

# 産業競争力強化法施行令（暫定版）

## Order for Enforcement of the Act on Strengthening Industrial Competitiveness (Tentative translation)

（平成二十六年一月十七日政令第十三号）  
（Cabinet Order No. 13 of January 17, 2014）

内閣は、産業競争力強化法（平成二十五年法律第九十八号）第二条第十四項、第十七項第五号及び第八号並びに第二十六項、第二十八条第一項、第三十四条第一項及び第三項、第三十五条第一項、第三十九条第一項各号、第四十一条第一項第一号及び第四項第一号、第五十四条第三項、第五十五条第三項、第六十一条第一項、第七十五条、第九十九条第二項ただし書、第一百五十四条第四項及び第五項、第二百二十一条第三項及び第八項、第二百二十八条第六項並びに第三百三十三条第一号の規定に基づき、並びに同法を実施するため、この政令を制定する。

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 2, paragraph (14), paragraph (17), item (v) and item (viii), and paragraph (26), Article 28, paragraph (1), Article 34, paragraph (1) and paragraph (3), Article 35, paragraph (1), the items of Article 39, paragraph (1), Article 41, paragraph (1), item (i) and paragraph (4), item (i), Article 54, paragraph (3), Article 55, paragraph (3), Article 61, paragraph (1), Article 75, the proviso to Article 99, paragraph (2), Article 115, paragraph (4) and paragraph (5), Article 121, paragraph (3) and paragraph (8), Article 128, paragraph (6), and Article 133, item (i) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) and for the purpose of implementing the same Act.

（事業再生から除外する手続）

（Procedures for Exclusion from Corporate Rehabilitation）

第一条 産業競争力強化法（第六条第十四号、第十条第十四号及び第十九条第十三号を除き、以下「法」という。）第二条第十九項の政令で定める法律は、金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）とする。

Article 1 The Act specified by Cabinet Order as set forth in Article 2, paragraph (19) of the Act on Strengthening Industrial Competitiveness (hereinafter referred to as the "Act" except in Article 6, item (xiv), Article 10, item (xiv), and Article 19, item (xiii)) is the Act on Special Treatment of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institutions (Act No. 95 of 1996).

（中小企業者の範囲）

（Scope of Small and Medium-Sized Enterprises）

第二条 法第二条第二十二項第五号の政令で定める業種並びにその業種ごとの資本金の

額又は出資の総額及び常時使用する従業員の数は、次の表のとおりとする。

Article 2 (1) The business types specified by Cabinet Order as set forth in Article 2, paragraph (22), item (v) of the Act and, the amount of stated capital or the total amount of contributions for each of those business types, and the number of regular employees for each of those business types, as specified by Cabinet Order, as set forth in the same item, are to be as shown in the following table:

読み替える会社法の規定 Provisions of the Companies Act for which the phrases are deemed to be replaced	業種 Business type	資本金の額又は出資の総額 Amount of stated capital or total amount of contributions	常時使用する従業員の数 Number of regular employees
一 (i)	ゴム製品製造業（自動車又は航空機用タイヤ及びチューブ製造業並びに工業用ベルト製造業を除く。） rubber products manufacturing industry (excluding the automobile or aircraft tire and tube manufacturing industry, and industrial belt manufacturing industry)	三億円 300,000,000 yen	九百人 900 employees
二 (ii)	ソフトウェア業又は情報処理サービス業 software service industry or information processing service industry	三億円 300,000,000 yen	三百人 300 employees
三 (iii)	旅館業 hotel business industry	五千万円 50,000,000 yen	二百人 200 employees

2 法第二条第二十二項第八号の政令で定める組合及び連合会は、次のとおりとする。

(2) The partnerships and their federations specified by Cabinet Order as set forth in Article 2, paragraph (22), item (viii) of the Act are as follows:

一 事業協同組合及び事業協同小組合並びに協同組合連合会

(i) business cooperatives, minor business cooperatives and federations of cooperatives;

二 水産加工業協同組合及び水産加工業協同組合連合会

(ii) fishery processing cooperatives and federations of fishery processing

- cooperatives;
- 三 商工組合及び商工組合連合会
- (iii) commercial and industrial cooperatives and federations of commercial and industrial cooperatives;
- 四 商店街振興組合及び商店街振興組合連合会
- (iv) shopping district promotion cooperatives and federations of shopping district promotion cooperatives;
- 五 生活衛生同業組合、生活衛生同業小組合及び生活衛生同業組合連合会であって、その直接又は間接の構成員の三分の二以上が五千万円（卸売業を主たる事業とする事業者については、一億円）以下の金額をその資本金の額若しくは出資の総額とする法人又は常時五十人（卸売業又はサービス業を主たる事業とする事業者については、百人）以下の従業員を使用する者であるもの
- (v) among environmental health industry cooperatives, minor environmental health industry cooperatives and federations of environmental health industry cooperatives, those of which not less than two thirds of the direct or indirect members are corporations whose amount of stated capital or total amount of contributions is not more than 50,000,000 yen (or 100,000,000 yen in case of a business whose principal business is the wholesale business), or those who regularly employ not more than 50 employees (or 100 employees in case of a business whose principal business is the wholesale business or the service business);
- 六 酒造組合、酒造組合連合会及び酒造組合中央会であって、その直接又は間接の構成員たる酒類製造業者の三分の二以上が三億円以下の金額をその資本金の額若しくは出資の総額とする法人又は常時三百人以下の従業員を使用する者であるもの並びに酒販組合、酒販組合連合会及び酒販組合中央会であって、その直接又は間接の構成員たる酒類販売業者の三分の二以上が五千万円（酒類卸売業者については、一億円）以下の金額をその資本金の額若しくは出資の総額とする法人又は常時五十人（酒類卸売業者については、百人）以下の従業員を使用する者であるもの
- (vi) among Sake brewer cooperatives, federations of Sake brewer cooperatives and the Japan Sake and Shochu Makers Association, those of which not less than two thirds of the direct or indirect members, which are Sake brewers, are corporations whose amount of stated capital or total amount of contributions is not more than 300,000,000 yen, or those who regularly employ not more than 300 employees, and among Sake merchant cooperatives, federations of Sake merchant cooperatives and Japan Sake merchant associations, those of which not less than two thirds of the direct or indirect members, which are Sake merchant businesses, are corporations whose amount of stated capital or total amount of contributions is not more than 50,000,000 yen (or 100,000,000 yen in case of a Sake wholesale business), or those who regularly employ not more than 50 employees (or 100 employees in case of a Sake wholesale business);

七 内航海運組合及び内航海運組合連合会であつて、その直接又は間接の構成員たる内航海運事業を営む者の三分の二以上が三億円以下の金額をその資本金の額若しくは出資の総額とする法人又は常時三百人以下の従業員を使用する者であるもの

(vii) among coastal shipping cooperatives and federations of coastal shipping cooperatives, those of which not less than two thirds of the direct or indirect members, which are those engaged in the coastal shipping business, are corporations whose amount of stated capital or total amount of contributions is not more than 300,000,000 yen, or those who regularly employ not more than 300 employees; and

八 技術研究組合であつて、その直接又は間接の構成員の三分の二以上が法第二条第二十二項第一号から第七号までに規定する中小企業者であるもの

(viii) among technology research cooperatives, those of which not less than two thirds of the direct or indirect members are the small or medium-sized enterprise prescribed in Article 2, paragraph (22), items (i) through (vii) of the Act.

(特定信用状の発行に係る金融機関)

(Financial Institutions in Relation to the Issuance of Specified Letter of Credit)

第三条 法第二条第三十二項の政令で定める金融機関は、次のとおりとする。

Article 3 The financial institution as specified by Cabinet Order set forth in Article 2, paragraph (32) of the Act is as follows:

一 銀行

(i) bank;

二 株式会社商工組合中央金庫

(ii) Shokochukin Bank;

三 株式会社日本政策投資銀行

(iii) Development Bank of Japan;

四 信用金庫及び信用金庫連合会

(iv) Shinkin Bank and federation of Shinkin Banks;

五 労働金庫及び労働金庫連合会

(v) labor bank and federation of labor banks;

六 信用協同組合及び信用協同組合連合会（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をいう。）

(vi) credit cooperative and federation of credit cooperatives (meaning a federation of cooperatives that conducts 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));

七 農業協同組合及び農業協同組合連合会

(vii) agricultural cooperative and federation of agricultural cooperatives;

八 漁業協同組合及び漁業協同組合連合会

(viii) fisheries cooperative and federation of fisheries cooperatives;

- 九 農林中央金庫  
(ix) Norinchukin Bank; or  
十 保険会社  
(x) insurance company.

第四条 新事業活動（法第二条第四項に規定する新事業活動をいう。以下この条において同じ。）として商工会議所、商工会又は都道府県商工会連合会（新事業活動を遂行するために必要と認められる内閣府令・経済産業省令で定める基準に適合する財産的基礎を有するものに限り、資金決済に関する法律（平成二十一年法律第五十九号）第十条第一項第四号、第七号、第八号又は第九号に該当するものを除く。）によりその発行が行われる同法第三条第一項に規定する前払式支払手段（その対価を上回る金額を代価の弁済に充てることができる金額として定めているものであることその他内閣府令・経済産業省令で定める要件を満たすものに限る。）についての資金決済に関する法律施行令（平成二十二年政令第十九号）第四条第二項の規定の適用については、同項中「六月」とあるのは、「三年」とする。

Article 4 With respect to the application of the provisions of Article 4, paragraph (2) of the Order for Enforcement of the Payment Services Act (Cabinet Order No. 19 of 2010) to the prepaid payment instruments prescribed in Article 3, paragraph (1) of the Payment Services Act (Act No. 59 of 2009) (limited to those for which an amount exceeding the consideration therefor is specified as the amount that is available for the payment of proceeds and which satisfy the requirements specified by Cabinet Office Order and Order of the Ministry of Economy, Trade and Industry) which are issued by a society of commerce and industry, chamber of commerce and industry, or prefectural federation of societies of commerce and industry (limited to one that has a financial basis in conformity with the standards specified by Cabinet Office Order and Order of the Ministry of Economy, Trade and Industry and that is found to be necessary for implementing new business activities, and excluding one that falls under Article 10, paragraph (1), item (iv), (vii), (viii), or (ix) of the same Act) as new business activities (meaning the new business activities prescribed in Article 2, paragraph (4) of the Act; hereinafter the same applies in this Article), the phrase "six months" in Article 4, paragraph (2) of the Order for Enforcement of the Payment Services Act is deemed to be replaced with "three years".

（革新的技術研究成果活用事業活動支援業務に係る指定金融機関等）  
(Designated Financial Institutions, etc. Regarding Business Operations to Support Business Activities Utilizing Innovative Technology Research Results)

第五条 法第二十一条の六第一項第一号の政令で定める者は、次のとおりとする。

Article 5 Those specified by Cabinet Order as set forth in Article 21-6, paragraph (1), item (i) of the Act are as follows:

- 一 銀行
- (i) bank;
- 二 長期信用銀行
- (ii) long term credit bank;
- 三 株式会社商工組合中央金庫
- (iii) Shokochukin Bank;
- 四 株式会社日本政策投資銀行
- (iv) Development Bank of Japan;
- 五 信用金庫及び信用金庫連合会
- (v) Shinkin Bank and federation of Shinkin Banks;
- 六 労働金庫及び労働金庫連合会
- (vi) labor bank and federation of labor banks;
- 七 信用協同組合及び協同組合連合会
- (vii) credit cooperative and federation of credit cooperatives;
- 八 農業協同組合及び農業協同組合連合会
- (viii) agricultural cooperative and federation of agricultural cooperatives;
- 九 漁業協同組合、漁業協同組合連合会、水産加工業協同組合及び水産加工業協同組合連合会
- (ix) fisheries cooperative, federation of fisheries cooperatives, fishery processing cooperative, and federation of fishery processing cooperatives;
- 十 農林中央金庫
- (x) Norinchukin Bank;
- 十一 保険会社
- (xi) insurance company;
- 十二 信託会社であって、資金の貸付け又は社債の引受けを業として行うもの
- (xii) trust company that loans funds or underwrites bonds on a regular basis;
- 十三 前各号に掲げる者の子会社（前各号に掲げる者がその経営を支配している法人として経済産業省令で定めるものをいう。）であって、資金の貸付け又は社債の引受けを業として行うもの
- (xiii) subsidiary company of any of the persons set forth in the preceding items (meaning one specified by Order of the Ministry of Economy, Trade and Industry as a corporation of which management is controlled by the person set forth in any of the preceding items) that loans funds or underwrites bonds on a regular basis; and
- 十四 投資事業有限責任組合契約に関する法律（平成十年法律第九十号）第二条第二項に規定する投資事業有限責任組合であって、資金の貸付け又は社債の引受けを業として行うもの
- (xiv) investment limited partnership prescribed in Article 2, paragraph (2) of the Limited Partnership Act for Investment (Act No. 90 of 1998) that loans funds or underwrites bonds on a regular basis.

(革新的技術研究成果活用事業活動支援業務に係る指定金融機関等の指定の基準となる法律)

(Acts Which Form a Basis for Designation as a Designated Financial Institution, etc. Regarding Business Operations to Support Business Activities Utilizing Innovative Technology Research Results)

第六条 法第二十一条の六第四項第一号の政令で定める法律は、次のとおりとする。

Article 6 The Acts specified by Cabinet Order as set forth in Article 21-6, paragraph (4), item (i) of the Act are as follows:

一 農業協同組合法 (昭和二十二年法律第百三十二号)

(i) Agricultural Cooperatives Act (Act No. 132 of 1947);

二 水産業協同組合法 (昭和二十三年法律第二百四十二号)

(ii) Fisheries Cooperatives Act (Act No. 242 of 1948);

三 中小企業等協同組合法

(iii) Small and Medium-Sized Enterprise Cooperatives Act;

四 協同組合による金融事業に関する法律 (昭和二十四年法律第百八十三号)

(iv) Act on Financial Businesses by Cooperatives (Act No. 183 of 1949);

五 信用金庫法 (昭和二十六年法律第二百三十八号)

(v) Shinkin Bank Act (Act No. 238 of 1951);

六 長期信用銀行法 (昭和二十七年法律第百八十七号)

(vi) Long Term Credit Bank Act (Act No. 187 of 1952);

七 労働金庫法 (昭和二十八年法律第二百二十七号)

(vii) Labor Bank Act (Act 227 of 1953);

八 銀行法 (昭和五十六年法律第五十九号)

(viii) Banking Act (Act No. 59 of 1981);

九 保険業法 (平成七年法律第百五号)

(ix) Insurance Business Act (Act No. 105 of 1995);

十 農林中央金庫法 (平成十三年法律第九十三号)

(x) Norinchukin Bank Act (Act No. 93 of 2001);

十一 信託業法 (平成十六年法律第百五十四号)

(xi) Trust Business Act (Act No. 154 of 2004);

十二 株式会社商工組合中央金庫法 (平成十九年法律第七十四号)

(xii) Shokochukin Bank Act (Act No. 74 of 2007);

十三 株式会社日本政策投資銀行法 (平成十九年法律第八十五号)

(xiii) Development Bank of Japan Act (Act No. 85 of 2007); and

十四 産業競争力強化法

(xiv) Act on Strengthening Industrial Competitiveness.

(認定事業適応関連措置)

(Approved Business Adaptation-Related Measures)

第七条 法第二十一条の十七第一項第一号の政令で定める措置は、次に掲げる措置 (研究開発、情報技術を活用するために必要な投資又は生産工程効率化等設備 (法第二条

第十三項に規定する生産工程効率化等設備をいう。)若しくは需要開拓商品生産設備(法第二条第十四項に規定する需要開拓商品生産設備をいう。)の導入に該当するものを除く。)であって、その実施に長期資金(資金需要の期間が五年以上の資金をいう。第十六条において同じ。)の借入れを必要とするものとする。

**Article 7** The measures specified by Cabinet Order as set forth in Article 21-17, paragraph (1), item (i) of the Act are the following measures (excluding those that fall under the category of R&D, investment necessary for utilizing the information technology, or introduction of equipment that streamlines production processes, etc.(meaning the equipment that streamlines production processes, etc. prescribed in Article 2, paragraph (13) of the Act) or equipment for production of demand-creating goods (meaning the equipment for production of demand-creating goods prescribed in Article 2, paragraph (14) of the Act)) for which the borrowing of a long-term fund (meaning a fund required for a period of five years or longer; the same applies in Article 16) is necessary:

- 一 予見し難い経済社会情勢の変化に対応するために必要な投資
- (i) investment necessary for responding to an unforeseeable change in the economy and social circumstances; and
- 二 エネルギーの利用による環境への負荷の低減を行うために必要な投資
- (ii) investment necessary for reducing the environmental load caused by energy use.

(事業適応促進円滑化業務に係る株式会社日本政策金融公庫法施行令の適用)  
(Application of the Order for Enforcement of the Japan Finance Corporation Act Regarding Business Operations to Facilitate Business Adaptation Promotion)

**第八条** 事業適応促進円滑化業務(法第二十一条の十七第一項に規定する事業適応促進円滑化業務をいう。)が行われる場合には、株式会社日本政策金融公庫法施行令(平成二十年政令第百四十三号)第三十条第一項中「法第五十九条第一項」とあるのは「産業競争力強化法(平成二十五年法律第九十八号)第二十一条の十七第二項の規定により読み替えて適用する法第五十九条第一項」と、同令第三十一条第一項各号及び第二項中「法第五十九条第一項」とあるのは「産業競争力強化法第二十一条の十七第二項の規定により読み替えて適用する法第五十九条第一項」とする。

**Article 8** If business operations to facilitate business adaptation promotion (meaning the business operations to facilitate business adaptation promotion prescribed in Article prescribed in Article 21-17, paragraph (1) of the Act) are undertaken, the phrase "Article 59, paragraph (1) of the Act" in Article 30, paragraph (1) of the Order for Enforcement of the Japan Finance Corporation Act (Cabinet Order No. 143 of 2008) is deemed to be replaced with "Article 59, paragraph (1) of the Act as applied pursuant to the provisions of Article 21-17, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) following the deemed replacement of terms", and the phrase



"Article 59, paragraph (1) of the Act" in the items of Article 31, paragraph (1) of the same Order and paragraph (2) of the same Article is deemed to be replaced with "Article 59, paragraph (1) of the Act as applied pursuant to the provisions of Article 21-17, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms".

(事業適応促進業務に係る指定金融機関)

(Designated Financial Institutions Regarding Business Operations to Promote Business Adaptation)

第九条 法第二十一条の十九第一項第一号の政令で定める金融機関は、次のとおりとする。

Article 9 The financial institutions specified by Cabinet Order as set forth in Article 21-19, paragraph (1), item (i) of the Act are as follows:

一 銀行

(i) bank;

二 長期信用銀行

(ii) long term credit bank;

三 株式会社商工組合中央金庫

(iii) Shokochukin Bank;

四 株式会社日本政策投資銀行

(iv) Development Bank of Japan;

五 信用金庫及び信用金庫連合会

(v) Shinkin Bank and federation of Shinkin Banks;

六 労働金庫及び労働金庫連合会

(vi) labor bank and federation of labor banks;

七 信用協同組合及び協同組合連合会（中小企業等協同組合法第九条の九第一項第一号及び第二号の事業を併せ行うものに限る。第十一条第一号、第十八条第七号及び第二十条第一号において同じ。）

(vii) credit cooperative and federation of credit cooperatives (limited to those engaged in both of the businesses set forth in Article 9-9, paragraph (1), item (i) and item (ii) of the Small and Medium-Sized Enterprise Cooperatives Act; the same applies in Article 11, item (i), Article 18, item (vii), and Article 20, item (i));

八 農業協同組合（農業協同組合法第十条第一項第二号及び第三号の事業を併せ行うものに限る。第十一条第三号、第十八条第八号及び第二十条第三号において同じ。）及び農業協同組合連合会（同項第二号及び第三号の事業を併せ行うものに限る。第十一条第三号、第十八条第八号及び第二十条第三号において同じ。）

(viii) agricultural cooperative (limited to those engaged in both of the businesses set forth in Article 10, paragraph (1), item (ii) and item (iii) of the Agricultural Cooperatives Act; the same applies in Article 11, item (iii), Article 18, item (viii), and Article 20, item (iii)) and federation of agricultural

cooperatives (limited to those engaged in both of the businesses set forth in item (ii) and item (iii) of the same paragraph; the same applies in Article 11, item (iii), Article 18, item (viii), and Article 20, item (iii));

九 漁業協同組合（水産業協同組合法第十一条第一項第三号及び第四号の事業を併せ行うものに限る。第十一条第三号、第十八条第九号及び第二十条第三号において同じ。））、漁業協同組合連合会（同法第八十七条第一項第三号及び第四号の事業を併せ行うものに限る。第十一条第三号、第十八条第九号及び第二十条第三号において同じ。））、水産加工業協同組合（同法第九十三条第一項第一号及び第二号の事業を併せ行うものに限る。第十一条第三号、第十八条第九号及び第二十条第三号において同じ。）及び水産加工業協同組合連合会（同法第九十七条第一項第一号及び第二号の事業を併せ行うものに限る。第十一条第三号、第十八条第九号及び第二十条第三号において同じ。）

(ix) fisheries cooperative (limited to those engaged in both of the businesses set forth in Article 11, paragraph (1), item (iii) and item (iv) of the Fisheries Cooperatives Act; the same applies in Article 11, item (iii), Article 18, item (ix), and Article 20, item (iii)), federation of fisheries cooperatives (limited to those engaged in both of the businesses set forth in Article 87, paragraph (1), item (iii) and item (iv) of the same Act; the same applies in Article 11, item (iii), Article 18, item (ix), and Article 20, item (iii)), fishery processing cooperative (limited to those engaged in both of the businesses set forth in Article 93, paragraph (1), item (i) and item (ii) of the same Act; the same applies in Article 11, item (iii), Article 18, item (ix), and Article 20, item (iii)), and federation of fishery processing cooperatives (limited to those engaged in both of the businesses set forth in Article 97, paragraph (1), item (i) and item (ii) of the same Act; the same applies in Article 11, item (iii), Article 18, item (ix), and Article 20, item (iii));

十 農林中央金庫

(x) Norinchukin Bank; and

十一 生命保険会社（保険業法第二条第三項に規定する生命保険会社及び同条第八項に規定する外国生命保険会社等をいう。第十一条第一号において同じ。）

(xi) life insurance company (meaning the life insurance company prescribed in Article 2, paragraph (3) of the Insurance Business Act and the foreign life insurance company, etc. prescribed in paragraph (8) of the same Article; the same applies in Article 11, item (i)).

（事業適応促進業務に係る指定金融機関の指定の基準となる法律）

(Acts Which Form a Basis for Designation as a Designated Financial

Institution Regarding Business Operations to Promote Business Adaptation)

第十条 法第二十一条の十九第四項第一号の政令で定める法律は、次のとおりとする。

Article 10 The Acts specified by Cabinet Order as set forth in Article 21-19, paragraph (4), item (i) of the Act are as follows:

- 一 農業協同組合法  
(i) Agricultural Cooperatives Act;
- 二 水産業協同組合法  
(ii) Fisheries Cooperatives Act;
- 三 中小企業等協同組合法  
(iii) Small and Medium-Sized Enterprise Cooperatives Act;
- 四 協同組合による金融事業に関する法律  
(iv) Act on Financial Businesses by Cooperatives;
- 五 信用金庫法  
(v) Shinkin Bank Act;
- 六 長期信用銀行法  
(vi) Long Term Credit Bank Act;
- 七 労働金庫法  
(vii) Labor Bank Act;
- 八 銀行法  
(viii) Banking Act;
- 九 保険業法  
(ix) Insurance Business Act;
- 十 農林中央金庫法  
(x) Norinchukin Bank Act;
- 十一 株式会社日本政策金融公庫法（平成十九年法律第五十七号）  
(xi) Japan Finance Corporation Act (Act No. 57 of 2007);
- 十二 株式会社商工組合中央金庫法  
(xii) Shokochukin Bank Act;
- 十三 株式会社日本政策投資銀行法  
(xiii) Development Bank of Japan Act; and
- 十四 産業競争力強化法  
(xiv) Act on Strengthening Industrial Competitiveness.

(事業適応促進業務に係る指定金融機関の指定等に関する内閣総理大臣等への通知)  
(Notice on Designation of a Designated Financial Institution Regarding  
Business Operations to Promote Business Adaptation to the Prime Minister  
and Other Ministers)

第十一条 主務大臣は、法第二十一条の十九第一項の規定による指定、法第二十一条の二十一第一項の認可、同条第二項若しくは法第二十一条の二十四の規定による命令若しくは法第二十一条の二十六第一項若しくは第二項の規定による指定の取消し（以下この条において「処分」と総称する。）をしたとき、又は法第二十一条の二十五第一項の規定による届出を受理したときは、速やかに、その旨を、当該処分を受け、又は当該届出を行った指定金融機関（法第二十一条の十九第一項の規定により指定された指定金融機関をいう。）が次の各号に掲げるものである場合の区分に応じ、それぞれ当該各号に定める大臣に通知するものとする。

Article 11 If the competent minister has made a designation under Article 21-19, paragraph (1) of the Act, has granted an authorization under Article 21-21, paragraph (1) of the Act, has issued an order under paragraph (2) of the same Article or Article 21-24 of the Act, or has rescinded a designation under Article 21-26, paragraph (1) or paragraph (2) of the Act (hereinafter collectively referred to as a "disposition" in this Article), or if the competent minister has received a notification under Article 21-25, paragraph (1) of the Act, the minister is to promptly give notice to that effect to the ministers specified in each of the following items for the case where the designated financial institution (meaning the designated financial institution as designated pursuant to the provisions of Article 21-19, paragraph (1) of the Act) which has been subject to the disposition or which has made the notification falls under each of the respective items:

一 銀行、長期信用銀行、信用金庫、信用金庫連合会、信用協同組合、協同組合連合会及び生命保険会社 内閣総理大臣

(i) bank, long term credit bank, Shinkin Bank, federation of Shinkin Banks, credit cooperative, federation of cooperatives, and life insurance company: Prime Minister;

二 労働金庫及び労働金庫連合会 内閣総理大臣及び厚生労働大臣

(ii) labor bank and federation of labor banks: Prime Minister and Minister of Health, Labour and Welfare;

三 農業協同組合、農業協同組合連合会、漁業協同組合、漁業協同組合連合会、水産加工業協同組合、水産加工業協同組合連合会及び農林中央金庫 農林水産大臣及び内閣総理大臣

(iii) agricultural cooperative, federation of agricultural cooperatives, fisheries cooperative, federation of fisheries cooperatives, fishery processing cooperative, federation of fishery processing cooperatives, and Norinchukin Bank: Minister of Agriculture, Forestry and Fisheries and Prime Minister;

四 株式会社商工組合中央金庫 経済産業大臣、財務大臣及び内閣総理大臣

(iv) Shokochukin Bank: Minister of Economy, Trade and Industry, Minister of Finance, and Prime Minister; or

五 株式会社日本政策投資銀行 財務大臣（株式会社日本政策投資銀行が株式会社日本政策投資銀行法第九条第一項の承認を受けた場合にあつては、財務大臣及び内閣総理大臣）

(v) Development Bank of Japan: Minister of Finance (or Minister of Finance and Prime Minister if the Development Bank of Japan has obtained the approval set forth in Article 9, paragraph (1) of the Development Bank of Japan Act).

(公正取引委員会との協議)

(Consultation with the Fair Trade Commission)

第十二条 法第二十五条第一項の政令で定める場合は、次に掲げる場合とする。

Article 12 The cases specified by Cabinet Order as set forth in Article 25, paragraph (1) of the Act are the following cases:

一 当該事業再編関連措置（法第二十五条第一項に規定する事業再編関連措置をいう。以下この条において同じ。）が、事業者が当該事業再編関連措置を行うに際して、私的独占の禁止及び公正取引の確保に関する法律（昭和二十二年法律第五十四号）第十条第二項（同条第五項の規定により適用される場合を含む。）、第十五条第二項、第十五条の二第二項若しくは第三項、第十五条の三第二項又は第十六条第二項の規定により届け出なければならないものである場合

(i) cases in which a business is required to give notice of corporate restructuring-related measures (meaning corporate restructuring-related measures as prescribed in Article 25, paragraph (1) of the Act; hereinafter the same applies in this Article) pursuant to the provisions of Article 10, paragraph (2) (including as applied pursuant to the provisions of paragraph (5) of the same Article), Article 15, paragraph (2), Article 15-2, paragraph (2) or paragraph (3), Article 15-3, paragraph (2) or Article 16, paragraph (2) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947) if it carries out the relevant corporate restructuring-related measures; and

二 当該事業再編関連措置が、二以上の事業者により共同して行われるものであって、当該事業者のうち、いずれか一の事業者に係る国内売上高合計額（私的独占の禁止及び公正取引の確保に関する法律第十条第二項に規定する国内売上高合計額をいう。以下この号において同じ。）が二百億円を超え、かつ、他のいずれか一の事業者に係る国内売上高合計額が五十億円を超える場合（当該事業再編関連措置を行おうとする全ての事業者が同一の企業結合集団（同項に規定する企業結合集団をいう。）に属する場合を除く。）

(ii) cases in which two or more businesses coordinate in carrying out the corporate restructuring-related measures, and where any one of the businesses has total domestic sales (meaning the total domestic sales prescribed in Article 10, paragraph (2) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade; hereinafter the same applies in this item) exceeding 20,000,000,000 yen, and any other business has total domestic sales exceeding 5,000,000,000 yen (excluding cases in which all businesses intending to carry out the relevant corporate restructuring-related measures belong to the same combined group of enterprises (meaning the combined group of enterprises prescribed in the same paragraph)).

(認定事業再編事業者が行う株式等売渡請求について会社法の規定を適用する場合の技術的読替え)

(Technical Replacement of Phrases When Applying the Provisions of the Companies Act to the Demand for Share Cash-out by an Approved Business

**Implementing Corporate Restructuring)**

第十三条 法第二十八条第五項の規定により会社法（平成十七年法律第八十六号）の規定を適用する場合における同項の規定による同法の規定の技術的読替えは、次の表のとおりとする。

Article 13 The technical replacement of phrases of the provisions of the Companies Act (Act No. 86 of 2005) under Article 28, paragraph (5) of the Act in case of applying the provisions of the same Act under the same paragraph is as shown in the following table.

読み替える会社法の規定 Provisions of the Companies Act for which the phrases are deemed to be replaced	読み替えられる字句 Phrase deemed to be replaced	読み替える字句 Phrase to be replaced with
第一百七十九条の五第一項第四号 Article 179-5, paragraph (1), item (iv)	法務省令 Order of the Ministry of Justice	産業競争力強化法第一百四十七条第二項に規定する主務省令（以下単に「主務省令」という。） order of the competent ministry prescribed in Article 147, paragraph (2) of the Act on Strengthening Industrial Competitiveness (hereinafter simply referred to as "order of the competent ministry")
第一百七十九条の十第一項及び第一百八十九条第二項第六号 Article 179-10, paragraph (1) and Article 189, paragraph (2), item (vi)	法務省令 Order of the Ministry of Justice	主務省令 order of the competent ministry

（認定事業再編事業者である株式会社が行う株式の発行又は自己株式の処分について会社法の規定を適用する場合の技術的読替え）

**(Technical Replacement of Phrases When Applying the Provisions of the Companies Act to the Issuance of Shares or the Disposition of Treasury Shares by a Stock Company Which is an Approved Business Implementing Corporate Restructuring)**

第十四条 法第三十条第一項の規定により会社法の規定を適用する場合における同項の規定による同法の規定の技術的読替えは、次の表のとおりとする。

Article 14 The technical replacement of phrases of the provisions of the Companies Act under Article 30, paragraph (1) of the Act in case of applying

the provisions of the same Act under the same paragraph is as shown in the following table:

読み替える会社法の規定 Provisions of the Companies Act for which the phrases are deemed to be replaced	読み替えられる字句 Phrase deemed to be replaced	読み替える字句 Phrase to be replaced with
第百九十九条第二項 Article 199, paragraph (2)	前項各号 each item of the preceding paragraph	前項各号（第三号を除く。） each item of the preceding paragraph (excluding item (iii))
第二百一条第三項 Article 201, paragraph (3)	同条第一項第四号 paragraph (1), item (iv) of the same Article	同法第三十条第一項の規定により読み替えて適用する第百九十九条第一項第四号 Article 199, paragraph (1), item (iv) as applied pursuant to the provisions of Article 30, paragraph (1) of the same Act following the deemed replacement of terms
第二百八条第二項 Article 208, paragraph (2)	第百九十九条第一項第四号 Article 199, paragraph (1), item (iv)	産業競争力強化法第三十条第一項の規定により読み替えて適用する第百九十九条第一項第四号 Article 199, paragraph (1), item (iv) as applied pursuant to the provisions of Article 30, paragraph (1) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms

(認定事業再編事業者である株式会社が行う株式の発行又は自己株式の処分について会社法の規定を準用する場合の技術的読替え)

(Technical Replacement of Phrases When Applying Mutatis Mutandis the Provisions of the Companies Act to the Issuance of Shares or the Disposition of Treasury Shares by a Stock Company Which is an Approved Business Implementing Corporate Restructuring)

第十五条 法第三十条第三項の規定により会社法の規定を準用する場合における同項の規定による同法の規定の技術的読替えは、次の表のとおりとする。

Article 15 The technical replacement of the phrases of the provisions of the Companies Act pursuant to the provisions of Article 30, paragraph (3) of the Act in case of applying mutatis mutandis the provisions of the same Act under the same paragraph is as shown in the following table:

読み替える会社法の規定 Provisions of the Companies Act for which the phrases are deemed to be replaced	読み替えられる字句 Phrase deemed to be replaced	読み替える字句 Phrase to be replaced with
第三百九条第二項第十二号 Article 309, paragraph (2), item (xii)	第五編 Part V	第五編（第七百九十六条第四項の規定を産業競争力強化法第三十条第三項の規定により読み替えて準用する場合を含む。） Part V (including cases in which the provisions of Article 796, paragraph (4) are applied mutatis mutandis pursuant to the provisions of Article 30, paragraph (3) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms)
第七百九十七条第一項 Article 797, paragraph (1)	第七百九十五条第二項各号に掲げる場合及び第七百九十六条第一項ただし書 the items of Article 795, paragraph (2) and the cases prescribed in the proviso to Article 796, paragraph (1), or (3)	産業競争力強化法第三十条第三項の規定により読み替えて準用する第七百九十六条第二項ただし書 the proviso to Article 796, paragraph (2) as applied mutatis mutandis pursuant to Article 30, paragraph (3) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms

(認定事業再編関連措置)

(Approved Corporate Restructuring-Related Measures)

第十六条 法第三十五条第一項の政令で定める措置は、次に掲げる措置とする。

Article 16 The measures specified by Cabinet Order as set forth in Article 35, paragraph (1) of the Act are the following measures:

一 法第二条第十七項第一号ハ、ホ、ヘ（事業又は資産の譲受けに係る部分に限る。）、チ、ヌ、ヲ又はワに掲げる措置であつて、その実施に長期資金の借入を必要とするもの

(i) the measures set forth in Article 2, paragraph (17), item (i), (c), (e), (f) (limited to the portion regarding acceptance of a business or assets), (h), (j), (l), or (m) of the Act for which the borrowing of a long-term fund is necessary; and



二 生産性向上設備等（法第二条第十八項に規定する生産性向上設備等をいう。）の導入と併せて行う事業再編（同条第十七項に規定する事業再編をいう。第三十五条第一項第二号において同じ。）のための措置であって、その実施に長期資金の借入れを必要とするもの（前号に掲げるものを除く。）

(ii) measures for corporate restructuring (meaning the corporate restructuring prescribed in Article 2, paragraph (17) of the Act; the same applies in Article 35, paragraph (1), item (ii)) implemented in association with the introduction of equipment for the improvement of productivity, etc. (meaning equipment for the improvement of productivity, etc. prescribed in Article 2, paragraph (8) of the Act) for which the borrowing of a long-term fund is necessary (excluding the measures set forth in the preceding item).

（事業再編促進円滑化業務に係る株式会社日本政策金融公庫法施行令の適用）

(Application of the Order for Enforcement of the Japan Finance Corporation Act Regarding Business Operations to Facilitate the Promotion of Corporate Restructuring)

第十七条 事業再編促進円滑化業務（法第三十五条第一項に規定する事業再編促進円滑化業務をいう。）が行われる場合には、株式会社日本政策金融公庫法施行令第三十条第一項中「法第五十九条第一項」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）第三十五条第二項の規定により読み替えて適用する法第五十九条第一項」と、同令第三十一条第一項各号及び第二項中「法第五十九条第一項」とあるのは「産業競争力強化法第三十五条第二項の規定により読み替えて適用する法第五十九条第一項」とする。

Article 17 If business operations to facilitate the promotion of corporate restructuring (meaning the business operations to facilitate the promotion of corporate restructuring as prescribed in Article 35, paragraph (1) of the Act) are undertaken, the phrase "Article 59, paragraph (1) of the Act" in Article 30, paragraph (1) of the Order for Enforcement of the Japan Finance Corporation Act is deemed to be replaced with "Article 59, paragraph (1) of the Act as applied pursuant to the provisions of Article 35, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) following the deemed replacement of terms", and the phrase "Article 59, paragraph (1) of the Act" in the items of Article 31, paragraph (1) of the same Order and paragraph (2) of the same Article is deemed to be replaced with "Article 59, paragraph (1) of the Act as applied pursuant to the provisions of Article 35, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms".

（事業再編促進業務に係る指定金融機関）

(Designated Financial Institutions Regarding Business Operations to Promote Corporate Restructuring)

第十八条 法第三十七条第一項第一号の政令で定める金融機関は、次のとおりとする。

Article 18 The financial institution specified by Cabinet Order as set forth in Article 37, paragraph (1), item (i) of the Act is as follows:

一 銀行

(i) bank;

二 長期信用銀行

(ii) long term credit bank;

三 株式会社商工組合中央金庫

(iii) Shokochukin Bank;

四 株式会社日本政策投資銀行

(iv) Development Bank of Japan;

五 信用金庫及び信用金庫連合会

(v) Shinkin Bank and federation of Shinkin Banks;

六 労働金庫及び労働金庫連合会

(vi) labor bank and federation of labor banks;

七 信用協同組合及び協同組合連合会

(vii) credit cooperative and federation of credit cooperatives;

八 農業協同組合及び農業協同組合連合会

(viii) agricultural cooperative and federation of agricultural cooperatives;

九 漁業協同組合、漁業協同組合連合会、水産加工業協同組合及び水産加工業協同組合連合会

(ix) fisheries cooperative, federation of fisheries cooperatives, fishery processing cooperative, and federation of fishery processing cooperatives; or

十 農林中央金庫

(x) Norinchukin Bank.

(事業再編促進業務に係る指定金融機関の指定の基準となる法律)

(Acts Which Form a Basis for Designation as a Designated Financial Institution Regarding Business Operations to Promote Corporate Restructuring)

第十九条 法第三十七条第四項第一号の政令で定める法律は、次のとおりとする。

Article 19 The Acts specified by Cabinet Order as set forth in Article 37, paragraph (4), item (i) of the Act are as follows:

一 農業協同組合法

(i) Agricultural Cooperatives Act;

二 水産業協同組合法

(ii) Fisheries Cooperatives Act;

三 中小企業等協同組合法

(iii) Small and Medium-Sized Enterprise Cooperatives Act;

四 協同組合による金融事業に関する法律

(iv) Act on Financial Businesses by Cooperatives;

- 五 信用金庫法  
(v) Shinkin Bank Act;  
六 長期信用銀行法  
(vi) Long Term Credit Bank Act;  
七 労働金庫法  
(vii) Labor Bank Act;  
八 銀行法  
(viii) Banking Act;  
九 農林中央金庫法  
(ix) Norinchukin Bank Act;  
十 株式会社日本政策金融公庫法  
(x) Japan Finance Corporation Act;  
十一 株式会社商工組合中央金庫法  
(xi) Shokochukin Bank Act;  
十二 株式会社日本政策投資銀行法  
(xii) Development Bank of Japan Act; and  
十三 産業競争力強化法  
(xiii) Act on Strengthening Industrial Competitiveness.

(事業再編促進業務に係る指定金融機関の指定等に関する内閣総理大臣等への通知)  
(Notice on Designation of a Designated Financial Institution Regarding  
Business Operations to Promote Corporate Restructuring to the Prime  
Minister and Other Ministers)

第二十条 主務大臣は、法第三十七条第一項の規定による指定、法第三十九条第一項の認可、同条第二項若しくは法第四十二条の規定による命令若しくは法第四十四条第一項若しくは第二項の規定による指定の取消し（以下この条において「処分」と総称する。）をしたとき、又は法第四十三条第一項の規定による届出を受理したときは、速やかに、その旨を、当該処分を受け、又は当該届出を行った指定金融機関（法第三十七条第一項の規定により指定された指定金融機関をいう。）が次の各号に掲げるものである場合の区分に応じ、それぞれ当該各号に定める大臣に通知するものとする。

Article 20 If the competent minister has made a designation under Article 37, paragraph (1) of the Act, has granted an authorization under Article 39, paragraph (1) of the Act, has issued an order under paragraph (2) of the same Article or Article 42 of the Act, or has rescinded a designation under Article 44, paragraph (1) or paragraph (2) of the Act (hereinafter collectively referred to as a "disposition" in this Article), or if the competent minister has received a notification under Article 43, paragraph (1) of the Act, the minister is to promptly give notice to that effect to the ministers specified in each of the following items for the case where the designated financial institution (meaning the designated financial institution as designated pursuant to the provisions of Article 37, paragraph (1) of the Act) which has been subject to the

disposition or which has made the notification falls under each of the respective items:

一 銀行、長期信用銀行、信用金庫、信用金庫連合会、信用協同組合及び協同組合連合会 内閣総理大臣

(i) bank, long term credit bank, Shinkin Bank, federation of Shinkin Banks, credit cooperative and federation of credit cooperatives: Prime Minister;

二 労働金庫及び労働金庫連合会 内閣総理大臣及び厚生労働大臣

(ii) labor bank and federation of labor banks: Prime Minister and Minister of Health, Labour and Welfare;

三 農業協同組合、農業協同組合連合会、漁業協同組合、漁業協同組合連合会、水産加工業協同組合、水産加工業協同組合連合会及び農林中央金庫 農林水産大臣及び内閣総理大臣

(iii) agricultural cooperative, federation of agricultural cooperatives, fisheries cooperative, federation of fisheries cooperatives, fishery processing cooperative, federation of fishery processing cooperatives and Norinchukin Bank: Minister of Agriculture, Forestry and Fisheries and Prime Minister;

四 株式会社商工組合中央金庫 経済産業大臣、財務大臣及び内閣総理大臣

(iv) Shokochukin Bank: Minister of Economy, Trade and Industry, Minister of Finance, and Prime Minister; or

五 株式会社日本政策投資銀行 財務大臣（株式会社日本政策投資銀行が株式会社日本政策投資銀行法第九条第一項の承認を受けた場合にあつては、財務大臣及び内閣総理大臣）

(v) Development Bank of Japan: Minister of Finance (or Minister of Finance and Prime Minister if the Development Bank of Japan has obtained the approval set forth in Article 9, paragraph (1) of the Development Bank of Japan Act).

(事業再生円滑化関連保証に係る保険料率)

#### (Insurance Premium Rates in Relation to Corporate Rehabilitation Facilitation-related Guarantees)

第二十一条 法第五十二条第三項の政令で定める率は、保証をした借入れの期間（中小企業信用保険法施行令（昭和二十五年政令第三百五十号）第二条第一項に規定する借入れの期間をいう。次条及び第三十条において同じ。）一年につき、普通保険（中小企業信用保険法（昭和二十五年法律第二百六十四号）第三条第一項に規定する普通保険をいう。次条において同じ。）及び無担保保険（同法第三条の二第一項に規定する無担保保険をいう。次条及び第二十九条において同じ。）にあつては一・六九パーセント（手形割引等特殊保証（同令第二条第一項に規定する手形割引等特殊保証をいう。以下この条、次条及び第三十条において同じ。）及び当座貸越し特殊保証（同令第二条第一項に規定する当座貸越し特殊保証をいう。以下この条、次条及び第三十条において同じ。）の場合は、一・四四パーセント）、特別小口保険（同法第三条の三第一項に規定する特別小口保険をいう。次条において同じ。）にあつては〇・四パーセン

ト（手形割引等特殊保証及び当座貸越し特殊保証の場合は、〇・三四パーセント）とする。

Article 21 The rate specified by Cabinet Order set forth in Article 52, paragraph (3) of the Act is 1.69% for ordinary insurance (meaning ordinary insurance as prescribed in Article 3, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act (Act No. 264 of 1950); the same applies in the following Article) and unsecured insurance (meaning unsecured insurance as prescribed in Article 3-2, paragraph (1) of the same Act; the same applies in the following Article and Article 29) (or the relevant rate is 1.44% in case of a negotiable instrument discount special guarantee (meaning a negotiable instrument discount special guarantee as prescribed in Article 2, paragraph (1) of the Order for Enforcement of the Small and Medium-Sized Enterprise Credit Insurance Act (Cabinet Order No. 350 of 1950); hereinafter the same applies in this Article, the following Article and Article 30) and an overdraft special guarantee (meaning an overdraft special guarantee as prescribed in Article 2, paragraph (1) of the same Order; hereinafter the same applies in this Article, the following Article and Article 30)), or 0.4% for special petty insurance (meaning special petty insurance as prescribed in Article 3-3, paragraph (1) of the same Act; the same applies in the following Article) (or the relevant rate is 0.34% in case of a negotiable instrument discount special guarantee and an overdraft special guarantee) per year during a guaranteed period of borrowings (meaning the period of borrowings prescribed in Article 2, paragraph (1) of the same Order; the same applies in the following Article and Article 30).

（事業再生計画実施関連保証に係る保険料率）

(Insurance Premium Rates in Relation to Corporate Rehabilitation Plan Implementation-related Guarantees)

第二十二条 法第五十三条第三項の政令で定める率は、保証をした借入れの期間一年につき、普通保険及び無担保保険にあつては〇・四一パーセント（手形割引等特殊保証及び当座貸越し特殊保証の場合は、〇・三五パーセント）、特別小口保険にあつては〇・一九パーセント（手形割引等特殊保証及び当座貸越し特殊保証の場合は、〇・一五パーセント）とする。

Article 22 The rate specified by Cabinet Order as set forth in Article 53, paragraph (3) of the Act is 0.41% for ordinary insurance and unsecured insurance (or the relevant rate is 0.35% in case of a negotiable instrument discount special guarantee and an overdraft special guarantee) or 0.19% for special petty insurance (or the relevant rate is 0.15% in case of a negotiable instrument discount special guarantee and an overdraft special guarantee) per year during a guaranteed period of borrowing.

（場所の定めのない株主総会等に係る会社法の適用）

(Application of the Companies Act Regarding a Shareholders Meeting without a Designated Location)

第二十三条 法第六十六条第二項の規定により会社法の規定を読み替えて適用する場合における同法第三百二十五条の三第一項第一号、第三百二十五条の四第二項及び第三百二十五条の七の規定の適用については、次の表の上欄に掲げる同法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。

Article 23 With respect to the application of the provisions of Article 325-3, paragraph (1), item (i), Article 325-4, paragraph (2), and Article 325-7 of the Companies Act in the case of applying the provisions of the same Act pursuant to the provisions of Article 66, paragraph (2) of the Act following the deemed replacement of terms, the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases respectively set forth in the right-hand column of the same table.

<p>第三百二十五条の三第一項第一号 Article 325-3, paragraph (1), item (i)</p>	<p>第二百九十八条第一項各号に掲げる事項 the matters set forth in each item of Article 298, paragraph (1)</p>	<p>産業競争力強化法（平成二十五年法律第九十八号）第六十六条第二項の規定により読み替えて適用する第二百九十八条第一項各号に掲げる事項 その他経済産業省令・法務省令で定める事項 the matters set forth in the items of Article 298, paragraph (1) as applied pursuant to the provisions of Article 66, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) following the deemed replacement of terms and other matters specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order</p>
---	--	--

<p>第三百二十五条の四第二項各号列記以外の部分</p> <p>The portion other than those set forth in the items of Article 325-4, paragraph (2)</p>	<p>同項第一号から第四号までに掲げる事項</p> <p>the matters provided for in item (i) through item (iv) of that paragraph</p>	<p>産業競争力強化法第六十六条第二項の規定により読み替えて適用する第二百九十八条第一項第一号から第四号までに掲げる事項その他経済産業省令・法務省令で定める事項</p> <p>the matters set forth in Article 298, paragraph (1), item (i) through item (iv) as applied pursuant to the provisions of Article 66, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms and other matters specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order</p>
<p>第三百二十五条の七</p> <p>Article 325-7</p>	<p>「同項第一号から第四号まで」とあるのは「第三百二十五条において準用する同項第一号から第四号まで」</p> <p>the phrase "item (i) through item (iv) of that paragraph" is deemed to be replaced with "item (i) through item (iv) of that paragraph applied mutatis mutandis pursuant to Article 325"</p>	<p>「第二百九十八条第一項第一号から第四号まで」とあるのは「第二百九十八条第一項第一号から第四号まで（第三百二十五条において準用する場合に限る。）」</p> <p>the phrase "Article 298, paragraph (1), item (i) through item (iv)" is deemed to be replaced with "Article 298, paragraph (1), item (i) through item (iv) (limited to the case where they are applied mutatis mutandis pursuant to Article 325)"</p>

(認定技術等情報漏えい防止措置認証機関の認定の有効期間)

(Effective Period of Approval for an Approved Entity Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised)

第二十四条 法第六十九条第一項の政令で定める期間は、三年とする。

Article 24 The period specified by Cabinet Order as set forth in Article 69, paragraph (1) of the Act is three years.

(機構による支援決定)

(Decisions of Support by the JIC)

第二十五条 法第百八条第二項ただし書の政令で定める出資は、次の各号のいずれにも該当するものとする。

Article 25 The contribution specified by Cabinet Order as set forth in the proviso to Article 108, paragraph (2) of the Act is the contribution that falls under all of the following items:

一 自らの経営資源以外の経営資源を活用し、新たな事業の開拓を行うことを目指した事業活動を行う事業者に対するものであること。

(i) the contribution is made to a business that carries out business activities aiming to develop new business by utilizing management resources other than its own management resources;

二 その額（株式会社産業革新投資機構（以下「機構」という。）が当該直接資金供給（法第九十五条第一項第四号に規定する直接資金供給をいう。）の対象となる事業者に対し、当該直接資金供給に係る特定事業活動（法第二条第二十五項に規定する特定事業活動をいう。）に関して既に出資（法第百八条第二項ただし書の規定により経済産業大臣に意見を述べる機会を与えないで決定したものに限る。次号において同じ。）を行った場合にあつては、その既に行った出資の額とその行おうとする出資の額との合計額）が十億円を超えないものであること。

(ii) the amount of the contribution is not more than 1,000,000,000 yen (or, the sum of the amount of the contribution already made and the contribution to be made is not more than 1,000,000,000 yen, if the Japan Investment Corporation (hereinafter referred to as the "JIC") has already made a contribution (limited to a contribution decided without giving the Minister of Economy, Trade and Industry an opportunity to present any opinions pursuant to the provisions of the proviso to Article 108, paragraph (2) of the Act; the same applies in the following item) to a business subject to direct fund provision (meaning the direct fund provision prescribed in Article 95, paragraph (1), item (iv) of the Act) with regard to specified business activities (meaning the specified business activities prescribed in Article 2, paragraph (25) of the Act) for the direct fund provision); and

三 その額と機構が既に行った出資（その出資に係る株式について法第百一条第一項第十三号の譲渡その他の処分を行ったものを除く。）の額との合計額が、九百億円を超えないものであること。

(iii) the sum of the amount of the contribution and the amount of the contribution already made by the JIC (excluding the contribution for which related shares have been transferred or have otherwise been disposed of under Article 101, paragraph (1), item (xiii) of the Act) is not more than 90,000,000,000 yen.

（評価委員の任命及び機構が譲受けを行う特定株式の評価等）

(Appointment of Evaluation Committee Members and Evaluation of Specified Shares to Be Accepted by the JIC)

第二十六条 法第百十二条第三項の評価委員（次項及び第二十八条第一項において単に「評価委員」という。）は、次に掲げる者につき経済産業大臣が任命する。



Article 26 (1) Evaluation committee members as set forth in Article 112, paragraph (3) of the Act (simply referred to as "evaluation committee members" in the following paragraph and Article 28, paragraph (1)) are the following persons appointed by the Minister of Economy, Trade and Industry:

一 財務省の職員 一人

(i) official of the Ministry of Finance: one person;

二 経済産業省の職員 一人

(ii) official of the Ministry of Economy, Trade and Industry: one person;

三 対象会社（機構が法第百十二条第一項の規定により譲受けを行い、又は法第百十四条第一項の規定により譲渡を行おうとする法第百十一条に規定する特定株式に係る法第二条第二十七項に規定する特定政府出資会社をいう。第三項及び第二十八条第二項において同じ。）の設立を認可した大臣の分担管理する行政事務をつかさどる機関たる各省（当該大臣が内閣総理大臣である場合にあっては、内閣府。第三項及び第二十八条第二項において「担当府省」という。）の職員 一人

(iii) official of the relevant ministry as the organization in charge of the administrative affairs which the minister that has given authorization for the establishment of the subject company (meaning the specified government-funded company prescribed in Article 2, paragraph (27) of the Act regarding the specified shares prescribed in Article 111 of the Act which the JIC accepts pursuant to the provisions of Article 112, paragraph (1) of the Act, or intends to accept pursuant to the provisions of Article 114, paragraph (1); the same applies in paragraph (3) and Article 28, paragraph (2)) takes charge of and manages (if the minister is the Prime Minister, the Cabinet Office; referred to as the "office or ministry in charge" in paragraph (3) and Article 28, paragraph (2)): one person;

四 機構の取締役 一人

(iv) director of the JIC: one person; and

五 学識経験のある者 三人

(v) persons that have relevant knowledge and experience: three persons.

2 法第百十二条第三項の評価は、評価委員の過半数の一致によるものとする。

(2) Evaluation as set forth in Article 112, paragraph (3) of the Act is to be made by the consent of the majority of the evaluation committee members.

3 法第百十二条第三項の評価に関する庶務は、経済産業省経済産業政策局産業創造課並びに担当府省の部局に置かれる対象会社の組織及び運営一般に関する事務を所掌する課（担当府省が内閣府である場合にあっては、内閣府本府に置かれる政策統括官）において処理する。

(3) General affairs concerning the evaluation as set forth in Article 112, paragraph (3) of the Act are processed by the Industry Creation Policy Division, Economic and Industrial Policy Bureau, Ministry of Economy, Trade and Industry and the division that has jurisdiction over affairs concerning the subject company's organization and operation in general established in a

department of the office or ministry in charge (if the office or ministry in charge is the Cabinet Office, the Director General assigned in the Cabinet Office).

(機構の株主のうち政府以外のものが行う株式買取請求について会社法の規定を準用する場合の技術的読替え)

**(Technical Replacement of Phrases When Applying the Provisions of the Companies Act to the Exercise of Appraisal Rights by a Shareholder of the JIC Other Than the Government)**

第二十七条 法第百十三条の規定により会社法の規定を準用する場合における同条の規定による同法の規定の技術的読替えは、次の表のとおりとする。

**Article 27** The technical replacement of phrases of the provisions of the Companies Act under Article 113 of the Act in the case of applying *mutatis mutandis* the provisions of the Companies Act pursuant to the provisions of the same Article is as shown in the following table.

読み替える会社法の規定 Provisions of the Companies Act for which the phrases are deemed to be replaced	読み替えられる字句 Phrase deemed to be replaced	読み替える字句 Phrase to be replaced with
--	---	---------------------------------------

<p>第四百七十条第一項 Article 470, paragraph (1)</p>	<p>ならない。 must pay that price within sixty days from the effective day.</p>	<p>ならない。ただし、機構は、特定株式譲受けの対価として株式の発行又は自己株式の処分をするときは、産業競争力強化法第百十二条第二項において読み替えて適用する第百九十九条第二項ただし書の規定による決定において踏まえるべき同法第百十二条第三項の評価委員の評価を踏まえて協議をしなければならない。 must pay that price within sixty days from the effective day; provided, however, that if the JIC issues shares or disposes of treasury shares in exchange for the acceptance of specified shares, it must hold consultation based on the evaluation by the evaluation committee members refererred to in Article 112, paragraph (3) of the Act on Strengthening Industrial Competitiveness. which should be used as the basis in making a decision under the proviso to Article 199, paragraph (2) as applied pursuant to Article 112, paragraph (2) of the same Act</p>
---	--	---

(機構が譲渡を行おうとする特定株式の評価等)

(Evaluation of Specified Shares to Be Transferred by the JIC)

第二十八条 法第百十四条第二項の評価は、評価委員の過半数の一致によるものとする。

Article 28 (1) Evaluation as set forth in Article 114, paragraph (2) of the Act is to be made by the consent of the majority of the evaluation committee members.

2 法第百十四条第二項の評価に関する庶務は、経済産業省経済産業政策局産業創造課並びに担当府省の部局に置かれる対象会社の組織及び運営一般に関する事務を所掌する課（担当府省が内閣府である場合にあっては、内閣府本府に置かれる政策統括官）において処理する。

(2) General affairs concerning the evaluation as set forth in Article 114, paragraph (2) of the Act are processed by the Industry Creation Policy Division, Economic and Industrial Policy Bureau, Ministry of Economy, Trade and Industry and the division that has jurisdiction over affairs concerning the subject company's organization and operation in general established in a department of the office or ministry in charge (if the office or ministry in charge is the Cabinet Office, the Director General assigned in the Cabinet Office).

(創業関連保証に係る中小企業信用保険法の特例)

(Special Provisions for the Small and Medium-Sized Enterprise Credit

**Insurance Act in Relation to Start-Up-related Guarantees)**

第二十九条 法第二百二十九条第五項の政令で指定する無担保保険の保険関係は、中小企業信用保険法第三条の二第一項に規定する債務の保証（同法以外の法律に規定するもの並びに同法第十二条に規定する経営安定関連保証及び同法第十五条に規定する危機関連保証を除く。）に係る保険関係及び法第二百二十九条第一項に規定する創業関連保証に係る保険関係とし、同条第五項の政令で定める限度額は、八千万円とする。

**Article 29** The insurance relationships of unsecured insurance designated by Cabinet Order as prescribed in Article 129, paragraph (5) of the Act are those regarding the guarantee of obligations prescribed in Article 3-2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act (excluding the guarantees of obligations prescribed in Acts other than the same Act, the management stabilization-related guarantee prescribed in Article 12 of the same Act, and the crisis-related guarantee prescribed in Article 15 of the same Act), and those regarding the start-up-related guarantee prescribed in Article 129, paragraph (1) of the Act, and the limit designated by Cabinet Order set forth in paragraph (5) of the same Article is 80,000,000 yen.

第三十条 法第二百二十九条第六項の政令で定める率は、保証をした借入れの期間一年につき、〇・二九パーセント（手形割引等特殊保証及び当座貸越し特殊保証の場合は、〇・二五パーセント）とする。

**Article 30** The rate specified by Cabinet Order as set forth in Article 129, paragraph (6) of the Act is 0.29% (or 0.25% in case of a negotiable instrument discount special guarantee and an overdraft special guarantee) per year during a guaranteed period of borrowing.

（中小企業再生支援協議会の組織）

**(Organization of the Small and Medium-Sized Enterprise Revitalization Support Councils)**

第三十一条 法第百三十五条第一項に規定する中小企業再生支援協議会（以下この条及び第三十四条において「協議会」という。）の委員は、五人以上でなければならない。

**Article 31 (1)** The Small and Medium-sized Enterprise Revitalization Support Council prescribed in Article 135, paragraph (1) of the Act (hereinafter referred to as the "Council" in this Article and Article 34) must have five or more Council members.

2 協議会に会長一人を置き、委員のうちから、委員の互選によってこれを定める。

**(2)** The Council has a chairperson, for whom the Council members vote from among themselves.

3 会長は、協議会の会務を総理する。

**(3)** The chairperson presides over the affairs of the Council.

4 協議会は、あらかじめ、委員のうちから、会長に事故がある場合における会長の職務を代理する者を定めておかななければならない。

(4) The Council must designate, in advance, a Council member to undertake the duties of the chairperson in the event that the chairperson is unable to perform their duties.

5 認定支援機関（法第百三十四条第二項に規定する認定支援機関をいう。第三十三条及び第三十四条において同じ。）に、協議会の事務局を置く。

(5) A Council secretariat is established in an approved support institution (meaning the approved support institution prescribed in Article 134, paragraph (2) of the Act; the same applies in Article 33 and Article 34).

（委員の任期）

(Term of Office of Council Members)

第三十二条 委員の任期は、三年とする。ただし、委員が欠けた場合における補欠の委員の任期は、前任者の残任期間とする。

Article 32 (1) The term of office of Council members is three years; provided, however, that the term of office of a Council member chosen to fill a vacancy is the remaining term of office of their predecessor.

2 委員は、再任されることができる。

(2) Council members may be reappointed.

（委員の解任）

(Dismissal of Council Members)

第三十三条 認定支援機関の長は、委員が破産手続開始の決定を受け、又は禁錮以上の刑に処せられたときは、その委員を解任しなければならない。

Article 33 (1) The head of an approved support institution must dismiss a Council member if the relevant member has received an order for the commencement of bankruptcy proceedings or has been subject to a sentence heavier than imprisonment without work.

2 認定支援機関の長は、委員が心身の故障のため職務の執行ができないと認めるとき、又は委員に職務上の義務違反その他委員たるに適しない非行があると認めるときは、これを解任することができる。

(2) The head of an approved support institution may dismiss any Council member if the relevant head considers that the member is unable to perform duties owing to a mental or physical disorder, that the member has acted contrary to their duties, or that the behavior of the member is not appropriate as a Council member.

（定足数及び議決の方法）

(Quorums and Methods of Resolution)

第三十四条 協議会は、委員及び認定支援機関の長の過半数が出席しなければ、会議を開き、議決をすることができない。

Article 34 (1) The Council may neither meet nor vote unless a majority of the

total of the Council members and the head of the relevant approved support institution is present at the meeting.

2 協議会の決議は、出席した委員及び認定支援機関の長の過半数をもって行う。可否同数のときは、会長が決する。

(2) A resolution by the Council is to be made by a majority of the votes of the Council members and the head of the relevant approved support institution present at the meeting. In case of a tie, the chairperson makes the final decision.

(独立行政法人中小企業基盤整備機構が出資する投資事業有限責任組合の範囲)

(Scope of Investment Limited Partnerships to Which the Organization for Small & Medium Enterprises and Regional Innovation Makes Contributions)

第三十五条 法第四百十条第一号の政令で定める投資事業有限責任組合は、次に掲げる者に対して投資事業有限責任組合契約に関する法律第三条第一項各号に掲げる事業の全部又は一部を営むことを約した投資事業有限責任組合とする。

Article 35 (1) An investment limited partnership specified by Cabinet Order as set forth in Article 140, item (i) of the Act is that which has pledged to operate the whole or part of the businesses set forth in the items of Article 3, paragraph (1) of the Investment Limited Partnership Act to a person set forth in the following items:

一 法第二十四条第一項に規定する認定事業再編事業者

(i) the approved business implementing corporate restructuring prescribed in Article 24, paragraph (1) of the Act;

二 事業再編を実施する事業者であって、次のいずれかに該当するもの

(ii) businesses that implement corporate restructuring and fall under either of the following:

イ 次の(1)から(3)までのいずれかに掲げる額の前事業年度終了の日における純資産の額に対する割合が百分の二を超えるものであること。

(a) the percentage of the amount set forth in any of the following 1. to 3. against the amount of net assets as of the final day of the previous business year exceeds two percent:

(1) 前事業年度において生じた純損失の額

1. the amount of net loss that arose in the previous business year;

(2) 前事業年度前三年度のいずれかの事業年度から前事業年度までの各年度に生じた純損失の額の合計額

2. the total amount of net loss that arose in each business year during a period from any of the three business years preceding the previous business year to the previous business year; or

(3) 前事業年度終了の日における欠損の額

3. the amount of deficit as of the final day of the previous business year; or

ロ 前事業年度終了の日における貸借対照表上の負債の額が資産の額を超えるもの

であること。

(b) the amount of liabilities exceeds the amount of assets on the balance sheet as of the final day of the previous business year; or

三 前二号に掲げる事業者の関係事業者

(iii) related businesses of those businesses set forth in the preceding two items.

2 前項第二号イに規定する純資産、純損失及び欠損の額並びに同号ロに規定する負債及び資産の額の算定の方法は、経済産業省令で定める。

(2) The method for calculating the amounts of net assets, net loss and deficits prescribed in item (ii), (a) of the preceding paragraph, and the amounts of liabilities and assets prescribed in (b) of the same item is specified by Order of the Ministry of Economy, Trade and Industry.

## 附 則

### Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この政令は、法の施行の日（平成二十六年一月二十日）から施行する。ただし、第十六条から第十九条までの規定及び附則第十三条中経済産業省組織令（平成十二年政令第二百五十四号）第五十七条の改正規定は、法附則第一条第二号に掲げる規定の施行の日（同年四月一日）から施行する。

Article 1 This Cabinet Order comes into effect as of the date of enforcement of the Act (January 20, 2014); provided, however, the provisions of Articles 16 through 19 and the provisions amending Article 57 of the Order for Organization of Ministry of Economy, Trade and Industry (Cabinet Order No. 254 of 2000) in Article 13 of the Supplementary Provisions come into effect as of the date of enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions of the Act (April 1, 2014).

(産業活力の再生及び産業活動の革新に関する特別措置法施行令の廃止)

(Repeal of the Order for Enforcement of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities)

第二条 産業活力の再生及び産業活動の革新に関する特別措置法施行令（平成十一年政令第二百五十八号）は、廃止する。

Article 2 The Order for Enforcement of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Cabinet Order No. 258 of 1999) is abolished.

(公庫の行う損失補填業務に関する経過措置)

(Transitional Measures Concerning Business Operations to Compensate Losses)

### Undertaken by the JFC)

第三条 法附則第十二条の規定によりなおその効力を有することとされた法附則第四条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号。次条及び附則第五条において「旧産活法」という。）第二十四条の二第一項の損失の補填に係る株式会社日本政策金融公庫（次条において「公庫」という。）の業務については、前条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法施行令（以下この条、次条及び附則第五条において「旧産活法施行令」という。）第九条（同条の表中第十六条第三項の項及び第二十二條第三項の項を除く。）の規定は、この政令の施行後も、なおその効力を有する。この場合において、旧産活法施行令第九条中「法第二十四条の二第二項」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）附則第十二条の規定によりなおその効力を有することとされた同法附則第四条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第二十四条の二第二項」と、同条の表第二十一条第一項第二号の項中「産業活力の再生及び産業活動の革新に関する特別措置法」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）附則第十二条の規定によりなおその効力を有することとされた同法附則第四条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号。第二十二條第一項において「旧産活法」という。）」と、同表第二十二條第一項の項中「産業活力の再生及び産業活動の革新に関する特別措置法」とあるのは「旧産活法」とする。

Article 3 The provisions of Article 9 of the Order for Enforcement of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities prior to the repeal under the preceding Article (hereinafter referred to as the "Former Order for Enforcement of the Industrial Revitalization Act" in this Article, the following Article, and Article 5 of the Supplementary Provisions) (those provisions exclude excluding the row of Article 16, paragraph (3) and the row of Article 22, paragraph (3) of the table of Article 9) remain in force even after the enforcement of this Cabinet Order, with respect to business operations of the Japan Finance Corporation Act (referred to as the "JFC" in the following Article) in relation to compensation for losses set forth in Article 24-2, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999; referred to as the "Former Industrial Revitalization Act" in the following Article and Article 5 of the Supplementary Provisions) prior to the repeal under Article 4 of the Supplementary Provisions of the Act, which is to remain in force pursuant to the provisions of Article 12 of the Supplementary Provisions of the Act. In this case, the phrase "Article 24-2, paragraph (2) of the Act" in Article 9 of the Former Order for Enforcement of the Industrial Revitalization Act is deemed to be replaced with "Article 24-2, paragraph (2) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999) prior to



the repeal under Article 4 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), which is to remain in force pursuant to the provisions of Article 12 of the Supplementary Provisions of the same Act"; the phrase "the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" in the row of Article 21, paragraph (1), item (ii) of the table of Article 9 of the Former Order for Enforcement of the Industrial Revitalization Act is deemed to be replaced with "the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999; referred to as the "Former Industrial Revitalization Act" in Article 22, paragraph (1)) prior to the repeal under Article 4 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), which is to remain in force pursuant to the provisions of Article 12 of the Supplementary Provisions of the same Act"; and the phrase "the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" in the row of Article 22, paragraph (1) of the same table is deemed to be replaced with "the Former Industrial Revitalization Act".

(公庫の行う事業再構築等促進円滑化業務に関する経過措置)

(Transitional Measures Concerning the JFC's Business Operations to Facilitate Business Reconstruction Promotion)

第四条 法附則第十三条の規定によりなおその効力を有することとされた旧産活法第二十四条の三第一項に規定する公庫の事業再構築等促進円滑化業務については、旧産活法施行令第十一条の規定は、この政令の施行後も、なおその効力を有する。この場合において、同条中「法第二十四条の三第一項」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）附則第十三条の規定によりなおその効力を有することとされた同法附則第四条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第二十四条の三第一項」と、「産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第二十四条の三第二項」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）附則第十三条の規定によりなおその効力を有することとされた同法附則第四条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第二十四条の三第二項」とする。

Article 4 The provisions of Article 11 of the Former Order for Enforcement of the Industrial Revitalization Act remain in force even after the enforcement of this Cabinet Order, with respect to the JFC's business operations to facilitate business reconstruction promotion prescribed in Article 24-3, paragraph (1) of the Former Industrial Revitalization Act, which is to remain in force pursuant to the provisions of Article 13 of the Supplementary Provisions of the Act. In this case, in the same Article, the phrase "Article 24-3, paragraph (1) of the Act" is deemed to be replaced with "Article 24-3, paragraph (1) of the Act on

Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999) prior to the repeal under Article 4 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), which is to remain in force pursuant to the provisions of Article 13 of the Supplementary Provisions of the same Act"; and the phrase "Article 24-3, paragraph (2) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999)" is deemed to be replaced with "Article 24-3, paragraph (2) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999) prior to the repeal under Article 4 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), which is to remain in force pursuant to the provisions of Article 13 of the Supplementary Provisions of the same Act".

(旧産活法第二十四条の五第一項に規定する指定金融機関の行う事業再構築等促進業務に関する経過措置)

(Transitional Measures Concerning Business Operations to Promote Business Reconstruction, etc., Which Are Undertaken by Designated Financial Institutions Prescribed in Article 24-5, Paragraph (1) of the Former Industrial Revitalization Act)

第五条 法附則第十四条の規定によりなおその効力を有することとされた旧産活法第二十四条の五第一項に規定する指定金融機関の行う同項に規定する事業再構築等促進業務については、旧産活法施行令第十四条の規定は、この政令の施行後も、なおその効力を有する。この場合において、同条中「法第二十四条の五第一項」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）附則第十四条の規定によりなおその効力を有することとされた同法附則第四条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号。以下この条において「旧産活法」という。）第二十四条の五第一項」と、「法第二十四条の七第一項」とあるのは「旧産活法第二十四条の七第一項」と、「法第二十四条の十」とあるのは「旧産活法第二十四条の十」と、「法第二十四条の十二第一項」とあるのは「旧産活法第二十四条の十二第一項」と、「法第二十四条の十一第一項」とあるのは「旧産活法第二十四条の十一第一項」とする。

Article 5 The provisions of Article 14 of the Former Order for Enforcement of the Industrial Revitalization Act remain in force even after the enforcement of this Cabinet Order, with respect to the business operations to promote business reconstruction, etc. prescribed in Article 24-5, paragraph (1) of the Former Industrial Revitalization Act, which is to remain in force pursuant to the provisions of Article 14 of the Supplementary Provisions of the Act, which are to be undertaken by designated financial institutions prescribed in the same paragraph. In this case, in the same Article, the phrase "Article 24-5,

paragraph (1) of the Act" is deemed to be replaced with "Article 24-5, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999; hereinafter referred to as the "Former Industrial Revitalization Act" in this Article) prior to the repeal under Article 4 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), which is to remain in force pursuant to the provisions of Article 14 of the Supplementary Provisions of the same Act"; the phrase "Article 24-7, paragraph (1) of the Act" is deemed to be replaced with "Article 24-7, paragraph (1) of the Former Industrial Revitalization Act"; the phrase "Article 24-10 of the Act" is deemed to be replaced with "Article 24-10 of the Former Industrial Revitalization Act"; the phrase "Article 24-12, paragraph (1) of the Act" is deemed to be replaced with "Article 24-12, paragraph (1) of the Former Industrial Revitalization Act"; and the phrase "Article 24-11, paragraph (1) of the Act" is deemed to be replaced with "Article 24-11, paragraph (1) of the Former Industrial Revitalization Act".

**附 則** 〔平成二十七年四月一日政令第百六十九号〕

**Supplementary Provisions [Cabinet Order No. 169 of April 1, 2015]**

この政令は、公布の日から施行する。

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

**附 則** 〔平成二十七年四月三十日政令第百二十五号〕

**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 date of enforcement of the Act for Partial Amendment of the Companies Act (May 1, 2015).

**附 則** 〔平成二十八年一月二十二日政令第十八号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 18 of January 22, 2016]**

**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、特許法等の一部を改正する法律の施行の日（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 date of enforcement of the Act for Partial Amendment of the Patent Act, etc. (April 1, 2016).

附 則 〔平成二十八年二月二十四日政令第四十八号〕 〔抄〕  
**Supplementary Provisions [Cabinet Order No. 48 of February 24, 2016]**  
**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、電気事業法等の一部を改正する等の法律（以下「改正法」という。）附則第一条第三号に掲げる規定の施行の日（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 date of enforcement of the provisions set forth in Article 1, item (iii) of the Supplementary Provisions of the Act for Partial Amendment of the Electricity Business Act, etc. (hereinafter referred to as the "Amendment Act") (April 1, 2016).

附 則 〔平成二十八年六月三十日政令第二百四十八号〕  
**Supplementary Provisions [Cabinet Order No. 248 of June 30, 2016]**

この政令は、中小企業の新たな事業活動の促進に関する法律の一部を改正する法律の施行の日（平成二十八年七月一日）から施行する。

This Cabinet Order comes into effect as of the date of enforcement of the Act for Partial Amendment of the Act for Facilitating New Business Activities of Small and Medium-sized Enterprises (July 1, 2016).

附 則 〔平成二十九年三月二十三日政令第四十号〕 〔抄〕  
**Supplementary Provisions [Cabinet Order No. 40 of March 23, 2017]**  
**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、第五号施行日（平成二十九年四月一日）から施行する。

Article 1 This Cabinet Order comes into effect as of the effective date of item (v) (April 1, 2017).

附 則 〔平成二十九年十月二十五日政令第二百六十二号〕  
**Supplementary Provisions [Cabinet Order No. 262 of October 25, 2017]**

この政令は、中小企業の経営の改善発達を促進するための中小企業信用保険法等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 date of enforcement of the Act for Partial Amendment of the Small and Medium-sized Enterprise Credit

Insurance Act for Promoting Improvement and Development of the Business Management of Small and Medium-sized Enterprises (April 1, 2018).

附 則 〔平成三十年七月六日政令第百九十九号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 199 of July 6, 2018]**

**[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、改正法の施行の日（平成三十年七月九日）から施行する。

Article 1 This Cabinet Order comes into effect as of the date of enforcement of the Amendment Act (July 9, 2018).

附 則 〔平成三十年九月二十一日政令第二百六十五号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 265 of September 21, 2018]**

**[Extract]**

(施行期日)

(Effective Date)

1 この政令は、産業競争力強化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（平成三十年九月二十五日）から施行する。

(1) This Cabinet Order comes into effect as of the date of enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions of the Act for Partial Amendment of the Act on Strengthening Industrial Competitiveness, etc. (September 25, 2018).

(罰則に関する経過措置)

(Transitional Measures Concerning 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) Prior laws continue to govern the application of penal provisions for acts committed prior to the enforcement of this Cabinet Order.

附 則 〔令和三年六月十六日政令第百六十九号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 69 of June 16, 2021]**

**[Extract]**

(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 date of promulgation.

附 則 〔令和三年七月三十日政令第二百十九号〕

Supplementary Provisions [Cabinet Order No. 219 of July 30, 2021]

(施行期日)

(Effective Date)

1 この政令は、産業競争力強化法等の一部を改正する等の法律（次項において「改正法」という。）の施行の日（令和三年八月二日）から施行する。

(1) This Cabinet Order comes into effect as of the date of enforcement of the Act for Partial Amendment of the Act on Strengthening Industrial Competitiveness, etc. (referred to as the "Amendment Act" in the following paragraph) (August 2, 2021).

(創業等関連保証に係る保険関係に係る保険料率に関する経過措置)

(Transitional Measures Concerning Insurance Premium Rates in Relation to Insurance Relationships Regarding Start-Up, etc.-Related Guarantee)

2 改正法附則第七条の規定により改正法第二条の規定による改正後の産業競争力強化法第百二十九条の規定の適用を受けて成立している同条第一項に規定する創業関連保証に係る保険関係とみなされた改正法第四条の規定（改正法附則第一条第四号に掲げる改正規定を除く。）による改正前の中小企業等経営強化法（平成十一年法律第十八号）第四条の規定の適用を受けて成立している同条第一項に規定する創業等関連保証に係る保険関係についての産業競争力強化法施行令第三十条の規定の適用については、同条中「〇・二九パーセント」とあるのは「〇・四パーセント」と、「〇・二五パーセント」とあるのは「〇・三四パーセント」とする。

(2) With respect to the application of the provisions of Article 30 of the Order for Enforcement of the Act on Strengthening Industrial Competitiveness to insurance relationships regarding start-up, etc.-related guarantee prescribed in Article 4, paragraph (1) of the Small and Medium-sized Enterprises Business Enhancement Act (Act No. 18 of 1999) prior to amendment by the provisions of Article 4 of the Amendment Act (excluding the amendment provisions set forth in Article 1, item (iv) of the Supplementary Provisions of the Amendment Act) that are established under application of the provisions of Article 4 of the Small and Medium-sized Enterprises Business Enhancement Act, which are deemed, pursuant to the provisions of Article 7 of the Supplementary Provisions of the Amendment Act, to be insurance relationships regarding start-up, etc.-related guarantee prescribed in Article 129, paragraph (1) of the Act on Strengthening Industrial Competitiveness amended by Article 2 of the Amendment Act that are established under application of the provisions of Article 129 of the Act on Strengthening Industrial Competitiveness, the term "0.29%" in Article 30 of the Order for Enforcement of the Act on Strengthening Industrial Competitiveness is deemed to be replaced with "0.4%", and the term "0.25%" in the same Article is deemed to be

replaced with "0.34%".

附 則 〔令和四年八月三十一日政令第二百八十五号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 285 of August 31, 2022]**

**[Extract]**

(施行期日)

(Effective Date)

1 この政令は、会社法の一部を改正する法律（令和元年法律第七十号）附則第一条ただし書に規定する規定の施行の日（令和四年九月一日）から施行する。ただし、第一条、第六条及び第十条第十一号の改正規定は、公布の日から施行する。

(1) This Cabinet Order comes into effect as of the date of enforcement of the provisions set forth in the proviso to Article 1 of the Supplementary Provisions of the Act for Partial Amendment of the Companies Act (Act No. 70 of 2019) (September 1, 2022); provided, however, that the provisions amending Article 1, Article 6, and Article 10, item (xi) come into effect as of the date of promulgation.