficiary certificates prescribed in Article 2, paragraph (2) of the Loan Trust Act (Act No. 195 of 1952);

八 投資信託及び投資法人に関する法律第二条第十五項に規定する投資証券、同条第十八項に規定する新投資口予約権証券、同条第二十項に規定する投資法人債券及び同法第二百二十条第一項に規定する外国投資証券

(viii) investment securities prescribed in Article 2, paragraph (15) of the Act on Investment Trusts and Investment Corporations, investment equity subscription right certificates prescribed in paragraph (18) of that Article, investment corporation bond certificates prescribed in paragraph (20) of that Article, and foreign investment securities prescribed in Article 220, paragraph (1) of that Act.

（会員商品取引所の会員が組織変更の際し株式等の割当てを受ける場合について準用する会社法の規定の読替え）

**(Deemed Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Cases in Which a Member of a Member Commodity Exchange is Allotted Shares Upon Entity Conversion)**

第十四条 法第二百二十六条第二項の規定により同条第一項の規定により株式又は金銭の割当てを受ける場合について会社法第八百七十一条の規定を準用する場合においては、同条第二号中「第八百七十四条各号」とあるのは、「第八百七十四条第四号」と読み替えるものとする。

Article 14 When the provisions of Article 871 of the Companies Act are applied mutatis mutandis pursuant to the provisions of Article 126, paragraph (2) of the Act to the case in which shares or money is allotted pursuant to the provisions of paragraph (1) of that Article, the term "the respective items of Article 874" in Article 871, item (ii) of the Companies Act is deemed to be replaced with "Article 874, item (iv).

(金銭以外の財産を出資の目的とする場合について準用する会社法の規定の読替え)  
**(Deemed Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Cases of Making Property Other than Money the Subject of Contribution)**

第十五条 法第百三十一条の六の規定により法第百二十九条第三号に規定する場合について会社法第八百七十二条（第四号に係る部分に限る。）の規定を準用する場合においては、同条第四号中「第八百七十条第一項各号」とあるのは「第八百七十条第一項第一号及び第四号」と、「申立人及び当該各号に定める者（同項第一号、第三号及び第四号に掲げる裁判にあつては、当該各号に定める者）」とあるのは「当該各号に定める者」と読み替えるものとする。

Article 15 When the provisions of Article 872 (limited to the part related to item (iv)) of the Companies Act are applied mutatis mutandis pursuant to the provisions of Article 131-6 of the Act to the case prescribed in Article 129, item (iii) of the Act, in Article 872, item (iv) of the Companies Act, the phrase "the items of Article 870, paragraph (1)" is deemed to be replaced with "Article 870, paragraph (1), items (i) and (iv)", and the phrase "the applicant and the persons respectively prescribed in those items (for the judicial decision set forth in items (i), (iii), and (iv) of that paragraph, the persons respectively prescribed in those items)" is deemed to be replaced with "the persons respectively prescribed in those items."

(吸収合併をする場合の株式買取請求について準用する会社法の規定の読替え)  
**(Deemed Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Share Purchase Demand in the Case of an Absorption-Type Merger)**

第十六条 法第百四十四条の十第三項の規定により同条第一項の規定による請求について会社法第八百七十条の二第一項、第五項及び第八項、第八百七十二条（第五号に係る部分に限る。）並びに第八百七十二条の二第一項の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 16 When the provisions of Article 870-2, paragraphs (1), (5) and (8), Article 872 (limited to the part related to item (v)), and Article 872-2, paragraph (1) of the Companies Act are applied mutatis mutandis pursuant to the provisions of Article 144-10, paragraph (3) of the Act to a demand under paragraph (1) of that Article, the technical replacement of terms concerning these provisions is as in the following table.

|   |  |                                     |
|---|--|-------------------------------------|
| 読み替える会社法の規定<br>Provisions of the Companies Act whose terms are to be replaced | 読み替えられる字句<br>Terms deemed to be replaced | 読み替える字句<br>Term to be replaced with |
|---|--|-------------------------------------|

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|--|--|---|
| <p>第八百七十条の二第一項、第五項及び第八項<br/>Article 870-2, paragraphs (1), (5), and (8)</p>  | <p>前条第二項各号<br/>the items of paragraph (2) of the preceding Article</p> | <p>前条第二項第二号<br/>paragraph (2), item (ii) of the preceding Article</p> |
| <p>第八百七十条の二第一項及び第八項、第八百七十二条第五号並びに第八百七十二条の二第一項<br/>Article 870-2, paragraphs (1) and (8), Article 872, item (v), and Article 872-2, paragraph (1)</p> | <p>当該各号<br/>the items</p>  | <p>同号<br/>that item</p>   |
| <p>第八百七十二条第五号及び第八百七十二条の二第一項<br/>Article 872, item (v) and Article 872-2, paragraph (1)</p>   | <p>第八百七十条第二項各号<br/>the items of Article 870, paragraph (2)</p>         | <p>第八百七十条第二項第二号<br/>Article 870, paragraph (2), item (ii)</p>         |



(新設合併をする場合の株式買取請求について準用する会社法の規定の読替え)  
**(Deemed Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Share Purchase Demand in the Case of a Consolidation-Type Merger)**

第十七条 法第百四十四条の十七第二項の規定により同条第一項の規定による請求について会社法第八百六条第五項、第八百七十条の二第一項、第五項及び第八項、第八百七十二条（第五号に係る部分に限る。）並びに第八百七十二条の二第一項の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 17 When the provisions of Article 806, paragraph (5), Article 870-2, paragraph (1), paragraph (5) and paragraph (8), and Article 872 (limited to the part related to item (v)) of the Companies Act are applied mutatis mutandis pursuant to the provisions of Article 144-17, paragraph (2) of the Act to a demand under paragraph (1) of that Article, the technical replacement of terms concerning these provisions is as in the following table.

| 読み替える会社法の規定<br>Provisions of the Companies Act whose terms are to be replaced  | 読み替えられる字句<br>Terms deemed to be replaced                       | 読み替える字句<br>Term to be replaced with   |
|--|--|---|
| 第八百六条第五項<br>Article 806, paragraph (5)   | 第三項<br>paragraph (3)   | 商品先物取引法第百四十四条の十五第一項<br>Article 144-15, paragraph (1) of the Commodity Derivatives Transaction Act |
|  | 前項<br>the preceding paragraph                                  | 同条第二項<br>paragraph (2) of that Article  |
| 第八百七十条の二第一項、第五項及び第八項<br>Article 870-2, paragraphs (1), (5), and (8)  | 前条第二項各号<br>the items of paragraph (2) of the preceding Article | 前条第二項第二号<br>paragraph (2), item (ii) of the preceding Article                                     |
| 第八百七十条の二第一項及び第八項、第八百七十二条第五号並びに第八百七十二条の二第一項<br>Article 870-2, paragraphs (1) and (8), Article 872, item (v), and Article 872-2, paragraph (1) | 当該各号<br>the items  | 同号<br>that item   |

|  |  |   |
|--|--|---|
| 第八百七十二条第五号及び第八百七十二条の二第一項<br>Article 872, item (v) and Article 872-2, paragraph (1) | 第八百七十条第二項各号<br>the items of Article 870, paragraph (2) | 第八百七十条第二項第二号<br>Article 870, paragraph (2), item (ii) |
|--|--|---|

(新設合併をする場合の新株予約権買取請求について準用する会社法の規定の読替え)

**(Deemed Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to a Right to Request Purchase of Share Options in the Case of a Consolidation-Type Merger)**

第十八条 法第百四十四条の十八第二項の規定により同条第一項の規定による請求について会社法第八百八条第五項、第八百九条第六項、第八百七十条の二第一項、第五項及び第八項、第八百七十二条（第五号に係る部分に限る。）並びに第八百七十二条の二第一項の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 18 When the provisions of Article 808, paragraph (5), Article 809, paragraph (6), Article 870-2, paragraphs (1), (5), and (8), and Article 872 (limited to the part related to item (v)) of the Companies Act are applied mutatis mutandis pursuant to the provisions of Article 144-18, paragraph (2) of the Act to a request under paragraph (1) of that Article, the technical replacement of terms concerning these provisions is as in the following table.

| 読み替える会社法の規定<br>Provisions of the Companies Act whose terms are to be replaced | 読み替えられる字句<br>Terms deemed to be replaced | 読み替える字句<br>Term to be replaced with   |
|---|--|---|
| 第八百八条第五項<br>Article 808, paragraph (5)  | 第三項<br>paragraph (3)                     | 商品先物取引法第百四十四条の十五第一項<br>Article 144-15, paragraph (1) of the Commodity Derivatives Transaction Act |
|   | 前項<br>the preceding paragraph            | 同条第二項<br>paragraph (2) of that Article  |
| 第八百九条第六項<br>Article 809, paragraph (6)  | 設立会社<br>the incorporated company         | 新設合併設立株式会社商品取引所<br>the Incorporated Commodity Exchange Established by a Consolidation-Type Merger |

|  |  |   |
|--|--|---|
| 第八百七十条の二第一項、第五項及び第八項<br>Article 870-2,<br>paragraphs (1), (5) and (8)  | 前条第二項各号<br>the items of paragraph (2) of the preceding Article | 前条第二項第二号<br>paragraph (2), item (ii) of the preceding Article |
| 第八百七十条の二第一項及び第八項、第八百七十二条第五号並びに第八百七十二条の二第一項<br>Article 870-2, paragraphs (1) and (8), Article 872, item (v), and Article 872-2, paragraph (1) | 当該各号<br>the items  | 同号<br>that item   |
| 第八百七十二条第五号及び第八百七十二条の二第一項<br>Article 872, item (v) and Article 872-2, paragraph (1)   | 第八百七十条第二項各号<br>the items of Article 870, paragraph (2)         | 第八百七十条第二項第二号<br>Article 870, paragraph (2), item (ii)         |

(同種の商品市場)

(The Same Type of Commodity Market)

第十九条 法第百四十九条第二項及び第四項の政令で定める同種の商品市場は、次に掲げる商品市場とする。

Article 19 The same type of commodity market specified by Cabinet Order as referred to in Article 149, paragraphs (2) and (4) of the Act is as follows:

一 上場商品に係る商品市場にあつては、合併によつて消滅した商品取引所の商品市場の上場商品構成品の全てをその上場商品に含み、当該上場商品構成品ごとに当該消滅した商品取引所の商品市場において行われていた種類の取引の全てを行う商品市場

(i) In the case of a commodity market for a listed commodity, a commodity market which includes all listed commodity component products in a commodity market of a commodity exchange dissolved as a result of the merger and conducts all types of transactions that had been conducted in a commodity market of the dissolved commodity exchange for each of the listed commodity component products;

二 上場商品指数に係る商品市場にあつては、合併によつて消滅した商品取引所の商品市場の上場商品指数に含まれる商品指数（以下この号において「上場商品指数構成指数」という。）の全てをその上場商品指数に含み、当該上場商品指数構成指数ごとに当該消滅した商品取引所の商品市場において行われていた種類の取引の全てを行う商品市場

(ii) In the case of a commodity market for a listed commodity index, a commodity market which includes all commodity indices included in listed

commodity indices in a commodity market of a commodity exchange dissolved as a result of the merger (hereinafter referred to as "indices constituting the listed commodity index" in this item) and conducts all types of transactions that had been conducted in a commodity market of the dissolved commodity exchange for each of the indices constituting the listed commodity index.

(会員商品取引所の会員が合併に際し株式等の割当てを受ける場合について準用する会社法の規定の読替え)

**(Deemed Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Cases in Which a Member of a Member Commodity Exchange is Allotted Shares Upon a Merger)**

第二十条 法第一百五十条の規定により法第一百四十二条の吸収合併及び法第一百四十三条第一項の新設合併について会社法第二百三十四条第二項及び第八百七十一条の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 20 When the provisions of Article 234, paragraph (2), and Article 871 of the Companies Act are applied mutatis mutandis pursuant to the provisions of Article 150 of the Act to an absorption-type merger under Article 142 of the Act and a consolidation-type merger under Article 143, paragraph (1) of the Act, the technical replacement of terms concerning these provisions is as in the following table.

| 読み替える会社法の規定<br>Provisions of the Companies Act whose terms are to be replaced | 読み替えられる字句<br>Terms deemed to be replaced | 読み替える字句<br>Term to be replaced with     |
|---|--|---|
| 第二百三十四条第二項<br>Article 234, paragraph (2)                                      | 法務省令<br>Order of the Ministry of Justice | 主務省令<br>order of the competent ministry |
| 第八百七十一条第二号<br>Article 871, item (ii)  | 第八百七十四条各号<br>the items of Article 874    | 第八百七十四条第四号<br>Article 874, item (iv)    |

(会員商品取引所と会員商品取引所との合併による会員商品取引所の登記について準用する商業登記法の規定の読替え)

**(Deemed Replacement of Terms of the Provisions of the Commercial Registration Act as Applied Mutatis Mutandis to Registration of a Member Commodity Exchange Established by the Merger between Member Commodity Exchanges)**

第二十一条 法第一百五十二条第一項の規定により法第一百三十九条第二項第一号に掲げる場合における合併による会員商品取引所の登記について商業登記法（昭和三十八年法律第二百五号）第八十条（第二号、第六号、第九号及び第十号を除く。）及び第八十一条（第三号、第六号、第九号及び第十号を除く。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 21 When the provisions of Article 80 (excluding items (ii), (vi), (ix), and (x)) and Article 81 (excluding items (iii), (vi), (ix), and (x)) of the Commercial Registration Act (Act No. 125 of 1963) are applied mutatis mutandis pursuant to the provisions of Article 152, paragraph (1) of the Act to the registration of a member commodity exchange established by a merger in the case set forth in Article 139, paragraph (2), item (i) of the Act, the technical replacement of terms concerning these provisions is as in the following table.

| 読み替える商業登記法の規定<br>Provisions of the Commercial Registration Act whose terms are to be replaced | 読み替えられる字句<br>Terms Deemed to be Replaced  | 読み替える字句<br>Term to be replaced with   |
|---|---|---|
| 第八十条第三号<br>Article 80, item (iii)   | 会社法第七百九十九条第二項<br>Article 799, paragraph (2) of the Companies Act  | 商品先物取引法第一百四十四条の二第四項において準用する同法第二百二十四条第二項<br>Article 124, paragraph (2) of the Commodity Derivatives Transaction Act as applied mutatis mutandis pursuant to Article 144-2, paragraph (4) of that Act |
| 第八十条第四号<br>Article 80, item (iv)  | 会社法第四百四十五条第五項<br>Article 445, paragraph (5) of the Companies Act  | 商品先物取引法第一百五十四条第二項<br>Article 154, paragraph (2) of the Commodity Derivatives Transaction Act  |
| 第八十条第八号<br>Article 80, item (viii)  | 会社法第七百八十九条第二項（第三号を除き、同法第七百九十三条第二項において準用する場合を含む。）<br>Article 789, paragraph (2) of the Companies Act (excluding item (iii) and including as applied mutatis mutandis pursuant to Article 793, paragraph (2) of that Act) | 商品先物取引法第一百四十四条第六項において準用する同法第二百二十四条第二項<br>Article 124, paragraph (2) of the Commodity Derivatives Transaction Act as applied mutatis mutandis pursuant to Article 144, paragraph (6) of that Act     |

|                                     |  |   |
|-------------------------------------|--|---|
|                                     | 同法第七百八十九条第三項（同法第七百九十三条第二項において準用する場合を含む。）<br>Article 789, paragraph (3) of that Act (including as applied mutatis mutandis pursuant to Article 793, paragraph (2) of that Act)  | 同条第三項<br>paragraph (3) of that Article  |
| 第八十一条第八号<br>Article 81, item (viii) | 会社法第八百十条第二項（第三号を除き、同法第八百十三条第二項において準用する場合を含む。）<br>Article 810, paragraph (2) of the Companies Act (excluding item (iii) and including as applied mutatis mutandis pursuant to Article 813, paragraph (2) of that Act) | 商品先物取引法第一百四十四条の三第六項において準用する同法第二百二十四条第二項<br>Article 124, paragraph (2) of the Commodity Derivatives Transaction Act as applied mutatis mutandis pursuant to Article 144-3, paragraph (6) of that Act |
|                                     | 同法第八百十条第三項（同法第八百十三条第二項において準用する場合を含む。）<br>Article 810, paragraph (3) of that Act (including as applied mutatis mutandis pursuant to Article 813, paragraph (2) of that Act)   | 同条第三項<br>paragraph (3) of that Article  |

（会員商品取引所と株式会社商品取引所との合併による会員商品取引所及び株式会社商品取引所の登記について準用する商業登記法の規定の読替え）

**(Deemed Replacement of Terms of the Provisions of the Commercial Registration Act as Applied Mutatis Mutandis to Registration of a Member Commodity Exchange or an Incorporated Commodity Exchange Established by the Merger between a Member Commodity Exchange and an Incorporated Commodity Exchange)**

第二十二條 法第一百五十二条第二項の規定により法第三百三十九条第二項第二号に掲げる場合における合併による会員商品取引所及び株式会社商品取引所の登記について商業登記法第八十条（第六号、第九号、及び第十号を除く。）、第八十一条及び第八十三条の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 22 When the provisions of Article 80 (excluding items (vi), (ix), and (x)), Article 81, and Article 83 of the Commercial Registration Act are applied mutatis mutandis pursuant to the provisions of Article 152, paragraph (2) of the Act to the registration of a member commodity exchange or an incorporated commodity exchange established by the merger in the case set forth in Article 139, paragraph (2), item (ii) of the Act, the technical replacement of terms concerning these provisions is as in the following table.

| 読み替える商業登記法の規定<br>Provisions of the Commercial Registration Act whose terms are to be replaced | 読み替えられる字句<br>Terms deemed to be replaced  | 読み替える字句<br>Term to be replaced with   |
|---|---|---|
| 第八十条第二号<br>Article 80, item (ii)  | 会社法第七百九十六条第一項本文又は第二項本文<br>the main clause of Article 796, paragraph (1) or the main clause of Article 796, paragraph (2) of the Companies Act | 商品先物取引法第一百四十四条の七第一項本文<br>the main clause of Article 144-7, paragraph (1) of the Commodity Derivatives Transaction Act |
|   | 同条第三項<br>paragraph (3) of that Article  | 同条第二項<br>paragraph (2) of that Article  |
| 第八十条第三号<br>Article 80, item (iii)   | 会社法第七百九十九条第二項<br>Article 799, paragraph (2) of the Companies Act  | 商品先物取引法第一百四十四条の十一第二項<br>Article 144-11, paragraph (2) of the Commodity Derivatives Transaction Act                    |
| 第八十条第四号<br>Article 80, item (iv)  | 会社法第四百四十五条第五項<br>Article 445, paragraph (5) of the Companies Act  | 商品先物取引法第一百五十四条第二項<br>Article 154, paragraph (2) of the Commodity Derivatives Transaction Act                          |

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|--|---|---|
| <p>第八十条第八号<br/>Article 80, item (viii)</p> | <p>会社法第七百八十九条第二項（第三号を除き、同法第七百九十三条第二項において準用する場合を含む。）<br/>Article 789, paragraph (2) of the Companies Act (excluding item (iii) and including as applied mutatis mutandis pursuant to Article 793, paragraph (2) of that Act)</p> | <p>商品先物取引法第一百四十四条第六項において準用する同法第二百二十四条第二項<br/>Article 124, paragraph (2) of the Commodity Derivatives Transaction Act as applied mutatis mutandis pursuant to Article 144, paragraph (5) of that Act</p> |
|  | <p>同法第七百八十九条第三項（同法第七百九十三条第二項において準用する場合を含む。）<br/>Article 789, paragraph (3) of that Act (including as applied mutatis mutandis pursuant to Article 793, paragraph (2) of that Act)</p>   | <p>同条第三項<br/>paragraph (3) of that Article</p>  |
| <p>第八十一条第六号<br/>Article 81, item (vi)</p>  | <p>会社法第八百四条第一項及び第三項<br/>Article 804, paragraphs (1) and (3) of the Companies Act</p>  | <p>商品先物取引法第一百四十四条の十四第一項及び第四項<br/>Article 144-14, paragraphs (1) and (4) of the Commodity Derivatives Transaction Act</p>  |



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| <p>第八十一条第八号<br/>Article 81, item 8</p>        | <p>会社法第八百十条第二項<br/>（第三号を除き、同法第八百十三条第二項において準用する場合を含む。）<br/>Article 810, paragraph 2 of the Companies Act (excluding item (iii) and including as applied mutatis mutandis pursuant to Article 813, paragraph (2) of that Act)</p> | <p>商品先物取引法第四百四十四條の三第六項において準用する同法第二百四十四條第二項及び同法第四百四十四條の十九において準用する同法第四百四十四條の十一第二項<br/>Article 124, paragraph (2) of the Commodity Derivatives Transaction Act as applied mutatis mutandis pursuant to Article 144-3, paragraph (6) of that Act, and Article 144-11, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 144-19 of that Act</p> |
|   | <p>同法第八百十条第三項<br/>（同法第八百十三条第二項において準用する場合を含む。）<br/>Article 810, paragraph (3) of that Act (including as applied mutatis mutandis pursuant to Article 813, paragraph (2) of that Act)</p>   | <p>同法第四百四十四條の三第六項において準用する同法第二百四十四條第三項及び同法第四百四十四條の十九において準用する同法第四百四十四條の十一第三項<br/>Article 124, paragraph (3) of the Commodity Derivatives Transaction Act as applied mutatis mutandis pursuant to Article 144-3, paragraph (6) of that Act, and Article 144-11, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 144-19 of that Act</p>      |
| <p>第八十三条第二項<br/>Article 83, paragraph (2)</p> | <p>本店の所在地を管轄する登記所に送付しなければ<br/>unless sending to a registry office that has jurisdiction over the locality of the head office</p>  | <p>主たる事務所又は本店の所在地を管轄する登記所に送付しなければ<br/>unless sending to a registry office that has jurisdiction over the locality of the principal office or the head office</p>   |

(当該会員等と密接な関係を有する者)

(Persons with a Close Relationship to the Members)

第二十二条の二 法第一百五十七条第三項の政令で定める者は、次の各号に掲げる者とする。

Article 22-2 (1) The persons specified by Cabinet Order as referred to in Article 157, paragraph (3) of the Act are as follows:

一 当該会員等の子法人等

(i) a subsidiary corporation, etc. of the member, etc.;

二 当該会員等を子法人等とする親法人等

(ii) the parent corporation, etc. that has the member, etc. as its subsidiary corporation, etc.;

三 当該会員等を子法人等とする親法人等の子法人等（当該会員等及び前二号に掲げる者を除く。）

(iii) a subsidiary corporation, etc. of the parent corporation, etc. that has the member, etc. as its subsidiary corporation, etc. (excluding the members, etc. and persons set forth in the preceding two items); and

四 当該会員等の関連法人等

(iv) an affiliated corporation, etc. of the member, etc.

2 前項に規定する「親法人等」とは、他の法人等（会社、組合その他これらに準ずる事業体をいう。以下この項及び次項において同じ。）の財務及び営業又は事業の方針を決定する機関（株主総会その他これに準ずる機関をいう。以下この項において「意思決定機関」という。）を支配している法人等として主務省令で定めるものをいい、前項及び次項に規定する「子法人等」とは、親法人等によりその意思決定機関を支配されている他の法人等をいう。この場合において、親法人等及び子法人等又は子法人等が他の法人等の意思決定機関を支配している場合における当該他の法人等は、その親法人等の子法人等とみなす。

(2) The term "parent corporation, etc." as used in the preceding paragraph means a corporation specified by order of the competent ministry as having control over the body responsible for making decisions on financial and operational or business policies (meaning a shareholders meeting or other equivalent body; hereinafter referred to as the "decision-making body" in this paragraph) of another corporation, etc. (meaning a company, partnership, or other equivalent business entity; hereinafter the same applies in this paragraph and the following paragraph), and the term "subsidiary corporation, etc." as used in the preceding paragraph and the following paragraph means the other corporation, etc. whose decision-making body is controlled by the parent corporation, etc. In such a case, the other corporation, etc. whose decision-making body is controlled by the parent corporation, etc. and a subsidiary corporation, etc. or by a subsidiary corporation is deemed to be a subsidiary corporation, etc. of the parent corporation, etc.

3 第一項に規定する「関連法人等」とは、法人等が出資、取締役その他これに準ずる

役職への当該法人等の役員若しくは使用人である者若しくはこれらであつた者の就任、融資、債務の保証若しくは担保の提供、技術の提供又は営業上若しくは事業上の取引等を通じて、財務及び営業又は事業の方針の決定に対して重要な影響を与えることができる他の法人等（子法人等を除く。）として主務省令で定めるものをいう。

(3) The term "affiliated corporation, etc." as used in paragraph (1) means another corporation, etc. (excluding a subsidiary corporation, etc.) specified by order of the competent ministry as one for which a corporation, etc. can exert a material influence on decisions on its financial and operational or business policies through making contributions, assuming the post of an company director or other equivalent post of the affiliated corporation, etc. by officer or employee of the corporation or persons that held those posts, providing loans, guaranteeing obligations, or providing security, providing technologies, or conducting operational or business transactions.

（商品先物取引業者としての許可を受けることができる者）

(Entities Eligible for Licensing as Commodity Derivatives Business Operators)

第二十三条 法第百九十三条第一項第一号ロの政令で定めるものは、次に掲げるものとする。

Article 23 The entities specified by Cabinet Order as referred to in Article 193, paragraph (1), item (i), (b) of the Act, are the following entities:

一 信用金庫及び信用金庫連合会

(i) Shinkin Banks and the federation of Shinkin Banks;

二 信用協同組合及び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

(ii) credit cooperatives and the federation of credit cooperatives engaged 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);

三 労働金庫及び労働金庫連合会

(iii) labor banks and the federation of labor banks;

四 農林中央金庫

(iv) The Norinchukin Bank;

五 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及び農業協同組合連合会

(v) agricultural cooperatives and the federation of agricultural cooperatives engaged in the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act (Act No. 132 of 1947); and

六 相互会社（保険業法（平成七年法律第百五号）第二条第五項に規定する相互会社をいう。）である保険会社及び同条第七項に規定する外国保険会社等（株式会社以外の法人又は外国に住所を有する者（法第百九十三条第一項第一号イに該当する者を除く。）に限る。）

(vi) insurance companies that are mutual companies (meaning a mutual

company prescribed in Article 2, paragraph (5) of the Insurance Business Act (Act No. 105 of 1995)) and foreign insurance companies prescribed in paragraph (7) of that Article (limited to companies that are corporations other than stock companies or those with an address in a foreign country (excluding those that fall under Article 193, paragraph (1), item (i), (a) of the Act).

(特定委託者による一般顧客としての取扱いの申出等の承諾に係る情報通信の技術を利用した提供)

(Provision of Matters Using Information Communication Technology Related to Acceptance of a Proposal for Treatment as a General Customer by an Eligible Consignor)

第二十四条 商品先物取引業者は、法第百九十七条の四第四項（法第百九十七条の五第十三項（法第百九十七条の六第六項及び第百九十七条の九第二項において準用する場合を含む。）、第百九十七条の六第三項及び第百九十七条の八第二項において準用する場合を含む。以下この条において同じ。）の規定により法第百九十七条の四第四項に規定する事項を提供しようとするときは、主務省令で定めるところにより、あらかじめ、当該事項の提供の相手方に対し、その用いる同項に規定する情報通信の技術を利用する方法（次項において「電磁的方法」という。）の種類及び内容を示し、書面又は電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて主務省令で定めるもの（次項において「書面等」という。）による承諾を得なければならない。

Article 24 (1) When a commodity derivatives business operator seeks to provide the matters prescribed in Article 197-4, paragraph (4) of the Act pursuant to provisions of Article 197-4, paragraph (4) of the Act (including as applied mutatis mutandis pursuant to Article 197-5, paragraph (13) (including as applied mutatis mutandis pursuant to Article 197-6, paragraph (6) and Article 197-9, paragraph (2) of the Act), Article 197-6, paragraph (3), and Article 197-8, paragraph (2) of the Act, the business operator must, in advance and as specified by order of the competent ministry, indicate to the other party to whom the matters are to be provided the type and content of the means of using information communication technology prescribed in that paragraph to be used (referred to as "electronic or magnetic means" in the following paragraph), and obtain their consent in writing or by means of using an electronic data processing system, or means of using other information communication technology specified by order of the competent ministry (referred to as "in writing, etc." in the following paragraph).

2 前項の規定による承諾を得た商品先物取引業者は、当該相手方から書面等により電磁的方法による提供を受けない旨の申出があつたときは、当該相手方に対し、法第百九十七条の四第四項に規定する事項の提供を電磁的方法によつてしてはならない。ただし、当該相手方が再び前項の規定による承諾をした場合は、この限りでない。

(2) When a commodity derivatives business operator who has obtained the consent under the provisions of the preceding paragraph receives a request in writing, etc. from the other party that they will not accept provision of matters by electronic or magnetic means, the matters under the provisions of Article 197-4, paragraph (4) of the Act may not be provided by electronic or magnetic means; provided, however, that this does not apply if the other party has given consent under the provisions of the preceding paragraph at another time.

(復帰申出等の承諾に係る情報通信の技術を利用した同意の取得)

(Obtaining Consent Using Information Communication Technology for Acceptance of a Request for Reinstatement)

第二十五条 商品先物取引業者は、法第百九十七条の四第十二項（法第百九十七条の五第三項（同条第九項（法第百九十七条の六第六項において準用する場合を含む。）、第百九十七条の六第六項及び第百九十七条の九第二項において準用する場合を含む。）及び第百九十七条の八第二項において準用する場合を含む。以下この条において同じ。）の規定により、法第百九十七条の四第十二項に規定する主務省令で定める方法（以下この条において「電磁的方法」という。）により同意を得ようとするときは、主務省令で定めるところにより、あらかじめ、当該同意を得ようとする相手方に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 25 (1) When a commodity derivatives business operator seeks to obtain a consent by the means specified by order of the competent ministry (hereinafter referred to as "electronic or magnetic means" in this Article) prescribed in Article 197-4, paragraph (12) of the Act pursuant to provisions of Article 197-4, paragraph (12) (including as applied mutatis mutandis pursuant to Article 197-5, paragraph (3) (including as applied mutatis mutandis to paragraph (9) of that Article (including as applied mutatis mutandis pursuant to Article 197-6, paragraph (6)), Article 197-6, paragraph (6) and Article 197-9, paragraph (2) of the Act) and to Article 197-8, paragraph (2); hereinafter the same applies in this Article), the business operator must, in advance and as specified by order of the competent ministry, indicate to the other party from whom consent is sought the type and content of the electronic or magnetic means to be used, and obtain their consent in writing or by electronic or magnetic means.

2 前項の規定による承諾を得た商品先物取引業者は、当該相手方から書面又は電磁的方法により電磁的方法による同意を行わない旨の申出があつたときは、当該相手方に対し、法第百九十七条の四第十二項に規定する同意の取得を電磁的方法によつてしてはならない。ただし、当該相手方が再び前項の規定による承諾をした場合は、この限りでない。

(2) When a commodity derivatives business operator who has obtained the consent under the provisions of the preceding paragraph receives a request in writing or by electronic or magnetic means from the other party that they will

not give the consent by electronic or magnetic means, the business operator must not use electronic or magnetic means to obtain the consent under Article 197-4, paragraph (12) of the Act; provided, however, that this does not apply if the other party has given consent under the provisions of the preceding paragraph at another time.

(登録手数料の額)

(Amount of Registration Fees)

第二十六条 法第二百七条第一項（法第二百四十条の十一において準用する場合を含む。）の規定による登録手数料の額は、千円とする。

Article 26 (1) The amount of the registration fee prescribed in Article 207, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to Article 240-11 of the Act) is 1,000 yen.

2 前項の登録手数料は、国に納める場合にあつては、登録申請書に、登録手数料の金額に相当する額の収入印紙を貼つて納めなければならない。

(2) In the case in which a person pays the registration fee referred to in the preceding paragraph to the national government, the person must pay the fee by attaching a revenue stamp for an amount equivalent to the registration fee to the written application for registration.

(商品先物取引業者が占有する物の処分に係る情報通信の技術を利用した同意の取得)

(Obtaining Consent Using Information Communication Technology Concerning Disposal of Goods Possessed by a Commodity Derivatives Business Operator)

第二十七条 商品先物取引業者は、法第二百九条第二項の規定により、同項に規定する主務省令で定める方法（以下この条において「電磁的方法」という。）により同意を得ようとするときは、主務省令で定めるところにより、あらかじめ、当該同意を得ようとする相手方に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 27 (1) When seeking to obtain a consent using means specified by order of the competent ministry prescribed in Article 209, paragraph (2) of the Act pursuant to the provisions of that paragraph (hereinafter referred to as "electronic or magnetic means" in this Article), a commodity derivatives business operator must, in advance and as specified by order of the competent ministry, indicate to the other party from whom consent is sought the type and content of electronic or magnetic means to be used, and obtain their consent in writing or by electronic or magnetic means.

2 前項の規定による承諾を得た商品先物取引業者は、当該相手方から書面又は電磁的方法により電磁的方法による同意を行わない旨の申出があつたときは、当該相手方に対し、法第二百九条第二項に規定する同意の取得を電磁的方法によつてしてはならない。ただし、当該相手方が再び前項の規定による承諾をした場合は、この限りでない。

(2) When a commodity derivatives business operator who has obtained the consent under the provisions of the preceding paragraph receives a request in writing or by electronic or magnetic means from the other party that they will not give the consent by electronic or magnetic means, the business operator must not use electronic or magnetic means to obtain the consent under Article 209, paragraph (2) from the other party; provided, however, that this does not apply if the other party has given their consent under the provisions of the preceding paragraph at another time.

(純資産額規制比率の届出等をすべき者から除かれる者)

(Entities Excluded from Those Who Are to Give Notification of Net Asset Regulation Ratio)

第二十八条 法第二百十一条第一項の政令で定める者は、次に掲げる者とする。

Article 28 The entities specified by Cabinet Order as referred to in Article 211, paragraph (1) of the Act are as follows:

一 銀行

(i) Banks;

二 株式会社商工組合中央金庫

(ii) The Shoko Chukin Bank, Ltd.;

三 株式会社日本政策投資銀行

(iii) Development Bank of Japan Inc.;

四 信用金庫及び信用金庫連合会

(iv) Shinkin Banks and the federation of Shinkin Banks;

五 信用協同組合及び中小企業等協同組合法第九条の九第一項第一号の事業を行う協同組合連合会

(v) credit cooperatives and the federation of cooperatives engaged in the business referred to in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act;

六 労働金庫及び労働金庫連合会

(vi) labor banks and the federation of labor banks;

七 農林中央金庫

(vii) The Norinchukin Bank;

八 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及び農業協同組合連合会

(viii) agricultural cooperatives and the federation of agricultural cooperatives engaged in the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act; and

九 保険会社及び保険業法第二条第七項に規定する外国保険会社等

(ix) Insurance companies and foreign insurance companies prescribed in Article 2, paragraph (7) of the Insurance Business Act.

(顧客の判断に影響を及ぼす重要事項)

(Important Matters that Impact Customers' Judgment)

第二十九条 法第二百十三条の二第一項第三号の政令で定めるものは、次に掲げるものとする。

Article 29 The matters specified by Cabinet Order as referred to in Article 213-2, paragraph (1), item (iii) of the Act are the following matters:

一 商品取引契約に関して顧客が支払うべき手数料、報酬その他の対価に関する事項であつて主務省令で定めるもの

(i) matters concerning fees, remunerations, and other considerations required to be paid by customers regarding a commodity transaction contract that are specified by order of the competent ministry;

二 商品取引契約に関して顧客が預託すべき取引証拠金等（法第二百十七条第一項第一号に規定する取引証拠金等をいう。以下この条、次条及び第三十六条において同じ。）がある場合にあつては、その額又は計算方法

(ii) if there is clearing margin, etc. to be deposited by the customer regarding a commodity transaction contract (meaning the clearing margin, etc. prescribed in Article 217, paragraph (1), item (i) of the Act; hereinafter the same applies in this Article, the following Article, and Article 36), the amount or its calculation method;

三 商品取引契約に基づく取引（法第二条第三項第四号に掲げる取引にあつては同号の権利を行使することにより成立する同号イからホまでに掲げる取引をいい、同条第十四項第四号に掲げる取引にあつては同号の権利を行使することにより成立する同号イからニまでに掲げる取引をいい、同項第五号に掲げる取引にあつては同号の権利を行使することにより成立する同号に規定する金銭を授受することとなる取引をいう。第三十六条第三号において同じ。）の額（取引の対価の額又は約定価格若しくは約定数値に、その取引の件数又は数量を乗じて得た額をいう。同号において同じ。）が、当該取引について顧客が預託すべき取引証拠金等の額を上回る可能性がある場合にあつては、次に掲げる事項

(iii) if there is a possibility that the amount of the transaction based on a commodity transaction contract (for transactions set forth in Article 2, paragraph (3), item (iv) of the Act, the transactions set forth in sub-items (a) through (e) of that item which are closed by exercising the right under that item; for transactions set forth in paragraph (14), item (iv) of that Article, the transactions set forth in sub-items (a) through (d) of that item which are closed by exercising the right under that item; for transactions set forth in item (v) of that paragraph, the transactions resulting in delivery or receipt of money specified in that item which are closed by exercising the right under that item; the same applies in Article 36, item (iii) (meaning an amount obtained by multiplying the value of the transaction, or the contract price or agreed figure, by the number or volume of transactions; the same applies in that item) exceeds the amount of the clearing margin, etc. to be deposited by



the customer for the transaction, the following matters:

イ 当該取引の額が当該取引証拠金等の額を上回る可能性がある旨

(a) the fact that there is a possibility that the amount of the transaction exceeds the amount of the clearing margin, etc.;

ロ 当該取引の額の当該取引証拠金等の額に対する比率（当該比率を算出することができない場合にあつては、その旨及びその理由）

(b) the ratio of the amount of the transaction to the amount of the clearing margin, etc. (if the ratio cannot be calculated, that fact and the reason therefor);

四 商品市場における相場その他の商品の価格又は商品指数（次条及び第三十六条第四号において「商品市場における相場等」という。）に係る変動により商品取引契約に基づく取引について顧客に損失が生ずることとなるおそれがあり、かつ、当該損失の額が取引証拠金等の額を上回ることとなるおそれがある場合には、その旨及びその理由

(iv) the fact that there is a risk of the customer incurring a loss for the transaction based on a commodity transaction contract due to fluctuation in quotations on a commodity market or prices of other commodities or commodity index prices (referred to as "quotations on a commodity market, etc." in the following Article and Article 36, item (iv)) and a risk that the amount of the loss will exceed the amount of the clearing margin, etc., and the reason therefor; and

五 前各号に掲げる事項に準ずるものとして主務省令で定めるもの

(v) the matters specified by order of the competent minister as those equivalent to the matters set forth in the preceding items.

（不招請勧誘が禁止される商品取引契約）

(Commodity Transaction Contracts Prohibiting Uninvited Solicitation)

第三十条 法第二百十四条第九号の政令で定めるものは、個人である顧客（以下この条において「個人顧客」という。）を相手方とし、又は個人顧客のために法第二条第二十二項第一号から第四号までに掲げる行為を行うことを内容とする商品取引契約（商品市場における相場等に係る変動により当該商品取引契約に基づく取引について当該個人顧客に損失が生ずることとなるおそれがある場合における当該損失の額が、取引証拠金等の額を上回ることとなるおそれがあるものに限る。）及び個人顧客を相手方とし、又は個人顧客のために同項第五号に掲げる行為を行うことを内容とする商品取引契約とする。

Article 30 The contracts specified by Cabinet Order as referred to in Article 214, item (ix) of the Act are commodity transaction contracts concluded with a customer who is an individual ( hereinafter referred to as "individual customer" in this Article) as the other party, or contracts in which the acts set forth in Article 2, paragraph (22), items (i) through (iv) are to be performed for the individual customer (limited to those for which there is a risk of the

individual customer to incur losses for transactions based on the commodity transaction contract due to fluctuations in quotations on a commodity market, etc., and there is a risk that the amount of the losses will exceed the amount of the clearing margin, etc.), and commodity transaction contracts concluded with individual customers as the other party or contracts in which the acts set forth in item (v) of that paragraph are to be performed for the individual customer.

(商品取引契約の締結前の書面等に係る情報通信の技術を利用した提供又は通知)  
(Provision or Notification of Matters Using Information Communication  
Technology for Documents, Prior to Conclusion of Commodity Transaction  
Contracts)

第三十一条 商品先物取引業者は、法第二百七条第二項（法第二百二十条第二項及び第二百二十条の二第二項において準用する場合を含む。以下この条において同じ。）の規定により法第二百七条第二項に規定する事項を提供し、又は通知しようとするときは、主務省令で定めるところにより、あらかじめ、当該事項の提供又は通知の相手方に対し、その用いる同項に規定する情報通信の技術を利用する方法（次項において「電磁的方法」という。）の種類及び内容を示し、書面又は電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて主務省令で定めるもの（次項において「書面等」という。）による承諾を得なければならない。

Article 31 (1) If a commodity derivatives business operator seeks to provide or notify the matters prescribed in Article 217, paragraph (2) of the Act pursuant to the provisions of Article 217, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 220, paragraph (2) and Article 220-2, paragraph (2) of the Act; hereinafter the same applies in this Article), the business operator must, in advance and as specified by order of the competent ministry, indicate to the other party to whom the matters are to be provided or notified the type and content of the information communications technology prescribed in that paragraph to be used (hereinafter referred to as "electronic or magnetic means" in following paragraph) and obtain their consent in writing or by means of using an electronic data processing system or other means that use information communication technology specified by order of the competent ministry (referred to as "in writing, etc." in the following paragraph).

2 前項の規定による承諾を得た商品先物取引業者は、当該相手方から書面等により電磁的方法による提供又は通知を受けない旨の申出があつたときは、当該相手方に対し、法第二百七条第二項に規定する事項の提供又は通知を電磁的方法によつてしてはならない。ただし、当該相手方が再び前項の規定による承諾をした場合は、この限りでない。

(2) If a commodity derivatives business operator who has obtained the consent under the provisions of the preceding paragraph receives a request from the other party in writing, etc. that they will not accept the provision or notification of the matters by an electronic or magnetic means, the business

provider must not provide or notify the matters prescribed in Article 217, paragraph (2) of the Act by an electronic or magnetic means; provided, however, that this does not apply when the other party has given their consent under the preceding Article at another time.

(勧誘方針の策定を要しない者等)

**(Persons Who Are Not Required to Formulate a Solicitation Policy)**

第三十二条 法第二百二十条の三の規定により準用する金融サービスの提供及び利用環境の整備等に関する法律（平成十二年法律第百一号）第十条第一項ただし書に規定する政令で定める者は、法律により直接に設立された法人又は特別の法律により特別の設立行為をもつて設立された法人（総務省設置法（平成十一年法律第九十一号）第四条第一項第八号の規定の適用を受けない法人を除く。第三十九条第一項において同じ。）であつて国又は地方公共団体の全額出資に係る法人とする。

Article 32 (1) The persons specified by Cabinet Order as provided for in the proviso to Article 9, paragraph (1) of the Act on the Provision of and the Development of Environment for Using Financial Services (Act No. 101 of 2000) as applied mutatis mutandis pursuant to Article 220-3 of the Act are corporations directly established pursuant to a law or corporations established by a special act of incorporation pursuant to a special law (excluding corporations which are not subject to application of the provisions of Article 4, paragraph (1), item (ix) of the Act for Establishment of the Ministry of Internal Affairs and Communications (Act No. 91 of 1999); the same applies in Article 39, paragraph (1)) that are wholly owned by the national government or a local government.

2 法第二百二十条の三の規定により準用する金融サービスの提供及び利用環境の整備等に関する法律第十条第三項に規定する政令で定める方法は、商品先物取引業者の本店又は主たる事務所（外国の法令に準拠して設立された法人又は外国に住所を有する者にあつては、国内における主たる営業所又は事務所。以下「本店等」という。）において勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法及び次の各号に掲げる場合に該当するときは、当該各号に定める方法とする。

(2) The means specified by Cabinet Order as prescribed in Article 9, paragraph (3) of the Act on the Provision of and the Development of Environment for Using Financial Services as applied mutatis mutandis pursuant to Article 220-3 of the Act is the means of posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at the head office or principal office of the commodity derivatives business operator (with regard to a corporation established in compliance with the laws and regulations of a foreign country or person who has an address in a foreign country, the principal business office or office in Japan; hereinafter referred to as "head office, etc."), and, in the cases set forth in the following items, the means specified in each of those items:

一 商品先物取引業者が、その本店等以外の支店その他の営業所又は事務所（外国の法令に準拠して設立された法人又は外国に住所を有する者にあつては、国内における従たる営業所又は事務所。以下「支店等」という。）において商品取引契約の締結を行う場合 商品取引契約の締結を行う支店等ごとに、勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法

(i) when the commodity derivatives business operator concludes commodity transaction contracts at branch offices or other business offices or offices other than the head office, etc. (for a corporation established in compliance with the laws and regulations of a foreign country or a person who has an address in a foreign country, secondary business offices or offices in Japan; hereinafter referred to as the "branch office, etc."): the means of posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at each branch office, etc. where commodity transaction contracts are to be concluded; and

二 商品先物取引業者が、公衆によつて直接受信されることを目的として公衆からの求めに応じ自動的に無線通信又は有線電気通信の送信を行うこと（以下この号及び第三十九条第二項第二号において「自動送信」という。）により商品取引契約の締結を行う場合（前号に掲げる場合に該当する場合を除く。） 勧誘方針を自動送信する方法

(ii) when the commodity derivatives business operator concludes commodity transaction contracts through automatic transmissions by wireless communications or wire telecommunications intended for direct reception by the public, upon request from the public (hereinafter referred to as "automatic transmission" in this item and in Article 39, paragraph (2), item (ii)) (excluding the cases set forth in the preceding item): the means of making automatic transmission of the solicitation policy.

（商品先物取引業者が行う商品取引契約の締結について準用する金融サービスの提供及び利用環境の整備等に関する法律の規定の読替え）

(Deemed Replacement of Terms of the Provisions of the Act on the Provision of and the Development of Environment for Using Financial Services as Applied Mutatis Mutandis to Conclusion of Commodity Transaction Contracts by Commodity Derivatives Business Operators)

第三十三条 法第二百二十条の三の規定により商品先物取引業者が行う商品取引契約の締結について金融サービスの提供及び利用環境の整備等に関する法律第十条第一項の規定を準用する場合においては、同項ただし書中「場合又は特定顧客のみを顧客とする金融商品販売業者等である場合」とあるのは、「場合」と読み替えるものとする。

Article 33 When the provisions of Article 9, paragraph (1) of the Act on the Provision of and the Development of Environment for Using Financial Services are applied mutatis mutandis to the conclusion of commodity transaction contracts by a commodity derivatives business operator pursuant to the

provisions of Article 220-3, the phrase "case or case of a financial instruments provider, etc. taking only specified customers as customers" in Article 9, paragraph (1) is deemed to be replaced by "case."

(国内に保有すべき資産)

(Assets Required to be Held in Japan)

第三十四条 法第二百三十四条に規定する商品先物取引業者の資産のうち政令で定める部分は、主務省令で定めるところにより算定される負債の額に相当する資産の額とする。

Article 34 Among the assets of a commodity derivatives business operator prescribed in Article 234 of the Act, the portion specified by Cabinet Order is the amount of assets equivalent to the amount of liabilities calculated pursuant to the provisions of order of the competent ministry.

(商品先物取引仲介業者について準用する法の規定の読替え)

(Deemed Replacement of Terms of Provisions of the Act Applied Mutatis Mutandis to Commodity Derivatives Intermediary Service Providers)

第三十五条 法第二百四十条の十一の規定により商品先物取引仲介業者について法の規定を準用する場合における法の規定に係る技術的読替えは、次の表のとおりとする。

Article 35 When the provisions of the Act are applied mutatis mutandis to commodity derivatives intermediary service providers pursuant to the provisions of Article 240-11 of the Act, the technical replacement of terms concerning these provisions is as in the following table.

| 読み替える法の規定<br>Provisions of the Act<br>whose terms are to be<br>replaced           | 読み替えられる字句<br>Terms deemed to be<br>replaced  | 読み替える字句<br>Terms to be replaced<br>with   |
|---|--|---|
| 第二百条第一項第一号<br>Article 200, paragraph<br>(1), item (i)                             | 第二条第二十二項各号に<br>掲げる行為<br>the acts set forth in the<br>items of Article 2,<br>paragraph (22)   | 第二条第二十二項各号に<br>規定する媒介<br>intermediary as defined<br>in the items of Article 2,<br>paragraph (22)      |
| 第二百条第一項第二号から<br>第五号まで<br>Article 200, paragraph<br>(1), items (ii) through<br>(v) | 委託の勧誘又はその委託<br>の媒介、取次ぎ若しくは<br>代理の申込みの勧誘<br>soliciting the<br>consignment or requests<br>for acting as an<br>intermediary, broker, or<br>agent of the consignment | 委託の媒介の申込みの勧<br>誘<br>soliciting the requests<br>for acting as an<br>intermediary of the<br>consignment |

|   |   |  |
|---|---|--|
| <p>第二百条第一項第六号<br/>Article 200, paragraph (1), item (vi)</p> | <p>申込みの勧誘又はその媒介、取次ぎ若しくは代理の申込みの勧誘<br/>soliciting offers...<br/>orsoliciting requests for acting as an intermediary, broker, or agent</p> | <p>媒介の申込みの勧誘<br/>soliciting the requests for acting as an intermediary</p>   |
| <p>第二百条第三項第一号<br/>Article 200, paragraph (3), item (i)</p>  | <p>商号又は名称及びその代表者の氏名<br/>the trade name or name of the registration applicant and the name of their representative</p>                   | <p>氏名又は商号若しくは名称（法人にあつては、その代表者の氏名を含む。）<br/>the name or trade name (for a corporation, including the name of its representative)</p> |
| <p>第二百五条第二号<br/>Article 205, item (ii)</p>                  | <p>解散し、又は商品先物取引業を廃止<br/>is dissolved or discontinues commodity derivatives business</p>   | <p>死亡し、解散し、又は商品先物取引仲介業を廃止<br/>has died, or is dissolved or discontinues the commodity derivatives ntermediary service</p>          |

|  |   |   |
|--|---|---|
| <p>第二百六条第一項<br/>Article 206, paragraph (1)</p> | <p>当該協会に所属する商品先物取引業者<br/>commodity derivatives business operators that belongs to the association</p> | <p>当該協会の協会員（第二百四十四条第二項に規定する協会員をいう。第五項において同じ。）を所属商品先物取引業者（第二百四十条の三第一項第四号に規定する所属商品先物取引業者をいう。第五項において同じ）とする商品先物取引仲介業者<br/>commodity derivatives intermediary service provider that has a member of the association (meaning a member prescribed in Article 244, paragraph (2); the same applies in paragraph (5)) as an entrusting commodity derivatives business operator (meaning an entrusting commodity business operator prescribed in Article 240-3, paragraph (1), item (iv); the same applies in paragraph (5))</p> |
| <p>第二百六条第五項<br/>Article 206, paragraph (5)</p> | <p>協会に所属する商品先物取引業者<br/>commodity derivatives business operator that belongs to the association</p>    | <p>協会の協会員を所属商品先物取引業者とする商品先物取引仲介業者<br/>Commodity Derivatives Intermediary Service Providers that has a member of the association as an entrusting commodity derivatives business operator</p>  |

(顧客の判断に影響を及ぼす重要事項)

(Important Matters that Has an Impact on Customer Judgment)

第三十六条 法第二百四十条の十三第一項第三号の政令で定めるものは、次に掲げるものとする。

Article 36 The matters specified by Cabinet Order as referred to in Article 240-13, paragraph (1), item (iii) of the Act is the following matters:

- 一 商品先物取引仲介行為（法第二百四十条の十四に規定する商品先物取引仲介行為をいう。以下同じ。）に係る商品取引契約に関して顧客が支払うべき手数料、報酬その他の対価に関する事項であつて主務省令で定めるもの
- (i) matters concerning fees, remuneration, and any other considerations required to be paid by the customer concerning a commodity transaction contract related to acts of commodity derivatives intermediary service (meaning acts of commodity derivatives intermediary service prescribed in Article 240-14 of the Act; the same applies hereinafter) that are specified by order of the competent ministry;
- 二 商品先物取引仲介行為に係る商品取引契約に関して顧客が預託すべき取引証拠金等がある場合にあつては、その額又は計算方法
- (ii) when there is clearing margin, etc. required to be deposited by the customer concerning a commodity transaction contract related to acts of commodity derivatives intermediary service, the amount or its calculation method;
- 三 商品先物取引仲介行為に係る商品取引契約に基づく取引の額が、当該取引について顧客が預託すべき取引証拠金等の額を上回る可能性がある場合にあつては、次に掲げる事項
- (iii) when there is a possibility that the amount of a transaction based on a commodity transaction contract related to acts of commodity derivatives intermediary service will exceed the amount of the clearing margin, etc. required to be deposited by the customer for the transaction, the following matters:
- イ 当該取引の額が当該取引証拠金等の額を上回る可能性がある旨
- (a) the fact that there is a possibility that the amount of the transaction will exceed the amount of the clearing margin, etc.;
- ロ 当該取引の額の当該取引証拠金等の額に対する比率（当該比率を算出することができない場合にあつては、その旨及びその理由）
- (b) the ratio of the amount of the transaction to the amount of the clearing margin, etc. (if the ratio cannot be calculated, that fact and the reason therefor);
- 四 商品市場における相場等に係る変動により商品先物取引仲介行為に係る商品取引契約に基づく取引について顧客に損失が生ずることとなるおそれがあり、かつ、当該損失の額が取引証拠金等の額を上回ることとなるおそれがある場合には、その旨及びその理由
- (iv) if there is a risk that the customer will incur a loss for the transaction based on the commodity transaction contract related to acts of commodity derivatives intermediary service due to fluctuation of quotations on a commodity market, etc. and a risk that the amount of the loss will exceed the amount of the clearing margin, etc. the fact and the reason therefor;
- 五 前各号に掲げる事項に準ずるものとして主務省令で定めるもの
- (v) the matters specified by order of the competent minister as those equivalent



to the matters set forth in the preceding items.

(商品先物取引仲介業者と密接な関係を有する者の範囲)

(Scope of Entities with a Close Relationship with a Commodity Derivatives Intermediary Service Provider)

第三十七条 法第二百四十条の十五の政令で定める者は、次に掲げる者とする。ただし、当該商品先物取引仲介業者の所属商品先物取引業者（法第二百四十条の三第一項第四号に規定する所属商品先物取引業者をいう。）、銀行その他の主務省令で定める者を除く。

Article 37 The persons specified by Cabinet Order as referred to in Article 240-15 of the Act are the following persons; provided, however, that this excludes entrusting commodity derivatives business operators of commodity derivatives intermediary service providers (meaning entrusting commodity derivatives business operators prescribed in Article 240-3, paragraph (1), item (iv) of the Act), banks, and other entities specified by order of the competent ministry:

一 当該商品先物取引仲介業者（個人である者に限る。）の親族（配偶者並びに三親等以内の血族及び姻族に限る。）

(i) relatives (limited to spouses and a relative by blood or affinity within the third degree of kinship) of a commodity derivatives intermediary service provider (limited to individuals);

二 当該商品先物取引仲介業者の役員又は使用人（前号に掲げる者を除く。）

(ii) officers or employees of a commodity derivatives intermediary service provider (excluding those set forth in the preceding item);

三 当該商品先物取引仲介業者が支配関係（他の法人の総株主等の議決権の百分の五十を超える議決権（社債、株式等の振替に関する法律第一百四十七条第一項又は第一百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含む。）を保有している関係その他その法人の事業活動を実質的に支配することが可能なものとして主務省令で定める関係をいう。次号並びに第四十六条第二号及び第三号において同じ。）を有する法人

(iii) a corporation over which the commodity derivatives intermediary service provider has a controlling relationship (meaning a relationship in which voting rights are held exceeding 50 percent of the total shareholder voting rights of another corporation (including voting rights related to shares or equity interest that cannot be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (including as applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1), and Article 276 (limited to the part related to item (ii) of that Act) or a relationship prescribed by order of the

competent ministry as one that enables the service provider to substantially control the business activities of the other corporation; the same applies in the following item and Article 46, items (ii) and (iii));

四 当該商品先物取引仲介業者（法人である者に限る。次号において同じ。）に対して支配関係を有する法人

(iv) a corporation that has a controlling relationship over the commodity derivatives intermediary service provider (limited to those that are corporations; the same applies in the following item);

五 当該商品先物取引仲介業者の総株主等の議決権の百分の五十を超える議決権を保有する個人（第二号に掲げる者を除く。）

(v) an individual that has voting rights exceeding 50 percent of the total shareholder voting rights of the commodity derivatives intermediary service provider (excluding those set forth in item (ii));

六 前各号に掲げる者に準ずる者として主務省令で定める者

(vi) persons specified by order of the competent ministry as those equivalent to the persons set forth in the preceding items.

（商品先物取引仲介業者について準用する法の規定の読替え）

(Deemed Replacement of Terms of Provisions of the Act Applied Mutatis Mutandis to Commodity Derivatives Intermediary Service Providers)

第三十八条 法第二百四十条の十七の規定により商品先物取引仲介業者について法第二百十五条の規定を準用する場合においては、同条中「商品取引契約」とあるのは「商品先物取引仲介行為に係る商品取引契約」と、「商品先物取引業を」とあるのは「商品先物取引仲介業を」と読み替えるものとする。

Article 38 When the provisions of Article 215 of the Act are applied mutatis mutandis to commodity derivatives intermediary service providers pursuant to the provisions of Article 240-17 of the Act, in that Article, the term "commodity transaction contract" is deemed to be replaced with "commodity transaction contract related to acts of commodity futures transaction intermediation service", and the term "commodity derivatives business" is deemed to be replaced with "commodity derivatives intermediary service".

（勧誘方針の策定を要しない者等）

(Entities Not Required to Formulate a Solicitation Policy)

第三十九条 法第二百四十条の十九の規定により準用する金融サービスの提供及び利用環境の整備等に関する法律第十条第一項ただし書に規定する政令で定める者は、法律により直接に設立された法人又は特別の法律により特別の設立行為をもつて設立された法人であつて国又は地方公共団体の全額出資に係る法人とする。

Article 39 (1) The entities specified by Cabinet Order as prescribed in the proviso to Article 9, paragraph (1) of the Act on the Provision of and the Development of Environment for Using Financial Services as applied mutatis

mutandis pursuant to the provisions of Article 240-19 of the Act are corporations directly established pursuant to a law or corporations established by a special act of incorporation pursuant to a special law, which are wholly owned by the national government or by a local government.

2 法第二百四十条の十九の規定により準用する金融サービスの提供及び利用環境の整備等に関する法律第十条第三項に規定する政令で定める方法は、商品先物取引仲介業者の本店等において勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法及び次の各号に掲げる場合に該当するときは、当該各号に定める方法とする。

(2) The method specified by Cabinet Order prescribed in Article 9, paragraph (3) of the Act on the Provision of and the Development of Environment for Using Financial Services as applied mutatis mutandis pursuant to the provisions of Article 240-19 of the Act is the method of posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at the head office, etc. of the commodity derivatives intermediary service provider, and, in the cases that fall under those set forth in the following items, the method specified in each of those items:

一 商品先物取引仲介業者が、その支店等において商品先物取引仲介行為を行う場合商品先物取引仲介行為を行う支店等ごとに、勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法

(i) when the commodity derivatives intermediary service provider performs acts of commodity derivatives intermediary at the branch offices, etc.: the method of posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at each branch office, etc. where acts of commodity derivatives intermediary service are performed; and

二 商品先物取引仲介業者が、自動送信により商品先物取引仲介行為を行う場合（前号に掲げる場合に該当する場合を除く。） 勧誘方針を自動送信する方法

(ii) when the commodity derivatives intermediary service provider performs acts of commodity derivatives intermediary service by automatic transmission (excluding the cases that fall under those set forth in the preceding item): the method of automatic transmission of the solicitation policy.

(商品先物取引仲介業者が行う商品先物取引仲介行為について準用する金融サービスの提供及び利用環境の整備等に関する法律の規定の読替え)

(Deemed Replacement of Terms of Provisions of the Act on the Provision of and the Development of Environment for Using Financial Services Applied Mutatis Mutandis to Acts of Commodity Derivatives Intermediary Service Performed by Commodity Derivatives Intermediary Service Providers)

第四十条 法第二百四十条の十九の規定により商品先物取引仲介業者が行う商品先物取引仲介行為について金融サービスの提供及び利用環境の整備等に関する法律第十条第

一項の規定を準用する場合においては、同項ただし書中「場合又は特定顧客のみを顧客とする金融商品販売業者等である場合」とあるのは、「場合」と読み替えるものとする。

Article 40 When the provisions of Article 9, paragraph (1) of the Act on the Provision of and the Development of Environment for Using Financial Services are applied mutatis mutandis to acts of commodity derivatives intermediary service performed by commodity derivatives intermediary service providers pursuant to the provisions of Article 240-19 of the Act, the phrase "case or case of a financial instruments provider, etc. taking only specified customers as customers" in that paragraph is deemed to be replaced with "case."

(一般委託者から除かれる者)

(Persons Excluded from Being General Consignors)

第四十一条 法第二百六十九条第一項の政令で定める者は、次に掲げる者とする。

Article 41 The persons specified by Cabinet Order as referred to in Article 269, paragraph (1) of the Act are as follows:

一 商品先物取引業者

(i) A Commodity Derivatives Business Operator;

二 金融商品取引法第二条第三項第一号に規定する適格機関投資家

(ii) A qualified institutional investor prescribed in Article 2, paragraph (3), item (i) of the Financial Instruments and Exchange Act;

三 商品投資顧問業者

(iii) Commodities Investment Advisor;

四 国

(iv) the State;

五 日本銀行

(v) Bank of Japan;

六 委託者保護基金

(vi) Consignor protection funds;

七 外国政府その他の外国の法令上前各号に掲げる者に相当する者

(vii) a foreign government or an entity equivalent to a person set forth in the preceding three items under the laws and regulations of a foreign country;

八 前各号に掲げる者のほか、主務大臣が指定する者

(viii) in addition to the persons set forth in the preceding items, a person designated by the competent minister.

(委託者保護基金への通知)

(Notice to the Consignor Protection Fund)

第四十二条 法第三百三条第一項第六号の政令で定めるときは、次に掲げるときとする。

Article 42 The cases specified by Cabinet Order as referred to in Article 303, paragraph (1), item (vi) of the Act are as follows:

一 商品取引所又は商品取引清算機関に対する次に掲げる債務を履行しなかつたとき。

(i) when the member has failed to perform the following liability to a commodity exchange or a commodity clearing organization:

イ 金銭債務

(a) Monetary debt;

ロ 決済のための商品の受渡し

(b) delivery of commodities for settlement; and

二 手形交換所による取引停止処分を受けたとき。

(ii) when the member has been rendered a disposition to suspend transactions given by a clearinghouse.

(委託者保護基金による支払に係る公告事項)

(Matters Subject to Public Notice Related to Payment by Consignor Protection Funds)

第四十三条 法第三百五条第一項の政令で定める事項は、次に掲げる事項とする。

Article 43 The matters specified by Cabinet Order as referred to in Article 305, paragraph (1) of the Act are as follows:

一 法第三百四条の認定を受けた商品先物取引業者の商号又は名称

(i) the trade name or name of a commodity derivatives business operator who has received the certification referred to in Article 304 of the Act;

二 法第三百六条第一項の請求の方法

(ii) the method of making a request referred to in Article 306, paragraph (1) of the Act;

三 法第三百六条第一項の金額の支払期間、支払場所及び支払方法

(iii) the period, the place, and the method of the payment of the amount referred to in Article 306, paragraph (1) of the Act;

四 一般委託者が法第三百六条第一項の請求の際に委託者保護基金に対し提出又は提示をすべき書類その他のもの

(iv) documents and other articles which a general consignor is required to submit or present to the consignor protection fund when making a request referred to in Article 306, paragraph (1); and

五 その他委託者保護基金が必要と認める事項

(v) Any other matters that the Consignor Protection Fund finds necessary.

(届出期間の変更事由)

(Reasons for Changing the Period of Notification)

第四十四条 法第三百五条第二項の政令で定める事由は、次に掲げる事由とする。

Article 44 The reasons specified by Cabinet Order as referred to in Article 305, paragraph (2) of the Act are as follows:

一 破産法（平成十六年法律第七十五号）第百九十七条第一項（同法第二百九条第三項において準用する場合を含む。）の規定による公告

(i) a public notice under the provisions of Article 197, paragraph (1) of the Bankruptcy Act (Act No. 75 of 2004) (including as applied mutatis mutandis pursuant to Article 209, paragraph (3) of that Act) has been given;

二 法第三百五条第五項の規定による通知

(ii) a notice under the provisions of Article 305, paragraph (5) of the Act has been given;

三 会社更生法（平成十四年法律第百五十四号）第百九十九条第一項の規定による更生計画認可の決定

(iii) a decision of approval of a reorganization plan pursuant to the provisions of Article 199, paragraph (1) of the Corporate Reorganization Act (Act No. 154 of 2002) has been made; or

四 民事再生法（平成十一年法律第二百二十五号）第七十四条第一項の規定による再生計画認可の決定

(iv) a decision of approval of a rehabilitation plan pursuant to the provisions of Article 174, paragraph (1) of the Civil Rehabilitation Act (Act No. 225 of 1999) has been made.

（円滑な弁済が困難であると認められる債権）

(Claims whose Smooth Repayment is Found Difficult)

第四十五条 一般委託者が認定商品先物取引業者に対して有する債権（当該一般委託者の委託者資産に係るものに限る。）であつて委託者保護基金が法第三百六条第一項の政令で定めるところにより当該認定商品先物取引業者による円滑な弁済が困難であると認めるものは、当該認定商品先物取引業者の財産の状況及び法第二百十条第一号の規定による保全義務の履行の状況に照らして完全な弁済ができないと認められる債権又は弁済に著しく日数を要すると認められる債権とする。

Article 45 The claims which a general consignor has against a certified commodity derivatives business operator (limited to those related to the consignor assets of the general consignor) and whose smooth repayment by the certified commodity derivatives business operator is found to be difficult by the consignor protection fund pursuant to the provisions of Cabinet Order as referred to in Article 306, paragraph (1) of the Act are the claims whose complete repayment is found impossible or to require a considerable number of days for repayment in light of the status of the property of the certified commodity derivatives business operator and the status of performance of the duty of preservation pursuant to the provisions of Article 210, item (i) of the Act.

（委託者保護基金による支払の対象から除かれる者）

(Persons Excluded from Payment by the Consignor Protection Fund)

第四十六条 法第三百六条第二項の政令で定める者は、次に掲げる者とする。

Article 46 The persons specified by Cabinet Order as referred to in Article 306,

paragraph (2) of the Act are as follows:

- 一 認定商品先物取引業者の役員（外国の法令に準拠して設立された法人又は外国に住所を有する者にあつては、国内における営業所又は事務所の業務を統括する者を含む。）  
(i) an officer of a certified commodity derivatives business operator (including a person who supervises the business of a business office or office in Japan, for a corporation established in compliance with the laws and regulations of a foreign country or a person who has an address in a foreign country);
- 二 認定商品先物取引業者が支配関係を有する法人  
(ii) a corporation over which a certified commodity derivatives business operator has a controlling relationship;
- 三 商品先物取引業者に対して支配関係を有する法人  
(iii) a corporation that has a controlling relationship over a commodity derivatives business operator;
- 四 他人（仮設人を含む。以下この号において同じ。）の名義をもつて委託者資産を有している一般委託者（当該他人の名義をもつて有する委託者資産に係る補償対象債権についての支払を行う場合に限る。）  
(iv) a general consignor who holds consignor assets under the name of another person (including a temporary establisher; hereinafter the same applies in this item) (limited to the case in which a person makes a payment of claims subject to compensation related to consignor assets which they hold under the name of the other person); and
- 五 前各号に掲げる者のほか、主務大臣が指定する者  
(v) in addition to the persons set forth in the preceding items, a person designated by the competent minister.

（委託者保護基金による支払の最高限度額）

(Maximum Amount of Payment by the Consignor Protection Fund)

第四十七条 法第三百七条第三項の政令で定める金額は、千万円とする。

Article 47 The amount of money specified by Cabinet Order as referred to in Article 307, paragraph (3) of the Act is 10 million yen.

（補償対象債権の取得）

(Acquisition of Claims to Be Compensated)

第四十八条 法第三百六条第一項並びに第三百七条第一項及び第三項の規定により委託者保護基金が支払をすべき金額が、当該支払に係る補償対象債権の金額と同額であるときは、委託者保護基金は、当該補償対象債権の全部を取得するものとする。

Article 48 (1) If the amount of money required to be paid by the consignor protection fund pursuant to the provisions of Article 306, paragraph (1) and Article 307, paragraphs (1) and (3) of the Act is the same as the amount of the claims to be compensated related to the payment, the consignor protection fund

is to acquire all of the claims to be compensated.

2 前項の支払をすべき金額が、当該支払に係る補償対象債権の金額に満たないときは、委託者保護基金は、当該補償対象債権のうち、委託者保護基金が指定するものを取得するものとする。

(2) If the amount of money required to be paid referred to in the preceding paragraph is less than the amount of the claims to be compensated related to the payment, the consignor protection fund is to acquire the part of the claims to be compensated designated by the consignor protection fund.

(商品市場類似施設の開設の禁止の適用除外)

(Exemption from the Prohibition of Establishment of a Facility Similar to a Commodity Market)

第四十九条 法第三百三十一条第一号の政令で定める要件は、次に掲げるものとする。

Article 49 The requirements specified by Cabinet Order as referred to in Article 331, item (i) are as follows:

一 商品又は商品指数（法第三百三十一条第一号に規定する商品又は商品指数をいう。）の対象となる物品又は電力の売買等を業として行っている者のみが当該商品又は商品指数の対象となる物品又は電力に係る先物取引に類似する取引をする施設であること。

(i) the facility is one in which only persons who, in the course of trade, engage in the purchase and sale, etc. of goods or electric power subject to the commodities or commodity indices (meaning the commodities and the commodity indices prescribed in Article 331, item (i) of the Act) conduct transactions similar to futures transactions related to goods or electric power subject to the commodities or commodity indices; and

二 先物取引に類似する取引をする者が委託を受けないで当該先物取引に類似する取引をする施設であること。

(ii) the facility is one in which persons who conduct transactions similar to futures transactions, conduct transactions similar to the futures transactions without receiving consignment.

(第一種特定商品市場類似施設の開設の許可)

(Permission for Establishment of a Facility Similar to Type 1 Specified Commodity Market)

第五十条 法第三百三十二条第一項の政令で定める要件は、次に掲げるものとする。

Article 50 The requirements specified by Cabinet Order as referred to in Article 332, paragraph (1) are as follows:

一 商品又は商品指数（法第三百三十二条第一項に規定する商品又は商品指数をいう。）の対象となる物品又は電力の売買等を業として行っている者及び次条に規定する者のみが同項第一号に規定する方法により、当該商品又は商品指数の対象となる物品又は電力に係る先物取引に類似する取引をする施設（前条第一号に規定する



施設を除く。) であること。

(i) the facility is one in which only persons who, in the course of trade, engage in the purchase and sale, etc. of goods or electric power subject to commodities or commodity indices (meaning the commodities and the commodity indices prescribed in Article 332, paragraph (1) of the Act) or persons prescribed in the following Article conduct transactions similar to futures transactions related to goods or electric power subject to the commodities or commodity indices by a method prescribed in item (i) of that paragraph (excluding the facility prescribed in item (i) of the preceding Article); and

二 先物取引に類似する取引をする者が委託を受けないで当該先物取引に類似する取引をする施設であること。

(ii) the facility is one in which persons who conduct transactions similar to futures transactions, conduct transactions similar to the futures transactions without receiving consignment.

(法第三百三十二条第一項第三号等の政令で定める者)

(Persons Specified by Cabinet Order as Referred to in Article 332, Paragraph (1), Item (iii) of the Act)

第五十一条 法第三百三十二条第一項第三号及び第三百四十二条第一項第三号の政令で定める者は、次に掲げる者とする。

Article 51 The persons specified by Cabinet Order as referred to in Article 332, paragraph (1), item (iii) and Article 342, paragraph (1), item (iii) of the Act are as follows:

一 銀行

(i) Banks;

二 金融商品取引法第二条第九項に規定する金融商品取引業者（同法第二十八条第一項に規定する第一種金融商品取引業を行う者に限る。）

(ii) financial instruments business operators prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Law (limited to persons who conduct Type I Financial Instruments Business prescribed in Article 28, paragraph (1) of that Act);

三 株式会社商工組合中央金庫

(iii) The Shoko Chukin Bank, Ltd.;

四 株式会社日本政策投資銀行

(iv) Development Bank of Japan Inc.;

五 信用金庫及び信用金庫連合会

(v) Shinkin Banks and the federation of Shinkin Banks;

六 信用協同組合及び中小企業等協同組合法第九条の九第一項第一号の事業を行う協同組合連合会

(vi) credit cooperatives and the federation of credit cooperatives that engage in

the business referred to in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act;

七 労働金庫及び労働金庫連合会

(vii) labor banks and the federation of labor banks;

八 農林中央金庫

(viii) The Norinchukin Bank;

九 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及び農業協同組合連合会

(ix) agricultural cooperatives and the federation of agricultural cooperatives that engage in the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act; and

十 保険会社及び保険業法第二条第七項に規定する外国保険会社等

(x) Insurance companies and foreign insurance companies, etc. prescribed in Article 2, paragraph (7) of the Insurance Business Act.

(第二種特定商品市場類似施設の開設の許可)

(Permission for Establishment of a Facility Similar to a Type 2 Specified Commodity Market)

第五十二条 法第三百四十二条第一項の政令で定める要件は、次に掲げるものとする。

Article 52 The requirements specified by Cabinet Order as referred to in Article 342, paragraph (1) are as follows:

一 商品又は商品指数（法第三百四十二条第一項に規定する商品又は商品指数をいう。）の対象となる物品又は電力の売買等を業として行っている者及び前条に規定する者のみが同項第一号に規定する方法により、当該商品又は商品指数の対象となる物品又は電力に係る先物取引に類似する取引をする施設であること。

(i) the facility is one in which only persons who, in the course of trade, engage in the purchase and sale, etc. of goods or electric power subject to commodities or commodity indices (meaning the commodities and the commodity indices prescribed in Article 342, paragraph (1) of the Act) or persons prescribed in the preceding Article conduct transactions similar to futures transactions related to goods or electric power subject to the commodities or commodity indices by a method prescribed in item (i) of that paragraph; and

二 先物取引に類似する取引をする者が委託を受けないで当該先物取引に類似する取引をする施設であること。

(ii) the facility is one in which persons who conduct transactions similar to futures transactions, conduct transactions similar to the futures transactions without receiving consignment.

(協議)

(Consultation)

第五十三条 国家公安委員会、法務大臣、外務大臣、農林水産大臣及び経済産業大臣は、法第三百四十九条の二第四項の措置をとる場合においては、当該措置について協議を行うものとする。

Article 53 In taking the measures referred to in Article 349-2, paragraph (4) of the Act, the National Public Safety Commission, the Minister of Justice, the Minister of Foreign Affairs, the Minister of Agriculture, Forestry and Fisheries, and the Minister of Economy, Trade and Industry, are to hold consultations on the measures.

(参考人等に支給する費用)

(Costs Paid to Witnesses)

第五十四条 法第三百五十条の規定により、参考人又は鑑定人には、国家公務員等の旅費に関する法律（昭和二十五年法律第百十四号）の例により鉄道賃、船賃、車賃、日当又は宿泊料を支給する。

Article 54 (1) Train fares, boat fares, vehicle fares, a daily allowance, or accommodation fees are paid to a witness or an expert pursuant to the Act concerning Travel Expenses of National Public Officers (Act No. 114 of 1950), pursuant to the provisions of Article 350 of the Act.

2 鑑定人には、鑑定人が鑑定につき特に費用を要した場合で主務大臣（第五十七条第一項の規定により地方農政局長又は経済産業局長が法第二百三十七条及び第二百四十条の二十五において準用する法第百五十八条第二項の規定による主務大臣の権限を行った場合にあつては、当該地方農政局長又は当該経済産業局長）が必要と認めるときは、前項の規定により支給する費用のほか、相当の額の鑑定料を支給することができる。

(2) If special costs for expert testimony were required for an expert and the competent minister (when the Director of a Regional Agricultural Administration Office or the Director-General of a Bureau of Economy, Trade and Industry has exercised the authority of the competent minister pursuant to the provisions of Article 158, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 237 and Article 240-25 of the Act, pursuant to the provisions of Article 57, paragraph (1), the Director of the Regional Agricultural Administration Office or the Director-General of the Bureau of Economy, Trade and Industry) finds it necessary, a reasonable amount of fee for expert testimony may be paid to the expert in addition to the expenses paid pursuant to the provisions of the preceding paragraph.

(外国法人等に対する法の規定の適用に当たつての技術的読替え)

(Technical Replacement of Terms in Applying the Provisions of the Act to Foreign Corporations)

第五十五条 法第三百五十三条の規定による外国の法令に準拠して設立された法人又は外国に住所を有する者である商品先物取引業者に対する法の規定の適用についての技

術的読替えは、次の表のとおりとする。

**Article 55** The technical replacement of terms concerning the application of the provisions of the Act to a commodity derivatives business operator that is a corporation established in compliance with the laws and regulations of a foreign country or that has an address in a foreign country, is as in the following table.

| 読み替える法の規定<br>Provisions of the Act<br>whose terms are to be<br>replaced                          | 読み替えられる字句<br>Terms deemed to be<br>replaced | 読み替える字句<br>Term to be replaced<br>with   |
|--|---|--|
| 第百九十二条第一項第三号<br>Article 192, paragraph (1), item (iii)   | 本店、支店<br>head office, branch offices        | 本店、国内における主たる営業所又は事務所<br>head office and principal business offices or offices in Japan   |
| 第百九十二条第一項第四号及び第二百三十六条第二項<br>Article 192, paragraph (1), item (iv) and Article 236, paragraph (2) | 役員<br>officers                              | 役員及び国内における営業所又は事務所の業務を統括する者<br>officers and persons who supervise the business of business offices or offices in Japan                               |
| 第百九十三条第一項第二号<br>Article 193, paragraph (1), item (ii)  | 許可申請者<br>the license applicant              | 許可申請者及びその国内における営業所又は事務所<br>the license applicant and their business offices or offices in Japan  |
| 第百九十三条第一項第三号<br>Article 193, paragraph (1), item (iii)   | 許可申請者<br>the license applicant              | 許可申請者及びその人的構成に照らして許可申請者の国内における営業所又は事務所<br>the license applicant and their business offices or offices in Japan in light of their personnel structure |

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| <p>第百九十五条第一項第四号<br/>Article 195, paragraph (1), item (iv)</p> | <p>破産手続開始、再生手続開始又は更生手続開始の申立てを行ったとき<br/>files a petition to commence bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings</p> | <p>破産手続開始、再生手続開始若しくは更生手続開始の申立て又は外国倒産処理手続の承認の申立てを行ったとき<br/>files a petition to commence bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings, or files a petition for approval of foreign insolvency proceedings</p> |
| <p>第百九十七条第一項第四号<br/>Article 197, paragraph (1), item (iv)</p> | <p>解散したとき<br/>is dissolved</p>  | <p>解散したとき（国内における営業所又は事務所の清算を開始したときを含む。）<br/>is dissolved (including when the business operator commences liquidation of business offices or offices in Japan)</p>  |
|   | <p>その清算人<br/>the liquidator</p>   | <p>その清算人又は本店若しくは主たる事務所の所在する国において清算人に相当する者<br/>the liquidator or a person equivalent to a liquidator in the country where the head office or principal office is located</p>  |
| <p>第百九十七条第三項<br/>Article 197, paragraph (3)</p>               | <p>すべての営業所又は事務所<br/>all of their business offices or offices</p>  | <p>国内におけるすべての営業所又は事務所<br/>all of their business offices or offices in Japan</p>  |
| <p>第百九十八条第一項<br/>Article 198, paragraph (1)</p>               | <p>営業所又は事務所<br/>business offices or offices</p>   | <p>国内における営業所又は事務所<br/>business offices or offices in Japan</p>   |

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| <p>第二百条第三項第一号<br/>Article 200, paragraph (3), item (i)</p>    | <p>代表者<br/>representative</p>   | <p>国内における営業所又は事務所の業務を統括する者<br/>person supervising business in the business offices or offices in Japan</p>   |
| <p>第二百十一条第三項<br/>Article 201, paragraph (3)</p>               | <p>すべての営業所又は事務所<br/>all of their business offices or offices</p>  | <p>国内におけるすべての営業所又は事務所<br/>all of their business offices or offices in Japan</p>  |
| <p>第三百三条第一項第三号<br/>Article 303, paragraph (1), item (iii)</p> | <p>破産手続開始、再生手続開始、更生手続開始又は特別清算開始の申立てを行つたとき<br/>when they file a petition to commence bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings</p> | <p>破産手続開始、再生手続開始、更生手続開始若しくは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を行つたとき<br/>when they file a petition to commence bankruptcy proceedings, rehabilitation proceedings, reorganization proceedings, or special liquidation, or file a petition for approval of foreign insolvency proceedings</p> |

(農林水産省関係商品の指定)

(Designation of Commodities related to the Ministry of Agriculture, Forestry and Fisheries)

第五十六条 法第三百五十四条第一項第一号の政令で指定するものは、次に掲げるものとする。

Article 56 The commodities specified by a Cabinet Order as referred to in Article 354, paragraph (1), item (i) of the Act are as follows:

一 農産物、林産物、畜産物及び水産物並びにこれらを原料又は材料として製造し、又は加工した物品のうち、飲食物であるもの

(i) Agricultural products, forest products, livestock products, fishery products and goods manufactured or processed by using these products as ingredients and which are edible or potable;

二 第一条第一項第一号から第五号まで、第九号、第十号及び第十四号に掲げる物品

(ii) goods set forth in Article 1, paragraph (1), items (i) through (v), item (ix), item (x), and item (xiv).

(権限の委任)

(Delegation of Authority)

第五十七条 法第一百五十七条第一項及び第二項、第二百十四条の三第三項ただし書及び第五項、第二百三十一条第一項から第三項まで、第二百三十二条第一項及び第二項、第二百三十五条第一項及び第二項、第二百三十七条及び第二百四十条の二十五において準用する法第一百五十八条第二項、第二百四十条の十七及び第三百四十九条第三項において準用する法第二百十四条の三第三項ただし書及び第五項、第二百四十条の二十二第一項及び第二項並びに第三百四十九条第五項及び第七項の規定による主務大臣の権限（法第一百五十七条第一項及び第二項、第二百三十一条第一項及び第三項、第二百四十条の二十二第一項並びに第三百四十九条第五項の規定による農林水産大臣の立入検査の権限を除く。）であつて次の各号に掲げるものは、当該各号に定める者に行わせるものとする。ただし、主務大臣が自らその権限を行うことを妨げない。

Article 57 (1) The authority of the competent minister under the provisions of Article 157, paragraphs (1) and (2), the proviso to Article 214-3, paragraph (3) and paragraph (5), Article 231, paragraphs (1) through (3), Article 232, paragraphs (1) and (2), Article 235, paragraphs (1) and (2), and Article 158, paragraph (2) as applied mutatis mutandis pursuant to Article 237 and Article 240-25, the proviso to Article 240-3, paragraph (3) and paragraph (5) as applied mutatis mutandis pursuant to Article 240-17 and Article 349, paragraph (3), Article 240-22, paragraphs (1) and (2), and Article 349, paragraphs (5) and (7) of the Act (excluding the authority for on-site inspections of the Minister of Agriculture, Forestry and Fisheries under the provisions of Article 157, paragraphs (1) and (2), Article 231, paragraphs (1) and (3), Article 240-22, paragraph (1), and Article 349, paragraph (5) of the Act), which is set forth in the following items is to be exercised by the persons prescribed in each of those items; provided, however, that this does not preclude the competent minister from personally exercising the authority:

一 農林水産省関係商品市場のみを開設する商品取引所又はその会員等に関する農林水産大臣の権限 当該商品取引所の主たる事務所又は本店の所在地を管轄する地方農政局長

(i) the authority of the Minister of Agriculture, Forestry and Fisheries concerning a commodity exchange which has established only commodity markets related to the Ministry of Agriculture, Forestry and Fisheries or its members, etc.: the Director of a Regional Agricultural Administration Office who has jurisdiction over the locality of the principal office or the head office of the commodity exchange;

二 経済産業省関係商品市場のみを開設する商品取引所又はその会員等に関する経済産業大臣の権限 当該商品取引所の主たる事務所又は本店の所在地を管轄する経済産業局長

(ii) the authority of the Minister of Economy, Trade and Industry concerning a

commodity exchange which has established only commodity markets related to the Ministry of Economy, Trade and Industry or its members, etc.: the Director-General of a Bureau of Economy, Trade and Industry who has jurisdiction over the locality of the principal office or the head office of the commodity exchange;

三 商品取引所であつて前二号に規定するもの以外のもの又はその会員等に関する農林水産大臣及び経済産業大臣の権限 当該商品取引所の主たる事務所又は本店の所在地を管轄する地方農政局長及び経済産業局長

(iii) the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Economy, Trade and Industry concerning a commodity exchange other than those prescribed in the preceding two items or its members, etc.: the Director of a Regional Agricultural Administration Office and the Director-General of a Bureau of Economy, Trade and Industry who has jurisdiction over the locality of the principal office or the head office of the commodity exchange;

四 商品先物取引業者に関する農林水産大臣及び経済産業大臣の権限 当該商品先物取引業者の本店等の所在地を管轄する地方農政局長及び経済産業局長

(iv) the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Economy, Trade and Industry concerning commodity derivatives business operators: the Director of a Regional Agricultural Administration Office and the Director-General of a Bureau of Economy, Trade and Industry who has jurisdiction over the locality of the head office, etc. of the commodity derivatives business operator;

五 商品先物取引仲介業者に関する農林水産大臣及び経済産業大臣の権限 当該商品先物取引仲介業者の本店等の所在地を管轄する地方農政局長及び経済産業局長

(v) the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Economy, Trade and Industry concerning commodity derivatives intermediary service providers: the Director of a Regional Agricultural Administration Office or the Director-General of a Bureau of Economy, Trade and Industry who has jurisdiction over the locality of the head office, etc. of the commodity derivatives intermediary service provider;

六 農林水産省関係商品のみを対象とした特定店頭商品デリバティブ取引に係る特定店頭商品デリバティブ取引業者に関する農林水産大臣の権限 当該特定店頭商品デリバティブ取引業者の本店等の所在地を管轄する地方農政局長

(vi) the authority of the Minister of Agriculture, Forestry and Fisheries concerning specified over-the-counter commodity derivatives business operators related to specified over-the-counter commodity derivatives transactions whose underlying goods are only commodities related to the Ministry of Agriculture, Forestry and Fisheries: the Director of a Regional Agricultural Administration Office who has jurisdiction over the locality of the head office, etc. of those specified over-the-counter commodity derivatives



business operator;

七 経済産業省関係商品のみを対象とした特定店頭商品デリバティブ取引に係る特定店頭商品デリバティブ取引業者に関する経済産業大臣の権限 当該特定店頭商品デリバティブ取引業者の本店等の所在地を管轄する経済産業局長

(vii) the authority of the Minister of Economy, Trade and Industry concerning specified over-the-counter commodity derivatives business operators related to specified over-the-counter commodity derivatives transactions whose underlying goods only commodities related to the Ministry of Economy, Trade and Industry: the Director-General of a Bureau of Economy, Trade and Industry who has jurisdiction over the locality of the head office, etc. of the specified over-the-counter commodity derivatives business operators; and;

八 特定店頭商品デリバティブ取引業者であつて前二号に規定するもの以外のものに関する農林水産大臣及び経済産業大臣の権限 当該特定店頭商品デリバティブ取引業者の本店等の所在地を管轄する地方農政局長及び経済産業局長

(viii) the authority of the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry concerning specified over-the-counter commodity derivatives business operators other than those prescribed in the preceding two items: The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of the head office, etc. of such specified over-the-counter commodity derivatives business operator.

2 法第二百三十一条第一項から第三項までの規定による権限（同条第一項及び第三項の規定による農林水産大臣の立入検査の権限を除く。）であつて商品先物取引業者の支店等に関するものについては、前項第四号に規定する地方農政局長及び経済産業局長のほか、当該支店等の所在地を管轄する地方農政局長及び経済産業局長も行うことができる。

(2) The authority under the provisions of Article 231, paragraphs (1) through (3) of the Act (excluding the authority for on-site inspections of the Minister of Agriculture, Forestry and Fisheries under the provisions of paragraphs (1) and (3) of that Article) concerning branch offices, etc. of commodity derivatives business operators may be exercised by the Director of a Regional Agricultural Administration Office or the Director-General of a Bureau of Economy, Trade and Industry who has jurisdiction over the locality of the branch offices, etc., in addition to the Director of a Regional Agricultural Administration Office and the Director-General of a Bureau of Economy, Trade and Industry prescribed in item (iv) of the preceding paragraph.

3 前項の規定により商品先物取引業者の支店等に対して法第二百三十一条第一項の規定による報告又は資料の提出の命令（以下この項において「命令」という。）を行つた地方農政局長及び経済産業局長は、当該商品先物取引業者の本店等又は当該支店等以外の支店等に対して命令の必要を認めるときは、当該本店等又は当該支店等以外の

支店等に対し、命令を行うことができる。

(3) The Director of a Regional Agricultural Administration Office or the Director-General of a Bureau of Economy, Trade and Industry who has issued an order to submit a report or materials under the provisions of Article 231, paragraph (1) of the Act (hereinafter referred to as an "order" in this paragraph) to branch offices, etc. of a commodity derivatives business operator pursuant to the provisions of the preceding paragraph may issue an order to branch offices, etc. other than the head office, etc. or the branch offices, etc. of the commodity derivatives business operator, if the Director or the Director-General finds this necessary.

4 第二項の規定により商品先物取引業者の支店等に対して法第二百三十一条第一項の規定による立入検査（以下この項において「立入検査」という。）を行つた経済産業局長は、当該商品先物取引業者の本店等又は当該支店等以外の支店等に対して立入検査の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、立入検査を行うことができる。

(4) The Director-General of a Bureau of Economy, Trade and Industry who has conducted an on-site inspection under Article 231, paragraph (1) of the Act (hereinafter referred to as an "on-site inspection") in this paragraph) for branch offices, etc. of a commodity derivatives business operator pursuant to the provisions of paragraph (2) may conduct an on-site inspection for branch offices, etc. other than the head office, etc. or the branch offices, etc. of the commodity derivatives business operator, if the Director-General finds this necessary.

5 法第二百四十条の二十二第一項及び第二項の規定による権限（同条第一項の規定による農林水産大臣の立入検査の権限を除く。）であつて商品先物取引仲介業者の支店等に関するものについては、第一項第五号に規定する地方農政局長及び経済産業局長のほか、当該支店等の所在地を管轄する地方農政局長及び経済産業局長も行うことができる。

(5) The authority under the provisions of Article 240-22, paragraphs (1) and (2) of the Act (excluding the authority for on-site inspections of the Minister of Agriculture, Forestry and Fisheries under the provisions of paragraph (1) of that Article) concerning branch offices, etc. of a commodity derivatives intermediary service provider may be exercised by the Director of a Regional Agricultural Administration Office and the Director-General of a Bureau of Economy, Trade and Industry who has jurisdiction over the locality of the branch offices, etc., in addition to the Director of a Regional Agricultural Administration Office and the Director-General of a Bureau of Economy, Trade and Industry prescribed in paragraph (1), item (v).

6 前項の規定により商品先物取引仲介業者の支店等に対して法第二百四十条の二十二第一項の規定による報告又は資料の提出の命令（以下この項において「命令」という。）を行つた地方農政局長及び経済産業局長は、当該商品先物取引仲介業者の本店

等又は当該支店等以外の支店等に対して命令の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、命令を行うことができる。

(6) The Director of a Regional Agricultural Administration Office or the Director-General of a Bureau of Economy, Trade and Industry who has issued an order to submit a report or materials under Article 240-22, paragraph (1) of the Act (hereinafter referred to as an "order" in this paragraph) to branch offices, etc. of a commodity derivatives intermediary service provider pursuant to the provisions of the preceding paragraph may issue an order to branch offices, etc. other than the head office, etc. or the branch offices, etc. of the commodity derivatives intermediary service provider, if the Director or the Director-General finds this necessary.

7 第五項の規定により商品先物取引仲介業者の支店等に対して法第二百四十条の二十二第一項の規定による立入検査（以下この項において「立入検査」という。）を行つた経済産業局長は、当該商品先物取引仲介業者の本店等又は当該支店等以外の支店等に対して立入検査の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、立入検査を行うことができる。

(7) The Director-General of a Bureau of Economy, Trade and Industry who has conducted an on-site inspection under the provisions of Article 240-22, paragraph (1) of the Act (hereinafter referred to as an "on-site inspection" in this paragraph) for branch offices, etc. of a commodity derivatives intermediary service provider pursuant to the provisions of paragraph (5) may conduct an on-site inspection for branch offices, etc. other than the head office etc. or the branch offices, etc. of the commodity derivatives intermediary service provider, if the Director-General finds this necessary.

8 法第三百四十九条第五項の規定による報告又は資料の提出の命令（次項において「命令」という。）の権限であつて第一項第六号に規定する特定店頭商品デリバティブ取引業者の支店等に関するものについては、同号に規定する地方農政局長のほか、当該支店等の所在地を管轄する地方農政局長も行うことができる。

(8) With regard to the authority to issue an order to submit a report or materials under the provisions of Article 349, paragraph (5) of the Act (referred to as an "order" in the following paragraph) related to branch offices, etc. of specified over-the-counter commodity derivatives business operators prescribed in paragraph (1), item (vi), the Director of the Regional Agricultural Administration Office who has jurisdiction over the locality of the branch offices, etc. may also exercise the authority, in addition to the Director of a Regional Agricultural Administration Office prescribed in that item.

9 前項の規定により第一項第六号に規定する特定店頭商品デリバティブ取引業者の支店等に対して命令を行つた地方農政局長は、当該特定店頭商品デリバティブ取引業者の本店等又は当該支店等以外の支店等に対して命令の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、命令を行うことができる。

(9) The Director of a Regional Agricultural Administration Office who has issued

an order to branch offices, etc. of a specified over-the-counter commodity derivatives business operator prescribed in paragraph (1), item (vi) pursuant to the provisions of the preceding paragraph may issue an order to branch offices, etc. other than the head office, etc. or branch offices, etc., if the Director finds this necessary.

1 0 法第三百四十九条第五項の規定による権限であつて第一項第七号に規定する特定店頭商品デリバティブ取引業者の支店等に関するものについては、同号に規定する経済産業局長のほか、当該支店等の所在地を管轄する経済産業局長も行うことができる。

(10) With regard to the authority under the provisions of Article 349, paragraph (5) of the Act over branch offices, etc. of a specified over-the-counter commodity derivatives business operator prescribed in paragraph (1), item (vii), the Director-General of a Bureau of Economy, Trade and Industry who has jurisdiction over the locality of the branch offices, etc. may exercise the authority, in addition to the Director-General of a Bureau of Economy, Trade and Industry prescribed in that item.

1 1 前項の規定により第一項第七号に規定する特定店頭商品デリバティブ取引業者の支店等に対して法第三百四十九条第五項の規定による報告若しくは資料の提出の命令又は立入検査（以下この項において「検査等」という。）を行つた経済産業局長は、当該特定店頭商品デリバティブ取引業者の本店等又は当該支店等以外の支店等に対して検査等の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、検査等を行うことができる。

(11) The Director-General of a Bureau of Economy, Trade and Industry who has issued an order to submit a report or materials or has conducted an on-site inspection under the provisions of Article 349, paragraph (5) of the Act (hereinafter referred to as an "inspection, etc." in this paragraph) for branch offices, etc. of a specified over-the-counter commodity derivatives business operator prescribed in paragraph (1), item (vii) pursuant to the provisions of the preceding paragraph may conduct an inspection, etc. for branch offices, etc., other than the head office, etc., or branch offices, etc. of the specified over-the-counter commodity derivatives business operator, if the Director-General find this necessary.

1 2 法第三百四十九条第五項の規定による権限（同項の規定による農林水産大臣の立入検査の権限を除く。）であつて第一項第八号に規定する特定店頭商品デリバティブ取引業者の支店等に関するものについては、同号に規定する地方農政局長及び経済産業局長のほか、当該支店等の所在地を管轄する地方農政局長及び経済産業局長も行うことができる。

(12) With regard to the authority under the provisions of Article 349, paragraph (5) of the Act (excluding the authority for on-site inspections by the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of that paragraph) over branch offices, etc., of specified over-the-counter commodity derivatives business operators prescribed in paragraph (1), item (viii), the

Director of the Regional Agricultural Administration Office and the Director-General of a Bureau of Economy, Trade and Industry that has jurisdiction over the locality of the branches, etc. may exercise that authority, in addition to the Director of the Regional Agricultural Administration Office and the Director-General of a Bureau of Economy, Trade and Industry prescribed in that item.

1 3 前項の規定により第一項第八号に規定する特定店頭商品デリバティブ取引業者の支店等に対して法第三百四十九条第五項の規定による報告又は資料の提出の命令（以下この項において「命令」という。）を行つた地方農政局長及び経済産業局長は、当該特定店頭商品デリバティブ取引業者の本店等又は当該支店等以外の支店等に対して命令の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、命令を行うことができる。

(13) The Director of a Regional Agricultural Administration Office or the Director-General of a Bureau of Economy, Trade and Industry who has issued an order to submit a report or materials under the provisions of Article 349, paragraph (5) of the Act (hereinafter referred to as an "order" in this paragraph) to branch offices, etc. of a specified over-the-counter commodity derivatives business operators prescribed in paragraph (1), item (viii) pursuant to the provisions of the preceding paragraph may issue an order to branch offices, etc. other than the head office, etc. or branch offices, etc., if the Director or the Director-General finds this necessary.

1 4 第十二項の規定により第一項第八号に規定する特定店頭商品デリバティブ取引業者の支店等に対して法第三百四十九条第五項の規定による立入検査（以下この項において「立入検査」という。）を行つた経済産業局長は、当該特定店頭商品デリバティブ取引業者の本店等又は当該支店等以外の支店等に対して立入検査の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、立入検査を行うことができる。

(14) The Director-General of a Bureau of Economy, Trade and Industry who has conducted an on-site inspection under the provisions of Article 349, paragraph (5) of the Act (hereinafter referred to as an "on-site inspection" in this paragraph) for branch offices, etc. of a specified over-the-counter commodity derivatives business operators prescribed in paragraph (1), item (viii) pursuant to the provisions of paragraph (12) may conduct an on-site inspection for branch offices, etc. other than the head office, etc. or branch offices, etc., if the Director-General finds this necessary.

## 附 則

### Supplementary Provisions

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

附 則 〔昭和二十五年九月三十日政令第二百九十九号〕

**Supplementary Provisions [Cabinet Order No. 299 of September 30, 1950]**

1 この政令は、公布の日から施行する。

(1) This Cabinet Order comes into effect as of the day of promulgation.

2 取引所令（大正十一年勅令第三百五十三号）は、廃止する。

(2) The Exchange Act (Imperial Order No. 353 of 1922) is repealed.

**附 則** [昭和二十六年三月三日政令第三十七号]

**Supplementary Provisions [Cabinet Order No. 37 of March 3, 1951]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

**附 則** [昭和二十六年五月四日政令第百三十二号]

**Supplementary Provisions [Cabinet Order No. 132 of May 4, 1951]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

**附 則** [昭和二十六年九月二十一日政令第三百四号]

**Supplementary Provisions [Cabinet Order No. 304 of September 21, 1951]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

**附 則** [昭和二十七年六月二十三日政令第二百一十号]

**Supplementary Provisions [Cabinet Order No. 201 of June 23, 1952]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

**附 則** [昭和二十八年九月二十一日政令第二百九十三号]

**Supplementary Provisions [Cabinet Order No. 293 of September 21, 1953]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

**附 則** [昭和二十九年五月三十一日政令第百十七号]

**Supplementary Provisions [Cabinet Order No. 117 of May 31, 1954]**

1 この政令は、昭和二十九年六月一日から施行する。

(1) This Cabinet Order comes into effect as of June 1, 1954.

2 商品取引所法の一部を改正する法律（昭和二十九年法律第九十二号）の施行の際現に取引所が改正前の法第三十八条第三項の規定により指定している有価証券は、改正後の商品取引所法施行令第三条の二但書の規定により指定したものとみなす。

(2) The securities that have already been designated by an exchange at the time of the enforcement of the Act for Partial Revision of the Commodity Exchange Act (Act No. 92 of 1954) pursuant to the provisions of Article 38, paragraph (3) of the Act prior to the amendment is deemed to have been designated pursuant to the provisions of the proviso to Article 3-2 of the Order for Enforcement of the Commodity Exchange Act after the amendment.

附 則 〔昭和三十七年十月一日政令第三百九十九号〕

**Supplementary Provisions [Cabinet Order No. 399 of October 1, 1962]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

附 則 〔昭和三十八年十月二十五日政令第三百五十六号〕

**Supplementary Provisions [Cabinet Order No. 356 of October 25, 1963]**

この政令は、昭和三十九年一月一日から施行する。

This Cabinet Order comes into effect as of January 1, 1964.

附 則 〔昭和四十三年一月二十二日政令第四号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 4 of January 22, 1968]**

**[Extract]**

1 この政令は、商品取引所法の一部を改正する法律（以下「改正法」という。）の施行の日（昭和四十三年一月二十七日。以下「施行日」という。）から施行する。

(1) This Cabinet Order comes into effect as of the day on which the Act for Partial Revision of the Commodity Exchange Act (hereinafter referred to as the "Amendment Act" comes into effect (January 27, 1968; hereinafter referred to as the "date of enforcement").

附 則 〔昭和四十六年四月一日政令第百十二号〕

**Supplementary Provisions [Cabinet Order No. 112 of April 1, 1971]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

附 則 〔昭和四十七年八月一日政令第三百二号〕

**Supplementary Provisions [Cabinet Order No. 302 of August 1, 1972]**

この政令は、昭和四十七年十月一日から施行する。

This Cabinet Order comes into effect as of October 1, 1972.

**附 則 [昭和五十年十二月二十三日政令第三百六十三号]**

**Supplementary Provisions [Cabinet Order No. 363 of December 23, 1975]**

(施行期日)

(Effective Date)

- 1 この政令は、商品取引所法の一部を改正する法律の施行の日（昭和五十一年一月十四日）から施行する。

(1) This Cabinet Order comes into effect as of the day on which the Act for Partial Revision of the Commodity Exchange Act comes into effect (January 14, 1976).

**附 則 [昭和五十三年七月五日政令第二百八十二号] [抄]**

**Supplementary Provisions [Cabinet Order No. 282 of July 5, 1978]**

**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、公布の日から施行する。

Article 1 This Cabinet Order comes into effect as of the day of promulgation.

**附 則 [昭和五十六年九月十六日政令第二百八十二号]**

**Supplementary Provisions [Cabinet Order No. 282 of September 16, 1981]**

(施行期日)

(Effective Date)

- 1 この政令は、昭和五十六年九月二十四日から施行する。

(1) This Cabinet Order comes into effect as of September 24, 1981.

(経過措置)

(Transitional Measures)

- 2 売買の当事者が、将来の一定の時期において、当該売買の目的物となつている金及びその対価を現に授受するように制約され、現に当該金の転売若しくは買戻しをしたときは差金の授受によつて決済することができる取引であつて、この政令の施行前に行われたもの（以下この項において「施行前取引」という。）の目的物となつている金及びその対価の授受又は当該金の転売若しくは買戻し及び当該転売若しくは買戻しによる差金の授受であつて、施行前取引が行われた施設と同一の施設においてなされ



るもの（以下この項において「取引の終了行為」という。）が、この政令の施行後に、取引の終了行為をすべき者の間でなされる場合には、当該取引の終了行為及び当該取引の終了行為がなされる施設の開設に関しては、商品取引所法第八条の規定は、適用しない。

- (2) If a transaction, in which the parties to the purchase and sale are bound to transfer between them the gold subject to the purchase and sale and its consideration at a certain time in the future and resale or repurchase of the gold may be settled by exchanging the difference, has been conducted prior to the enforcement of this Cabinet Order (hereinafter referred to as a "transaction prior to enforcement" in this paragraph), and the transfer between the gold subject to the transaction prior to enforcement and its consideration or the transfer between the resale or repurchase of the gold and the difference arising from the resale or repurchase at the same facility as the facility in which the transaction prior to enforcement was conducted (hereinafter referred to as "completion of transaction") is to be conducted after the enforcement of this Cabinet Order between the persons who are required to conduct the completion of transaction, the provisions of Article 8 of the Commodity Exchange Act neither apply to the completion of transaction nor the establishment of the facility in which the completion of transaction is to be conducted.

**附 則** [昭和五十七年二月二十三日政令第二十三号]

**Supplementary Provisions [Cabinet Order No. 23 of February 23, 1982]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

**附 則** [昭和五十八年十月七日政令第二百十四号]

**Supplementary Provisions [Cabinet Order No. 214 of October 7, 1983]**

(施行期日)

(Effective Date)

- 1 この政令は、昭和五十八年十月十七日から施行する。

(1) This Cabinet Order comes into effect as of October 17, 1983.

(経過措置)

(Transitional Measures)

- 2 売買の当事者が、将来の一定の時期において、当該売買の目的物となつている銀若しくは白金及びその対価を現に授受するように制約され、現に当該銀若しくは白金の転売若しくは買戻しをしたときは差金の授受によつて決済することができる取引であつて、この政令の施行前に行われたもの（以下この項において「施行前取引」という。）の目的物となつている銀若しくは白金及びその対価の授受又は当該銀若しくは

白金の転売若しくは買戻し及び当該転売若しくは買戻しによる差金の授受であつて、施行前取引が行われた施設と同一の施設においてなされるもの（以下この項において「取引の終了行為」という。）が、この政令の施行後に、取引の終了行為をすべき者の間でなされる場合には、当該取引の終了行為及び当該取引の終了行為がなされる施設の開設に関しては、商品取引所法（以下「法」という。）第八条の規定は、適用しない。

(2) If a transaction, in which the parties to the purchase and sale are bound to transfer between them the silver or platinum subject to the purchase and sale and its consideration at a certain time in the future and resale or repurchase of the silver or platinum may be settled by exchanging the difference, has been conducted prior to the enforcement of this Cabinet Order (hereinafter referred to as a "transaction prior to enforcement" in this paragraph), and the transfer between the silver or platinum subject to the transaction prior to enforcement and its consideration or the transfer between the resale or repurchase of the silver or platinum and the difference arising from the resale or repurchase at the same facility as the facility in which the transaction prior to enforcement was conducted (hereinafter referred to as the "completion of transaction") is to be conducted after the enforcement of this Cabinet Order between the persons who are required to conduct the completion of transaction, the provisions of Article 8 of the Commodity Exchange Act (hereinafter referred to as the "Act") neither apply to the completion of transaction nor the establishment of the facility in which the completion of transaction is to be conducted.

3 この政令の施行の際現に東京金取引所が開設する商品市場に上場される金についての法第四十一条第一項の許可（以下「金についての許可」という。）を受けている商品取引員は、東京金取引所が貴金属を上場するための定款の変更について法第二十条第一項の規定による主務大臣の認可を受けた日から東京金取引所において新たに銀又は白金の売買取引が開始される日（以下「売買取引開始日」という。）の前日（その日以前に東京金取引所が開設する商品市場に上場される貴金属についての法第四十一条第一項の許可を受けた場合は、当該許可を受けた日の前日）までの間は、東京金取引所が開設する商品市場に上場される貴金属（金に限る。）についての法第四十一条第一項の許可を受けたものとみなす。

(3) A futures commission merchant who has already obtained a license under Article 41, paragraph (1) of the Act for the gold to be listed on a commodity market established by the Tokyo Gold Exchange (hereinafter referred to a "license for gold") at the time of the enforcement of this Cabinet Order is deemed to have obtained a license under Article 41, paragraph (1) of the Act for precious metals (limited to gold) to be listed on a commodity market established by the Tokyo Gold Exchange, during the period from the day on which the Tokyo Gold Exchange received the authorization of the competent minister under the provisions of Article 20, paragraph (1) of the Act with regard to a change to its articles of incorporation for listing precious metals

until the day preceding the day on which the purchase and sale transactions of silver or platinum commenced on the Tokyo Gold Exchange (hereinafter referred to as the "commencement date of purchase and sale transactions") (if the merchant has received a license under Article 41, paragraph (1) of the Act for precious metals to be listed on a commodity market established by the Tokyo Gold Exchange prior to that day, the day preceding the day on which they received the license).

4 この政令の施行の際現に金についての許可を受けている商品取引員に係る法第四十九条第一項の基準額は、売買取引開始日（その日がこの政令の施行の日から起算して三月を経過する日（以下「経過日」という。）前である場合は、経過日）の前日までの間は、改正後の商品取引所法施行令（以下「新令」という。）第五条の規定にかかわらず、改正前の商品取引所法施行令（以下「旧令」という。）別表第二の東京金取引所の項に掲げる金額とする。

(4) The base amount under Article 49, paragraph (1) of the Act related to a futures commission merchant who has already received a "license for gold" at the time of the enforcement of this Cabinet Order is the amount set forth in the row for the Tokyo Gold Exchange in the Appended Table 2 of the Order for Enforcement of the Commodity Exchange Act prior to the amendment (hereinafter referred to as the "former Order") until the day preceding the commencement date of purchase and sale transactions (if this date is prior to the date on which three months have elapsed from the day of the enforcement of this Cabinet Order (hereinafter referred to as the "elapsed date"), the elapsed date), notwithstanding the provisions of Article 5 of the Order for Enforcement of the Commodity Exchange Act after the amendment (hereinafter referred to as the "new Order").

5 この政令の施行の際現に金についての許可を受けている各商品取引員に係る法第九十七条の二第二項第一号の政令で定める金額は、当該各商品取引員が銀又は白金に係る受託業務を開始する日（その日が売買取引開始日以後である場合は、売買取引開始日）の前日までの間は、新令第七条の規定にかかわらず、旧令別表第三の金の項に掲げる金額とする。

(5) The amount specified by Cabinet Order as referred to in Article 97-2, paragraph (2), item (i) of the Act related to each futures commission merchant who has already received a "license for gold" at the time of the enforcement of this Cabinet Order is the amount set forth in the row for gold in the Appended Table 3 of the former Order, until the day preceding the day on which each futures commission merchant starts accepting entrusted operations for silver or platinum (if that date is after the commencement date of purchase and sale transactions, the commencement date of purchase and sale transactions), notwithstanding the provisions of Article 7 of the new Order.

附 則 〔昭和五十九年四月二十日政令第百十号〕

**Supplementary Provisions [Cabinet Order No. 110 of April 20, 1984]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

**附 則 [昭和五十九年九月二十一日政令第二百八十二号]**

**Supplementary Provisions [Cabinet Order No. 282 of September 21, 1984]**

この政令は、昭和五十九年十月一日から施行する。

This Cabinet Order comes into effect as from October 1, 1984.

**附 則 [昭和五十九年十月二十六日政令第三百十一号]**

**Supplementary Provisions [Cabinet Order No. 311 of October 26, 1984]**

この政令は、昭和五十九年十一月一日から施行する。

This Cabinet Order comes into effect as of November 1, 1984.

**附 則 [昭和六十年十二月十七日政令第三百十五号]**

**Supplementary Provisions [Cabinet Order No. 315 of December 17, 1985]**

(施行期日)

(Effective Date)

1 この政令は、昭和六十一年一月一日から施行する。

(1) This Cabinet Order comes into effect as from January 1, 1986.

(経過措置)

(Transitional Measures)

2 この政令の施行の際現に商品取引所法第四十一条第一項の許可を受けている商品取引員について、改正後の商品取引所法施行令第五条に定める額（その者が二以上の商品市場における上場商品について同項の許可を受けている場合にあつては、これらの商品市場における上場商品について同条に定める額を合算した額）が改正前の商品取引所法施行令第五条に定める額（その者が二以上の商品市場における上場商品について同項の許可を受けている場合にあつては、これらの商品市場における上場商品について同条に定める額を合算した額）を超えている場合には、当該商品取引員の同法第四十九条第一項に規定する基準額は、この政令の施行の日から一年間は、改正後の商品取引所法施行令第五条の規定にかかわらず、改正前の商品取引所法施行令第五条に定める額とする。

(2) With regard to a futures commission merchant who has already received a license under Article 41, paragraph (1) of the Commodity Exchange Act at the time of the enforcement of this Cabinet Order, if the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act after

the amendment (if the person has received a license under that paragraph for listed commodities on two or more commodity markets, the sum of the amounts prescribed in that Article for those listed commodities on the commodity markets) exceeds the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act prior to the amendment (if the person has received a license under that paragraph for listed commodities on two or more commodity markets, the sum of the amounts prescribed in that Article for those listed commodities on the commodity markets), the base amount prescribed in Article 49, paragraph (1) of that Act for the futures commission merchant is the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act prior to the amendment, for one year from the date of the enforcement of this Cabinet Order, notwithstanding the provisions of Article 5 of the Order for Enforcement of the Commodity Exchange Act after the amendment.

附 則 〔平成二年十二月十四日政令第三百五十四号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 354 of December 14, 1990]  
[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、商品取引所法の一部を改正する法律（平成二年法律第五十二号。以下「改正法」という。）の施行の日（平成二年十二月二十九日）から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Act for Partial Revision of the Commodity Exchange Act (Act No. 52 of 1990; hereinafter referred to as the "Amendment Act") comes into effect (December 29, 1990).

(第一種商品取引受託業の許可に係る最低資本の額に関する経過措置)

(Transitional Measures for the Amount of Minimum Capital of a License for the First Class Business of Accepting Consignment of Commodity Transactions)

第二条 改正法附則第三条第一項の規定により改正後の商品取引所法（以下「新法」という。）第四十一条第一項の許可を受けたものとみなされた者が同条第二項第一号に掲げる者に係る同条第一項の許可、同条第四項の許可の更新又は新法第四十六条第一項の許可を受けようとする場合における新法第四十四条第一項第一号の二（新法第四十六条第三項第一号において準用する場合を含む。）の政令で定める額は、この政令の施行の日から起算して四年を経過する日の前日までの間は、改正後の商品取引所法施行令第五条の規定にかかわらず、三億円とする。

Article 2 If a person who is deemed to have received a license under Article 41, paragraph (1) of the Commodity Exchange Act after the amendment

(hereinafter referred to as the "new Act") pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions of the Amendment Act, seeks to obtain a license under paragraph (1) of that Article, the renewal of a license under paragraph (4) of that Article, or a license under Article 46, paragraph (1) of the new Act concerning a person set forth in Article 41, paragraph (2), item (i) of the new Act, the amount specified by Cabinet Order as referred to in Article 44, paragraph (1), item (i)-2 of the new Act (including as applied mutatis mutandis pursuant to Article 46, paragraph (3), item (i) of the new Act) is 300 million yen, until the day preceding the day on which four years have elapsed from the day of the enforcement of this Cabinet Order, notwithstanding the provisions of Article 5 of the Order for Enforcement of the Commodity Exchange Act after the amendment.

附 則 〔平成六年九月九日政令第三百三号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 303 of September 19, 1994]**  
**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、行政手続法の施行の日（平成六年十月一日）から施行する。

Article 1 This Cabinet Order comes into effect as of the date on which the Administrative Procedures Act comes into effect (October 1, 1994).

附 則 〔平成七年三月二十三日政令第七十八号〕

**Supplementary Provisions [Cabinet Order No. 78 of March 23, 1995]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

附 則 〔平成八年九月二十六日政令第二百九十四号〕

**Supplementary Provisions [Cabinet Order No. 294 of September 26, 1996]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

附 則 〔平成九年九月二十九日政令第三百五号〕

**Supplementary Provisions [Cabinet Order No. 305 of September 29, 1997]**

(施行期日)

(Effective Date)

1 この政令は、公布の日から施行する。

(1) This Cabinet Order comes into effect as of the day of promulgation.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

2 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。

(2) Penal provisions in force prior to the enforcement of this Cabinet Order continue to apply to acts committed prior to the enforcement of this Cabinet Order.

附 則 [平成十年十一月二十日政令第三百六十九号] [抄]

**Supplementary Provisions [Cabinet Order No. 369 of November 20, 1998]  
[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、平成十年十二月一日から施行する。

Article 1 This Cabinet Order comes into effect as of December 1, 1998.

附 則 [平成十一年三月二十六日政令第八十号] [抄]

**Supplementary Provisions [Cabinet Order No. 80 of March 26, 1999]  
[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、商品取引所法の一部を改正する法律（以下「改正法」という。）の施行の日（平成十一年四月一日）から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Act for Partial Revision of the Commodity Exchange Act (hereinafter referred to as the "Amendment Act") comes into effect (April 1, 1999).

(商品取引員協会等の登記に係る経過措置)

(Transitional Measures for Registration of the Futures Commission Merchant Association)

第二条 改正法の公布の際既に改正法による改正前の商品取引所法第五十四条の三第一項に規定する商品取引員協会が設立されている場合において、当該商品取引員協会が、改正法附則第八条第一項の規定により、改正法による改正後の商品取引所法の規定による商品先物取引協会となるための定款の変更の認可を受けたときは、同条第四項に規定する定款の変更の認可の効力が発生した日から主たる事務所の所在地においては二週間以内に、従たる事務所の所在地においては三週間以内に、商品取引員協会については解散の登記、商品先物取引協会については組合等登記令（昭和三十九年政令第二十九号）第三条に定める登記をしなければならない。

Article 2 (1) If the futures commission merchant association prescribed in Article 54-3, paragraph (1) of the Commodity Exchange Act prior to the amendment by the Amendment Act has already been established at the time of the promulgation of the Amendment Act, when the futures commission merchant association has obtained authorization to change its articles of incorporation to become a commodity futures association under the provisions of the Commodity Exchange Act amended by the Amendment Act pursuant to the provisions of Article 8, paragraph (1) of the Supplementary Provisions of the Amendment Act, registration of dissolution must be made for the futures commission merchant association and registration prescribed in Article 3 of the Association Registration Order (Cabinet Order No. 29 of 1964) must be made for the commodity futures association, within two weeks from the day on which the authorization for changing its articles of incorporation prescribed in Article 8, paragraph (4) of the Supplementary Provisions of the Amendment Act becomes effective at the locality of its principal office and within three weeks from that day at the locality of its secondary offices.

2 前項の規定により商品先物取引協会についてする登記の申請書には、定款、代表権を有する者の資格を証する書面及び次条の規定による改正後の組合等登記令別表一商品先物取引協会の項の登記事項の欄に掲げる事項を証する書面を添付しなければならない。

(2) A written application for registration to be made for a commodity futures association pursuant to the provisions of the preceding paragraph must be attached with the articles of incorporation, a document proving the qualification of the person who has the right to represent, and documents proving the matters set forth in the column of the registered matters in the row for commodity futures associations of the Appended Table 1 of the Association Registration Order after the amendment by the provisions of the following Article.

3 登記官は、第一項の規定により解散の登記がされたときは、その登記用紙を閉鎖しなければならない。

(3) A registrar must make the register page inactive when dissolution has been registered pursuant to the provisions of paragraph (1).

4 商業登記法（昭和三十八年法律第二百二十五号）第十九条、第五十五条第一項、第七十一条及び第七十三条の規定は、第一項の登記について準用する。この場合において、同法第七十一条中「組織を変更した旨」とあるのは、「商品取引所法の一部を改正する法律（平成十年法律第四十二号）附則第八条第一項及び第四項の規定により同法による改正後の商品取引所法（昭和二十五年法律第二百三十九号）の規定による商品先物取引協会となつた旨」と読み替えるものとする。

(4) The provisions of Article 19, Article 55, paragraph (1), Article 71, and Article 73 of the Commercial Registration Act (Act No. 125 of 1963) apply mutatis mutandis to the registration under paragraph (1). In such a case, the phrase



"to the effect that the organization has been changed" in Article 71 of that Act is deemed to be replaced with "to the effect that it has become a commodity futures association under the Commodity Exchange Act (Act No. 239 of 1950) amended by the Act for Partial Revision of the Commodity Exchange Act (Act No. 42 of 1998) pursuant to the provisions of Article 8, paragraphs (1) and (4) of the Supplementary Provisions of that Act."

附 則 〔平成十二年六月七日政令第三百十一号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 311 of June 7, 2000]**

**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、内閣法の一部を改正する法律（平成十一年法律第八十八号）の施行の日（平成十三年一月六日）から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Act for Partial Revision of the Cabinet Act (Act No. 88 of 1999) comes into effect (January 6, 2001).

附 則 〔平成十二年十一月十七日政令第四百八十二号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 482 of November 17, 2000]**

**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、特定目的会社による特定資産の流動化に関する法律等の一部を改正する法律（以下「改正法」という。）の施行の日（平成十二年十一月三十日。以下「施行日」という。）から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Act for Partial Revision of the Act on Securitization of Specified Assets by Special Purpose Companies (hereinafter referred to as the "Amendment Act") comes into effect (November 30, 2000; hereinafter referred to as the "date of enforcement").

附 則 〔平成十六年三月二十四日政令第五十七号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 57 of March 24, 2004]**

**[Extract]**

この政令は、平成十六年三月三十一日から施行する。

This Cabinet Order shall come into force as from March 31, 2004.

附 則 〔平成十六年八月二十七日政令第二百五十九号〕 〔抄〕  
Supplementary Provisions [Cabinet Order No. 259 of August 27, 2004]  
[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、商品取引所法の一部を改正する法律（以下「改正法」という。）の施行の日（平成十七年五月一日。以下「施行日」という。）から施行する。ただし、次条から附則第四条までの規定は、公布の日から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Act for Partial Revision of the Commodity Exchange Act (hereinafter referred to as the "Amendment Act") comes into effect (May 1, 2005; hereinafter referred to as the "date of enforcement"); provided, however, that the provisions set forth in the following Article through Article 4 of the Supplementary Provisions come into force as of the day of promulgation.

(商品取引債務引受業の許可に関する経過措置)

(Transitional Measures for License for the Business of Assuming Commodity Transaction Debts)

第二条 改正法による改正後の商品取引所法（以下「新法」という。）第百六十七条の許可を受けようとする株式会社は、施行日前においても、新法第百六十八条の規定の例により、その許可の申請をすることができる。

Article 2 (1) A stock company that seeks to obtain a license under Article 167 of the Commodity Exchange Act amended by the Amendment Act (hereinafter referred to as the "new Act") may file an application for the license even prior to the date of enforcement pursuant to the provisions of Article 168 of the new Act.

2 主務大臣は、前項の規定による許可の申請があった場合には、施行日前においても、新法第百六十七条から第百六十九条までの規定の例により、その許可をすることができる。この場合において、その許可を受けた株式会社は、施行日において新法第百六十七条の許可を受けたものとみなす。

(2) If an application for a license under the provisions of the preceding paragraph has been filed, the competent minister may grant the license pursuant to the provisions of Articles 167 through 169 of the new Act even prior to the date of enforcement. In such a case, the stock company which has obtained the license is deemed to have obtained the license under Article 167 of the new Act on the date of enforcement.

(委託者保護会員制法人の登記等に係る経過措置)

(Transitional Measures for Registration of Consignor Protection Membership Corporations)

第三条 改正法附則第十八条第一項の規定により施行日前において委託者保護会員制法人（新法第二百六十九条第四項に規定する委託者保護会員制法人をいう。以下同じ。）を設立しようとする場合の設立の登記は、附則第七条の規定による改正後の組合等登記令（昭和三十九年政令第二十九号）の規定の例により、当該委託者保護会員制法人の理事長となるべき者がするものとする。

Article 3 (1) If a consignor protection membership corporation (meaning a consignor protection membership corporation prescribed in Article 269, paragraph (4) of the new Act; the same applies hereinafter) is sought to be established prior to the date of enforcement pursuant to the provisions of Article 18, paragraph (1) of the Supplementary Provisions of the Amendment Act, the registration of establishment is to be made by a person who is to be the president of the consignor protection membership corporation pursuant to the provisions of the Association Registration Order (Cabinet Order No. 29 of 1964) after the amendment by the provisions of Article 7 of the Supplementary Provisions.

2 改正法附則第十八条第一項の規定により設立された委託者保護会員制法人の施行日前における運営並びに解散及び清算については、新法第六章第二節の規定の例によるものとする。

(2) The management, and the dissolution and liquidation prior to the date of enforcement of a consignor protection membership corporation established pursuant to the provisions of Article 18, paragraph (1) of the Supplementary Provisions of the Amendment Act, are to be pursuant to the provisions of Chapter VI, Section 2 of the new Act.

（委託者保護基金への業務等の承継申出の期限）

(Due Date for Application for Succession of Businesses to the Consignor Protection Fund)

第四条 改正法附則第十九条第一項の政令で定める日は、平成十八年四月三十日とする。

Article 4 The day specified by Cabinet Order as referred to in Article 19, paragraph (1) of the Supplementary Provisions of the Amendment Act is April 30, 2006.

（社団法人商品取引受託債務補償基金協会の解散の登記の嘱託等）

(Commission of Registration of Dissolution of the Association of Compensation Funds for Consigned Liabilities in Commodity Futures, Inc.)

第五条 改正法附則第十九条第五項の規定により社団法人商品取引受託債務補償基金協会（次条において「補償基金協会」という。）が解散したときは、主務大臣は、遅滞なく、その解散の登記を登記所に嘱託しなければならない。

Article 5 (1) If the Association of Compensation Funds for Consigned Liabilities in Commodity Futures, Inc. (referred to as the "Association of Compensation Funds" in the following Article) has dissolved pursuant to the provisions of

Article 19, paragraph (5) of the Supplementary Provisions of the Amendment Act, the competent minister must commission the registration of dissolution to a registry office, without delay.

2 登記官は、前項の規定による嘱託に係る解散の登記をしたときは、その登記記録を閉鎖しなければならない。

(2) A registrar must close the registration record when they have registered the dissolution related to the commission under the preceding paragraph.

(課税の特例)

(Special Provisions for Taxation)

第五条の二 改正法附則第十九条第五項の規定により補償基金協会の有する資産及び負債の承継を受けた委託者保護基金（新法第二百九十六条に規定する委託者保護基金をいう。）としての委託者保護会員制法人（次項において単に「委託者保護基金」という。）の当該資産の当該承継の時の価額から当該負債の当該承継の時の価額を控除した金額は、法人税法（昭和四十年法律第三十四号）第二条第十七号に規定する資本積立金額とする。

Article 5-2 (1) If a consignor protection membership corporation as a consignor protection fund (meaning a consignor protection fund prescribed in Article 296 of the new Act) has succeeded to the assets and liabilities held by the Association of Compensation Funds pursuant to the provisions of Article 19, paragraph (5) of the Supplementary Provisions of the Amendment Act (the consignor protection membership corporation is simply referred to as a "consignor protection fund" in the following paragraph), the amount obtained by deducting the value of the liabilities at the time of the succession from the value of the assets at the time of the succession is to be the capital surplus prescribed in Article 2, item (xvii) of the Corporation Tax Act (Act No. 34 of 1965).

2 前項の場合において、委託者保護基金が承継を受ける資産のうち法人税法第二条第二十一号に規定する有価証券については、補償基金協会が当該承継の日の前日において経理していた当該有価証券の価額をもって、同項に規定する承継の時の価額とする。

(2) In the case referred to in the preceding paragraph, with regard to securities prescribed in Article 2, item (xxi) of the Corporation Tax Act among the assets to which the consignor protection fund succeeds, the value of the securities which were under the accounting of the Association of Compensation Funds on the day preceding the day of the succession is deemed to be the value at the time of the succession prescribed in that paragraph.

附 則 〔平成十七年二月十八日政令第二十四号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 24 of February 18, 2005]

[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、不動産登記法の施行の日（平成十七年三月七日）から施行する。

Article 1 s Cabinet Order comes into effect as of the day on which the Real Property Registration Act comes into effect (March 7, 2005).

附 則 〔平成十七年四月二十七日政令第百六十六号〕

**Supplementary Provisions [Cabinet Order No. 166 of April 27, 2005]**

この政令は、公布の日から施行する。

This Cabinet Order comes into effect as of the day of promulgation.

附 則 〔平成十八年四月二十六日政令第百八十号〕〔抄〕

**Supplementary Provisions [Cabinet Order No. 180 of April 26, 2006]**

**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、会社法の施行の日（平成十八年五月一日）から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Companies Act comes into effect (May 1, 2006).

附 則 〔平成十九年八月三日政令第二百三十三号〕〔抄〕

**Supplementary Provisions [Cabinet Order No. 233 of August 3, 2007]**

**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、改正法の施行の日から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Amendment Act comes into effect.

(罰則の適用に関する経過措置)

(Transitional Measure for Application of Penal Provisions)

第六十四条 施行日前にした行為及びこの附則の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 64 Prior laws continue to govern the applicability of penal provisions to acts committed prior to the date of enforcement or acts committed on or after the date of enforcement for case the provisions previously in force are to remain applicable pursuant to the provisions of these Supplementary

Provisions.

附 則 〔平成二十年五月二十一日政令第百八十号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 180 of May 21, 2008]**  
**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、平成二十年十月一日から施行する。

Article 1 This Cabinet Order comes into effect as of October 1, 2008.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第四条 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws continue to govern the applicability of penal provisions to acts committed prior to the enforcement of this Cabinet Order.

附 則 〔平成二十年七月四日政令第百二十九号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 219 of July 4, 2008]**  
**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、株式等の取引に係る決済の合理化を図るための社債等の振替に関する法律等の一部を改正する法律（以下「改正法」という。）の施行の日から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Act for Partial Revision of the Act on Book-Entry Transfer of Corporate Bonds for Streamlining Settlement of Transactions of Shares and Other Acts (hereinafter referred to as the "amending Act") comes into effect.

附 則 〔平成二十年七月二十五日政令第百三十七号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 237 of July 25, 2008]**  
**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、平成二十年十月一日から施行する。

Article 1 This Cabinet Order comes into effect as of October 1, 2008.

附 則 〔平成二十一年八月二十八日政令第二百二十八号〕

**Supplementary Provisions [Cabinet Order No. 228 of August 28, 2009]**

この政令は、商品取引所法及び商品投資に係る事業の規制に関する法律の一部を改正する法律附則第一条第二号に掲げる規定の施行の日（平成二十一年十月八日）から施行する。

This Cabinet Order comes into effect as of the day on which the provisions set forth in Article 1, item (ii) of the Supplementary Provisions of the Act for Partial Revision of the Act on the Regulation of Business Pertaining to the Commodity Exchange Act and Commodity Investment come into effect (January 8, 2009).

附 則 〔平成二十一年十二月二十八日政令第三百一号〕

**Supplementary Provisions [Cabinet Order No. 301 of December 28, 2009]**

この政令は、商品取引所法及び商品投資に係る事業の規制に関する法律の一部を改正する法律（平成二十一年法律第七十四号）附則第一条第三号に掲げる規定の施行の日（平成二十二年七月一日）から施行する。

This Cabinet Order comes into effect as of the day of on which the provisions set forth in Article 1, item (iii) of the Supplementary Provisions of the Act for Partial Revision of the Commodity Exchange Act the Act on the Regulation of Business Pertaining to Commodity Investment (Act No. 74 of 2009) come into effect (July 1, 2010).

附 則 〔平成二十二年九月十日政令第百九十六号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 196 of September 10, 2010]**

**[Extract]**

（施行期日）

（Effective Date）

第一条 この政令は、改正法の施行の日（平成二十三年一月一日）から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Amendment Act comes into effect (January 1, 2011).

附 則 〔平成二十四年七月十九日政令第百九十七号〕

**Supplementary Provisions [Cabinet Order No. 197 of July 19, 2012]**

この政令は、新非訟事件手続法の施行の日（平成二十五年一月一日）から施行する。

This Cabinet Order comes into effect as of the day on which the New Non-Contentious Case Procedures Act comes into effect (January 1, 2013).

附 則 〔平成二十六年七月二日政令第二百四十六号〕

## **Supplementary Provisions [Cabinet Order No. 246 of July 2, 2014]**

この政令は、金融商品取引法等の一部を改正する法律附則第一条第三号に掲げる規定の施行の日（平成二十六年十二月一日）から施行する。

This Cabinet Order comes into effect as of the day on which the provisions set forth in Article 1, item (iii) of the Supplementary Provisions of the Act Partially Amending the Financial Instruments and Exchange Act, etc. come into effect (December 1, 2014).

## **附 則 [平成二十七年四月三十日政令第二百二十五号]**

### **Supplementary Provisions [Cabinet Order No. 225 of April 30, 2015]**

この政令は、会社法の一部を改正する法律の施行の日（平成二十七年五月一日）から施行する。

This Cabinet Order comes into effect as of the day on which the Act Partially Amending the Companies Act comes into effect (May 1, 2015).

## **附 則 [平成二十七年九月九日政令第三百十九号] [抄]**

### **Supplementary Provisions [Cabinet Order No. 319 of September 9, 2015] [Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、平成二十七年十月一日から施行する。

Article 1 This Cabinet Order comes into effect as of October 1, 2015.

(処分、申請等に関する経過措置)

(Transitional Measures Concerning Dispositions, Applications, etc.)

第二条 この政令の施行前に農林水産大臣が法律の規定によりした登録その他の処分又は通知その他の行為（この政令による改正後のそれぞれの政令の規定により北海道農政事務所長に委任された権限に係るものに限る。以下この項において「処分等」という。）は、北海道農政事務所長がした処分等とみなし、この政令の施行前に法律の規定により農林水産大臣に対してした申請その他の行為（この政令による改正後のそれぞれの政令の規定により北海道農政事務所長に委任された権限に係るものに限る。以下この項において「申請等」という。）は、北海道農政事務所長に対してした申請等とみなす。

Article 2 (1) Any registration effected or other disposition rendered or any notice given or other act performed by the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of laws prior to the enforcement of this Cabinet Order (limited to those for which the authority is delegated to the director of the Hokkaido District Agriculture Office pursuant to the provisions



of respective Cabinet Orders amended by this Cabinet Order; hereinafter referred to as a "disposition, etc.") is deemed to be a disposition, etc. rendered by the director of the Hokkaido District Agriculture Office, and any application filed with or other act directed to the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of laws prior to the enforcement of this Cabinet Order (limited to those for which the authority is delegated to the director of the Hokkaido District Agriculture Office pursuant to the provisions of respective Cabinet Orders amended by this Cabinet Order; hereinafter referred to as an "application, etc.") is deemed to be an application, etc. filed with the director of the Hokkaido District Agriculture Office.

2 この政令の施行前に法律の規定により農林水産大臣に対し報告その他の手続をしなければならない事項（この政令による改正後のそれぞれの政令の規定により北海道農政事務所長に委任された権限に係るものに限る。）で、この政令の施行前にその手続がされていないものについては、これを、当該法律の規定により北海道農政事務所長に対して報告その他の手続をしなければならない事項についてその手続がされていないものとみなして、当該法律の規定を適用する。

(2) Any matter for which a person must make a report to or undertake other procedures with the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of laws prior to the enforcement of this Cabinet Order (limited to those for which the authority is delegated to the director of the Hokkaido District Agriculture Office pursuant to the provisions of respective Cabinet Orders amended by this Cabinet Order) but for which those procedures have not been undertaken prior to the enforcement of this Cabinet Order, is deemed to be a matter for which a person must make a report to or undertake other procedures with the director of the Hokkaido District Agriculture Office pursuant to the provisions of the relevant laws but for which those procedures have not been undertaken, and the provisions of the relevant laws apply thereto.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第三条 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 3 Prior laws continue to govern the applicability of penal provisions to acts committed prior to the enforcement of this Cabinet Order.

附 則 〔平成二十八年二月十七日政令第四十三号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 43 of February 17, 2016]**

**[Extract]**

（施行期日）

(Effective Date)

第一条 この政令は、改正法施行日（平成二十八年四月一日）から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Amendment Act comes into effect (April 1, 2016).

附 則 〔平成二十八年三月三十一日政令第百三号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 103 of March 31, 2016]  
[Extract]**

(施行期日)

(Effective Date)

1 この政令は、平成二十八年四月一日から施行する。

(1) This Cabinet Order comes into effect as of April 1, 2016.

附 則 〔平成二十九年十二月二十七日政令第三百二十六号〕

**Supplementary Provisions [Cabinet Order No. 326 of December 27, 2017]**

この政令は、金融商品取引法の一部を改正する法律の施行の日（平成三十年四月一日）から施行する。

This Cabinet Order comes into effect as of the day on which the Act Partially Amending the Financial Instruments and Exchange Act comes into effect (April 1, 2018).

附 則 〔令和元年十二月十三日政令第百八十三号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 183 of December 13, 2019]  
[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、情報通信技術の活用による行政手続等に係る関係者の利便性の向上並びに行政運営の簡素化及び効率化を図るための行政手続等における情報通信の技術の利用に関する法律等の一部を改正する法律（次条において「改正法」という。）の施行の日（令和元年十二月十六日）から施行する。

Article 1 This Cabinet Order comes into effect as of the day on which the Act Partially Amending the Act on the Use of Information and Communications Technology in Administrative Procedures for Improving the Convenience of Related Parties and Simplifying and Enhancing Efficiency of Administrative Operations Through the Utilization of Information and Communications Technology (referred to as the "Amendment Act" in the following Article) comes into effect (December 16, 2019).

附 則 〔令和三年六月二日政令第百六十二号〕〔抄〕

**Supplementary Provisions [Cabinet Order No. 162 of June 2, 2021]**

**[Extract]**

(施行期日)

(Effective Date)

- 1 この政令は、金融サービスの利用者の利便の向上及び保護を図るための金融商品の販売等に関する法律等の一部を改正する法律（以下「改正法」という。）の施行の日（令和三年十一月一日）から施行する。

- (1) This Cabinet Order comes into effect as of the day on which the Act Partially Amending the Act on the Provision of Financial Services and Other Acts to Improve Convenience for Users of Financial Services and to Help Protect Them (hereinafter referred to as the "Amendment Act") comes into effect (November 1, 2021).

附 則 〔令和三年七月二日政令第百九十五号〕〔抄〕

**Supplementary Provisions [Cabinet Order No. 195 of July 2, 2021]**

**[Extract]**

(施行期日)

(Effective Date)

- 1 この政令は、令和三年九月一日から施行する。

- (1) This Cabinet Order comes into effect as of September 1, 2021.

附 則 〔令和五年三月二十三日政令第六十八号〕〔抄〕

**Supplementary Provisions [Cabinet Order No. 68 of March 23, 2023]**

**[Extract]**

(施行期日)

(Effective Date)

- 1 この政令は、令和五年四月一日から施行する。

- (1) This Cabinet Order comes into effect as of April 1, 2023.

附 則 〔令和六年一月三十一日政令第二十二号〕〔抄〕

**Supplementary Provisions [Cabinet Order No. 22 of January 31, 2024]**

**[Extract]**

(施行期日)

(Effective Date)

- 1 この政令は、金融商品取引法等の一部を改正する法律附則第一条第二号に掲げる規定の施行の日（令和六年二月一日）から施行する。

(1) This Cabinet Order comes into effect as of the day on which the provisions set forth in Article 1, item (ii) of the Supplementary Provisions of the Act Partially Amending the Financial Instruments and Exchange Act come into effect (February 1, 2024).